

REQUEST FOR APPROVAL FOR A NONCOMPETITIVE PROPOSAL WHEN PROCURING WITH AN ENTITY USING FEDERAL FUNDS UNDER 2 CFR 200.320(f)

Pursuant to 2 CFR 200.320 (f)(3), a school district, community school, STEM school or college preparatory boarding school (collectively, "school") may submit a written request to the Ohio Department of Education for a noncompetitive proposal when procuring services from entities using federal funding and the Department is the pass-through entity for the federal funding. To request the Department's review of the request for approval, the school must prepare a letter on the school's letterhead, signed by the superintendent and treasurer, addressing the questions and providing the information requested below.

If a school plans to use multiple entities to obtain all required services, this process must be completed and documented for each entity from which the school intends to procure services through a noncompetitive proposal. To ensure compliance with federal procurement requirements, the school first must submit the *"Request for Approval for Noncompetitive Proposal"* to the Department and must obtain the Department's approval before the school enters into a new contract for the required services. If the Department does not approve the request, the district may not be compliant with federal procurement requirements if it proceeds and enters into a new contract.

Before submitting a request, please answer the following questions:

- 1) Are the services being procured only available from a single source?
- 2) Is the school procuring services because of a public emergency or exigency?
- 3) Did the school competitively bid the proposal but determined all responsive sources were inadequate?

If you answered "yes" to any of the above questions, the school may satisfy the requirements for another exemption under 2 CFR 200.320(f), and the school does not require a waiver from the Department. If you answered "no" to all the above questions, please provide the following information:

- 1) **Identify the entity the school is interested in procuring services from.**
- 2) **Are the services being procured from the entity required by a federal grant?**
If yes, please list all the required services to be completed by the entity and identify the federal grant.
- 3) **Please provide the basis for the noncompetitive proposal request. The basis should include why the school cannot competitively bid the proposal.**
- 4) **Can the school demonstrate the agreement between the school and entity will promote economy and efficiency? If yes, please explain how.**
- 5) **What state and/or local requirements are impacted by this request?**
- 6) **Who should the Department contact if it has questions regarding this request? Please include a current telephone number and email address for the school contact.**

All requests shall be submitted to Brian Jones, executive director of the Office of Grants Management at Grants.Management@education.ohio.gov. The Department will work to respond within 30 days of receipt of the request. Please note that failure to provide all requested information may delay the Department's response, and the Department reserves its right to ask for additional documentation or information. As each request will be reviewed by several offices within the Department, please note the Department's decision is final.