

Non-Instructional Operations and Business Services

School Food Program Procurement and Standards of Conduct

The district shall follow applicable and appropriate federal regulations governing the procurement of goods and services used in the administration of the District's School Food Program. The federal procurement standards and methods are found at 7 CFR §§ 210.21©, 220.16© and 7 CFR § 3016.36. Depending upon the facts and services of the specific procurement one of the following methods, as further defined by federal regulation, shall be used: 1) Procurement by small purchase procedures; 2) Procurement by sealed bids (formal advertising); 3) Procurement by competitive proposal; and d4) Procurement by noncompetitive proposals.

Certain Standards of conduct govern the performance and actions related to the District's School Food Program. Specifically, officers, Board of directors, employees, contractors or volunteers of the district who participate in the procurement or any aspect of bidding, contracting, federal grants or the administration and supervision of contracts associated with and funded, in whole or in part, by the federal government for the District's School Food Program shall comply with the following Standards of Conduct:

- 1: No employee, officer, director, contractor, volunteer or agent of the District shall participate in the selection, award or administration of a bid or contract supported by USDA funds if a conflict of interest is real or apparent to a reasonable person. Conflicts of interest may arise when any employee, officer director, volunteer or agent of the District has a financial, family related, or any other beneficial interest in the vendor firm selected or considered for a bid award or contract.
2. No employee, officer, director, volunteer or agent of the District shall do business with, award contracts to, or show favoritism toward a member of (his or her) immediate family or spouse's member. Award of a contract or bid which violates the spirit or intent of federal, state and local procurement laws and policies established to maximize free and open competition with qualified vendors shall be considered null and void.
3. The District's employees, officer, directors, volunteers or agents, and their spouses and dependent children, shall comply with the Iowa Public Officials Act, Section 68B of Iowa Code, which prohibits either soliciting or accepting gratuities, gifts, trips, favors or anything having a monetary value in excess of three dollars (\$2.99) from a potential vendor, bidder, lobbyist or any party to a sub-agreement or contract.
4. The District shall pursue appropriate legal, administrative or disciplinary action against an employee, officer, director, volunteer, contractor, vendor or vendor's agent who is alleged to have committed, or has been convicted of or plead no contest to a procurement infraction related to Child Nutrition. If said person has been convicted, disciplined, or plead no contest to a procurement violation, this person shall be removed from any further responsibility or involvement with grants management, procurements or bids, consistent with local, state or federal policy.

Legal Reference: 42 U. S. C. Chapters 1751 et. seq. (1994).
Iowa Code Chapter 283A (2003).
281 I.A.C. C58.

Cross Reference: 900 Use of School District Facilities and Equipment

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