



## Ohio Administrative Code Rule 5101:9-4-02 Standards for acquisition.

Effective: June 6, 2022

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### (A) Federal and state acquisition requirements

(1) For the purpose of this rule, acquisition is defined as purchases of services, supplies and equipment funded by state or federal funds received from the Ohio department of job and family services (ODJFS).

(2) Each county family services agency (CFSA) and Workforce Innovation and Opportunity Act (WIOA) local area shall ensure that all acquisitions meet applicable federal and state statutes, regulations, rules, and 2 C.F.R. 200 and 45 C.F.R. 75. These requirements include, but are not limited to, Chapter 125. of the Revised Code, this chapter, and:

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

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

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

(4) For the purpose of this rule, acquisition is defined as charges made by a CFSA or WIOA local area to a project or program for which a state or federal award was received.

### (B) Acquisition standards

#### (1) Development of written standards

Each CFSA and WIOA local area 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 WIOA local area shall follow written acquisition standards whenever making any acquisition funded in whole or in part by state or federal funds.

(b) These acquisition standards are also applicable to any sub-grantee of the CFSA or WIOA local area that is funded in whole or in part by 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 WIOA local area is legally responsible to ensure that all acquisitions funded in whole or in part by state or federal funds meet the acquisition standards established under this chapter.

(b) Each CFSA and WIOA local area shall ensure that all of its employees involved in procurement activities know and comply with these acquisition standards.

(c) Each CFSA and WIOA local area shall ensure that any sub-grantee entity or contractor funded in whole or in part by 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.