

FOOD PROCUREMENT

It is the policy of the Gore Board of Education to follow acceptable practices in the procurement of food supplies or this school district. Acceptable practices are those set forth in federal law, Oklahoma statutes, and Department of Education regulations.

No employee, officer, or agent of this school district shall participate in the selection of or in the award or administration of a contract for food procurement if a conflict of interest, real or apparent, would be involved.

Conflicts of interest arise when any of the following has a financial or other interest in the firm selected for the award:

The employee, officer, or agent; any member of his/her immediate family; his/her partner; an organization which employs or is about to employ any of the above.

Officers, employees, and agents of this school district shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subagreements.

Officer, employees, contractors, and agents are expected to be aware of the penalties established by the Anti- Kickback Act of 1974 as codified by Oklahoma Statutes, Title 70, Section 340 J et seq.

The superintendent is directed to establish a regulation setting forth acceptable procurement procedures for this district.

The shall take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

Affirmative steps shall include:

- (1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- (2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
- (4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
- (5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
- (6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section

§ 200.320 Methods of procurement to be followed. The non-Federal entity must use one of the following methods of procurement.

- (a) Procurement by micro-purchases. Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$3,000 (or \$2,000 in the case of acquisitions for construction subject to the Davis-Bacon Act). To the extent practicable, the non-Federal entity must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable.
- (b) Procurement by small purchase procedures. Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the Simplified Acquisition Threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.

**REFERENCE: Oklahoma Department of Education Directive, dated June 6, 1988
Oklahoma Statutes, Title 70, Section 3401 et seq.
Oklahoma Statutes, Title 74, Section 85.32**

