

Rolling Hills Public Charter School
8900 Horseshoe Bend Road
Boise, ID 83714

7407 NSLP-1

CODE OF CONDUCT FOR CHILD NUTRITION PROGRAMS

Pursuant to 2 CFR 200.318 (c) (1), a code of conduct will be expected of all persons who are engaged in the awarding and administration of contracts supported by USDA Food and Nutrition Program Funds. The written standards of conduct must comply with the federal rule. At a minimum, the standards should include:

1. No employee, officer or agent of the **Rolling Hills Foodservice** shall participate in the selection or in the award or administration of a contract supported by program funds if a conflict of interest, real or apparent, would be involved.

Conflicts of interest arise when one of the following has a financial or other interest in the firm selected for the award or in any tangible personal benefit offered by the firm:

- a. The employee, officer, or agent;
 - b. His or her partner;
 - c. Any member of his or her immediate family;
 - d. An organization which employs or is about to employ one of the above.
2. The **Rolling Hills School Foodservice**, members, employees, officers, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, political contractors, or parties to sub-agreements. Trivial benefits not to exceed a value of fifty dollars (\$50.00) incidental to personal, professional or business contracts and involving no substantial risk of undermining official impartiality may be permitted.
 3. Penalties for violations of the standards of code of conduct of the Rolling Hills School Child Nutrition Program may include any or all of the following:
 - a. Reprimand or other disciplinary action by Board or Business Owner
 - b. Dismissal by Board or Business Owner
 - c. Additional legal action necessary

The non-Federal entity must maintain a written code of standards of conduct; establish procurement procedures and all procurement transactions shall be conducted in a manner that provides the maximum of free and open competition. These procedures must reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in 2 CFR 200.318. An institution should not knowingly do business with a company that is debarred or suspended.

Consult with local legal advisors on the statutes applicable to each institution so the policy may be tailored to your facility.

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Public Procurement of Goods and Services Bidding in USDA Child Nutrition Programs - Schools

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- 1) Must have a Code of Conduct
- 2) Must have written procedures relating for procurement transactions

<p>\$0 to \$3,500</p>	<p>Micro Purchases To the extent practicable, the District distributes micro-purchases equitably among qualified suppliers. Micro Purchases may be awarded without soliciting competitive quotations if the District considers the price to be reasonable. The District maintains evidence of this reasonableness in records of all micro-purchases.</p>	<p>2 CFR 200.320 (a) and defined by 2 CFR 200.67</p>
<p>\$3,501 - \$24,999</p>	<p>Small Purchase Procedures Verbal Quotes obtained from vendors - we suggest three, but if there are not that many in the area, then 2 will suffice. If small purchase procedures are used, <u>verbal</u> price or rate quotations must be obtained from an adequate number of qualified sources. Document all responses.</p>	<p>2 CFR 200.320 (b) Procurement by <u>small purchase procedures</u></p>
<p>\$25,000 to \$49,999</p>	<p>Semi-Formal bidding Issue written requests for bids describing goods or services desired to at least three vendors. Allow 3 days for written response, unless an emergency exists; 1 day for objections.</p>	<p>IC 67-2806 (1)</p>
<p>\$50,000 and above</p>	<p>Formal bidding Publish notice at least 2 weeks in advance of bid opening. Make bid specifications available; written objections allowed. May request bid security/bond. USDA - All bids will be publicly opened at the time and place prescribed in the invitation for bids. A firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming to all the material terms and conditions of the invitation for bid, is the lowest in price. Any or all bids may be rejected if there is a sound documented reason.</p>	<p>IC 67-2806 (2) Idaho requirements. 2 CFR Part 200.319 provides the language for the minimum requirements of a solicitation – USDA Must take the most restrictive</p>

This is for general purposes only. **The District may have a more restrictive bidding policy.** Please check with your district first before using this document.

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**PROTEST PROCEDURE ROLLING HILLS PUBLIC CHARTER
SCHOOL FOOD SERVICE**

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PROTESTS

Whenever possible, protests shall be resolved on an informal basis between the vendor and the purchasing agency. However, if no resolution can be made: the formal procedures for written protest are as follows:

- A. A written protest must be filed with the purchasing agency within 10 days after the protestor knows or should have known the basis of the protest. The submission shall include the following information.
 - a. Name, address, and telephone number of the protestor.
 - b. Signature of the protestor or an authorized agent of the protestor.
 - c. Identification of the purchasing agency and solicitation number.
 - d. Detailed statement and the basis of the protest with copies of relevant documents.
 - e. The form of relief requested.

The Rolling Hills Public Charter School Foodservice shall appoint a 5 person review board from its membership, consisting of one person from 5 districts, within the bid group. The review board shall meet and review submitted information and provide protesting vendor with a written final determination within 5 business days of their meeting.

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Procurement

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Standard Operating Procedure

PURPOSE: To purchase food and supplies within the USDA, SDE and Rolling Hills School District policies.

SCOPE: This procedure applies to anyone who purchases food and supplies for the Child Nutrition Program.

KEY WORDS: Procurement, Purchasing, Bids

INSTRUCTIONS:

1. Train foodservice employees on using the procedures in this SOP.
2. All purchases should be made following the USDA, SDE, and Rolling Hills School District Board policies.
3. Annually required food purchases will be prepared on an invitation for bid via the Treasure Valley Coop procurement personnel.
4. Items not meeting the volume requirement may be purchased by the Rolling Hills School District Child Nutrition office based on the Micro Purchase or Small Purchase procedures
 - A purchase log will be maintained to document all quotes and prices.
 - Prices may be acquired by various methods. (i.e. directly from sales rep, vendor website or in electronic format.)
5. Smaller purchases may be made at the discretion of the Child Nutrition Director. These are referred to as micro-purchases or small purchases.
7. Credit card purchases must follow district guidelines.
8. Single purchases over \$5,000 for equipment must have pre-approval from the SDE.

MONITORING:

1. The Child Nutrition Director and/or assigned personnel will:
 - Pre-approve purchases and orders.
 - Review purchase procedures.

CORRECTIVE ACTION:

1. Retrain any foodservice employee found not following the procedures in this SOP.
2. Ask employees that are observed not documenting quotes or getting pre-approval to review procedures with Child Nutrition Director.

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DATE IMPLEMENTED: 3-21-19

BY: 

DATE REVIEWED: 3-29-19

BY:

DATE REVISED:

BY:

USDA NONDISCRIMINATION STATEMENT

IN ACCORDANCE WITH FEDERAL CIVIL RIGHTS LAW AND U.S. DEPARTMENT OF AGRICULTURE (USDA) CIVIL RIGHTS REGULATIONS AND POLICIES, THE USDA, ITS AGENCIES, OFFICES, AND EMPLOYEES, AND INSTITUTIONS PARTICIPATING IN OR ADMINISTERING USDA PROGRAMS ARE PROHIBITED FROM DISCRIMINATING BASED ON RACE, COLOR, NATIONAL ORIGIN, SEX, DISABILITY, AGE, OR REPRISAL OR RETALIATION FOR PRIOR CIVIL RIGHTS ACTIVITY IN ANY PROGRAM OR ACTIVITY CONDUCTED OR FUNDED BY USDA.

PERSONS WITH DISABILITIES WHO REQUIRE ALTERNATIVE MEANS OF COMMUNICATION FOR PROGRAM INFORMATION (E.G. BRAILLE, LARGE PRINT, AUDIOTAPE, AMERICAN SIGN LANGUAGE, ETC.), SHOULD CONTACT THE AGENCY (STATE OR LOCAL) WHERE THEY APPLIED FOR BENEFITS. INDIVIDUALS WHO ARE DEAF, HARD OF HEARING OR HAVE SPEECH DISABILITIES MAY CONTACT USDA THROUGH THE FEDERAL RELAY SERVICE AT (800) 877-8339. ADDITIONALLY, PROGRAM INFORMATION MAY BE MADE AVAILABLE IN LANGUAGES OTHER THAN ENGLISH.

TO FILE A PROGRAM COMPLAINT OF DISCRIMINATION, COMPLETE THE USDA PROGRAM DISCRIMINATION COMPLAINT FORM, (AD-3027) FOUND ONLINE AT: [HTTP://WWW.ASCR.USDA.GOV/COMPLAINT_FILING_CUST.HTML](http://www.ascr.usda.gov/complaint_filing_cust.html), AND AT ANY USDA OFFICE, OR WRITE A LETTER ADDRESSED TO USDA AND PROVIDE IN THE LETTER ALL OF THE INFORMATION REQUESTED IN THE FORM. TO REQUEST A COPY OF THE COMPLAINT FORM, CALL (866) 632-9992. SUBMIT YOUR COMPLETED FORM OR LETTER TO USDA BY:

- (1) MAIL: U.S. DEPARTMENT OF AGRICULTURE OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS 1400 INDEPENDENCE AVENUE, SW WASHINGTON, D.C. 20250-9410;**
- (2) FAX: (202) 690-7442; OR**
- (3) EMAIL: PROGRAM.INTAKE@USDA.GOV.**

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