



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

JANET T. MILLS
GOVERNOR

A. PENDER MAKIN
COMMISSIONER

June 7, 2019

Arnold Shorey
Superintendent
Foxcroft Academy
975 West Main Street
Dover-Foxcroft, ME 04426

Dear Superintendent Shorey:

A Procurement Review of the Foxcroft Academy School 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 July 9, 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 Stephanie Stambach at 624-6732 or email stephanie.stambach@maine.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Walter Beesley".

Walter Beesley
Child Nutrition Director

WB/SS/pp

Enclosure

**Procurement Review Report
Foxcroft Academy School Nutrition Program
Review Period SY 2019**

A procurement review of the Foxcroft Academy 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 department.

Code of Conduct- The school nutrition department did not have a Code of Conduct as required by 2 CFR 200.318(c)(1). The program has since developed a code of conduct that meets the procurement regulations.

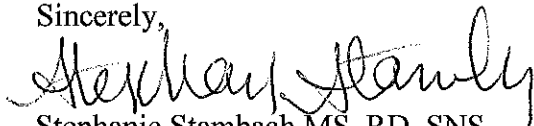
Procurement Procedures- The school nutrition department did not have documented procurement procedures as required by 2 CFR 200.318. Documented procurements procedures have been created and submitted to the reviewer.

Micro-Purchases- No findings.

Formal Purchases- As part of the Penquis buying group, Foxcroft Academy has a formal contract with Sysco. The contract for SY 2019 was reviewed and was written based on cost plus percentage, which is not allowed under federal regulations. Federal law requires that formal contracts include language on debarment, Buy American, and discounts and rebates, which were not listed in the contract. Technical assistance was provided to the Food Service Director that the school nutrition program can opt out of the contract and continue purchasing based on small purchase or that the buying group rebid to be in compliance with all federal procurement regulations.

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

Sincerely,



Stephanie Stambach MS, RD, SNS
Child Nutrition Consultant

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

Local Education Agency: Foxcroft Academy

Local Education Official: Arnold Shorey

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 – Code of Conduct

Written code of conduct was not available

Corrective action: NA- a compliant written code of conduct was submitted to the reviewer.

Date Due: N/A

Estimated Fiscal Action: None at this time

Finding 2 – Procurement Procedures

Documented procurement procedures were not available.

Corrective action: N/A- written procurement procedures compliant with federal regulations were developed and sent to the reviewer.

Date Due: N/A

Estimated Fiscal Action: None at this time

Finding 3 – Formal Purchase Procedures

Formal purchase procedures were not compliant with Federal procurement regulations.

Corrective action: Submit plan for how this will be fixed in SY 2020 and either a copy of the new formal contract or documentation of price comparison between vendors for small purchase.

Date Due: July 9, 2019

Estimated Fiscal Action: None at this time

Reviewer's Signature Stephan Stank

Date 6/7/19

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

1st Review Revisit

Submit to: Maine Department of Education
 Child Nutrition
 136 State House Station
 Augusta, ME 04333-0136

Signature of Local Education Agency Official

Title

Date