Butte School District

Procurement Policy for School Food Purchases   8210

The Butte School District will adhere to the following requirements for any procurement related to food service:  
  
Purchases:    
  
Purchases greater than $80,000:

* If the aggregate amount exceeds $80,000, the contract must be awarded through a formal bid process and a call for bids or request for proposals shall be published according to 20-9-204, MCA.  No contract shall be divided for the purpose of avoiding the formal procurement process.

Purchases greater than $50,000 and less than $80,000:

* Any purchase greater than $50,000 and less than $80,000 is considered a small purchase and does not require a bid process; however, the small purchase shall be made on a competitive basis.
* The Butte School District will obtain two or more estimates when any purchase will cost more than $50,000 and less than $80,000.

Purchases less than $50,000:

* Any purchase below $50,000 is considered a micro-purchase.  Micro-purchases may be awarded without soliciting competitive quotes if the price is considered reasonable. To the extent feasible, however, the Butte School District should distribute micro-purchases equitably among qualified suppliers.

Bid Specifications:  
  
The Butte School District contracts will not be awarded to any potential vendors who write any of the bid specifications, the solicitation documents, or any of the contract language.  The district must take care that any bids for services and supplies are written in the broadest possible terms to allow for participation by the largest number of potential vendors.  
Identical bid specifications and/or request for proposals will be provided to all potential vendors.

Geographic Preference:  
  
No Geographic Preference (advantage based on location) is allowed with federal funds except for documented Farm to School (Farm to Plate) efforts.  Therefore, as part of Farm to School,   
the Butte School District may choose to apply a geographic preference when procuring unprocessed locally grown or locally raised agricultural products only.  
  
Buy American:   
  
The Butte School District will adhere to “Buy American” for the food service program.  Therefore, Food Service is required to purchase, to the maximum extent possible, domestic products for use in meals served in our Child Nutrition Program.  However, exceptions are allowed when:

* Food preferences can only be met with foreign goods
* Insufficient quantity and/or quality is available in the USA
* Domestic cost is significantly higher

Standards of Conduct for District Employees:  
  
The Butte School District maintains the following code of conduct for any employees engaged in award and administration of contracts supported by Federal Funds:

* No District employee will engage in any procurement when there is a conflict of interest, real or perceived, and District employees cannot solicit or accept any gratuities, favors or
* Anything of monetary value from prospective vendors.  This shall not preclude district personnel from serving on boards or participating in organizations that support the district’s need to obtain quality services and supplies.
* No District employee shall participate in the selection, award or administration of a contract when any of the following persons have a financial interest in the firm selected for award:
  + The employee
  + Any member of his/her immediate family
  + People with whom there is an intimate personal relationship
  + An organization which employs or is about to employ any of the above
* The District would like all employees to behave with the utmost integrity and never be self-serving, be fair in all aspects of the procurement process, be alert to conflicts of interest, and avoid any compromising situations.
* Employees found to be in violation of this policy are subject to disciplinary action, up to and including termination.

**Legal Reference:**    § 20-10-204, MCA    Duties of trustees  
                                § 20-10-205, MCA    Allocation of federal funds to school food services  
                                                                 fund for federally connected, indigent pupils  
                                § 20-10-207, MCA   School food services fund  
                                2 CFR § 200.318      General Procurement Standards

**Policy History:**  
Adopted on: 2/19/18  
Revised on: 11/19/18, 11/22/22