



STATE OF MAINE
DEPARTMENT OF EDUCATION
23 STATE HOUSE STATION
AUGUSTA, ME 04333-0023

JANET T. MILLS
GOVERNOR

A. PENDER MAKIN
COMMISSIONER

April 5, 2019

Kevin Jordan
Superintendent
Athens Public Schools
8 Fox Hill Road
Athens, ME 04912

Dear Superintendent Jordan:

A Procurement Review of the Athens Public Schools Nutrition Department was conducted.

Please find enclosed the *Review Report* and *Findings and Required Corrective Action*. Return a signed copy of the *Findings and Required Corrective Action* when submitting the requested documentation. **Corrective action documentation is due by June 30, 2019.** Failure to do this may result in the withholding of reimbursement payments until it is received and/or a follow-up visit verifies that corrective action has been determined as acceptable.

If you should have any questions, or if we can assist in any way please feel free to contact Sarah Platt at 624-6879 or email sarah.d.platt@maine.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Walter Beesley'.

Walter Beesley
Child Nutrition Director

WB/SP/pn

Enclosure

**Procurement Review Report
Athens School Nutrition Program
Review Period SY 2018**

A procurement review of the Athens School Nutrition Department was conducted. The purpose of this review is to ensure compliance with Federal Regulations 2 CFR 200 and 7 CFR 210 as well as applicable local laws when procuring goods and services for the school nutrition program.

Code of Conduct- The Code of Conduct Policy is compliant with regulations.

Procurement Procedures- The district's procurement procedure DJ-R would be compliant except that it specifically notes on page 11 that the procedures were not applicable to Food Service. Corrective action is requested with this finding.

Micro-Purchases- Federal law requires that micro-purchases be reasonable and equitably distributed among qualified suppliers to the extent practicable. Receipts must be kept as documentation. A majority of food purchases were made from one supplier and were not shared equitably among qualified suppliers. Documentation was submitted stating that another qualified supplier required a specific minimum case delivery, so the district did not purchase from this vendor. However, purchases from the sole vendor exceeded this minimum amount. The documentation did not support the justification for purchasing from one supplier. If the program does not wish to purchase equitably from qualified suppliers, they should use a different method of procurement. Corrective action is requested.

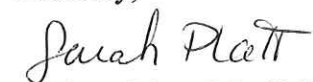
Small Purchases- When making small or "informal" purchases, Federal law requires that at least two price quotes from suppliers be requested and documented and the purchase made from the lowest price from a responsible bidder. Small purchase procedures were followed for bread and milk purchases. The solicitation documents for requesting price quotes from suppliers did not contain the 'Buy American' clause [7 CFR 210.21(d)] as required. A review of the bread invoices indicated a lack of oversight as the price charged for English muffins was greater than the price listed in the contract. A statement has been received from the business office as to how this will be corrected moving forward.

Formal Purchases- The school nutrition department did not make formal purchases.

Corrective Action- Corrective action is required. The enclosed form outlines what must be submitted. A detailed response and documentation of the corrective action must be returned to our office by the date specified.

We appreciate the assistance provided by your staff throughout the review process.

Sincerely,



Sarah D. Platt, RD, SNS
Child Nutrition Consultant

**School Nutrition Procurement Review
SY 2018
Findings and Required Corrective Action**

Local Education Agency: Athens Public Schools

Local Education Official: Kevin Jordan, Superintendent

The review will remain open until this form has been signed by the Local Education Agency Official and submitted along with the requested documentation that the review finding(s) has been corrected. Failure to return completed documentation within 30 days from the corrective action deadline date may result in the withholding of reimbursement payments.

Finding 1 – Procurement Procedures

Procurement procedures exclude federal school food service programs.

Corrective action: Revise existing procurement procedure manual DJ-R to include federal school food service programs including the National School Lunch Program, Commodity Assistance, Special Meal Assistance, Summer Food Service Program, Child and Adult Care Food Program, Special Milk Program, School Breakfast Program, and State Administrative Expenses. and send a copy to the reviewer.

Date Due: June 30, 2019

Estimated Fiscal Action: None at this time

Finding 2 – Micro-Purchase Purchase Procedures

Micro-Purchase procedures not compliant with Federal procurement regulations.

Corrective action: Describe in detail how this has been corrected.

Date Due: June 30, 2019

Estimated Fiscal Action: None at this time

Finding 3 –Small Purchase Procedures

Solicitation document did not include the required “Buy American” clause.

Corrective action: Revise solicitation document(s) to include the “Buy American” clause and submit a copy to the reviewer.

Date Due: June 30, 2019

Estimated Fiscal Action: None at this time

Finding 4 –Small Purchase Procedures

Proper oversight of the contract was not provided

Corrective action: Describe in detail how this has been corrected.

Date Due: Response already submitted to the reviewer.

Estimated Fiscal Action: None at this time

Reviewer's Signature Janah Platt

Date 4/5/2018

You may be subject to a revisit if the error tolerance level was exceeded.

X 1st Review _____ Revisit

Date Mailed to School/Institution Official 4/8/19

Submit to: Maine Department of Education
Child Nutrition
136 State House Station
Augusta, ME 04333-0023

Signature of Local Education Agency Official

Title

Date