

**Resolution No. 2026-05-18-004**

**A RESOLUTION ADOPTING A PROCUREMENT POLICY FOR FEDERAL FUNDS FOR THE VILLAGE OF WAYNE LAKES, OHIO.**

**WHEREAS**, federal regulations (2 CFR 200.317–200.327) require specific procurement procedures when federal funds are used; and **WHEREAS**, the Village must ensure compliance with both federal and state procurement laws;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Village of Wayne Lakes, Darke County, Ohio:

**Section 1. Adoption of Policy**

The Procurement – Federal Funds Policy attached (reference Exhibit A) hereto is hereby adopted.

**Section 2. Enforcement**

The Fiscal Officer shall ensure that all federally funded procurements comply with Uniform Guidance requirements.

**Section 3. Effective Date**

This Resolution is hereby deemed to be an emergency measure, necessary for the health, safety, and welfare of the citizens of the Village, and which Resolution shall take effect and be in force at the earliest period allowed by law.

Passed by the Village of Wayne Lakes, Ohio, this 18 day of May 2026.

  
President of Council

  
JONNA WATHEN, FISCAL OFFICER

  
LINDA CLARK, MAYOR

# PROCUREMENT – FEDERAL FUNDS POLICY

Village of Wayne Lakes, Ohio (*Attachment to Resolution 2026-05-18-004*)

## 1. Purpose

The purpose of this policy is to ensure that all procurements made with federal funds by the Village of Wayne Lakes comply with the procurement standards set forth in **2 CFR 200.317–200.327 (Uniform Guidance)**, as well as applicable Ohio laws and Village purchasing requirements.

## 2. Applicability

This policy applies to all procurements funded in whole or in part with federal grant funds, including federal pass-through funds. When both federal and state/local rules apply, the Village will follow the **most restrictive** requirement.

## 3. General Procurement Standards

- Procurement must be conducted in a manner providing **full and open competition**.
- The Village must maintain **oversight** to ensure contractors perform according to contract terms.
- The Village must avoid acquisition of **unnecessary or duplicative** items.
- The Village must maintain **written procurement records** for all federally funded purchases.
- The Village must take steps to use **minority businesses, women’s business enterprises, and labor surplus area firms** when possible.

## 4. Conflict of Interest

No employee, official, or agent of the Village may participate in the selection, award, or administration of a contract supported by federal funds if they have a real or apparent conflict of interest, including:

- A financial interest in the vendor
- A family relationship with the vendor
- Any other interest that could impair impartiality

Employees and officials must not solicit or accept gratuities, favors, or anything of monetary value from contractors or subcontractors.

## 5. Procurement Methods (per 2 CFR 200)

### A. Micro-Purchases ( $\leq$ \$10,000)

- No competitive quotes required if the price is reasonable.
- Distribution of micro-purchases should be equitable among qualified suppliers.
- Documentation must show the purchase was reasonable and necessary.

### **B. Small Purchases (\$10,000–\$250,000)**

- Requires **price or rate quotes** from an adequate number of qualified sources (generally at least two).
- Quotes may be written, emailed, or documented phone quotes.

### **C. Sealed Bids (≥ \$250,000)**

Used when:

- A complete, adequate specification is available
- Two or more responsible bidders are expected
- The procurement lends itself to a firm fixed-price contract

Requirements:

- Public advertisement
- Bids opened publicly
- Award to the **lowest responsible bidder**
- Maintain bid tabulations and supporting documentation

### **D. Competitive Proposals**

Used when sealed bids are not appropriate, such as for professional services.

Requirements:

- Publicized request for proposals (RFP)
- Evaluation based on established criteria
- Award to the firm whose proposal is most advantageous to the Village

### **E. Noncompetitive (Sole Source) Procurement**

Permitted only when one or more of the following apply:

1. The item is available only from a single source.
2. A public emergency will not permit delay.
3. The federal awarding agency or pass-through entity expressly authorizes it.
4. After solicitation of multiple sources, competition is determined inadequate.

Documentation must justify the sole-source decision.

## **6. Contract Requirements**

All federally funded contracts must include applicable contract clauses required by **2 CFR Part 200 Appendix II**, including but not limited to:

- Termination for cause and convenience
- Equal Employment Opportunity
- Davis-Bacon Act (if applicable)
- Contract Work Hours and Safety Standards Act
- Clean Air Act and Federal Water Pollution Control Act
- Debarment and Suspension certification
- Byrd Anti-Lobbying Amendment certification

## 7. Suspension and Debarment

Before awarding any contract funded with federal dollars, the Village must verify that the vendor is **not suspended or debarred** by checking:

- **SAM.gov**
- A written certification from the vendor
- A contract clause requiring compliance

Documentation of the verification must be retained.

## 8. Procurement Records

For every procurement using federal funds, the Village must maintain a written record including:

- Rationale for procurement method
- Vendor selection and justification
- Basis for contract price
- Copies of quotes, bids, proposals, or sole-source justification
- Contract documents and amendments

Records must be retained for **five years** after grant closeout or longer if required.

## 9. Contract Administration

The Village must:

- Monitor contractor performance
- Ensure compliance with contract terms
- Verify deliverables and services before payment
- Maintain documentation of monitoring activities

## 10. Responsibilities

- The **Fiscal Officer** is responsible for ensuring compliance with this policy and federal procurement rules.
- All Village employees involved in purchasing must follow this policy.

- Violations may result in disciplinary action and/or disallowance of federal costs.

## **11. Effective Date**

This policy becomes effective upon adoption by the Village Council and remains in effect until amended or rescinded.