

# Procurement in Child Nutrition Programs Frequently Asked Questions

Questions and Answers (Q&A) to help Child Nutrition Program (CNP) sponsors understand the procurement standards in Title 2, Code of Federal Regulations (2 CFR), Part 200, and other federal and Michigan state procurement laws, regulations, and policies.

The Michigan Department of Education (MDE) does not intend these Q&As to be inclusive of all terms, provisions, and program requirements applicable to procurements and contracts. Each CNP sponsor is responsible for ensuring that their procurement documents comply with all applicable laws, program instructions, and guidance materials.

MDE does not review or judge any contract, amendment, or addendum's fairness, advisability, efficiency, or fiscal. MDE is not a party to any contractual relationship between a sponsor and a distributor, vendor, or any other contracted organization. MDE is not obligated, liable, or responsible for any action or inaction taken by the sponsor and a distributor, vendor, or any other contracted organization. Sponsors should always seek and obtain professional guidance and consultation from a lawyer or legal counsel before sending out a solicitation, entering into any agreement, and regarding any proposed procurement methods or contract language.

Furthermore, MDE does not endorse, nor does it guarantee the use of information and/or language contained in any procurement template or resource. Information has been gathered from multiple sources and is not the sole product of MDE. Resources are meant to be utilized as a starting point to help sponsors develop an understanding of what goes into a solicitation document for the procurement of a vendor or distributor to provide goods or services. Sponsors should develop their own internal solicitation and procurement processes and procedures that are representative of their unique local purchasing requirements. Read each section carefully and thoroughly.

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## General Terms with Abbreviations, Acronyms, and Definitions

- **Bidder/potential Vendor/respondent** is a commercial enterprise, public or nonprofit private organization, or individual that can enter a contract with a Child Nutrition Program sponsor.
- **Child and Adult Care Food Program (CACFP)** is a federal Child Nutrition Program that provides reimbursements for nutritious meals and snacks to eligible children and adults who are enrolled for care at participating childcare centers, day care homes, adult day care centers, and afterschool care program.
- **Child Nutrition Programs (CNP)** help to ensure that children have access to nutritious meals and snacks in schools, summer programs, childcare centers and homes, and afterschool programs.
- **CNP sponsor** is an agency that operates a CNP including, but not limited to, the National School Lunch Program, School Breakfast Program, Child and Adult Care Food Program, and Summer Food Service Program.
- **Code of Federal Regulations (CFR)** is the official legal print publication containing the codification of the general and permanent rules published in the *Federal Register* by the departments and agencies of the Federal Government.
- **Consumer Price Index (CPI)** is a measure of the average change over time in the prices paid by urban consumers for a market basket of consumer goods and services. Indexes are available for the U.S. and various geographic areas. Average price data for select utility, automotive fuel, and food items are also available.
- **Contractor/Vendor** is a commercial enterprise, public or nonprofit private organization, or individual that has entered a contract with a CNP sponsor.
- **Food and Nutrition Service (FNS)** means the Food and Nutrition Service, United States Department of Agriculture (USDA). It is an agency within USDA that works to end hunger and obesity through the administration of 16 federal nutrition assistance programs including Women, Infants, and Children (WIC), Supplemental Nutrition Assistance Program, and school meals.
- **Food service management company (FSMC):** a commercial enterprise or a nonprofit organization that is or may be contracted with by the school food authority to manage any aspect of the school food service.
- **Invitation for Bid (IFB)** is a fixed price contract and is awarded to the responsible bidder whose bid follows to the terms and conditions of the contract and has the lowest price. Sponsors cannot have any negotiations about the price and/or the service of the contract.
- **Local Educational Agency (LEA)** means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary schools or secondary schools in a city, county, township, school district, or other political subdivision of a State, or for a combination of school districts or counties as are recognized in a State as

an administrative agency for its public elementary schools or secondary schools.

- **Nonprofit Food Service Account (cafeteria fund)** is the restricted account in which all of the revenue from all food service operations conducted by the school food authority principally for the benefit of school children is retained and used only for the operation or improvement of the nonprofit school food service.
- **Policy Memorandum (Policy Memo)** is a document that provides analysis, or recommendations related to a specific issue or program.
- **Request for Proposal (RFP)** is a competitive negotiation process where price and non-price criteria may be used to determine the award, with price as the primary factor.
- **Responsible bidder** has proven their ability to perform successfully under the terms and conditions of a contract.
- **The responsive bidder** has complied with the requirements of the solicitation and the terms and conditions of a proposed contract without a material change to the bid.
- **School Food Authority/School Nutrition Program sponsor (SFA)** is the governing body which is responsible for the administration of one or more schools; and has the legal authority to operate the Program therein *or* be otherwise approved by FNS to operate the Program.
- **School Nutrition Programs (SNP)** are the nutrition programs targeted toward school-age students, administered by the USDA.
- **Summer Food Service Program (SFSP)** is a federally funded, state-administered program. USDA reimburses program operators who serve no-cost, healthy meals and snacks to children and teens. Meals are served at summer sites in low-income communities, where sponsors often also offer enrichment activities, or — in approved rural communities facing access issues — may be provided via grab-n-go or delivery.
- **U.S. Department of Agriculture (USDA)** is made up of 29 agencies and offices that together provide leadership on food, agriculture, natural resources, rural development, nutrition, and related issues based on public policy, the best available science, and effective management.
- **Vended Meal Contracts (VMC)** include meals most often cooked and prepared off-site and may or may not include staff.

## **General Information**

### **What is procurement?**

Procurement is the multi-step process used to obtain goods or services at the best possible price. CNP sponsors are responsible for understanding procurement and how it relates to their program(s).

## **Procurement Procedures**

### **What are procurement procedures?**

Procurement procedures list the step-by-step instructions for how a sponsor purchases goods and services.

### **Are sponsors required to have procurement procedures?**

Federal regulations require all CNP sponsors to develop and maintain a written code of conduct, and procurement procedures.<sup>i</sup>

All sponsors are required to have and use procedures tailored to their specific needs, that are consistent with federal, state, local, or tribal laws and regulations, whichever is most restrictive.

The procedures should be specific for each type of procurement method and detailed enough that a newly hired employee can read, understand, and perform the necessary steps to procure goods and services. Procurement procedures can and should be changed as processes and needs change.

### **Why should a sponsor follow proper procurement procedures?**

Properly procuring goods or services ensures:

- Accountability
- Fairness
- Efficient use of taxpayer dollars
- Obtaining the best possible price

## **Procurement Policy**

### **What is a procurement policy?**

A procurement policy is a Board approved document typically available to the public on the sponsors' website. A procurement policy is expressed in broader terms than procurement procedures and rarely changes.

### **Are sponsors required to have a procurement policy?**

Michigan Legislature – Section 380.1274 states “The board of a school district or board of directors of a public-school academy shall adopt written policies governing the procurement of supplies, materials, and equipment.”<sup>ii</sup>

For non-school sponsors, that organization’s governing board may direct the organization to have a Procurement Policy.

### **What if a sponsor does not have a procurement policy or procedures?**

Sponsors should check with their district business office as most will have a procurement policy and/or procedures available. Alternatively, a template can be found on the [School Nutrition Program Procurement Reviews website](#).

## **Code of Conduct**

### **What is a Written Code of Conduct?**

A code of conduct has specific guidelines and limits for employee actions during the procurement process. It must include the requirement that employees avoid and identify any real or perceived conflicts of interest in all procurement actions.

### **Are sponsors required to have a written Code of Conduct?**

Sponsors are required to have and implement a written code of conduct that is designed to govern procurement activities.

Federal regulations require all Child Nutrition Programs (CNP) sponsors to develop and maintain a written code of conduct, and procurement procedures.<sup>iii</sup>

### **What specific information should the code of conduct document contain?**

The code of conduct document must include several components:

- **Conflicts of Interest:** Define a conflict of interest and ensure staff with a conflict of interest do not participate in contract-related activities.
- **Disciplinary action:** Include disciplinary action for code of conduct violations.
- **Gratuities, favors, and gifts:** Ensure applicable staff do not solicit gifts from contractors and address whether staff can accept gifts of nominal value or not. If gifts are allowed, the code of conduct must include the nominal value. There are several unallowable costs that cannot be accepted by sponsors:
  - Scholarships, gifts, grants, event tickets, catering accounts
- **Organizational conflicts of interest (optional):** This ensures the ability of the sponsor to be impartial if conducting a procurement transaction involving a related organization.
- **Sponsors Bid Protest policy and/or procedures (optional):** This ensures the resolution of disputes concerning the award of a contract.

### **Is there a Code of Conduct sample for sponsors to reference?**

Yes. A Code of Conduct sample is included in the Procurement Procedures Guide located under the MDE [School Nutrition Program Procurement Reviews webpage](#).

### **Can a sponsor adopt the district or parent company's code of conduct as their own?**

Yes. The sponsor may use the district or parent company's code of conduct if it has all the required components listed above and is in line with the individual sponsor's rules.

**Does the code of conduct need board approval?**

Sponsors should consult with legal counsel to determine if the governing board must approve the code of conduct.

**Which employees must adhere to the code of conduct?**

Any employee, officer, or agent engaged in the solicitation, selection, award, or monitoring of contracts must adhere to the code of conduct.

**Is an employee designated to adhere to the written code of conduct allowed to keep a raffle prize with a ticket purchased with public funds?**

Sponsors should consult with their legal counsel to determine whether the agency's code of conduct allows the employee to keep the raffle prize. State and local rules of gift limits may also apply.

**Federal regulations allow sponsors to accept unsolicited gifts of nominal value. What is the dollar limit that defines nominal value, and is this limit per gift, per Vendor, or per year for all vendors?**

The officers, employees, and agents of the sponsor may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, sponsors may set standards for situations where the financial interest is not substantial, or the gift is an unsolicited item of nominal value.<sup>iv</sup>

**A Food Service Director wants the staff and students to taste pizza before awarding a pizza contract. Can they ask the vendors to give them free pizza before an award is determined?**

No. Soliciting gifts from vendors is prohibited and taste tests should be done during the solicitation process.

**Can a Sponsor ask vendors to donate to a fundraiser or other event?**

No. A sponsor cannot ask vendors to participate or donate to fundraisers and other events.

**If an instance of unethical conduct occurs during a solicitation, does it void that solicitation and require restarting the solicitation process?**

Sponsors should consult with their legal counsel when they think an instance of unethical conduct occurs during a solicitation.

**Forecasting**

Forecasting is the process of estimating future needs. It requires in-depth knowledge of upcoming menus and projecting the number of servings needed for every purchase period. It is important to accurately forecast the goods, products and/or services needed for the coming year prior to developing a solicitation for goods and/or services.

## **What are the steps in Forecasting?**

1. Evaluate menus to determine what food products will be needed throughout the school year and an estimate of how much of each product will be ordered.
2. Estimate the total cost of food products for the school year and determine what procurement method to use.
3. Don't forget about equipment! Does the current storage capacity and equipment available meet the sponsors' menu needs?
4. Is the sponsors current staffing adequate for the sponsors' menu needs?

After forecasting the various program needs, the sponsor must determine the type(s) of contract(s) that are best for the program and meet rules and regulations.

## **Contracts**

### **What types of contracts are usually used in Child Nutrition Programs?**

Food Service Management Company Contracts (FSMC), Vended Meal Contracts, Sponsor-to-Sponsor Agreements and Alternate Agreements, Equipment, and Goods, Services, or Food.

### **Food Service Management Company Contracts**

#### **What is an FSMC Contract?**

Food Service Management Company (FSMC) contracts typically include a Food Service Director and may be shared part-time with another sponsor or district. With this type of contract, the food service management company manages the food service program, and the sponsor maintains oversight and overall responsibility for the program. Meals are generally prepared and produced on-site at the sponsors' facilities.

If a sponsor participates in multiple Child Nutrition Programs in a contract year, they are eligible to procure a year-round food service contract instead of conducting separate procurements. FSMC contracts can either be Cost-reimbursable or Fixed Price in terms of the fee structure and charges.

- **Cost Reimbursable:** A type of FSMC contract that provides the payment of allowable costs incurred by the Contractor while performing the contract. Contractors are reimbursed at the value of the allowed expenses; plus, they may also be paid a fixed management and administrative fee to perform these services.
- **Fixed Price:** A type of FSMC contract that provides a fixed price per meal agreed upon at the inception of the contract, without any adjustment during the duration of the contract.

Upon renewal, any economic cost adjustments must be addressed in the original solicitation and based on the Consumer Price Index for All Urban Consumers (CPI rate). These fees are permissible for both Cost Reimbursable and Fixed Price contracts.

## **Vended Meals Contracts**

### **What is a Vended Meal contract?**

Vended Meal Contracts (VMC) include meals most often cooked and prepared off-site and may or may not include staff. It is a fixed price-per-meal food service contract where only meals are provided to the sponsor. The sponsor must provide its own qualified food service director and management to oversee the food service operation.

If a sponsor participates in multiple Child Nutrition Programs in a contract year, they can procure a year-round vended meal contract instead of conducting separate procurements.

Year-round vended meal contracts are also available for non-school participants in the Child and Adult Care Food Program (CACFP) and the Summer Food Service Program (SFSP). If participating in both programs, institutions are not required to complete separate procurements.

### **How do sponsors initiate, extend, amend, or rebid a Food Service Management Company or Vended Meal contract?**

More information regarding Food Service Contracts is available on the [Food Service Contracts website](#) or contact [MDE-FSMC-Vended@michigan.gov](mailto:MDE-FSMC-Vended@michigan.gov).

## **Sponsor-to-Sponsor and Alternate Agreements**

### **What is a Sponsor-to-Sponsor agreement?**

The longstanding USDA policy has allowed one self-operated sponsor to work with another self-operated sponsor to purchase meals and/or manage the program. One sponsor may contract with another sponsor to provide meals in the Child Nutrition Programs, without completing a competitive procurement if the providing sponsor is:

- A Local Educational Agency (LEA)
- Self-operating, not under an FSMC contract of its own.

This competitive procurement exception does not apply when obtaining meals from another non-school sponsor, even if they are self-operated for their meal service. This is because a non-school sponsor providing the meal would fall into the non-school contractor category, and a competitive procurement is required when obtaining meals from a non-school contractor.

### **What types of Sponsor-Sponsor Agreements are available?**

There are two types of Sponsor-to-Sponsor Agreements, Alternate Agreements, and sponsor-vended purchase agreements.

### **What is an Alternate Agreement?**

- Used by SNP sponsors only.
- An agreement between a Local Educational Agency (LEA) and an SFA/Sponsor in which the SFA agrees to operate the School Meals Program for the LEA.

- The LEA relinquishes its authority to operate its School Meals Program and transfers all legal and financial authority to the SFA/Sponsor.
- The two parties of this agreement agree to fully cooperate, work in good faith, and mutually assist each other in the performance of this agreement.
- When an agreement is executed, the SFA will have the fiduciary responsibility, authority, power, and obligation to act on behalf of the LEA.
- All sites of the LEA will be incorporated under the SFA and shall be considered equal to the other sites of the SFA.
- The Alternate Agreement template is available on the [Food Service Contracts website](#).

### **What is a Sponsor Vended Purchase Agreement?**

- Used by SNP, SFSP, and CACFP sponsors.
- Used when a sponsor wishes to purchase vended meals from a self-operated sponsor and retain its food service operation (i.e., applies to participate and administer the program, file claims, etc.).
- The two sponsors may use their agreement, and a competitive procurement is not required. MDE requires each sponsor to submit a copy of the vending agreement in the application.
- Sponsor Agreements are available on the [Food Service Contracts website](#).

### **Can a CNP sponsor purchase meals from a sponsor with an FSMC or Vended Meal Contract?**

Sponsors must follow all applicable Federal program and procurement regulations when meals will potentially be provided by an SFA already under its FSMC contract. If the sponsor providing the meals has not yet entered into an FSMC contract, and another sponsor will receive meals from them, the requirements for both should be written into the bid specifications at the time of bidding. Sponsors should discuss this with MDE before entering into an agreement to verify compliance with procurement requirements.

### **Goods, Services, or Food**

There are many “other” types of contracts including goods, food, supplies, or service contracts.

- Foods like pizza, bread, milk, etc.
- Paper or cleaning products
- Point of Service software, IT support, or equipment maintenance

### **What type of procurement must be used for purchasing other goods?**

The appropriate procurement method to use depends on the dollar amount of the expected purchase. Sponsors should evaluate what goods or services are needed and for how long and determine which procurement method to use based on the estimated dollar value of the purchase. Sponsors must follow the most applicable purchase threshold based on their district policy and procedures, and all applicable state, federal, and local laws, and regulations.

### **How do I get a pizza, milk, or bread contract?**

Milk purchasing and any other food purchasing outside of your broadline distributor (Sysco, GFS, US Foods, or Van Eerden) should be competitively procured. Depending on the annual price of the contract, you may have to go through the formal bid process or informal process. Refer to your district's policies and procedures to determine the method to be used based on the amount of the expected purchase.

Whichever method it used, the sponsor should write detailed specifications including the type and style of the item they are looking for, product formulation information, delivery locations and times, frequency, etc.

### **Can a sponsor use the quotes from their consortium when bidding on products/items?**

When a sponsor uses a formal or informal process to purchase an item(s), they must obtain price or rate quotations from an adequate number of qualified sources as defined by their procurement policy. The consortium options for all items (aside from the broadline distributor) are considered one quote. The sponsor will need to secure additional quotes outside of the consortium to comply with federal regulations.<sup>v</sup>

### **Do I need to procure a pizza, milk, or bread contract every year?**

If you have used the formal procurement method to purchase an item like milk, bread, or pizza, and the contract allows for renewals, you do not have to go out to bid again until the contract expires (usually after 4 renewals). However, it is best practice to review pricing for the contracted items each year to ensure the pricing is reasonable prior to renewing.

If you used the informal procurement method to purchase these items, you will need to follow your district policies and procedures to obtain new quotes each year.

## **Equipment**

### **Does the MDE need to approve equipment (including software) over \$10,000?**

MDE has created a list of equipment that has been pre-approved for purchases. Any items that are not on this list AND exceed \$10,000, require MDE approval prior to purchase using the Equipment and other Capital Request Form. For the most up-to-date information about equipment approval, visit [MDE's Equipment and Excess Fund Balance website](#).

[MDE Pre-approved Food Service Equipment List](#)  
[Equipment and Other Capital Request Form](#)

### **Can a sponsor use their Excess Fund Balance to purchase equipment?**

You can find information related to Excess Fund Balances on [MDE's Equipment and Excess Fund Balance website](#).

## **How does a sponsor create an Excess Fund Balance Spend Down Plan?**

For information regarding Excess Fund Balance, contact the Fiscal and Administrative Services unit at [MDE-Fiscal@michigan.gov](mailto:MDE-Fiscal@michigan.gov) or 517-241-5380.

## **Cooperative Purchasing, Group Purchasing Organizations (GPO's), and Third-Party Services**

### **What is a Consortium?**

All districts in Michigan that participate in the National School Lunch Program must choose a USDA Foods Consortium to receive USDA foods. This is done annually through the Child Nutrition Program Coordinated Application. We ask a year in advance, so membership is sent in time for forecasting, procurement, and food ordering timelines. There are three USDA Foods consortia within Michigan that are responsible for the procurement, ordering, distribution, and warehousing of all USDA Foods. These consortia also offer pricing for commercial foods and supplies. MDE reviews their procurement processes annually. The three Michigan Consortia are listed below with links to their website for a full list of foods available to members, pricing information, PAL Reports, and cycle menus.

[Great Lakes Consortium](#) (GLC)

[Macomb Oakland Wayne RESA Consortium](#) (MOR)

[School Purchasing & Resource Consortium](#) (SPARC)

### **What is cooperative purchasing?**

Cooperative purchasing occurs when sponsors work together to accomplish all or part of the steps in the purchasing process. Often this type of arrangement is called a Group Purchasing Organization (GPO). Many sponsors in Michigan receive procurement support via these cooperatives and GPOs. In Michigan, these GPOs could be HPS, a Food Service Management Company (FSMC), ProTeam, or other Third-Party Purchasing Agents.

### **What is the purpose of Cooperative Purchasing?**

To use the collective buying power and knowledge base to obtain the highest quality products at the best price.

### **Is Cooperative Purchasing beneficial to a sponsor?**

Cooperative purchasing groups may or may not be beneficial to a sponsor. The benefits may include considerable savings and improved quality of products purchased. However, sponsors may find that specific products are not available, or delivery timeframes may change, causing a possible hardship for the district. Sponsors should do a thorough assessment of the benefits and drawbacks to a Cooperative Purchasing Agreement.

**Are sponsors required to follow Federal procurement regulations when contracted with a Group Purchasing Organization (GPO) or Consortia?**

Sponsors must follow Federal procurement regulations when entering into contractual agreements with entities for ALL goods or services.

Sponsors are required to conduct procurement transactions in a manner that provides full and open competition. The sponsor is responsible for ensuring that all contracted vendors have been properly procured and contract monitoring is performed even when services are free of charge. The regulations require that sponsors use the nonprofit food service account funds to pay only for allowable costs: those costs net of discounts, rebates, and other applicable credits. Sponsors should always seek advice from MDE before agreeing to use any services without conducting a competitive procurement.<sup>v</sup>

**Does a cooperative need to follow the same rules when procuring goods and services as an agency acting on its behalf?**

Yes. A cooperative comprised solely of Program operators and/or the sponsor State agency may procure as a group and must do so in compliance with the procurement standards that apply to the individual Program operator.<sup>vi,vii</sup> This includes complying with all State and local procurement standards, if more restrictive. Each program operator is responsible for monitoring Vendor performance to ensure compliance with all contract provisions. Written agreements specifying roles and responsibilities are encouraged.

**If a cooperative purchasing group does not follow proper procurement procedures, who is responsible?**

All sponsors involved in a cooperative purchasing group/GPO must ensure that all procurements are conducted correctly and according to all applicable federal, state, and local regulations, laws, and rules. For example, if twenty sponsors form a cooperative with one lead agency that does not follow all federal, state, and local procurement standards when conducting procurements, all twenty agencies may have a finding during their AR.

**The School District uses MiDeal, the State of Michigan's extended purchasing program for some purchases without additional procurement. Can the Child Nutrition Program do that also?**

No, the USDA has provided specific guidance for this type of procurement. However, a school district or public-school academy is not required to obtain competitive bids for items purchased through the cooperative bulk purchasing program operated by the Department of Management and Budget under section 263(3) of the Management and Budget Act, 1984 PA 431, MCL 18.1263, this does not apply for Child Nutrition Program purchases.

When competitive procurement methods are conducted by the Sponsor, this agreement may be one source of prices when using small purchase procedures, sealed bids, or competitive proposals, as applicable.

The specific guidance states:

“State procurement agency agreements: This is an inter-governmental agreement with the State which may include public, private, and non-profit entities. This procurement service is not part of the CNP State agency as the services are conducted for State facility needs using State procurement standards and the State allows local educational agencies (LEAs), school food authorities (SFAs), and other CNP operators to purchase from the State’s contracted sources. When competitive procurement methods are conducted by the Program operator, this agreement may be one source of prices when using small purchase procedures, sealed bids, or competitive proposals, as applicable.”<sup>v</sup>

More information regarding purchasing cooperatives, group purchasing organizations, and group buying organizations can be found on the [USDA website](#).

## **Procurement Methods**

### **What are the general procurement processes that all sponsors of Child Nutrition Programs must follow?**

When purchasing food, services, and/or supplies (non-food items), sponsors must follow their districts policies and procedures. All competitive procurement procedures, be it informal or formal, must be done to ensure compliance with all applicable federal regulations and guidance. For more information on federal requirements for procurement processes see MDE’s [Sponsor Code of Conduct and Procurement Procedures Checklist](#).

### **What regulations must be followed for the procurement of goods and services for the Child Nutrition Program?**

- [2 CFR Part 200](#) Uniform Administrative Requirements, Cost Principles, and Audit for Federal Awards.
- [7 CFR Part 210](#) -- National School Lunch Program: National School Lunch Program (NSLP)- Program responsibilities of State and local officials in the areas of program administration, preparation and service of nutritious lunches, the sale of competitive foods, payment of funds, use of program funds, program monitoring, and reporting and recordkeeping requirements
- [7 CFR Part 215](#) -- Special Milk Program for Children, Special Milk Program - To encourage consumption of fluid milk by children in the United States
- [7 CFR Part 220](#) -- School Breakfast Program, School Breakfast Program (SBP) – Authorizes payments to the States to assist them to initiate, maintain, or expand nonprofit breakfast programs in schools
- [7 CFR Part 225](#) -- Summer Food Service Program, Summer Food Service Program (SFSP) - The primary purpose of the Program is to provide food service to children from needy areas during periods when area schools are closed for vacation
- [7 CFR Part 226](#) -- Child and Adult Care Food Program, Child and Adult Care Food Program (CACFP) - To provide aid to child and adult participants and family or group day care homes for provision of nutritious foods that contribute to the wellness, healthy growth, and development of young

children, and the health and wellness of older adults and chronically impaired persons

And other federally funded programs (USDA Child Nutrition Program regulations guidance and instructions). Applicable State, local, and tribal laws, regulations, and policies that are not in conflict with Federal requirements.

### **Threshold for Purchases**

All sponsors must comply with the most restrictive thresholds and follow their own procurement policies/procedures when choosing the best procurement method. School boards or local authorities can set thresholds lower than the Federal or State of Michigan requirements.

### **What are the current thresholds (FY 2024)?**

<b>Federal Procurement Threshold</b>	
<b>Micro-Purchase</b>	Less than \$10,000
<b>Small Purchase</b>	Less than \$250,000
<b>Formal Purchase</b>	Greater than \$250,000
<b>Capital Equipment</b>	Greater than \$10,000

### **Informal Procurement**

Micro-purchase Method

#### **What is a micro-purchase?**

A micro-purchase is a single transaction equal to or less than the micro-purchase threshold, currently set at \$10,000, but can be up to \$50,000 by submitting a written request and specific criteria are met.<sup>viii</sup> However, a sponsor must always follow the most applicable purchase threshold based on their district policy. When using this method, sponsors are not required to obtain quotes for the lowest price and sponsors should spread purchases between multiple suppliers.

A single transaction may refer to any of the following:

- Single purchase order for an item or items
- The aggregate total of all invoices of a service contract
- The aggregate total of all purchase orders from a single supplier
- The aggregate total of all purchase orders for a specific item or group of items from multiple suppliers

### **Does the micro-purchase threshold limit include tax and shipping?**

Yes, the micro-purchase threshold includes tax and shipping.

### **How should a sponsor document a micro-purchase?**

Sponsors should maintain all documentation including, but not limited to:

- Purchase details
- Price and vendor information
- All communications

### **Small Purchase Method/Request for Quotation**

#### **What is a Small Purchase or Request for Quotation procurement?**

The Small Purchase/Request for Quotation method is a simplified process used when purchasing food, services, and/or supplies from a supplier (wholesaler, retailer, and/or vendor).

#### **What is the small purchase/request for quotation threshold?**

Each sponsor must adhere to the MDE and Federal Small Purchase Thresholds or their district threshold, whichever is MOST restrictive. See the [table](#) for current Federal thresholds. The small purchase threshold is **per contract cost**. A sponsor cannot split transactions into amounts below the small purchase threshold to avoid using the formal procurement method.

#### **What steps should be followed for a Request for Quotation?**

1. Provide a detailed description with desired product specifications.
2. Obtain a reasonable number of quotes, as determined by your district procedures to allow for competition.
3. Quotes should be obtained in writing.
4. Evaluate all quotes and award them to the most responsive and responsible vendor.
5. If the lowest bidder is not selected, the sponsor should document the justification for the award.
6. All information and prices must be documented in the program's procurement files.

#### **How should a sponsor document a Request for Quotation?**

Sponsors should maintain all documentation, including but not limited to:

- All quotes
- All communication with the vendors
- All documentation related to the purchase.

### **Formal Procurement**

#### **What is Formal Procurement?**

Formal procurement is used when a sponsor's purchase exceeds the Federal, State, or local small purchase threshold to ensure a competitive bid process. Sponsors can issue an Invitation for Bid (IFB) or a Request for Proposal (RFP). Both must be formally advertised, contain reasonable bid specifications and contracts must be evaluated and awarded to the most responsive and responsible bidder.

### ***Invitation for Bid (IFB)***

- An IFB is a fixed-price contract and is awarded to the responsible bidder whose bid follows the terms and conditions of the contract and has the lowest price. Sponsors cannot have any negotiations about the price and/or the service of the contract.
- IFBs are best used when there are no differences among the products or services and the sponsor knows exactly what products or services they want.
- An IFB requires a sealed bid process. This means that bid responses remain sealed, and the sponsor is not allowed to review ANY responses until after the submission deadline has passed.

### ***Request for Proposal (RFP)***

- An RFP is a competitive negotiation process where price and non-price criteria may be used to determine the award, with price as the primary factor.
- RFPs are best used for big-ticket, complex projects where all factors are considered (Food Service Management Contracts, Vended Meals, Kitchen Remodel, etc.)

### **What is the minimum information that should be included in an RFP?**

An RFP must, at a minimum, meet the following criteria:

- State the sponsor's need (i.e., why the sponsor is issuing an RFP) using clear and thorough specifications that are not overly restrictive.
- Specify the anticipated terms and conditions of the contract.
- Provide information that the respondent must include in their proposal, including how they will provide the services requested.
- Identify factor(s) that the sponsor will use to evaluate the proposals and award the contract.
- Describe how the sponsor will evaluate the technical criteria (e.g., delivery days and times) to determine whether a Vendor is responsive and responsible.
- Bid protest procedures
- Contracts must be awarded to the responsible bidder whose proposal is most beneficial to the program, with price and other factors considered.<sup>2</sup>
  - Buy American Provision, Minority, and Women's Business provision, Debarment and Suspension Certification, and other required contract provisions as applicable per [2 CFR 200.318](#).

### **Do the evaluation criteria need to be in the public advertisement?**

No. Sponsors do not need to post the evaluation criteria in the advertisement publicly.

### **How does a sponsor award points for price in an RFP?**

The sponsor determines how it will award points for price in an RFP. Federal regulations do not suggest the maximum number of evaluation points; however, contracts must be awarded to the most responsible and responsive bidder whose proposal is most valuable to the program, with price and other factors considered.

*Example Evaluation Criteria:*

Price: 51 Points

Non-Price Criteria: 49 Points

Total of 100 Points

### **If a potential vendor asks a question about a solicitation (e.g., terms, specifications), should the sponsor provide the answer to all bidders?**

Yes. Solicitations are required to include a clear and accurate description of the technical requirements for the material, product, or service to be procured. However, if a potential vendor has specific questions regarding the solicitation, the sponsor must provide the same additional information to all other potential vendors.

### **Can a sponsor use past performance as an evaluation criterion?**

Yes. Past performance can be used if it is listed as part of the evaluation criteria. An evaluation of a vendor's past performance can help a sponsor determine whether a bidder is responsible.

### **Procurement Methods for Unique Circumstances**

In addition to the standard procurement methods, there are flexibilities written into procurement regulations to allow for non-competitive and emergency procurements. When using these methods, sponsors must still ensure compliance with their district and local procurement policies and ensure that costs are allowable, necessary, reasonable, and allocable.

### **What is non-competitive procurement?**

Noncompetitive procurements occur when a sponsor deems that competition is inadequate or impossible. This procurement method is only used when the award of a contract is not feasible under small purchase procedures, IFBs, or RFPs and one of the following circumstances applies:

- The item is available only from a single source.
- After solicitation of several sources, competition is determined to be inadequate.
- The urgency of or emergency need for the required goods/services will not permit a delay resulting from competitive solicitation.
- The Federal awarding agency (i.e., the state agency) authorizes noncompetitive proposals in response to a written request from the sponsor.

### **What is Single Source Procurement?**

Single-source procurement occurs when only one source of the product or service is available or after solicitation of multiple sources and competition is determined to be inadequate.

### **What justification and/or documentation is needed for single-source procurement?**

- Reason for single-source procurement
- Purchase details
- Price and vendor information
- All communications

### **What is considered an emergency procurement situation?**

Emergency procurement can be used for a one-time unforeseen event. Sponsors must contact MDE as emergencies are evaluated on a case-by-case basis.

### **What justification and/or documentation is needed for emergency procurement?**

- Reason for emergency procurement, including supply-chain disruption issues.
- Purchase details
- Price and vendor information
- All communications

### **Procurement Method FAQ's**

#### **Can a sponsor choose a vendor or product based solely on a taste test?**

No. Contracts must be awarded to the responsible bidder whose proposal is most beneficial to the program, with **price and other factors considered.**<sup>ix</sup>

#### **How does a contractor protest an award decision from a sponsor? What if the sponsor is non-responsive?**

The MDE recommends following the protest procedures from the sponsor's "Bid Packet." There are no MDE oversight procedures or requirements for bid protests.

#### **What if only two local companies can repair a sponsor's refrigerator, and one of the repair companies did not previously perform satisfactorily? Can the sponsor only use one repair company in the future?**

Yes. A sponsor may use one company if the other company is not responsive or responsible. The sponsor should provide justification supporting the award to the other company.

#### **If a sponsor terminates a contract for cause with a Vendor who has not met the terms and conditions of a contract, can the sponsor enter a temporary contract with the next lowest bidder in the original solicitation?**

This depends on the type and scope of the contract. Contact the MDE Procurement team at [MDE-CNP-Procurement@michigan.gov](mailto:MDE-CNP-Procurement@michigan.gov).

**Can a sponsor award a contract to multiple vendors if a single Vendor cannot supply the volume needed?**

No. Contracts must be awarded to the most responsive and responsible bidder for the specifications noted in the request for proposal/quotation.

**Can a sponsor renew contracts instead of issuing a new solicitation each year?**

This depends on the initial contract terms. Review the existing contract, contact legal counsel, and contact MDE with questions. For questions regarding contract renewal, contact [MDE-FSMC-Vended@michigan.gov](mailto:MDE-FSMC-Vended@michigan.gov).

**How do sponsors initiate, extend, amend, or rebid a Food Service Management Company or Vended Meal contract?**

Information related to Food Service Contracts is available on the [Food Service Contracts website](#) or contact [MDE-FSMC-Vended@michigan.gov](mailto:MDE-FSMC-Vended@michigan.gov).

**If a sponsor's contract with a vendor expires and another contract is required to purchase the same goods or services, can they purchase from the same vendor as before?**

Yes, if the goods are competitively procured in a new solicitation. When a sponsor's contract expires, the sponsor must again competitively procure goods or services using proper procurement procedures and methods.

**How does a small sponsor efficiently procure meals?**

Small sponsors follow the same steps as larger sponsors when purchasing goods and services using informal or formal procurement methods.

**How does a sponsor determine which type of procurement method to use?**

The appropriate procurement method to use depends on the dollar amount of the expected purchase. Sponsors should evaluate what goods or services are needed and for how long and determine which procurement method to use based on the estimated dollar value of the purchase. Sponsors must follow the most applicable purchase threshold based on their district policy and all applicable state, federal, and local laws, and regulations.

**Are equipment repairs considered micro-purchases if they are below the micro-purchase threshold?**

Yes. If there are unforeseen repairs or maintenance of equipment outside of the warranty period and/or are not covered by the contract, each repair could be a micro-purchase transaction if it meets the micro-purchase threshold. However, if a sponsor can forecast, which pieces of equipment will need a projected number of repairs or maintenance during a year, the sponsor should determine if a contract can be executed for a year's worth of repairs at a more economical price than a separate transaction for each repair.

**What should a sponsor do if there is only one store to purchase goods within a reasonable distance?**

Sponsors should distribute micro-purchases equitably among qualified suppliers. However, if there are no other qualified suppliers within a reasonable area and it is not practicable to drive long distances to procure goods the sponsor can purchase from only one supplier. In this case, the sponsor should have documentation justifying the purchase of goods at only one store.

**Can a sponsor use the micro-purchase method when multiple printers break unexpectedly at different times throughout the year?**

Yes. An unexpected purchase for the printers can be accomplished at different times throughout the year using micro-purchase procedures if the cost is equal to or less than the current micro-purchase threshold.

**If a sponsor visits a local grocery store several times throughout the year, and the aggregate amount spent is over the micro-purchase threshold. Should the sponsor use the small purchase method instead of the micro-purchase method?**

Not necessarily. The procurement method used by a sponsor is generally based on the cost of the individual procurement transactions. However, if the sponsor uses the micro-purchase method to procure the same goods several times throughout a school year and the aggregate amount of multiple micro-purchases is significant (e.g., \$50,000), then the sponsor may save money if they consider using the small purchase method or a formal procurement method instead of the micro-purchase method.

**Note:** It is equally important to understand that sponsors cannot split purchases to avoid the appropriate threshold. Sponsors should always forecast how much and what type of goods and services are needed throughout the school year before making purchases to determine the most economical procurement method to use.

**How does a sponsor prove that they contacted an adequate number of vendors to obtain price quotes?**

Sponsors should create and maintain documentation for all price quotes requested. An electronic file or a paper trail documenting all activity must be available upon request by the MDE.

**If a sponsor exceeds their small purchase threshold in procurement, do they continue to order as needed?**

If the small purchase threshold is exceeded, the sponsor should conduct a second procurement involving a micro-purchase or small purchase. If a sponsor finds their purchasing needs exceed the small purchase threshold, the sponsor should use the formal purchase method for the next program year. Repeated failure to follow proper procurement procedures may result in a finding during an administrative or procurement review.

**Can the sponsor split a purchase into smaller units to avoid the formal procurement method?**

No. For example, if a sponsor's small purchase threshold is \$100,000, the sponsor may not split purchases between two suppliers at \$50,000 each to avoid the formal procurement process.

A single transaction may refer to any of the following:

- Single purchase order for an item or items
- The aggregate total of all invoices of a service contract
- The aggregate total of all purchase orders from a single supplier
- The aggregate total of all purchase orders for a specific item or group of items from multiple suppliers

**Can a sponsor consider the list of prices posted on a vendor's website as obtaining a quote from that vendor?**

The sponsor must obtain price or rate quotations from an adequate number of qualified sources. The federal regulations do not specify that quotes cannot be obtained using a vendor's website; however, sponsors should make an appropriate analysis to determine the most economical approach.

**Our district was awarded \$102,000 in grant funds for equipment purchases split across seven school sites. Should we procure equipment for each school separately or request quotes for all sites combined? Do we follow informal or formal procurement methods?**

It is recommended to procure equipment for all seven schools combined to get the best possible price. Refer to your district policies and procedures to determine which procurement method should be used.

**Is a non-competitive procurement allowable if daily deliveries are needed and only one vendor can meet this specification?**

If, after soliciting several sources using specifications that were not overly restrictive, only one Vendor can meet the specifications, then it is allowable to contract with that vendor.

**What help is available if I am not following proper procurement practices?**

Visit the [MDE Procurements and Contracts website](#) for policies, guidance, trainings, and resources.

**Allowable Costs**

**Is apparel (e.g., aprons, uniforms) an allowable cost?**

Yes. If a sponsor has a policy that requires food service employees to wear uniforms, and the uniforms are used exclusively by food service staff, purchasing uniforms with nonprofit food service funds is allowable. The sponsor must use funds from the sponsor for which the uniforms are being purchased, and the uniforms must be used exclusively for that same sponsor. For example, uniforms purchased using CACFP funds must be allocated for CACFP use only.

For additional information regarding allowable costs, contact the Fiscal and Administrative Services unit at [MDE-Fiscal@michigan.gov](mailto:MDE-Fiscal@michigan.gov) or 517-241-5380.

**Can a sponsor require a vendor to pay for the costs of their travel to visit the vendor's facility as part of a safety check if this requirement was part of the contract?**

Yes, if the costs are allowable under 2 CFR, Part 200, and the payment by the Vendor for the trip does not violate the sponsor's code of conduct.

**Brand Name**

**How does a sponsor include a brand name or equivalent in the specification to ensure that they are not limiting competition?**

A sponsor may include a brand name in the specification, but the sponsor must also include the language "or equivalent" and describe what constitutes an equivalent product in the specification to ensure that they are not limiting competition.

**If a vendor specifies a brand not listed in the specification, what should the sponsor do?**

A sponsor can include one or more preferred brand names in the original specification but must also include the language "or equivalent". If a vendor specifies another brand not on the list at the same or lower price, the Sponsor has 30 days to determine if it is "equivalent" to the brand(s) listed. The vendor will need to provide samples so the sponsor can conduct taste testing to determine if the product is an acceptable equivalent.

**If a sponsor conducts a taste test and the tasters like a specific burrito brand, can the sponsor only release a solicitation for that burrito?**

No. A sponsor must create a solicitation with a detailed specification of the type of item they are looking for but may include the "brand name or equivalent" language in the solicitation.

**Buy American Provision**

**What is the Buy American Provision?**

The Buy American Provision requires sponsors to purchase, to the maximum extent practical, domestic commodities, or products. This Buy American provision supports the mission of the Child Nutrition Programs, which is to serve children nutritious meals and support American agriculture.

For more information, refer to the following:

[Buy American Fact Sheet](#)

[Compliance with and Enforcement of the Buy American Provision in the NSLP](#)

[Buy American Provision Requirements](#)

[Buy American Provisions Related to the Final Rule Titled, Child Nutrition Programs: Meal Patterns Consistent With the 2020-2025 Dietary Guidelines for Americans](#)

### **Who must comply with the Buy American Provision?**

All sponsors who are in the contiguous United States and purchase domestic commodities or food products for the National School Lunch and School Breakfast Programs must comply with the Buy American Provision.

### **How can a sponsor make sure they are complying with the Buy American Provision?**

To be in compliance with the Buy American Provision, sponsors must:

- Make sure that solicitations and contracts include the requirement for domestic agricultural commodities and products.
- Include the requirement in documented procurement procedures.
- Retain records documenting any exceptions. Sponsors can use the [MDE Buy American Justification Form](#) or the [USDA Buy American Exceptions Tracking Standard Form](#)
- Monitor contractor performance to ensure their compliance with all contractual requirements.

### **Are there any exceptions to the Buy American Provision?**

There are **limited** exceptions to the Buy American Provision that allow for purchasing products not meeting the domestic standard<sup>x</sup>. These exceptions include:

1. The product is not produced or manufactured in the United States in sufficient and reasonably available quantities of satisfactory quality.
2. Competitive bids reveal the cost of a United States product is significantly higher than the nondomestic product. It is up to the sponsor to determine the threshold for "significantly higher".

For more information, refer to the [USDA SP 38-2017](#) memo - Compliance with and Enforcement of the Buy American Provision in the NSLP and [USDA SP 23-2024](#) memo - Buy American Provisions Related to the Final Rule Titled, *Child Nutrition Programs: Meal Patterns Consistent With the 2020-2025 Dietary Guidelines for Americans*

### **Local Foods**

#### **Are there any regulations for purchasing fresh foods from a local supplier? The local supplier has a brick-and-mortar storefront and is fully licensed.**

No. However, there may be other suppliers in the area that can provide similar items. To get the best price and ensure competition is fair and open, an informal purchase process is the best option when the annual amount to be spent is less than the sponsors' small purchase threshold. If the purchase amount falls under the micro-purchase threshold for the district, a micro-purchase option could be used to purchase food locally.

## **Where can a sponsor get more information about farm-to-program and local food purchasing?**

Visit the [MDE Local Purchasing website](#) for more information and resources for farm-to-program and local food purchasing, including information for 10 Cents a Meal.

## **Can a Sponsor use Geographic Preference as a product specification for procurement?**

Yes. Sponsors may use “locally grown”, “locally raised”, or “locally caught” as specifications when procuring local unprocessed agricultural products. In addition, Sponsors can use geographic preference as part of the evaluation criteria of a solicitation<sup>xi</sup>. For more information, please refer to the [USDA SP 22-2024, CACFP 08-2024, SFSP 13-2024](#) – memo Geographic Preference Expansion Related to the Final Rule titled, *Child Nutrition Programs: Meal Patterns Consistent With the 2020-2025 Dietary Guidelines for Americans*

## **Discounts, Rebates, Points, and Other Incentives**

### **Can a sponsor use points earned from vendors to purchase goods, and services, or redeem the points for travel to sponsor-related conferences?**

Yes, if the goods, services, and travel support the operation and maintenance of the nonprofit school food service program. This standard is met if the cost<sup>xii</sup>:

- Is incurred specifically for the federal award.
- Benefits both the Federal award and other work of the non-federal entity
- It is necessary to the overall non-federal entity operation.

Applicable credits refer to those receipts or reduction-of-expenditure-type transactions that offset or reduce expense items allocable to the federal award as direct or indirect costs<sup>10</sup>. Examples of such transactions are:

- Purchase discounts, rebates, or allowances
- Recoveries or indemnities on losses
- Insurance refunds or rebates
- Adjustments of overpayments or erroneous charges

To the extent that such credits accruing to or received by the non-federal entity relate to allowable costs, they must be credited to the Federal award either as a cost reduction or cash refund, as appropriate.

For SNPs, revenues received by the nonprofit school food service are to be used only for the operation or improvement of such food service.<sup>xiii</sup>

For CACFP, the institution must maintain accounting records documenting proper cost allocation between the Program and non-Program components of its food service operation and the State agency must ensure through the review process that all CACFP reimbursements are used solely for conducting nonprofit food service operations.<sup>xiv</sup>

For SFSPs, sponsors shall allocate credits, as necessary, and apply the appropriate amounts to their program administrative and operating expenses to reduce

program costs. Costs claimed for reimbursement must be reported net of applicable credits.<sup>xv</sup>

**Can a vendor issue a rebate check to a sponsor instead of providing a direct rebate on an invoice? For example, a sponsor receives a rebate check from a distributor rather than a rebate on the invoice.**

A check or a rebate is allowable if the cafeteria fund is the sole recipient of this credit. Credits accruing to or received by an agency related to allowable costs must be credited as either a cost reduction or cash refund, as appropriate.<sup>xvi</sup>

**Can a sponsor accept a food product from a vendor rather than a rebate on the invoice in a cost-reimbursable contract?**

No. Rebates are monetary returns used to offset expenses and act as a purchasing incentive. When a sponsor receives legitimate discounts, rebates, or credits from a Vendor, they need to be taken directly off the invoice (or provided in the form of a check as noted above), which can serve as the sponsors' documentation.

**Piggybacking**

**Can a sponsor piggyback on a properly solicited and approved contract?**

Yes. When adding parties to either a fixed-price or cost-reimbursable contract, known as **piggybacking**, the contract must have been procured properly and in compliance with applicable program regulations.<sup>vii</sup>

Contracted party(ies) considering additional parties should include a provision allowing piggybacking in their solicitation and contract language as well as specifying applicable limitations of the extension (e.g., dollar value or limit to the number of additional parties that may be added) to minimize the potential of creating a material change.

If the piggybacking provision and the applicable language are not included in the contract and a material change is determined, a new competitive procurement is required. In addition, sponsors should ensure that the solicitation in the following year includes any additional parties that piggybacked on the prior contract.<sup>vii</sup>

## USDA Nondiscrimination Statement

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotope, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: [USDA Program Discrimination Complaint Form](#), from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted 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; or
2. **fax:**  
(833) 256-1665 or (202) 690-7442; or
3. **email:**  
[Program.Intake@usda.gov](mailto:Program.Intake@usda.gov)

This institution is an equal opportunity provider.

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<sup>i</sup> [2 CFR, Section 200.318\(a\)](#)

<sup>ii</sup> [Michigan Legislature – Section 380.1274](#)

<sup>iii</sup> [2 CFR, Section 200.318\(a\), \(c\)](#)

<sup>iv</sup> [2 CFR, Section 200.318\(c\)\(1\)](#)

<sup>v</sup> [Q&A: Purchasing Goods and Services Using Cooperative Agreements, Agents, and Third-Party Services](#)

<sup>vi</sup> [7 CFR 210.21](#)

<sup>vii</sup> [2 CFR 200.318-.326](#)

<sup>viii</sup> [SP 02-2022, CACFP 03-2022, SFSP 01-2022](#)

<sup>ix</sup> [2 CFR 200.320](#)

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- x [SP 38-2017](#)
  - xi [SP 22-2024, CACFP 08-2024, SFSP 13-2024](#)
  - xii [2 CFR, Section 200.405](#)
  - xiii [7 CFR, Section 210.14\(a\)](#)
  - xiv [FNS Instructions 796-2, Rev. 4, paragraph \(VI\)\(C\)\(2\)](#)
  - xv [Financial Management - Summer Food Service Program for Children | Food and Nutrition Service \(usda.gov\)](#)
  - xvi [2 CFR, Section 200.406](#)