



Compliance with EDGAR for Non-Federal Recipients  
of U. S. Department of Education Grant Funding  
February 19, 2019

To Whom It May Concern:

This letter will serve as certification of Purchasing Cooperative of America's (PCA) compliance with U.S. Department of Education's 'Education Department General Administrative Regulations' (EDGAR). Region 3 Education Service Center, an agency of the state of Texas located in Victoria, Texas, administers the PCA procurement cooperative, and awards and holds PCA contracts.

PCA is required by law to follow the most restrictive federal, state or local procurement rules currently in effect. Non-federal PCA Members will have local policies identifying their own purchasing thresholds, and will sometimes be more or less restrictive than the federal purchasing thresholds. Furthermore, PCA solicitations are indefinite delivery indefinite quantity (IDIQ) for commodity contracts. PCA recommends that PCA Members conduct their own price/cost analysis as it is impracticable or impossible for PCA to perform one as required by law before the exact purchase amount has been determined. 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 allowed to all PCA members for similar purchases. Under PCA facility-type contracts that are bid with a locally-adjusted national cost book, the national cost book provides the price/cost analysis.

EDGAR 2 CFR 200.318(e) encourages non-federal entities to enter into state and local intergovernmental 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. PCA maintains the due diligence documentation supporting each step of the procurement process, and readily makes this information available to PCA Members.

Once the PCA Member has verified that PCA followed the most restrictive of the state or federal procurement rules, the PCA Member may purchase goods and services from the PCA Awarded Contractor directly, without any additional procurement activities or documentation. In addition, the Member and Awarded Contractor may come to agreement on additional term(s) and those may be stated on the purchase order or in a supplemental contract, and becomes part of the entire contract.

With this letter we verify that PCA will comply with EDGAR regulations and will follow the most restrictive federal, state or local procurement rules currently in effect.

Sincerely,

Elaine Nichols, Director  
Purchasing Cooperative of America

Laura Ratliff, Deputy Executive Director for Business,  
Operations and School Support  
Region 3 Education Service Center