

UNIFORM GRANT GUIDANCE FOR FEDERAL AWARDS

The District will follow all applicable requirements in the Uniform Grant Guidance whenever it procures goods or services using federal grant funds awarded through formula and/or discretionary grants, including funds awarded by the United States Department of Education for subgrants.

Under the Uniform Grant Guidance, the District will:

1. Use its own documented procurement procedures which reflect applicable state, local, and tribal laws and regulations, provided that the procurements conform to applicable federal law and the standards identified in the Uniform Grant Guidance.
2. Establish and maintain effective internal controls that provide reasonable assurance that the District is managing the federal awards in compliance with federal statutes, regulations, and the terms and conditions of the federal award. Internal controls mean a process, implemented by the District, designed to provide reasonable assurance regarding the achievement of objectives in the following categories:
 - a. effectiveness and efficiency of operations;
 - b. reliability of reporting for internal and external use; and
 - c. compliance with applicable laws and regulations.
3. Comply with federal statutes, regulations, and the terms and conditions of the federal awards.
4. Evaluate and monitor the District's compliance with statutes, regulations, and the terms and conditions of federal awards.
5. Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.
6. Take reasonable measures to safeguard protected personally identifiable information and other information the federal awarding agency or pass-through entity designates as sensitive or the District considers sensitive consistent with applicable federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.
7. Maintain oversight to ensure contractors preform in accordance with conditions and specifications of their contracts or purchase orders.
8. Maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts.

9. Have procurement procedures in place to avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out of procurements to obtain a more economical purchase.
10. Award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to matters such as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.
11. Maintain records that sufficiently detail the history of the procurement including but not limited to:
 - a. rationale for the method of procurement;
 - b. selection of contract type;
 - c. contractor selection or rejection; and
 - d. the basis for the contract price.
12. Use time and materials contracts only after a determination that no other contract is suitable and the contract includes a ceiling price that the contractor exceeds at its own risk.
13. Conduct all procurement transactions in a manner proving full and open competition consistent with the standards of the Uniform Grant Guidance.
14. Conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference.
15. Have written procedures for procurement to ensure that all solicitations:
 - a. incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured; and
 - b. identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids.
16. Ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition.
17. Use one of the following methods of procurement:
 - a. micro-purchases;
 - b. small purchase procedures;
 - c. sealed bids;
 - d. competitive proposals; and
 - e. noncompetitive proposals.

18. Have a written method for conducting technical evaluations of the proposals received and for selecting recipients.
19. Take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.
20. Include in all contracts made by the District the applicable provisions contained in the Appendix II of the Uniform Grant Guidance – Contract Provisions for Non-Federal Entity Contracts under Federal Awards.
21. Perform a cost or price analysis in conjunction with every procurement action in excess of the Simplified Acquisition Threshold, including contract modifications.
22. Negotiate profit as a separate element of the price for each contract in which there is not price competition and in all cases where an analysis is performed.
23. Comply with the non-procurement debarment and suspension standards which prohibit awarding contracts to parties listed on the government-wide exclusions in the System for Award Management (SAM).

Cross-Ref: 1120, School District Records
2160, Code of Ethics of the Yonkers Public School District for Board Members, Officers, and Employees
6000, Financial Accountability
6640, Inventory, Accounting of Fixed Assets, and Tracking
6700, Purchasing
6700 R, Purchasing Regulation
6830, Expense Reimbursement
9120.1, Conflict of Interest

Ref: 2 CFR §§200.61; 200.303; 200.318; 200.319; 200.320; 200.321; 200.323; 200.326
2 CFR Part 200 Appendix II

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