

FORMAL PROCUREMENT PROCEDURES

PROCUREMENT REVIEW – FORMAL PURCHASE

(Purchase costing equal to or more than \$250,000, or less of local procurement threshold)

Sealed Bids

also known as: Invitation for Bids (IFB)

or

Competitive Proposals

also known as: Request for Proposals (RFP)

Small Purchases Threshold: \$ _____

Vendor Name: _____

Request the following documentation:

- Solicitation documents with Terms and Conditions, Product Specifications, and Quantities
- Evaluation criteria (Evaluation Matrix or Evaluation Summary is acceptable)
- Awarded Contract (if applicable – RFP or Bid could become the awarded contract)
- Purchase orders (if applicable)
- Three (3) invoices from vendor (one from each month April, May, and June)

SOLICITATION

	Circle One	
1) Did the SFA provide copy of completed Procurement Review form?	Yes	No - Finding
2) Was this procurement in compliance with the requirements for the appropriate threshold (Federal, State, and Local)	Yes	No - Finding
3) Was a prototype agreement or solicitation document required when awarding the agreement? (example vended meal agreement)	N/A	Yes No - Finding
4) Was pre-issuance review requirement on procurements:		
• Did the SFA comply with DPI requirements prior to soliciting?	N/A	Yes No - Finding
• Were changes required by DPI made prior to soliciting?	N/A	Yes No
5) Was cost/price analysis conducted to estimate the cost of goods or services prior to soliciting?	Yes	No - Finding
6) Were price or rate quotations obtained from an adequate number (2 or more) of qualified sources?	Yes	No
• If no, explain:	N/A	Finding? Yes No
7) Did the SFA restrict competition by:		
• Placing unreasonable requirements on firms to qualify for business?	Yes - Finding	No
• Requiring unnecessary experience or excessive bonding?	Yes - Finding	No
• Specifying a “brand name” product, not allowing “an equal” product to be offered?	Yes - Finding	No
8) Were clear and accurate descriptions of the technical requirements provided for the product, or service being procured?	Yes	No - Finding

ADDITIONAL COMMENTS:

SOLICITATION – COMPETITIVE SEALED BIDS AND REQUEST FOR PROPOSALS

9) Did the Invitation for Bid (IFB) or Request for Proposal (RFP):			
a) Identify all specifications, evaluation factors and their relative importance with price as the primary factor?	Yes	No - Finding	
b) Seek/invite two or more qualified sources willing and able to compete?	Yes	No	
o If no, finish completing this section and answer questions in the Noncompetitive Proposals section.			
c) Include the requirement for contract award to the lowest responsive and responsible bidder or bid/offer most advantageous to the program with price and other factors considered? (Price as the primary factor)	N/A	Yes	No - Finding
d) Provide adequate time provided for bidders to respond prior to the bid opening date?	Yes	No - Finding	
10) Was the solicitation publically advertised to an adequate number of qualified sources to secure more than one bid/offer?	Yes	No - Finding	
11) Did the IFB or RFP include the following clauses, as applicable:			
a) Termination for cause and for convenience clause included with the manner by which it will be effected and the basis for settlement? (For contracts in excess of \$10,000 only)	Yes	No - Finding	
b) Equal Employment Opportunity? (in excess of \$10,000)	Yes	No - Finding	
c) Contract Work Hours/Safety Standards Act (40 U.S.C. 3701-3708)? (for contracts in excess of \$2,500)	N/A	Yes	No - Finding
d) Davis Bacon Act? (for construction contracts in excess of \$2,000)	N/A	Yes	No - Finding
e) Rights to Inventions Made under a Contract or Agreement? (if applicable)	N/A	Yes	No - Finding
f) Debarment and Suspension? (All contracts)	Yes	No - Finding	
g) Byrd Anti-Lobbying Amendment? (A Federal contract, grant, or cooperative agreement exceeding \$100,000)	Yes	No - Finding	
12) Did the IFB or RFP include all requirements regarding "Buy American?"			
a) Did the solicitation include a requirement that goods must be produced and processed in the United States ("Buy American")?	N/A	Yes	No - Finding
b) The need for documentation that requests consideration on the use of domestic alternative foods before approving an exception		Yes	No - Finding
c) A requirement to document the use of a non-domestic food exception when competition reveals the cost of domestic food is significantly higher than non-domestic food?		Yes	No - Finding
d) A requirement to document the use of a non-domestic alternative food due to the domestic food not produced or manufactured in sufficient and reasonable available quantities of a satisfactory quality?		Yes	No - Finding
ADDITIONAL COMMENTS:			
SOLICITATION - COMPETITIVE PROPOSALS (RFP) (IF REVIEWING AN IFB, SKIP TO EVALUATION AND AWARD SECTION)			N/A
13) Did the RFP have a written method for conducting technical evaluations of proposals to select recipients?	Yes	No - Finding	
14) For cost-reimbursable contracts:			
• Did the proposal include the following provisions:			
a) Allowable costs will be paid from the nonprofit school food service account to the contractor net of all discounts, rebates and other applicable credits accruing to or received by the contractor or any assignee under the contract to the extent those credits are allocable to the allowable portion of the costs billed to the school food authority?	N/A	Yes	No - Finding
b) The contractor must separately identify for each cost submitted for payment to the school food authority the amount of that cost that is allowable (can be paid from the		Yes	No - Finding

nonprofit school food service account) and the amount that is unallowable (cannot be paid from the nonprofit school food service account); or that the contractor must exclude all unallowable costs from its billing documents and certify that only allowable costs are submitted for payment and records have been established that maintain the visibility of unallowable costs, including directly associated costs in a manner suitable for contract cost determination and verification?			
c) The contractor must identify the amount of each discount, rebate and other applicable credit on bills and invoices presented to the school food authority for payment and individually identify the amount as a discount, rebate, or in the case of other applicable credits, the nature of the credit?	Yes	No - Finding	
d) The contractor must identify the method by which it will report discounts, rebates and other applicable credits allocable to the contract that are not reported prior to conclusion of the contract?	Yes	No - Finding	
e) The contractor must maintain documentation of costs and discounts, rebates and other applicable credits, and must furnish such documentation upon request to the school food authority, the State agency, or the Department?	Yes	No - Finding	
ADDITIONAL COMMENTS:			
SOLICITATION - USDA FOODS END PRODUCTS (Skip this section if no direct diversion end products listed PR Form – Mark N/A)			N/A
Procurement - USDA Foods End Products			
15) For contracts, did the SFA include:			
a) A provision for information in bid/response for food recalls procedures? NOTE: Responding to a Food Recall - Procedures for Recalls of USDA Foods	Yes	No - Finding	
b) Contact information for a point and backup person for handling food recalls? NOTE: Responding to a Food Recall - Procedures for Recalls of USDA Foods	Yes	No - Finding	
16) Did the SFA solicit for and receive USDA foods processed end products approved by the SDA? NOTE: SDAs approve the items available for sale in their State on the processor's SEPDS. Some States make the SEPDS available to the SFA. .	Completed at the state level		
Evaluation and Contract Award - USDA Foods End Products			
17) Did the supplier provide information for how food recalls will be handled? NOTE: FDD Policy: Responding to a Food Recall - Procedures for Recalls of USDA Foods	Yes	No - Finding	
18) Does the value pass-through method identified in the contract match what was included in the solicitation?	Yes	No - Finding	
Contract Performance Management Process - USDA Foods End Products			
19) Did the SFA receive the value of USDA foods as stated on the State-approved Summary End Product Data Schedule (SEPDS)? NOTE: SFA MUST COMPLETE USDA FOODS PROCESSING FORM FOR THIS QUESTION	Yes	No - Finding	
If no, did the SFA pursue the difference with the processor and come to a reasonable conclusion or work with the State Distributing Agency to reconcile the difference?	N/A	Yes	No - Finding
20) Is the SFA accepting and efficiently using large quantities of USDA Foods as may be offered as a donation by USDA?	Yes	No - Finding	
ADDITIONAL COMMENTS:			
SOLICITATION - NONCOMPETITIVE PROPOSALS			
21) Noncompetitive Proposals are allowable only if one of the four criteria are met:			

a) a public exigency/emergency did not permit a competitive solicitation	N/A	Yes	No
b) after solicitation of a number of sources, competition was inadequate		Yes	No
c) FNS or the State agency expressly authorized a noncompetitive proposal based on a written request from the SFA		Yes	No
d) The item was only available from a single source		Yes	No
22) If a noncompetitive method of procurement was used, did it meet one or more of the four criteria listed above?		Yes	No - Finding
<ul style="list-style-type: none"> If YES, explain: 			
EVALUATION AND AWARD PROCESS FOR IFB AND RFP			
23) For IFBs only:			
a) Were all bids opened at the time and place prescribed?	N/A	Yes	No - Finding
b) Was a firm, fixed-price contract awarded to the lowest responsive and responsible bidder?		Yes	No - Finding
c) Were the bids sealed prior to the bid opening?		Yes	No - Finding
24) For IFBs and RFPs:			
a) If any bids/offers were rejected, was the reason sound and documented?	N/A	Yes	No - Finding
b) Were bids/offers evaluated and awarded as published in the solicitation?		Yes	No - Finding
c) If an overly responsive bid/offer was received, did the SFA eliminate this bid/offer, or the overly responsive portion, when awarding the contract?	N/A	Yes	No - Finding
d) Were any unallowable cost items included in the awarded contract?		Yes - Finding	No
e) For geographic preference option, was the evaluation/scoring for award correct and as published?	N/A	Yes	No - Finding
f) Was a "noncompetitive contract awarded" to a consultant(s) on retainer?		Yes - Finding	No
g) Did the SFA maintain records sufficient to detail the significant history of the procurement?		Yes	No - Finding
h) Was the correct vendor selected based on the products/services requested and the vendor responses provided?		Yes	No - Finding
ADDITIONAL COMMENTS:			
CONTRACT MANAGEMENT PROCESS (FORMAL PROCEDURES)			
25) For all formal contracts:			
<ul style="list-style-type: none"> Did the SFA provide sufficient oversight of the procurement to ensure contractors performed in accordance with the terms, conditions, and specifications of their contracts? <ul style="list-style-type: none"> Attach/Describe procedures in Comments section below. 		Yes	No - Finding
26) If geographic preference was used, did the SFA evaluate vendor compliance?	N/A	Yes	No - Finding
27) For cost reimbursable contracts only:			
a) Was the return of discounts, rebates, and credits identified on vendor invoices submitted for payment?	N/A	Yes	No - Finding
b) If applicable, did the contract awardee report credits as frequently as required in solicitation? (not less than annually)	N/A	Yes	No - Finding
c) Did the contract, renewal, or amendment include any unallowable cost provisions (scholarships, gifts, grants, event tickets, catering accounts, etc.)?	N/A	Yes - Finding	No

28) Select 3 invoices for review to determine if the SFA is compliant with contract management requirements in 2 CFR 200.318(b) to ensure contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. <ul style="list-style-type: none">• Is the SFA complaint based on the product/service solicited, price, terms, etc.?	Yes	No - Finding
ADDITIONAL COMMENTS:		