

Policy 3200

Purchasing

I. Requirements Applicable to Purchases of All Good and Services

A. <u>Definitions</u>

For the purposes of this policy:

- 1. "Goods or service" includes, but is not limited to, portable classrooms, motor vehicles or materials and equipment, such as telephone systems, computers and copy machines.
- 2. "General services" include all services which result in a measurable end product that can be defined by bid specifications and all services used in the process of building or altering property (excluding architectural, engineering and other design services).
- 3. "Property" means real property or personal property.

B. Consultation with Municipality Regarding Contracts for Goods or Services, Including Insurance and Payroll Software

After going out to bid for a good or service and receiving submissions, if the local municipality uses such good or service, the Board of Education (the "Board") shall consult with the legislative body of the municipality, and, if the equivalent level of such good or service is provided by the municipality through a municipal contract for a lower cost than the lowest qualified bid submission received by the Board, the Board will consider a cooperative agreement with the local municipality for the provision of such good or service.

Further, the Board will consult with the local municipality's legislative body prior to purchasing payroll processing or accounts payable software systems to determine whether such systems may be purchased or shared on a regional basis.

When possible, the Board will consult with the local municipality's legislative body regarding the joint purchasing of property insurance, casualty insurance, and workers' compensation insurance.

II. Competitive Bidding Process

A. Purchases Requiring Competitive Bidding Process (\$10,000 or More)

Purchases of goods or general services, including high technology equipment, expected to involve an expenditure of \$10,000 or more must be made by sealed competitive bid. As set forth below, such purchases in the amount of at least \$10,000, but less than \$20,000, may be awarded by the Superintendent or his/her designee. Such purchases in the amount of \$20,000 or more must be awarded by the Board.



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B. <u>Bid Specifications</u>

When competitive bidding is required, all requirements, terms and conditions describing and detailing the goods or general services to be purchased must be included in the bid specifications. The bid specifications should define the requirements for quality of materials, equipment and/or services to be procured, and as such, they should clearly and accurately reflect the required characteristics of the goods and services. The bid specifications should also include any vendor or contractor qualification requirements, a school district contact person responsible for all communications with prospective bidders, a requirement that all communications between the school district contact person and prospective bidders be in writing and, if the purchase will require entering into a contract, a draft contract whenever possible.

The Superintendent of Schools or his/her designee shall develop the proposed bid specifications and other bid documents.

C. Advertising

A legal notice inviting sealed bids shall be published by the Superintendent of Schools or his/her designee at least once in a daily newspaper in the local municipality and on the Board's website. At least five (5) calendar days must intervene between the date of the last newspaper or website publication and the final date for submitting bids. The notice shall contain a general description of the goods or services being bid, the school district contact person and the day, hour and place of the bid opening and may contain other information relating to the bid including, but not limited to, where and when bid packages may be obtained.

D. Bid Openings and Awards

All bids, and bid security if applicable, must be submitted to the Superintendent of Schools or his/her designee in sealed envelopes and show on the face of the envelopes the bid number, the title of the bid and the bidder's name. All envelopes will be date stamped as received.

All bids shall be opened in public and read aloud at the time stated in the legal notice. No bids shall be accepted, or opened, that were not submitted in compliance with the procedures set forth in the notice advertising the bid.

Within a reasonable time following the bid opening, the Superintendent of Schools or his/her designee will tabulate and analyze the bids. For contracts of at least \$10,000, but less than \$20,000, the Superintendent shall, subject to the right of rejection, award the bid to the Lowest Responsible Qualified Bidder, as defined below. For contracts of \$20,000 or more, the Board shall, subject to the right of rejection, award the bid to the Lowest Responsible Qualified Bidder, as defined below.



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A record of all bids submitted, giving the names of the bidders, the amounts of the bids and indicating the successful bidder, shall be preserved by the Superintendent of Schools or his/her designee in accordance with State law.

E. Bid Security

When, in the judgment of the Superintendent of Schools or his/her designee, bid security is advisable, all bids must be accompanied by security in one of the following forms - certified check, cashier's check, personal money order, letter of credit or bid bond. The requirement for, and the amount of, the security must be set forth in the bid advertisement. All security presented must show the "Town of Clinton" as the payee.

F. Requirements Governing Bid Awards

The award shall be made to the bidder whose bid meets the requirements, terms and conditions contained in the bid specifications and is the lowest among those bidders possessing the skill, ability and integrity necessary for faithful performance of the work based on objective criteria considering past performance and financial responsibility (the "Lowest Responsible Qualified Bidder"), and after consideration of a cooperative agreement with the municipality as described in Section I.B, above.

In determining the Lowest Responsible Qualified Bidder the following criteria will be considered, as applicable:

- 1. The ability and capacity of the bidder to perform the work based on an evaluation of the character, integrity, reputation and experience of the bidder. Consideration shall be given to previous work performed by the bidder for the Board or for other agencies, including the quality and degree of satisfaction with the work performed.
- 2. The financial resources of the bidder and the bidder's ability to secure any required bonds and/or insurance.
- 3. Compliance by the bidder with all applicable federal, state and local laws, including any licensing requirements.
- 4. Delivery or completion time.
- 5. Cost.
- 6. Involvement in litigation.

Should a situation arise where it is impossible to distinguish between two bidders to identify the Lowest Responsible Qualified Bidder, and one of the bidders has its principal place of business located within the Town of Clinton, the award will be made to the local bidder.



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G. Rejection of Bids

The Superintendent of Schools or his/her designee has the right to reject any and all bids in whole or in part. Any or all bids may be rejected if there is any reason to believe that collusion exists among the bidders. Individual bids may be rejected for irregularities of any kind, including, without limitation, alteration of form, additions not called for, conditional bids, incomplete bids and unexplained erasures.

The Superintendent of Schools or his/her designee retains the right to waive any formality or procedural irregularities in the bids received. Nothing in this Section should be construed to limit in any way the right of the Superintendent of Schools or his/her designee to reject any and all bids.

H. Advisement of Bid Award

Upon acceptance of the Lowest Responsible Qualified Bidder, a letter will be sent to the successful bidder(s) announcing the award of the bid. All unsuccessful bidders will be sent a letter notifying them that they were not selected.

III. Competitive Quotation Process

A. Purchases Requiring Competitive Quotation Process

Price quotations should be requested for all purchases of goods or general services, including high technology equipment, expected to involve an expenditure of at least \$1,000 but less than \$10,000. Purchases of goods or services which involve an expenditure of less than \$1,000 may be made directly, without regard to any competitive bid or quotation process. Waivers from the quotation process are available for the same reasons that Waivers are available from the bidding process. (See Section V.)

B. Process for Obtaining Quotations

Generally, quotations, either oral or written, should be solicited by the Superintendent of Schools or his/her designee from at least three (3) vendors or obtained from current catalogues or price sheets. The refusal of an otherwise valid supplier to quote shall qualify as a quotation. The quotation process does not require a public opening, and the Superintendent of Schools or his/her designee may send requests to a limited number of selected vendors. However, vendors must furnish all of the necessary information to the Superintendent of Schools or his/her designee by the specified date.

The purchase shall be awarded to the provider whose proposal is deemed to best provide the good and/or services desired, taking into account cost and the project requirements, and after consideration of a cooperative agreement with the municipality as described in Section I.B. above.



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IV. Competitive Proposal Process for Special or Professional Services

A. <u>Purchases Requiring Competitive Proposal Process</u>

Purchases of Special or Professional Services may be made by competitive proposal should the situation warrant if the purchase exceeds the monetary thresholds set forth below. Special or Professional Services involve the furnishing of judgment, expertise, advice or effort by persons other than Board employees, and not involving the delivery of a specific end product that is defined by bid specifications. Examples of Professional Services include, but are not limited to, in-service instructional leaders, pupil services, special education evaluations, interpreters, tutors, computer programmers, architects, auditors, attorneys, instructional consultants, and temporary agencies. Examples of Special Services include, but are not limited to, repair services for Board property, equipment and vehicles where the nature of the repair cannot be defined in advance by bid specifications and the professional expertise of the service provider is critical. Waivers from the proposal process are available for the same reasons that Waivers are available from the bidding process. (See Section V.) Funds must be available in the proper account in order to begin development of a Request for Proposals ("RFP").

Purchases of Special or Professional Services that are expected to be less than \$10,000 shall be made directly by the Superintendent of Schools or his/her designee, without regard to a competitive proposal process.

B. Informal Competitive Proposal Process (\$10,000 to \$19,999)

Purchases of Special or Professional Services for at least \$10,000 but less than \$20,000 shall be based upon a reasonable and documented attempt to solicit proposals. Where possible, proposals should be solicited from at least three (3) potential service providers. The refusal to submit a proposal from an otherwise valid provider shall qualify as a proposal. The process shall be documented in writing by the Superintendent of Schools or his/her designee. If a single reasonable source exists for the service, this fact shall be documented in writing.

An evaluation of the proposals received will be made by the Superintendent of Schools or his/her designee. The Superintendent or his/her designee shall award the contract to the service provider whose proposal is deemed to best provide the services desired, taking into account cost and the project requirements.

A record of all proposals submitted, giving the names of the service providers, the amount of the proposal and indicating the successful provider, shall be preserved by the Superintendent of Schools or his/her designee in accordance with State law.



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C. Formal Competitive Proposal Process (\$20,000 or more)

Request for Proposals for Purchases of Special or Professional Services for \$20,000 or more shall be prepared by the Superintendent or his/her designee. All requirements, terms and conditions, including provider qualifications, should be included in the RFP, as well as a draft contract whenever possible. The award of any such contracts for \$20,000 or more shall be approved by the Board.

The Superintendent of Schools or his/her designee will arrange to have a legal notice requesting proposals published in a local newspaper and on the Board's website at least ten (10) business days prior to the deadline for submitting proposals. Whenever the Superintendent or his/her designee determines that the service requested is so specialized that few appropriate providers can reasonably be expected to respond to the notice, the Superintendent may substitute another means of notifying potential providers of the RFP in lieu of such newspaper and website notice. Any advertisement or other notice of the RFP shall include the general description of the services sought and the location where RFPs may be obtained.

Where possible, proposals should be solicited from at least three (3) potential service providers. The refusal to submit a proposal from an otherwise valid provider shall qualify as a proposal. The process shall be documented in writing by the Superintendent of Schools or his/her designee. If a single reasonable source exists for the service, this fact shall be documented in writing.

An evaluation of the proposals will be made by the Superintendent of Schools or his/her designee. The contract shall be awarded to the service provider whose proposal is deemed to best provide the services desired, taking into account cost and the requirements, terms and conditions contained in the RFP.

A record of all proposals submitted, giving the names of the service providers, the amount of the proposal and indicating the successful provider, shall be preserved by the Superintendent of Schools or his/her designee in accordance with State law.

V. Waivers

In certain situations, the bidding, quotation and proposal processes described above may be waived even though the estimated cost exceeds the dollar threshold established by the Board. The formal processes may be waived for any of the following reasons:

- 1. Only one (1) reasonable or qualified source can be identified. This shall include situations such as the purchase of copyrighted materials and textbooks.
- 2. Time is a critical factor, and taking the time necessary to comply with the formal process would not be in the best interests of the school district.



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- 3. In the opinion of the Superintendent or his/her designee, an emergency requires the purchase of goods or services to avoid injury or damage to human life or property.
- 4. A special source, including but not limited to a sale, purchasing plan, government discount or trade-in allowance, will supply a lower cost than that which would result from a bid process.
- 5. A formal process would result in substantially higher costs to the school district, or inefficient use of personnel, or cause substantial disruption of school district operations.
- 6. Prices of goods or services are subject to specific federal or state competitive bidding requirements, including, but not limited to, "school building projects" as defined in the Connecticut General Statutes.
- 7. Regional or cooperative purchases.
- 8. Cooperative agreement with the local municipality.

For a requesting administrator to obtain a Waiver, the requesting administrator must make a written request to the Superintendent of Schools or his/her designee. The Waiver must bear the signature of the requesting administrator and state the reason(s) for requesting the Waiver. Upon receipt of such request, the Superintendent of Schools or his/her designee will promptly notify the requesting administrator if such Waiver has been granted.

In addition, the Superintendent of Schools or his/her designee, in his/her sole determination, may grant a Waiver for any of the above-listed reasons. Upon granting such a Waiver, the Superintendent of Schools or his/her designee must, in writing, state the reason(s) for granting such Waiver.

VI. Procurement of Property and Services Under a Federal Award

When procuring property and/or services under a Federal award, the Board will comply with relevant regulations in the Code of Federal Regulations, as described in 2 C.F.R. § 200.318 through 2 C.F.R. § 200.327, as amended from time to time, to the extent it is required to do so. See Appendix A.

VII. Audits

The Board may periodically engage an independent audit firm to review the purchasing procedures outlined in this manual.



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Legal Reference:

Conn. Gen. Stat. §10-241c

Conn. Gen. Stat. §10-241d

Conn. Gen. Stat. §10-241e

2 C.F.R. \S 200.318 through 2 C.F.R. \S 200.327.

2 C.F.R. § 200.81 (definition of property).

Policy adopted: March 2, 1992

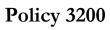
Policy revised: November 18, 2019 Policy revised: October 18, 2021

APPENDIX A

Procurement Standards for the Acquisition of Property or Services <u>Under a Federal Award</u> 2 C.F.R. §§ 200.317-300.327

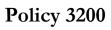
This Appendix addresses procurements of property and services under a Federal award. Whenever these Federal Uniform Guidance Procurement Standards, as may be amended from time to time, are applicable to procurements made by the Board of Education (the 'Board''), the Board shall apply the more restrictive procurement rules, to the extent it is required to do so.

2 C.F.R. §	FULL TEXT OF C.F.R. SECTION	BRIEF SUMMARY
200.317	Procurements by States	
	When procuring property and services under a Federal award, a State must follow the same policies and procedures it uses for procurements from its non–Federal funds. The State will comply with §§ 200.321, 200.322, and 200.323 and ensure that every purchase order or other contract includes any clauses required by § 200.327. All other non–Federal entities, including subrecipients of a State, must follow the procurement standards in §§ 200.318 through 200.327.	A State must follow the same policies and procedures when making procurements under a Federal award and when making procurements using non-Federal funds. The Board must follow 2 C.F.R. §§ 200.318 through 200.327 when making procurements under a Federal award.
200.318	General Procurement Standards	
200.318(a)	The non–Federal entity must have and use documented procurement procedures, consistent with State, local, and tribal laws and regulations and the standards of this section, for the acquisition of property or services required under a Federal award or subaward. The non–Federal entity's documented procurement procedures must conform to the procurement standards identified in §§ 200.317 through 200.327.	The Board must have and use documented procurement procedures consistent with State, local, and Federal requirements for procurements made under a Federal award.
200.318(b)	Non-Federal entities must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.	The Board must maintain oversight of its contractors.
200.318(c)(1)	The non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the performance of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such	The Board must have written standards of conduct covering conflicts of interest and governing the performance of its employees engaged in the selection, award, and administration of contracts.



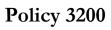


2 C.F.R. §	FULL TEXT OF C.F.R. SECTION	BRIEF SUMMARY
	conflict of interest would arise when the employee, officer, or	Board officers and employees
	agent, any member of his or her immediate family, his or her	(and their immediate family
	partner, or an organization which employs or is about to	members, partners, and
	employ any of the parties indicated herein, has a financial or	organizations which employ or
	other interest in or a tangible personal benefit from a firm	are about to employ them)
	considered for contract. The officers, employees, and agents	must not have a financial or
	of the non-Federal entity must neither solicit nor accept	other interest in a contract and
	gratuities, favors, or anything of monetary value from	must not solicit or accept gifts
	contractors or parties to subcontracts. However, non-Federal	from contractors or
	entities may set standards for situations in which the financial	subcontractors. The standards
	interest is not substantial or the gift is an unsolicited item of	of conduct must provide for
	nominal value. The standards of conduct must provide for	disciplinary actions for
	disciplinary actions to be applied for violations of such	violations. See Code of
	standards by officers, employees, or agents of the non-Federal	Conduct Governing
	entity.	Procurements Under a Federal
		Award.
200.318(c)(2)	If the non-Federal entity has a parent, affiliate, or subsidiary	The Board's conflict of
	organization that is not a state, local government, or Indian	interest policy must cover
	tribe, the non-Federal entity must also maintain written	relationships with certain
	standards of conduct covering organizational conflicts of	parent, affiliate, or subsidiary
	interest. Organizational conflicts of interest means that	organizations, if any.
	because of relationships with a parent company, affiliate, or	
	subsidiary organization, the non-Federal entity is unable or	
	appears to be unable to be impartial in conducting a	
200 219(4)	procurement action involving a related organization.	The Board must avoid
200.318(d)	The non-Federal entity's procedures must avoid acquisition	
	of unnecessary or duplicative items. Consideration should	acquisition of unnecessary or
	be given to consolidating or breaking out procurements to	duplicative items.
	obtain a more economical purchase. Where appropriate, an	
	analysis will be made of lease versus purchase alternatives,	
	and any other appropriate analysis to determine the most	
200.219(-)	economical approach.	The Decudio and and to
200.318(e)	To foster greater economy and efficiency, and in	The Board is encouraged to
	accordance with efforts to promote cost-effective use of	use intergovernmental
	shared services across the Federal government, the non- Federal entity is encouraged to enter into state and local	agreements or inter-entity
	intergovernmental agreements or inter-entity agreements	agreements.
	where appropriate for procurement or use of common or	
	shared goods and services. Competition requirements will	
	be met with documented procurement actions using	
	strategic sourcing, shared services, and other similar	
	1	
	procurement arrangements.	





2 C.F.R. §	FULL TEXT OF C.F.R. SECTION	BRIEF SUMMARY
200.318(f)	The non-Federal entity is encouraged to use Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.	The Board is encouraged to use Federal excess and surplus in lieu of purchasing new, when feasible.
200.318(g)	The non-Federal entity is encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.	The Board is encouraged to use value engineering clauses in construction contracts of sufficient size.
200.318(h)	The non-Federal entity must 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 such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.	The Board must award contracts to responsible contractors, after considering contractor integrity, compliance with public policy, past performance, and financial and technical resources.
200.318(i)	The non-Federal entity must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.	The Board must maintain procurement records.
200.318(j)(1)	The non-Federal entity may use a time-and-materials type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time-and-materials type contract means a contract whose cost to a non-Federal entity is the sum of: (i) The actual cost of materials; (ii) Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.	The Board may only use time- and-materials type contracts in limited circumstances.
200.318(j)(2)	Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the non-Federal entity awarding such a contract must assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.	The Board must set a ceiling price and assert a high degree of oversight on time-and-materials type contracts.





2 C.F.R. §	FULL TEXT OF C.F.R. SECTION	BRIEF SUMMARY
200.318(k)	The non-Federal entity alone must be responsible, in	The Board must be
	accordance with good administrative practice and sound	responsible for settling
	business judgment, for the settlement of all contractual and	contract disputes and
	administrative issues arising out of procurements. These	administrative issues arising
	issues include, but are not limited to, source evaluation,	out of procurements.
	protests, disputes, and claims. These standards do not	1
	relieve the non-Federal entity of any contractual	
	responsibilities under its contracts. The Federal awarding	
	agency will not substitute its judgment for that of the non-	
	Federal entity unless the matter is primarily a Federal	
	concern. Violations of law will be referred to the local,	
	state, or Federal authority having proper jurisdiction.	
200.319	Competition	
200.319(a)	All procurement transactions for the acquisition of property	The Board must conduct
	or services required under a Federal award must be	procurement transactions in a
	conducted in a manner providing full and open competition	manner providing full and
	consistent with the standards of this section and § 200.320.	open competition.
200.319(b)	In order to ensure objective contractor performance and	Contractors that develop or
, ,	eliminate unfair competitive advantage, contractors that	draft specifications,
	develop or draft specifications, requirements, statements of	requirements, statements of
	work, and invitations for bids or requests for proposals must	work, and invitations for bids
	be excluded from competing for such procurements. Some of	or requests for proposals must
	the situations considered to be restrictive of competition	be excluded from competing
	include but are not limited to: (1) Placing unreasonable	for such procurements. The
	requirements on firms in order for them to qualify to do	Board must avoid practices
	business; (2) Requiring unnecessary experience and excessive	that are restrictive of
	bonding; (3) Noncompetitive pricing practices between firms	competition.
	or between affiliated companies; (4) Noncompetitive	
	contracts to consultants that are on retainer contracts; (5)	
	Organizational conflicts of interest; (6) Specifying only a	
	"brand name" product instead of allowing "an equal" product	
	to be offered and describing the performance or other	
	relevant requirements of the procurement; and (7) Any	
	arbitrary action in the procurement process.	
200.319(c)	The non-Federal entity must conduct procurements in a	The Board is generally
	manner that prohibits the use of statutorily or	prohibited from using
	administratively imposed state or local geographical	geographical preference in the
	preferences in the evaluation of bids or proposals, except in	evaluation of bids or
	those cases where applicable Federal statutes expressly	proposals.
	mandate or encourage geographic preference. Nothing in	
	this section preempts state licensing laws. When contracting	
	for architectural and engineering (A/E) services, geographic	



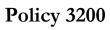
2 C.F.R. §	FULL TEXT OF C.F.R. SECTION	BRIEF SUMMARY
	location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.	
200.319(d)	The non-Federal entity must have written procedures for procurement transactions. These procedures must ensure that all solicitations: (1) Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and (2) Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.	The Board must have written procedures for procurement transactions that ensure that solicitations (1) incorporate a clear and accurate description of technical requirements and (2) identify all requirements the offeror must fulfill and all other factors to be used in evaluating bids or proposals.
200.319(e)	The non-Federal entity must 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. Also, the non-Federal entity must not preclude potential bidders from qualifying during the solicitation period.	The Board must ensure all prequalified lists are current and include enough qualified sources to ensure open and free competition.
200.319(f)	Noncompetitive procurements can only be awarded in accordance with § 200.320(c).	Noncompetitive procurements must be awarded in accordance with § 200.320(c).
200.320	Methods of Procurement to be Followed	
200.320	The non–Federal entity must have and use documented procurement procedures, consistent with the standards of this section and §§ 200.317, 200.318, and 200.319 for any of the following methods of procurement used for the acquisition of property or services required under a Federal award or subaward.	The Board must have and use documented procurement procedures for procurements made under a Federal award or sub-award.



2 C.F.R. §	FULL TEXT OF C.F.R. SECTION	BRIEF SUMMARY
200.320(a)	Informal procurement methods. When the value of the procurement for property or services under a Federal award does not exceed the simplified acquisition threshold (SAT), as defined in § 200.1, or a lower threshold established by a non–Federal entity, formal procurement methods are not required. The non–Federal entity may use informal procurement methods to expedite the completion of its transactions and minimize the associated administrative burden and cost. The informal methods used for procurement of property or services at or below the SAT include:	For purchases under the simplified acquisition threshold, or a lower threshold established by the Board, the Board may use informal procurement methods (micropurchases and small purchases).
200.320(a)(1)	(1) Micro-purchases— (i) Distribution. The acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (See the definition of micro-purchase in § 200.1). To the maximum extent practicable, the non–Federal entity should distribute micro-purchases equitably among qualified suppliers. (ii) Micro-purchase awards. Micro-purchases may be awarded without soliciting competitive price or rate quotations if the non–Federal entity considers the price to be reasonable based on research, experience, purchase history or other information and documents it[s] files accordingly. Purchase cards can be used for micro-purchases if procedures are documented and approved by the non–Federal entity. (iii) Micro-purchase thresholds. The non–Federal entity is responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of risk, and its documented procurement procedures. The micro-purchase threshold used by the non–Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations. Non–Federal entities may establish a threshold higher than the Federal threshold established in the Federal Acquisition Regulations (FAR) in accordance with paragraphs (a)(1)(iv) and (v) of this section. (iv) Non–Federal entity increase to the micro-purchase threshold identified in the FAR in accordance with the requirements of this section. The non–Federal entity may self-certify a threshold up to \$50,000 on an annual basis and must maintain documentation to be made available to the Federal awarding agency and auditors in accordance with § 200.334. The self-certification must include a justification, clear identification of	Micro-purchases should be distributed equitably among qualified suppliers and may be awarded without soliciting competitive price or rate quotations if the Board considers the price to be reasonable based on research, experience, purchase history, or other information and documents its files accordingly.

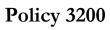


2 C.F.R. §	FULL TEXT OF C.F.R. SECTION	BRIEF SUMMARY
200.320(a)(2)	the threshold, and supporting documentation of any of the following: (A) A qualification as a low-risk auditee, in accordance with the criteria in § 200.520 for the most recent audit; (B) An annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or, (C) For public institutions, a higher threshold consistent with State law. (v) Non–Federal entity increase to the micro-purchase threshold over \$50,000. Micro-purchase thresholds higher than \$50,000 must be approved by the cognizant agency for indirect costs. The non-federal entity must submit a request with the requirements included in paragraph (a)(1)(iv) of this section. The increased threshold is valid until there is a change in status in which the justification was approved. (2) Small purchases— (i) Small purchase procedures. The acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the simplified acquisition threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources as determined appropriate by the non–Federal entity. (ii) Simplified acquisition thresholds. The non–Federal entity is responsible for determining an appropriate simplified acquisition threshold based on internal controls, an evaluation of risk and its documented procurement procedures which must not exceed the threshold established in the FAR. When applicable, a lower simplified acquisition threshold used by	For small purchases, the aggregate dollar amount of which is higher than the micro-purchase threshold but lower than the simplified acquisition threshold, price or rate quotations must be obtained from an adequate number of qualified sources.
	the non–Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations.	
200.320(b)	Formal procurement methods. When the value of the procurement for property or services under a Federal financial assistance award exceeds the SAT, or a lower threshold established by a non–Federal entity, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement can be used in accordance with § 200.319 or paragraph (c) of this section. The following formal methods of procurement are used for procurement of property or services above the simplified	For purchases that exceed the simplified acquisition threshold, or a lower threshold established by the Board, formal procurement methods must be used and public advertising may be required.





2 C.F.R. §	FULL TEXT OF C.F.R. SECTION	BRIEF SUMMARY
	acquisition threshold or a value below the simplified	
	acquisition threshold the non–Federal entity determines to	
	be appropriate:	
200.320(b)(1)	(1) Sealed bids. A procurement method in which bids are	In sealed bid procurements,
	publicly solicited and a firm fixed-price contract (lump sum or	bids are publicly solicited and
	unit price) is awarded to the responsible bidder whose bid,	the Board awards the contract
	conforming with all the material terms and conditions of the	to the lowest responsible
	invitation for bids, is the lowest in price. The sealed bids	bidder. The Board should use
	method is the preferred method for procuring construction, if	sealed bidding for procuring
	the conditions [stet]. (i) In order for sealed bidding to be	construction whenever
	feasible, the following conditions should be present: (A) A	complete, adequate, and
	complete, adequate, and realistic specification or purchase	realistic specifications are
	description is available; (B) Two or more responsible bidders	available, two or more
	are willing and able to compete effectively for the business;	responsible bidders are able to
	and (C) The procurement lends itself to a firm fixed price	compete, and selection of a
	contract and the selection of the successful bidder can be	successful bidder can be made
	made principally on the basis of price. (ii) If sealed bids are	principally on the basis of
	used, the following requirements apply: (A) Bids must be	price. If sealed bids are used,
	solicited from an adequate number of qualified sources,	they must meet certain
	providing them sufficient response time prior to the date set	requirements. Any or all bids
	for opening the bids, for local, and tribal governments, the	may be rejected if there is a
	invitation for bids must be publicly advertised; (B) The	sound documented reason.
	invitation for bids, which will include any specifications and	
	pertinent attachments, must define the items or services in	
	order for the bidder to properly respond; (C) All bids will be	
	opened at the time and place prescribed in the invitation for	
	bids, and for local and tribal governments, the bids must be	
	opened publicly; (D) A firm fixed price contract award will be	
	made in writing to the lowest responsive and responsible	
	bidder. Where specified in bidding documents, factors such as	
	discounts, transportation cost, and life cycle costs must be	
	considered in determining which bid is lowest. Payment	
	discounts will only be used to determine the low bid when	
	prior experience indicates that such discounts are usually	
	taken advantage of; and (E) Any or all bids may be rejected if there is a sound documented reason.	
200.320(b)(2)	(2) Proposals. A procurement method in which either a fixed	Proposals for fixed price or
200.320(b)(2)	price or cost-reimbursement type contract is awarded.	cost-reimbursement type
	Proposals are generally used when conditions are not	contracts are generally used
	appropriate for the use of sealed bids. They are awarded in	when conditions are not
	accordance with the following requirements: (i) Requests for	appropriate for the use of
	proposals must be publicized and identify all evaluation	sealed bids. Proposals are
	factors and their relative importance. Proposals must be	scarcu oius. Troposais are
	inecoto mia tren remave importance. I roposais must be	

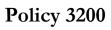




2 C.F.R. §	FULL TEXT OF C.F.R. SECTION	BRIEF SUMMARY
	solicited from an adequate number of qualified offerors. Any response to publicized requests for proposals must be considered to the maximum extent practical; (ii) The non– Federal entity must have a written method for conducting technical evaluations of the proposals received and making selections; (iii) Contracts must be awarded to the responsible offeror whose proposal is most advantageous to the non– Federal entity, with price and other factors considered; and (iv) The non–Federal entity may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby offeror's qualifications are evaluated and the most qualified offeror is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms that are a potential source to perform the proposed effort.	awarded after requests for proposals are publicized with evaluation factors identified; an adequate number of offerors are solicited, considered and evaluated; and contracts are awarded to the responsible offeror with the most advantageous proposal.
200.320(c)	Noncompetitive procurement. There are specific circumstances in which noncompetitive procurement can be used. Noncompetitive procurement can only be awarded if one or more of the following circumstances apply: (1) The acquisition of property or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (see paragraph (a)(1) of this section); (2) The item is available only from a single source; (3) The public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation; (4) The Federal awarding agency or pass-through entity expressly authorizes a noncompetitive procurement in response to a written request from the non–Federal entity; or (5) After solicitation of a number of sources, competition is determined inadequate.	The Board may procure goods via noncompetitive procurement only when the aggregate dollar amount does not exceed the micropurchase threshold; the item is available only from a single source; in times of public emergency; when the Federal awarding agency expressly authorizes noncompetitive procurement; or competition is determined inadequate after solicitation of a number of sources.
200.321	Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms	
200.321(a)	The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.	The Board must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus

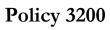


2 C.F.R. §	FULL TEXT OF C.F.R. SECTION	BRIEF SUMMARY
		area firms are used when
		possible.
200.321(b)	Affirmative steps must include: (1) Placing qualified small	Affirmative steps include,
	and minority businesses and women's business enterprises	among other things, placing
	on solicitation lists; (2) Assuring that small and minority	qualified small and minority
	businesses, and women's business enterprises are solicited	businesses and women's
	whenever they are potential sources; (3) Dividing total	business enterprises on
	requirements, when economically feasible, into smaller	solicitation lists; assuring
	tasks or quantities to permit maximum participation by	such businesses are solicited
	small and minority businesses, and women's business	whenever they are potential
	enterprises; (4) Establishing delivery schedules, where the	sources; dividing total
	requirement permits, which encourage participation by	requirements, when
	small and minority businesses, and women's business	economically feasible, into
	enterprises; (5) Using the services and assistance, as	smaller tasks or quantities;
	appropriate of such organizations as the Small Business	and establishing delivery
	Administration and the Minority Business Development	schedules, where the
	Agency of the Department of Commerce; and (6) Requiring	requirement permits, which
	the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this	encourage participation by such businesses.
	section.	such businesses.
200 322	Domestic Preferences for Procurements	
200.322 200.322(a)	Domestic Preferences for Procurements As appropriate and to the extent consistent with law, the	The Board will, to the greatest
200.322 200.322(a)	As appropriate and to the extent consistent with law, the	The Board will, to the greatest extent practicable, provide a
	As appropriate and to the extent consistent with law, the non–Federal entity should, to the greatest extent practicable	extent practicable, provide a
	As appropriate and to the extent consistent with law, the non–Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the	extent practicable, provide a preference for goods,
	As appropriate and to the extent consistent with law, the non–Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or	extent practicable, provide a preference for goods, products or materials
	As appropriate and to the extent consistent with law, the non–Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the	extent practicable, provide a preference for goods,
	As appropriate and to the extent consistent with law, the non–Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not	extent practicable, provide a preference for goods, products or materials
	As appropriate and to the extent consistent with law, the non–Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other	extent practicable, provide a preference for goods, products or materials
	As appropriate and to the extent consistent with law, the non–Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section	extent practicable, provide a preference for goods, products or materials
	As appropriate and to the extent consistent with law, the non–Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award. For purposes of this section:	extent practicable, provide a preference for goods, products or materials
200.322(a)	As appropriate and to the extent consistent with law, the non–Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award. For purposes of this section: (1) "Produced in the United States" means, for iron and steel	extent practicable, provide a preference for goods, products or materials
200.322(a)	As appropriate and to the extent consistent with law, the non–Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award. For purposes of this section: (1) "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial	extent practicable, provide a preference for goods, products or materials
200.322(a)	As appropriate and to the extent consistent with law, the non–Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award. For purposes of this section: (1) "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in	extent practicable, provide a preference for goods, products or materials
200.322(a)	As appropriate and to the extent consistent with law, the non–Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award. For purposes of this section: (1) "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.	extent practicable, provide a preference for goods, products or materials
200.322(a)	As appropriate and to the extent consistent with law, the non–Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award. For purposes of this section: (1) "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States. (2) "Manufactured products" means items and construction	extent practicable, provide a preference for goods, products or materials
200.322(a)	As appropriate and to the extent consistent with law, the non–Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award. For purposes of this section: (1) "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States. (2) "Manufactured products" means items and construction materials composed in whole or in part of non-ferrous	extent practicable, provide a preference for goods, products or materials
200.322(a)	As appropriate and to the extent consistent with law, the non–Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award. For purposes of this section: (1) "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States. (2) "Manufactured products" means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based	extent practicable, provide a preference for goods, products or materials
200.322(a)	As appropriate and to the extent consistent with law, the non–Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award. For purposes of this section: (1) "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States. (2) "Manufactured products" means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such	extent practicable, provide a preference for goods, products or materials
200.322(a)	As appropriate and to the extent consistent with law, the non–Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award. For purposes of this section: (1) "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States. (2) "Manufactured products" means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based	extent practicable, provide a preference for goods, products or materials



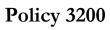


2 C.F.R. §	FULL TEXT OF C.F.R. SECTION	BRIEF SUMMARY
200.323	A non-Federal entity that is a state agency or agency of a	The Board must follow
	political subdivision of a state and its contractors must	standards in procuring certain
	comply with section 6002 of the Solid Waste Disposal Act,	items over \$10,000 to ensure,
	as amended by the Resource Conservation and Recovery	among other things, the
	Act. The requirements of Section 6002 include procuring	highest percentage of
	only items designated in guidelines of the Environmental	recovered materials
	Protection Agency (EPA) at 40 CFR part 247 that contain	practicable, consistent with
	the highest percentage of recovered materials practicable,	maintaining a satisfactory
	consistent with maintaining a satisfactory level of	level of competition.
	competition, where the purchase price of the item exceeds	
	\$10,000 or the value of the quantity acquired by the	
	preceding fiscal year exceeded \$10,000; procuring solid	
	waste management services in a manner that maximizes	
	energy and recourse recovery; and establishing an	
	affirmative procurement program for procurement of	
	recovered materials identified in the EPA guidelines.	
200.324	Contract Cost and Price	
200.324(a)	The non-Federal entity must perform a cost or price analysis	The Board must perform a
	in connection with every procurement action in excess of the	cost or price analysis for
	Simplified Acquisition Threshold including contract	every procurement in excess
	modifications. The method and degree of analysis is	of the simplified acquisition
	dependent on the facts surrounding the particular	threshold.
	procurement situation, but as a starting point, the non-Federal	
	entity must make independent estimates before receiving bids	
200 224(1)	or proposals.	TI D 1
200.324(b)	The non-Federal entity must negotiate profit as a separate	The Board must negotiate
	element of the price for each contract in which there is no	profit for sole-source
	price competition and, in all cases, where cost analysis is	procurements and for
	performed. To establish a fair and reasonable profit,	procurements where cost
	consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the	analysis is performed.
	contractor's investment, the amount of subcontracting, the	
	quality of its record of past performance, and industry profit	
200.324(c)	rates in the surrounding geographical area for similar work. Costs or prices based on estimated costs for contracts under	Costs incurred or estimated
200.324(C)	the Federal award are allowable only to the extent that costs	costs are allowable only to the
	incurred or cost estimates included in negotiated prices	extent they comply with
	would be allowable for the non-Federal entity under	Federal Cost Principles.
	Subpart E [Cost Principles] of this part. The non-Federal	rederal Cost i filicipies.
	entity may reference its own cost principles that comply	
	with the Federal cost principles.	
	with the rederal cost principles.	



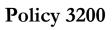


2 C.F.R. §	FULL TEXT OF C.F.R. SECTION	BRIEF SUMMARY
200.324(d)	The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.	The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.
200.325	Federal Awarding Agency or Pass-Through Entity Review	
200.325(a)	The non-Federal entity must make available, upon request of the Federal awarding agency or passthrough entity, technical specifications on proposed procurements when the Federal awarding agency or passthrough entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the non-Federal entity desires to have the review accomplished after a solicitation has been developed, the Federal awarding agency or passthrough entity may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.	The Board must make technical specs for procurements available upon request by the Federal awarding agency or passthrough entity.
200.325(b)	The non-Federal entity must make available upon request, for the Federal awarding agency or passthrough entity preprocurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when: (1) The non-Federal entity's procurement procedures or operation fails to comply with the procurement standards in this part; (2) The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation; (3) The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a "brand name" product; (4) The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or (5) A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.	Upon request, the Board must make procurement documents available for pre-procurement review by the Federal awarding agency or passthrough entity in a number of circumstances.
200.325(c)	The non-Federal entity is exempt from the pre-procurement review in paragraph (b) of this section if the Federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of this part. (1) The non-	The Board is exempt from pre-procurement review if the Federal awarding agency or passthrough entity determines





2 C.F.R. §	FULL TEXT OF C.F.R. SECTION	BRIEF SUMMARY
	Federal entity may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding, and third party contracts are awarded on a regular basis; (2) The non-Federal entity may self-certify its procurement system. Such self-certification must not limit the Federal awarding agency's right to survey the system. Under a self-certification procedure, the Federal awarding agency may rely on written assurances from the non-Federal entity that it is complying with these standards. The non-Federal entity must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.	that its procurement systems comply with the standards of this part.
200.326	Bonding Requirements	
200.326	For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the non-Federal entity provided that the Federal awarding agency or passthrough entity has made a determination that the Federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:	For construction or facility improvement contracts or subcontracts exceeding the simplified acquisition threshold, the Federal awarding agency or passthrough entity may accept the Board's bonding requirements if it determines that its interest is adequately protected.
200.326(a)	A bid guarantee from each bidder equivalent to five percent of the bid price. The "bid guarantee" must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptable of the bid, execute such contractual documents as may be required within the time specified.	The Board must require a bid guarantee of 5% of the bid price if the awarding agency or passthrough entity does not accept the Board's bonding requirements.
200.326(b)	A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.	The Board must require a performance bond for 100% of the contract price if the awarding agency or passthrough entity does not accept the Board's bonding requirements.





2 C.F.R. §	FULL TEXT OF C.F.R. SECTION	BRIEF SUMMARY
200.326(c)	A payment bond on the part of the contractor for 100 percent of the contract price. A "payment bond" is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided in the contract.	The Board must require a payment bond for 100% of the contract price if the awarding agency or passthrough entity does not accept the Board's bonding requirements.
200.327	Contract Provisions	
200.327	The non-Federal entity's contracts must contain the applicable provisions described in Appendix II to Part 200- Contract Provisions for Non-Federal Entity Contracts Under Federal Awards.	The Board must include the Federal contract provisions in its contracts.