



**Compliance with EDGAR  
for Non-Federal Recipients of U.S.D.E. Grant Funding  
November, 2019**

To All:

This letter will serve as verification of Purchasing Cooperative of America's (PCA) compliance with U.S. Department of Education's '*Education Department General Administrative Regulations*' (EDGAR).

EDGAR 2 CFR 200.318(e) encourages non-federal entities to enter into state and local inter-governmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services in order to foster greater economy and efficiency. PCA must follow the same state and federal procurement rules that would apply if the PCA Member made the procurement, complete with full and open competition and ensuring competition. Each contract includes governing law to be in compliance with Texas', other states', and federal procurement statutes and contracting requirements including the provisions of Appendix II, Part 200, CFR. PCA maintains the due diligence documentation supporting each step of the procurement process, and readily makes this information available to PCA Members.

Third party non-federal recipients of federal grants (in this case, from the U.S. Department of Education) are required by law to follow the most restrictive federal, state or local procurement rules currently in effect. Some PCA Members may have local policies identifying their own purchasing thresholds, and will at times be more restrictive or equal to state or federal purchasing thresholds. Under PCA facility-type contracts that are bid with a national cost book with a locally-adjusted factor, the national cost book provides the price/cost analysis. PCA recommends that PCA Members conduct their own price/cost analysis as it is impracticable or impossible for PCA to perform them as required by law before the exact purchase amount has been determined.

PCA solicitations are indefinite delivery indefinite quantity (IDIQ) contracts. Members may purchase goods and services from PCA Awarded Contractors directly without any additional procurement activities or documentation, and fulfill Texas purchasing statute requirements. In addition, the Member and Awarded Contractor may come to agreement on additional term(s) and those may be stated in a supplemental contract or on the purchase order, and becomes part of the entire contract. PCA contract prices allow the Awarded Contractor to offer additional quantity and/or repeat business discounts at their own discretion as long as the same discount is granted to any other PCA Member for matching purchases.

PCA complies with EDGAR regulations in accordance with our role as a purchasing cooperative.

*Elaine Nichols*  
Director