

**American Rescue Plan
Emergency Assistance to
Non-Public Schools (ARP EANS II)
Procurement Requested Items
Office Hour**

December 20, 2022

10:00 AM – 11:00 AM

Office of Federal Emergency Relief Programs (OFERP)

OFERP Introductions

- Kevin Harrington, GEER/EANS Coordinator
- Robert Palmer, EANS Procurement Analyst
- Shelly Chasse-Johndro, Director

Please take a moment to add your name and school affiliation in the chat box.

Today's Topics

- ARP EANS II – Purchases
- Procurement Method
- Procurement Process (SOP)
- Vendor Agreements/Conflict of Interest/Ethics
- Resources
- Q & A

ARP EANS II Purchases

- Schools may not directly make any purchases.
- No reimbursements are allowed for ARP EANS II.
- Maine DOE will work with the State of Maine Procurement Office to purchase ARP EANS II goods and procure services for schools.

Depending upon the level of risk, an approvable item may or may not be procured.

ARP EANS II Purchases (continued)

Purchases under \$5,000 total:

- In general, the smaller the purchase, the faster it may be able to move through the procurement process; purchases that are \$5,000 or less typically move faster.

Purchases above \$5,000 total:

- Require competitive bid process to acquire quotes from multiple vendors
- Typically, don't allow you to choose your vendor
- Will have additional layers of review and approval

Procurement Method

- Maine DOE Procurement will consider all methods available and decide on the best method to use for each purchase.

State of Maine potential procurement options include:

- ✓ State Master Agreements
 - ✓ Prequalified Vendor Lists
 - ✓ Competitive Bidding Process (RFQs & RFPS)
- The State bidding process may be lengthy and can take three to six months depending on the complexity of the service.

ARP EANS II Procurement

Information for non-public schools - Be prepared to provide:

- Detailed specifications of items requested to be purchased.

Examples for goods: model numbers, part numbers, quantity, size, location for delivery, quotes

Examples for services: scope of the project, expected outcome, timeline, location of services, quotes

- Any other information that may be relative to the purchase (i.e., compatibility concerns)

Procurement Standard Operating Procedures

1. Non-Public School has submitted their Intent to Apply and Application. Both have been approved.
2. All pertinent State procurement fiscal statutes, policies, and procedures apply to Maine DOE purchases.
3. Maine DOE Procurement works with school and approved vendor(s).
4. If a vendor is listed on the State of Maine's Master Agreement list, a school can indicate vendor preference. [Master Agreements | Division of Procurement Services \(maine.gov\)](#)

Procurement SOP - continued

5. Maine DOE Procurement determines type(s) of procurement as appropriate (i.e., purchase order, formal contract, etc.).
6. No goods/services are delivered prior to the determination of the type of procurement needed and the process for that procurement is completed and approved.
7. Vendor delivers goods/Contractor performs service.
8. School confirms delivery of goods or performance of service to Maine DOE and inventories appropriately.
9. Maine DOE pays vendor.

EANS ARP II Vendor Agreements

DO NOT SIGN VENDOR AGREEMENTS

- Often vendors will provide agreements for software, licenses, services, and maintenance or support.
- Sometimes vendors will include terms and conditions on an estimate or invoice. Do not sign. If the vendor requires a delivery signature, line through the terms and initial next to deleted terms.
- Reasons not to sign vendor agreements:
 - ✓ A non-public school does not have authority to bind Maine DOE or the State.
 - ✓ Signing an agreement puts the school at risk as well as Maine DOE and the State.
 - ✓ Certain terms in vendor agreements are not permissible for the State (ex: indemnification, binding arbitration, certain limitations of liability, automatic renewals).
 - ✓ Vendor agreement fine print may include additional costs/requirements.
- If the vendor insists upon a signature, contact Maine DOE.

ARP EANS II Conflict of Interest/Ethics

Federal/State laws and policies require ethical behavior and avoidance of conflicts of interest

- ARP EANS II procurements are subject to audit.
- When spending public funds, it is essential to always act ethically.
- Do not request approval for purchases from family members or other vendors with potential conflicts of interest.
- Do not accept gifts or other incentives from ARP EANS II vendors or potential ARP EANS II vendors.

If you have any questions regarding conflicts of interest or ethics, contact EANSProgram.DOE@maine.gov

Resources

- [US DOE EANS](#)
- <https://www.maine.gov/doe/covid-19/fedrelief>
- <https://oese.ed.gov/files/2021/09/Final-EANS-FAQ-Update-9.17.21.pdf>
- <https://www.maine.gov/doe/covid-19/fedrelief#eans>

Good To Know

The school is responsible for keeping all records and supporting documents as they pertain to the application.

If you have questions about the process or accessing your school's online application, please submit your inquiry to the EANS mailbox, EANSProgram.DOE@maine.gov.

Allow additional time for procurement of services.

The **ARP Emergency Assistance to Non-Public Schools (EANS II)** program was created by the American Rescue Plan Act of 2021 (ARP Act), Pub. L. No. 117-2 on March 11, 2021. The ARP Act extends the EANS program authorized under section 312(d) of the CRRSA Act, which is intended to support non-public (private) schools' response to COVID-19.

Contact Information

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Q & A

Please unmute yourself or use the chat to ask questions!

