

**FAPMTL 310****Effective Date: March 5, 2015****Most Current Prior Effective Date: January 22, 2010**

## (A) Federal and state acquisition requirements

- (1) Each county family services agency (CFSA) and workforce development agency (WDA) shall ensure that all purchases of services, supplies, and equipment funded by state or federal funds received from the Ohio department of job and family services (ODJFS) meet applicable federal and state statutes, regulations, rules, ~~and office of management and budget (OMB) circulars A-102 and A-133~~ and 2 C.F.R. ~~225~~ 200 and 45 C.F.R. 75, as in effect December 19, 2014. These requirements include, but are not limited to, Chapter 125. of the Revised Code, this chapter, and:

~~(a) 7 C.F.R. 3016.36 for the expenditure of food and nutrition service funds;~~

~~(b)(a)~~ 29 C.F.R. 95 when not-for-profit organizations expend department of labor (DOL) funds; and

~~(c)(b)~~ 29 C.F.R. 97 when governments expend DOL funds;

~~(d) 45 C.F.R. 74 when not for profit organizations expend department of health and human services (HHS) funds; and~~

~~(e) 45 C.F.R. 92 when governments expend HHS funds.~~

- (2) This chapter contains a number of provisions from the applicable federal rules, but not all such provisions.

## (B) Acquisition standards

- (1) Development of written standards

Each CFSA and WDA shall develop written acquisition standards. These acquisition standards shall comply with all applicable federal and state acquisition statutes, regulations, rules, and circulars. The written standards shall also contain all relevant requirements of the provisions of this chapter, including the requirements listed in rule 5101:9-4-07 of the Administrative Code.

- (2) Application of standards

(a) The CFSA and WDA shall follow ~~its~~ written acquisition standards whenever making any acquisition funded in whole or in part by state or federal funds ~~the CFSA or WDA received from ODJFS or county funds that are used to match state or federal funds received from ODJFS.~~

~~(b) The acquisition standards referred to in this rule and the requirements contained in this chapter do not apply to those acquisitions made exclusively with county funds that are not used to match state or federal funds received from ODJFS.~~

~~(c)(b)~~ These acquisition standards are also applicable to any sub-grantee ~~entity~~ of the CFSA or WDA that is funded in whole or in part by state or federal funds ~~received from ODJFS or county funds used to match these state or federal funds.~~

~~(c)~~ The acquisition standards referred to in this rule and the requirements contained in this chapter do not apply to those acquisitions made exclusively with county funds that are not used to match state or federal funds received from ODJFS.

- (3) Assurances

(a) Each CFSA and WDA is legally responsible to ensure that all acquisitions funded in whole or in part by state or federal funds ~~the agency received from ODJFS or funds used~~

as the local match for these funds meet the acquisition standards established under this chapter.

- (b) Each CFSA and WDA shall ensure that all of its employees involved in procurement activities know and comply with these acquisition standards.
- (c) Each CFSA and WDA shall ensure that any sub-grantee entity or ~~vendor~~ contractor funded in whole or in part by state or federal funds ~~received from ODJFS or county funds used to match those state or federal funds~~ is aware of the requirements contained in paragraph (A) of this rule. The agency shall ensure that any grant agreement or contract, specify that any acquisition shall conform to these requirements.

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