



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

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GOVERNOR

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COMMISSIONER

January 22, 2021

**Cape Elizabeth School Nutrition Program  
SY 2021 Procurement Review Report**

A procurement review of the Cape Elizabeth School Nutrition Department's procurement practices of SY 2020 was conducted to ensure compliance with Federal Regulations 2 CFR 200, 7 CFR 210, as well as applicable local laws.

**Code of Conduct**- The School Nutrition Department did not have a Code of Conduct as required by 2 CFR 200.318(c)(1).

***Required Corrective Action***- Develop a code of conduct for the School Nutrition Department that conform to the standards in 2 CFR 200.318 (c)(1) and submit a copy to the reviewer A sample template is available on our webpage:  
<https://www.maine.gov/doe/schools/nutrition/financial>

***Date Due***- March 1, 2021

**Procurement Procedures**- The School Nutrition Department did not have documented procurement procedures as required by 2 CFR 200.318.

***Required Corrective Action***- Develop written procurement procedures for the School Nutrition Department that conform to the standards in 2 CFR 200.318 and submit a copy to the reviewer. A sample is available on our webpage: <https://www.maine.gov/doe/schools/nutrition/financial>

***Date Due***- March 1, 2021

**Micro-Purchases**- Federal law requires that micro-purchases be reasonably priced and equitably distributed among qualified suppliers. No findings.

**Small Purchases**- When making purchases using small purchase procedures, Federal law requires that at least two price quotes be requested, and the purchase made from the lowest priced responsible bidder. Quotes may be written or verbal but must be documented. A sample documentation form is available on our website. It is best practice to have a written contract with the awarded vendor, especially if making recurring purchases. The Food Service Director reports to do a price comparison before making purchasing but documentation was not available for review.

***Required Corrective Action-*** Develop written procedures for how documentation will be maintained when making purchases under the small purchase method.

***Date Due-*** March 1, 2021

**Formal Purchases-** The Cape Elizabeth school nutrition department is in a member if the York-Cumberland buying group. Documentation for the solicitation and award of a prime vendor contract was reviewed. The findings are as follows:

- The solicitation was missing the following:
  - required contract provisions including cost reimbursable contract provisions
  - Federal and State non-discrimination statements
  - Language that supports the use of small, minority and women's businesses, when possible
  - Code of Conduct

***Required Corrective Action-*** Work with the York-Cumberland buying group to revise the formal solicitation document and submit a copy to the reviewer by May 30, 2021.

We appreciate the assistance provided throughout the review process. Feel free to contact me with any questions at [sarah.d.platt@maine.gov](mailto:sarah.d.platt@maine.gov) or 207-592-2410.

Sincerely,

DocuSigned by:

*Walter Beesley*

Walter Beesley, Child Nutrition Director

WB/SP/pp

CC: Peter Esposito, Food Service Director