



Cape Fear Center for Inquiry Policy and Procedure Manual

Series 700 Fiscal Management

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710 Reimbursement Procedure

For reimbursement for bona-fide school expenses, a reimbursement request form is available in the main office or through the Business Operations Coordinator. Requests must be accompanied by an original receipt. Retain a copy of your receipts and check request.

720 Donations, Gifts and Contributions

As a part of the operations of CFCI, representatives of the school such as Board Members, Administration Team members or other designated faculty and staff may accept gifts, donations and contributions to the school. The following policy is designed to avoid potential conflicts of interest or perceptions of favoritism or bias for the school and its representatives when engaged in such activities.

1. No donation, gift or other contribution should be given or accepted as a quid pro quo. No favorable treatment or bias should be expected or given to any individual, group, business, vendor or other entity in return for any donation, gift or contribution.
2. Donations, gifts or contributions are not to be accepted from any vendor that is participating in a bidding process for a pending contract for services or merchandise with CFCI.
3. Donations, gifts or contributions are not be accepted from any vendor that has been awarded a contract for services or merchandise by CFCI within 60 days after the awarding of the contract or purchase.
4. Donations, gifts or contributions from any vendor that has a current contract for services or merchandise with CFCI beyond 60 days of the awarding of the contract or purchase are limited amounts that are not substantial or material.
5. The Director shall not directly participate in any collection of donations, gifts or contributions from faculty and staff. The Director shall not have knowledge of which staff members made such donations, gifts or contributions or in what amounts.
6. The Administrative Team will develop procedures for accepting donations, gifts or contributions that comply with this policy.

Revised 3-15-2011

730 Fundraising

There are two types of fund-raisers (outside of Partnership fund-raisers) that may take place at CFCI:

1. School-wide fund-raisers that are held **to benefit an agency outside of CFCI**, such as the UNITE Project, UNICEF, the Heifer Project, American Cancer Society, etc. All members of the CFCI community are invited to contribute, and all of the proceeds go the recipient agency. Only one of these fund-raisers is allowed per semester. Anyone desiring to hold a school-wide fund-raiser should take a written request to the Director (or his/her designee) to get it approved. The Director will inform the Board of the event and beneficiary/ies chosen. The Director will put the event on the community calendar, inform the front office and post on the CFCI web-site.

2. School-wide, classroom, or grade-level fund-raisers may be held **to benefit CFCI students or programs**, such as the Art, Music, Spanish, Technology, P.E. programs or community service. In order to hold a fund-raiser for CFCI students/programs, one must:
 - 1) Get approval from the Director, who will check the CFCI community calendar to make sure that there are no facilities conflicts, or conflicts with other fund-raisers scheduled (such as Partnership, other grade levels, etc.)
 2. The Director will notify the front office staff for posting on school calendars.
 - 3) The Director will then notify teachers of the fund-raiser via E-mail, and teachers will be asked to place a notice of the approved fund-raiser in their classroom newsletters.

Raffles – Items may be donated to the school for raffle purposes. The Director will ensure that the items offered are appropriate. The school may advertise raffled items, or if appropriate, a local radio station may be used to assist us in advertising. This service must be at no charge to the school. Proceeds from a raffle must be designated for a particular use prior to a raffle.

Sales – Students of CFCI will not participate in door-to-door sales. However, there may be sales events held where students may be present. Students can participate in a “booth” type selling with certain restrictions. There can be no solicitation – patrons must come to the “booth” to purchase the item. Adequate adult chaperones must be present with the children at all times.

Revised 7/27/15

740 Mileage Reimbursement

For Faculty Handbook

1. If an administrator, staff or faculty member represents CFCI at a state-sponsored meeting, mileage will be reimbursed at the rate of \$.40 per mile. Mileage logs/information will be turned into the Business Operations Coordinator for reimbursement, and will not go through the L3 committee.
2. If an administrator, staff or faculty member attends a professional development session, mileage reimbursement estimates and requests will need to be included on the proposal form that is submitted to L3 for approval.

750 Handling Cash

It is important that the school has a clear policy on handling cash in the interests of protecting all staff involved and allowing audits to be carried out efficiently.

This policy must be followed for any money collected for school field trips, supplies, donations, or instructional activities.

This policy does not apply to funds specified for Partnership, School Photos, or Hot Lunches.

For the purpose of this policy, **“cash” includes coins, currency, checks, and money order transactions.** All persons who accept cash assume the responsibility of following the cash handling procedures outlined below.

1. All checks and money orders accepted by a Cape Fear Center for Inquiry employee must be made payable to Cape Fear Center for Inquiry. Do not accept checks or money orders made payable to an individual or business.
2. No cash is to be left unsecured at any time. Cash should not be kept anywhere in classrooms overnight. Cash should not be taken home. At no time during the school day should money be left lying about but should be locked away when it is not being handled. Staff should be very discreet about the temporary storage of cash and should not make any pupil aware of where it is being kept. All funds must be turned in to the Business Office daily and a receipt will be issued. Do not leave cash in the front office mailboxes. The funds received will be kept in a secure place until they are deposited.
3. Faculty/Staff members are authorized to accept cash from students/parents for activities/events for which they are responsible.
 - a. The faculty or staff member will document all cash received. Documentation should include Date Received, Received From, Amount, and Type of Payment.
 - b. No expenditures can be made directly from funds received. Funds are to be deposited in the CFCI bank account.
 - c. The Business Operations Coordinator will keep a running total of the amount received for each activity or event.

Approved 7-21-09

760 Federal Methods of Procurement

Federal funds include instructional supplies and consumables. The Business Operations Coordinator will obtain pricing of goods from a minimum of three sources. State contracts will be compared when available. For identical goods, the lowest price will be selected.

1. For purchases under \$500; receipts are kept in paper form and electronically for 7 years. After the purchase is made Federal reimbursement funds are requested.

2. For purchases over \$500, the person requesting the goods will provide a written description of the items required. The Business Operations Coordinator will generate a purchase order. The PO will include a description of the goods to be purchased and delivery instructions. A quote from the selected vendor will be attached. PO's are kept in both written and electronic format for 7 years.

Equipment purchased with Federal Funds

This category is limited to e-rate equipment. All e-rate purchases are made utilizing State contracts.

All budget decisions are subject to board approval.

Adopted October 18, 2016.

Policy 765 Allowable Cost

[§200.302\(b\)\(7\)](#) CFCI will maintain written procedures for determining allowability of costs. When determining how CFCI will spend grant funds, Business Operations Coordinator will review the proposed cost to determine whether it is an allowable use of federal grant funds before obligating and spending those funds on the proposed goods or services. All expenditures made with federal education funds must meet the standards outlined in EDGAR, 2 CFR Part 3474, and 2 CFR Part 200. The Business Operations Coordinator must consider the following factors when making an allowability determination:

- [§200.403\(a\)](#) - Be necessary and reasonable for the performance of the Federal award and be allocable thereto under these principles.
- [§200.403\(b\)](#) - Conform to any limitations or exclusions set forth in these principles or in the Federal award as to types or amount of cost items.
- [§200.403\(c\)](#) - Be consistent with policies and procedures that apply uniformly to both federally-financed and other activities of CFCI.
- [§200.403\(d\)](#) - Be accorded consistent treatment. A cost may not be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the Federal award as an indirect cost.
- [§200.403\(e\)](#) - Be determined in accordance with generally accepted accounting principles (GAAP), except, for state and local governments and Indian tribes only, as otherwise provided for in this part.
- [§200.403\(f\)](#) - Not be included as a cost or used to meet cost sharing or matching requirements of any other federally-financed program in either the current or a prior period.
- [§200.403\(g\)](#) - Be adequately documented.

Necessary Costs: Necessary is determined based on the needs of the program. Specifically, the expenditure must be necessary to achieve an important program objective. It means it is vital or required in order to meet the objectives of the grant or for the grant to be successful. Necessary does not mean “nice to have,” which means it is not necessary to accomplish the objectives of the program in that it is not vital or required for the success of the program.

A key aspect in determining whether a cost is necessary is whether CFCI can demonstrate that the cost addresses an existing need and can prove it. For example, CFCI may deem a language skills software program necessary for a limited English proficiency program.

When determining whether a cost is necessary, CFCI considers:

- Whether the cost is needed for the proper and efficient performance of the grant program;
- Whether the cost is identified in the approved budget or application;
- Whether there is an educational benefit associated with the cost;
- Whether the cost aligns with identified needs based on results and findings from a needs assessment; and
- Whether the cost addresses program goals and objectives and is based on program data.

Reasonable Costs [§200.404](#) - A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost.

In determining reasonableness of a given cost, consideration must be given to:

- Whether the cost is of a type generally recognized as ordinary and necessary for the operation of CFCI or the proper and efficient performance of the Federal award.
- The restraints or requirements imposed by such factors as: sound business practices; arm's-length bargaining; Federal, state, local, tribal, and other laws and regulations; and terms and conditions of the Federal award.
- Market prices for comparable goods or services for the geographic area.
- Whether the individuals concerned acted with prudence in the circumstances considering their responsibilities to CFCI, its employees, where applicable its students or membership, the public at large, and the Federal Government.
- Whether CFCI significantly deviates from its established practices and policies regarding the incurrence of costs, which may unjustifiably increase the Federal award's cost.

Allocable Costs [§200.405](#) - A cost is allocable to a particular Federal award or other cost objective if the goods or services involved are chargeable or assignable to that Federal award or cost objective in accordance with relative benefits received.

This standard is met if the cost:

- Is incurred specifically for the Federal award;
- Benefits both the Federal award and other work of CFCI and can be distributed in proportions that may be approximated using reasonable methods; and
- Is necessary to the overall operation of CFCI and is assignable in part to the Federal award.

ADOPTED 6-9-2018

770 Expenditure of Federal Funds

All purchases of equipment, materials and supplies will be made in accordance with all applicable laws and regulations, including [Chapter 143 Article 8 of the North Carolina General Statutes](#), CFR §200.318(a), Board policy and any school purchasing procedures. All employees involved in purchasing are expected to be familiar with these requirements.

The Business Operations Coordinator will ensure that written specifications for desired products are descriptive, clear and incorporate the quality requirements and service needs of CFCI. There is no minimum number of bids, proposals or quotes required for the purchase of apparatus, goods, supplies and equipment (whether formally or informally bid); however, the Board encourages the Business Operations Coordinator to obtain at least two (2) bids, proposals or quotes when feasible.

Except as otherwise required by law or specified by the Board, the Board delegates to the director the authority to award contracts for the purchase of equipment, material and supplies, involving amounts up to \$100,000. Any purchases or contracts involving expenditures greater than this amount must be approved by the Board. The Business Operations Coordinator and any additional staff deemed appropriate by the director will review submissions of bids, proposals or quotes to determine if they are responsive to CFCI's specifications, and will make recommendations to the director. The director will award the contract based upon such recommendations or will make a recommendation to the Board for award of the contract by the Board.

Because CFCI is a small charter school only an authorized purchaser may purchase on behalf of the school. The Director must approve purchases over \$3,000 prior to encumbrance. The Business Operations Coordinator and or EC Coordinator may authorize up to \$3,000 without prior approval of the director as allowed per the school's budget (including local, state and federal approved budgets). The Business Operations Coordinator may approve small local and state purchases up to \$500 per the school's budget.

Equipment, materials and supplies are purchased in accordance with the following requirements.

A. FORMAL BIDS (\$90,000 OR MORE)

The purchase of apparatus, supplies, materials or equipment for expenditures of \$90,000 or more must be secured through the competitive bid process governed by [G.S. 143-129](#). The Business Operations Coordinator, in consultation with the Director is authorized to determine the best method for formally bidding a product or, as appropriate, utilizing one of the exceptions to formal bidding as provided below in section E. The Business Operations Coordinator will oversee the use of any purchasing method and will ensure that all state requirements are met, including advertisement, sealed bids, maintaining records and public opening of bids. The Board authorizes the use of newspaper advertisement, electronic advertisement or both for formal bids; however, the Business Operations Coordinator has the authority to determine which method will be used for a specific purchase or categories of purchases.

Awards will be made to the lowest responsible bidder(s) whose bid/proposal meets the requirements and criteria set forth by CFCI, taking into consideration quality, performance and the time specified in the proposal for the performance of the contract.

To be eligible for an award of a contract subject to [G.S. 143-129](#), the contractor and its subcontractors, if any, must demonstrate compliance with all applicable provisions of [G.S. Chapter 64, Article 2](#), including the responsibility to use E-Verify. All contracts awarded must be in writing.

The Board permits the use of the following processes for contracts that require formal bidding.

1. Competitive Sealed Bids – A competitive sealed bid (or invitation to bid) may be used to request the cost of particular goods by providing detailed specifications in advance.

2. Reverse Auction - Pursuant to [G.S. 143-129.9\(a\)\(1\)](#), CFCI may use reverse auctions as an alternative to sealed bid procedures. For purposes of this policy, reverse auction means a real-time purchasing process in which bidders compete to provide goods at the lowest selling price in an open and interactive environment. The Business Operations Coordinator in consultation with the Director will determine whether reverse auctions are appropriate for a specific purchase or category of purchases. To conduct a reverse auction, the Business Operations Coordinator may use a third party, may use the state's electronic procurement system or, if appropriate equipment is available, may conduct the auction via school equipment.

3. Exceptions to Formal Bids – Any of the processes outlined below in section E can be used in lieu of formal bidding, as long as all requirements of state law are met.

B. INFORMAL BIDS (\$5,000 TO \$90,000)

The purchase of apparatus, supplies, materials or equipment for expenditures of \$5,000 to \$90,000 must be secured through the informal bidding process governed by [G.S. 143-131](#). The Business Operations Coordinator in consultation with Director, is authorized to determine the best method for informally bidding a product. The Business Operations Coordinator will oversee the use of any purchasing method and will ensure that all state requirements are met, including maintaining records of all bids submitted. Awards will be made to the lowest responsible bidder(s) whose bid or proposal meets the requirements and criteria set forth by CFCI, taking into consideration quality, performance and the time specified in the proposal for the performance of the contract.

1. Competitive Sealed Bids – Informal bid requirements may be met by the use of sealed bids. The purchasing officer may utilize the methods for formal competitive bids provided in section A or may determine other appropriate methods for soliciting sealed bids. The bid specifications will include the time, date and place for opening bids. No advertisement for bids is necessary (unless the formal bid process is used); however, the purchasing officer may advertise for bids as he/she deems appropriate.

2. Quotations – Informal bid requirements may be met by the solicitation of quotes from prospective vendors. Quotations may be solicited and submitted via telephone, fax, email or website. Telephone quotes must be placed in writing before a final contract will be awarded. Written quotations must be on the vendor’s letterhead or an official quotation

3. Reverse Auction – A reverse auction may be used to solicit informal bids, consistent with the process provided in section A.2.

4. Exceptions to Informal Bids – Any of the processes outlined below in section E can be used in lieu of informal bidding, as long as all requirements of state law are met.

C. PURCHASES FOR LESS THAN \$5,000

1. Micro Purchases § 200.67 - Acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$3,000 (or \$2,000 in the case of acquisitions for construction subject to the Davis-Bacon Act). Micro-purchases may be awarded without soliciting competitive quotations but must be distributed equitably among qualified suppliers. Equitability will be ensured through electronic bidding, maintenance and use of various catalogs and requests for good or services via the school website, and solicitation to various vendors, especially small, minority women-owned businesses and labor surplus area firms.
2. Purchases for equipment, materials and supplies costing less than \$5,000, but more than \$3,000, purchases will be made under conditions which foster competition among potential vendors. Purchase decisions should be made after considering price, quality, suitability for specified need and timeliness of delivery and performance.

Records of all informal bids will be kept and will be available for public inspection. Such records will include the date the bid is received, from whom it is received, and for what item.

D. ELECTRONIC BIDDING

Pursuant to G.S. 143-129.9(a)(2), CFCI may receive bids electronically in addition to or instead of paper bids. If electronic bids are used for purchases that must be formally bid, procedures for receipt of electronic bids must be designed to ensure the security, authenticity and confidentiality of the bids to at least the same extent as provided with paper bids. The Business Operations Coordinator in consultation with the Director will determine whether electronic bidding is appropriate for a specific purchase or category of purchases.

E. EXCEPTIONS TO THE FORMAL AND INFORMAL BIDDING REQUIREMENTS

CFCI may utilize the following purchasing options instead of pursuing competitive bidding for non-federal purchases. Formal or informal bidding is not required if any of these processes are used. The Business Operations Coordinator is responsible for gathering information to document the basis for the use of any exceptions to the competitive bidding requirements. The Business Operations Coordinator, in consultation with the Director, will determine whether using one of the following exceptions is appropriate for a specific purchase or group of purchases.

1. Purchases from Other Governmental Agencies – Pursuant to [G.S. 143-129\(e\)\(1\)](#), CFCI may contract for the purchase, lease or other acquisition of apparatus, supplies, materials, or equipment from any other federal, state or local governmental agency.

2. Special Emergencies – Pursuant to [G.S. 143-129\(e\)\(2\)](#), competitive bidding is not required in cases of special emergencies involving the health and safety of people or their property. For an emergency to exist under the statute, the following factors must exist: (1) the emergency must be present, immediate and existing; (2) the harm cannot be averted through temporary measures; and (3) the emergency must not be self-created by CFCI.

3. Competitive Group Purchasing – Pursuant to [G.S. 143-129\(e\)\(3\)](#), CFCI may make purchases through a competitive bidding group purchasing program, through which another entity uses a competitive process to establish contracts on behalf of multiple entities at discount prices.

4. State Term Contract – Pursuant to [G.S. 143-129\(e\)\(9\)](#), CFCI may purchase products included in state term contracts with the state vendor for the price stipulated in the state contract, if the vendor is willing to extend CFCI the same or more favorable prices, terms and conditions as established in the state contract.

5. Sole Source Items – Pursuant to [G.S. 143-129\(e\)\(6\)](#), upon approval of the Board of education, CFCI may purchase an item through a single/sole source contract under the following circumstances: (1) when performance or price competition is not available; (2) when a needed product is available from only one source of supply; or (3) when standardization or compatibility is the overriding consideration. When requesting a purchase under the sole source exception, the Business Operations Coordinator will provide the Board with documentation that justifies the use of the exception.

6. “Piggybacking” or Previously Bid Contracts – Pursuant to [G.S. 143-129\(g\)](#), upon approval of the Board of education, CFCI may purchase from any supplier that, within the previous 12 months, has contracted to furnish the needed item to the federal government, to any state government, or to any agency or political subdivision of the federal government or any state government. Before recommending a purchase using the piggybacking exception, the Business Operations Coordinator will ensure that the following requirements are met: (1) the price and other terms and conditions of the contract are at least as favorable as the prior contract; (2) the contract was entered into following a bid process substantially similar to that required by North Carolina General Statutes; (3) the same vendor is used; and (4) notice of intent to award the contract without bidding is publicly advertised at least 10 days prior to the regularly-scheduled Board meeting at which the contract will be approved. Before approving the contract, the Board must determine that using the contract is in the best interest of CFCI.

7. Purchases of Information Technology Goods and Services – Pursuant to [G.S. 143-129\(e\)\(7\)](#), CFCI may purchase or lease information technology through contracts established by the State Office of Information Technology Services. Business Operations Coordinator will work with the information technology department to ensure that any such purchases meet the needs of CFCI.

In addition, CFCI also may purchase information technology goods and services by using a request for proposal (RFP) pursuant to [G.S. 143-129.8](#), provided that the following requirements are met: (1) notice of the request is provided consistent with the formal bidding notice requirements and (2) contracts are awarded to the person or entity that submits the best overall proposal as determined by the Business Operations Coordinator. The RFP should describe the scope of work, general terms and conditions, specifications of the product needed by CFCI, and the application process. The information technology supervisor will assist the purchasing officer in reviewing the responsiveness of any RFP submitted pursuant to this subsection. RFPs will be evaluated using the “best value” method as defined in [G.S. 143-135.9\(a\)\(1\)](#), so that the school can select the most appropriate technological solution to meet CFCI’s objectives. However, in situations where the purchasing officer considers the purchase to be highly complex or is unable to clearly determine what the optimal solution for CFCI is, the “solution-based solicitation” or “government-vendor partnership” method may be used. The Business Operations Coordinator may negotiate with the proposer to obtain a final contract that meets the best needs of CFCI, as long as the alterations based on such negotiations do not deprive proposers/potential proposers of the opportunity to compete for the contract and do not result in the award of the contract to a different person or entity than it would have been if the alterations had been included in the RFP.

8. Gasoline, Fuel and Oil Purchases – Pursuant to [G.S. 143-129\(e\)\(5\)](#), CFCI may purchase gasoline, fuel and oil products without using formal competitive bidding. However, such purchases are subject to the informal bidding requirements provided above.

9. Used Products – Pursuant to [G.S. 143-129\(e\)\(10\)](#), CFCI may purchase previously used apparatus, supplies, materials or equipment without using formal competitive bidding. Before purchasing used products, the Business Operations Coordinator will ensure that the products are in good, usable condition and will be sufficient to meet CFCI’s needs for a reasonable period of time.

Historically Underutilized Businesses [§200.321](#)

CFCI affirms the state’s commitment to encourage the participation of historically underutilized businesses in purchasing functions, especially small, minority, women-owned businesses and labor surplus area firms.

CFCI will take the following affirmative steps to assure the use of historically underutilized businesses when possible:

1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists.
2. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources.
3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises.
4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises.
5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.
6. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in 1 through 5.

Contract cost and price [§200.323](#) – CFCI will perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold (\$150,000)

including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, CFCI will make an independent estimate before receiving bids or proposals.

The cost analysis or price analysis, as appropriate for the particular situation, will be documented in the procurement files. Accordingly, CFCI performs a cost or price analysis in connection with every federal procurement action in excess of \$150,000 including contract modifications, as follows:

Cost Analysis Noncompetitive Contracts: A cost analysis involves a review of proposed costs by expense category, and the federal cost principles apply, which includes an analysis of whether the costs are allowable, allocable, reasonable, and necessary to carry out the contracted services. In general,

- A cost analysis must be used for all noncompetitive contracts, including sole source contracts.
- The federal cost principles apply.
- All noncompetitive contracts must also be awarded and paid on a cost-reimbursement basis, and not on a fixed-price basis.
- In a cost-reimbursement contract, the contractor is reimbursed for reasonable actual costs incurred to carry out the contract.
- Profit must be negotiated as a separate element of the price in all cases where there is no competition.

When performing a cost analysis, profit is negotiated as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

Price Analysis Competitive Contracts: A price analysis determines if the lump sum price is fair and reasonable based on current market value for comparable products or services. In general,

- A price analysis can only be used with competitive contracts and is usually used with fixed-price contracts. It cannot be used with noncompetitive contracts.
- Compliance with the federal cost principles is not required for fixed-price contracts, but total costs must be reasonable in comparison to current market value for comparable products or services.
- A competitive contract may be awarded on a fixed-price basis or on a cost-reimbursement basis. If awarded on a cost-reimbursement basis, the federal cost principles apply and costs are approved by expense category, and not a lump sum.

A cost analysis will be completed for any noncompetitive contract over \$150,000. A price analysis will be used for all competitive contracts over \$150,000. The analysis will be conducted by the Business Operations Coordinator or the designated staff member for the contract. Analyses should include prior procurements and other market research. The analysis should yield an acceptable price range prior to receiving bids/proposals. Administrative oversight is provided by the Director.

Costs or prices based on estimated costs for contracts are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable costs under the

federal cost principles.

Rebates and credits §200.406 - Applicable credits refer to those receipts or reduction-of expenditure type transactions that offset or reduce expense items allocable to the Federal award as direct or indirect (F&A) costs. Examples of such transactions are: purchase discounts, rebates or allowances, recoveries or indemnities on losses, insurance refunds or rebates, and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to or received by CFCI relate to allowable costs, they must be credited to the Federal award either as a cost reduction or cash refund, as appropriate.

Contractor Oversight §200.318(b) – CFCI strives to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders and to ensure proper administration of contracts as follows:

Contractors §200.330(b) - A contract is for the purpose of obtaining goods and services for the use CFCI and creates a procurement relationship with the contractor. Characteristics indicative of a procurement relationship between CFCI and a contractor are when CFCI the recipient of Federal funds:

1. Provides the goods and services within normal business operations
2. Provides similar goods or services to many different purchasers;
3. Normally operates in a competitive environment;
4. Provides goods or services that are ancillary to the operation of the Federal program;
and
5. Is not subject to compliance requirements of the Federal program as a result of the agreement, though similar requirements may apply for other reasons.

All of the characteristics listed above may not be present in all cases, and therefore best judgment must be used in classifying each agreement as a sub-award or a procurement contract.

Conflicts of interest §200.318(c)(1) – CFCI will 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. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family (spouse, children, parents), his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. However, CFCI may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. Minimum policy requirements include the following:

- No employee, officer, or agent must 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.
- The officers, employees, and agents of CFCI must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

- However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value.
- The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.
- Anyone in a position to make decisions about spending CFCI resources (i.e., transactions such as purchases contracts) – who also stands to benefit from that decision has a duty to disclose that conflict as soon as it arises (or becomes apparent). He or she should not participate in any final decisions.

Mandatory Disclosure [§200.112](#) [§200.113](#) – CFCI must disclose in writing any potential conflict of interest to the Federal awarding agency or pass-through entity in accordance with applicable Federal awarding agency policy.

CFCI must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Failure to make required disclosures can result in any of the remedies described in §200.338 Remedies for noncompliance, including suspension or debarment.

Avoiding Acquisition of Unnecessary or Duplicative Items [§200.318\(d\)](#) – CFCI will avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, CFCI will perform an analysis of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

Identifying responsible contractors [§200.318\(h\)](#) – CFCI will 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. (**Debarment and Suspension [§180.220](#) and [§180.300](#)**) CFCI will verify State and Federal debarment and suspension for procurement activities where Federal funds are being used. The debarment certification is required on all contracts and federal expenditures. The debarment certification reads as follows:

This contractor is not debarred per State website (<http://ncadmin.nc.gov/government-agencies/procurement/contracts/debarred-vendors>) and Federal Excluded Parties List (www.sam.gov/portal/public/SAM) Initials ____ Date ____

Recordkeeping [§200.318\(i\)](#) – CFCI will 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 (i.e., the reason CFCI chose procurement by micro-purchase, small purchase procedures, sealed bid, competitive proposals, or noncompetitive proposals),
- selection of contract type (including rationale for using that type),
- contractor selection or rejection (what was the process and what were the factors considered in selecting or rejecting the contractor; this must be in writing), and

- the basis for the contract price (including a cost or price analysis if applicable)

Settlements of Issues Arising Out of Procurements §200.318(k) - CFCI alone is responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements.

Competition §200.319(a) - All procurement transactions are conducted in a manner providing full and open competition. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals (RFPs) are excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

1. Placing unreasonable requirements on firms in order for them to qualify to do business;
2. Requiring unnecessary experience and excessive bonding;
3. Noncompetitive pricing practices between firms 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.

The Business Operations Coordinator is responsible for reviewing documentation for each procurement transaction to ensure CFCI is in compliance with these requirements and for monitoring the review and determinations.

Geographical Preferences Prohibited §200.319(b)

The CFCI will 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. When contracting for architectural and engineering (A/E) services, geographic 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.

Solicitation Language §200.319(c) - CFCI procedures will ensure that all solicitations 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 at 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

Solicitation language must also identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

Prequalified Lists [§200.319\(d\)](#)

CFCI will 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, CFCI will not preclude potential bidders from qualifying during the solicitation period.

Adopted 6-19-2018

775 Time and Effort/Personal Services

Compensation is based on records that accurately reflect the time and effort work that is performed. Salaried employees are paid monthly based on their job descriptions and/or daily schedules and attendance records. Non-salaried employee payroll is processed using timesheets. Timesheets must be completed after-the-fact and signed by the employee and the immediate supervisor.

Each full-time employee must have a current job description on file. The Human Resources Coordinator is responsible for developing a complete and accurate job description for each employee under his or her supervision. Job descriptions must be updated as new assignments are made. The Human Resources Coordinator must review the job description with the

employee upon hiring and as the job description is updated. The employee must sign and date that he or she has read and understands the job description and the programs under which he or she is working.

All charges to payroll for personnel who work on one or more Federal programs or cost objectives must be based on one of the following, depending on the circumstances:

- Semiannual certification (for employees who work 100% of the time on a single program and/or cost objective in which case a signed and dated job description must be in the employee's personnel file; also see exception for schoolwide programs below)
- PARs - for employees working on more than one program and/or more than one cost objective

Semi-Annual Certification

Where employees are expected to work solely on a single Federal award or cost objective, charges for their salaries and wages will be supported by periodic certifications that the employees worked solely on that program for the period covered by the certification. The Business Operations Coordinator and/or EC Coordinator is responsible for collecting and maintaining certifications. The Business Operations Coordinator and/or EC Coordinator is responsible for determining the type of time and effort reporting required for each employee. Certifications will be signed by the employee or supervisory official having firsthand knowledge of the work performed by the employee. Certifications will be maintained by CFCI for five years.

Semi-annual certification applies to employees who do one of the following:

- Work 100% of their time on a single grant program and/or single cost objective
- Work 100% of their time in administering programs that are part of consolidated administrative funds (such as a Federal Programs Director who administers only these programs)
- Work 100% of their time under a single cost objective funded from eligible multiple funding sources. A Title I, Part A, schoolwide program is a single cost objective.

These employees are not required to maintain time-and-effort records. However, each employee must certify in writing, at least semiannually, that he/she worked solely on the program or single cost objective for the period covered by the certification. The certification must be signed by the employee or by the supervisor having firsthand knowledge of the work performed. Charges to the grant must be supported by these semiannual certifications and the semiannual certifications are to be maintained by Cape Fear Center for Inquiry in the Business Office.

The semiannual certification must

- be executed after the work has been completed, and not before
- state that the employee worked solely (i.e., 100% of the time) on activities related to one particular grant program or single cost objective
- identify the grant program or cost objective

- specify the 6-month reporting period (July 1 – December 31 and January 1 – June 30)
- be signed and dated by the employee or a supervisor with firsthand knowledge of the work performed

Personnel Activity Report (PAR)

Where employees work on multiple activities or cost objectives, a distribution of their salaries or wages will be supported by personnel activity reports. The Business Operations Coordinator and/or EC Coordinator] is responsible for collecting and maintaining PARs. Business Operations Coordinator and/or EC Coordinator is responsible for determining the type of time and effort reporting required for each employee. PARs must be signed by the employee and the supervisory official having firsthand knowledge of the work performed by the employee. PARs are to be maintained by CFCI in the Business Office.

PARs will be required where employees work on:

- (a) More than one Federal award,
- (b) A Federal award and a non-Federal award,
- (c) An indirect cost activity and a direct cost activity,
- (d) Two or more indirect activities which are allocated using different allocation bases, or
- (e) An unallowable activity and a direct or indirect cost activity.

Personnel activity reports or equivalent documentation must meet the following standards:

- (a) The reports must reflect an after-the-fact determination of the actual activity of each employee.
- (b) Each report must account for the total activity for which employees are compensated and which is required in fulfillment of their obligations to the organization.
- (c) The reports must be prepared at least monthly and must coincide with one or more pay periods.
- (d) The reports must be signed by the employee.

Supporting Documentation

PAR employees are required to maintain time-and-effort records. Employees must prepare time-and-effort summary reports at least monthly (or every other week, as applicable) to coincide with pay periods. Such reports must reflect an after the fact distribution of 100% of the actual time spent on each activity and must be signed by the employee. For example, a daily calendar completed by the employee as activity is performed that details how much of the employee's activity was spent on each program from which the employee is compensated.

Daily Class Schedules

Daily class schedules for classroom teachers and instructional aides may be used in lieu of time-and-effort summary reports for these personnel. Daily class schedules may qualify as a suitable because they provide a "quantifiable measure of employee effort."

Reconciliation and Closeout Procedures

CFCI will periodically, at least quarterly, reconcile budgeted distributions to the actual time and effort reflected in the employees' time-and-effort records. If the quarterly (or more frequent) reconciled difference between the actual and budgeted amounts is 10% or greater, two things will occur:

- CFCI will adjust its accounting records to reflect the costs based on the actual time and effort reported.
- To minimize future differences, CFCI will revise the budget estimates for the following quarter to reflect the actual distribution, if necessary.

If the reconciled difference is less than 10%, CFCI will adjust the accounting records annually.

Prior to the end of the fiscal year the Business Operations Coordinator reviews all certifications and PARs for accuracy and appropriate signatures and dates.

In order to accomplish the objectives of the reconciliation CFCI will review budget reports and employee schedules.

Employee Exits

Before an employee separates from duty at CFCI, in addition to turning in checked-out keys, supplies and equipment, they must complete an exit interview including requirements to complete final timesheets and PARs/certifications.

APPROVED 6-19-2018