



Region One Education Service Center

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Executive Director

Contracts awarded pursuant to Region One Education Service Center Purchasing Cooperatives (“Region One Coops”) comply with the Education Department General Administrative Regulations (EDGAR), 2 C.F.R. § 200.318-326 and Section 44.031 of the Texas Education Code. It is the intent of Region One ESC and its purchasing cooperatives to comply with the most restrictive federal (EDGAR) or state (FASRG) purchasing requirements to the extent possible. To this end, the Region One Coops are currently procuring all contracts in a manner calculated to comply with both federal law, state law and the regulatory guidance of the Federal Education’s Department’s EDGAR and the TEA’s FASRG.

Since the value of individual purchases made by a Region One Coop member and the type of entity procuring the goods or services through a Region One Coop can bear on what procurement process is most restrictive, the Region One Coop member should be aware that there may be additional requirements, outside of the solicitation procedures with which the Coop member must comply, in order to satisfy federal law. Some of these, cannot and will not be satisfied by a Region One Coop, even when the Coop is using best state and Federal purchasing practices. For example, when a member is making a purchase in the amount of \$250,000 or more, the Federal EDGAR requirements are more restrictive than state law. In these instances, the purchasing cooperative member will be required to take action to conduct the cost or price analysis required by 2 CFR §200.323. These kinds of federal regulatory requirements will be difficult, if not impossible for the Coop to address in its procurement documents or processes, and will, of necessity, fall to the Coop Member to satisfy based on the specific facts and circumstances of the procurement.

Some products awarded through Region One ESC and its purchasing cooperatives do not meet the Buy American Provision for Child Nutrition Programs as required in the Code of Federal Regulations 7 CFR §210.21(d) and 7 CFR §220.16(d) for food products, and are noted as such. Limited exceptions to the Buy American Provision exist if: 1) The product is not produced or manufactured in the U.S. in sufficient and reasonably available quantities of a satisfactory quality; or 2) Competitive bids reveal the costs of a U.S. product are significantly higher than the non-domestic product, refer to USDA FNS Memo SP-38-2017. If a purchasing cooperative member is using one of the above exceptions, the purchasing cooperative member must keep documentation justifying the exception(s).

Region One ESC purchasing cooperative members are responsible for the selection of products available to meet their needs, storage capabilities, student/staff/community preferences, and/or nutrition goals.

Region One Education Service Center Purchasing Cooperatives include the following:

- [Child Nutrition Program - South Texas Cooperative](#)
- [Texas Energy Center - A Cooperative of Region One ESC](#)
- [Library Purchasing Cooperative](#)
- [Region One Purchasing Cooperative](#)

For additional information or questions, please contact:

- Lori Atwood Ramos, Purchasing Coordinator at 956.984.6123 or via email: laramos@esc1.net
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- Kristina Carrizales, Purchasing Cooperative Specialist at 956.984.6012 or via email: kcarrizales@esc1.net
- America Retana, Purchasing Cooperative Specialist at 956.984.6217 or via email: aretana@esc1.net

Certified this 28 day of Aug., 2019.

By: Dr. Cornelio Gonzalez

Dr. Cornelio Gonzalez, Executive Director, Region One Education Service Center

Authorized Representative of Region One Education Service Center Purchasing Cooperatives