



## Vended Meals

Keep your summer meals sites financially sustainable when purchasing meals by making sure you get the best value for the best meal. High quality, nutritious meals will keep kids coming back to your site. It's also important to ensure you serve all the meals you purchase, which will keep your reimbursements steady.

### What you need to know when using a Food Service Management Company

Summer meals sponsors can get the meals they serve at their sites in several ways. Sponsors can prepare their own meals; procure them from a non-commercial food service management company (FSMC), like their local school; or purchase meals from a commercial FSMC. Regardless of the method used, high quality, nutritious meals, priced within the sponsor's available funds, are essential to operating a successful summer meals operation. Sponsors using an FSMC must do three things:

- Decide on the scope of services;
- Conduct a competitive procurement; and
- Monitor contractor performance.

**Fun Fact – in 2003, a USDA study found that about 18 percent of sponsors (providing 30 percent of meals) purchased meals from vendors, where 12 percent contracted with private food service management companies, and 6 percent contracted with their local SFAs.**

### Scope of Services Needed from the FSMC

The key question to ask before creating your bid specifications is “what do I need to run my food service?” This involves assessing what goods or services you or a partnering organization can provide and what you will need to purchase from the FSMC. This involves knowing the geographic area(s) you plan to serve, and the meal delivery obstacles the sites' locations may pose.

This also involves deciding on the type of meals you can serve. For example, if you sponsor all outdoor sites, you should think about incorporating a barbeque model, or you may be limited to serving cold meals in a “bag lunch” form. If some of your sites have indoor seating and/or food service equipment, you may be able to serve hot meals and/or meals that can be quickly reheated at those sites. Until you make these basic decisions, you cannot write comprehensive bid specifications.



## Factors to Consider in Determining the Scope of Services

### What do I need?

- Meal preparation
- Meal delivery to a central location
- Meal delivery to each site
- Meal service at the site
- Site cleanup after the meal

### What types of meals will I serve?

- Hot meals
- Cold Meals
- A mix of hot and cold meals
- Meals utilized with milk
- Meals utilized without milk

## Conducting a Competitive Procurement

Once the scope of services has been defined, sponsors must meet minimum procurement standards, which are designed to ensure maximum open and free competition and provide basic contractual protections for both the sponsor and the FSMC. If you choose to obtain meals from a FSMC, one of the most important services your State agency can provide is assistance with the procurement process. Based on the dollar value of the contract and the type of services you need, the State agency can tell you what type of procurement procedures are required federally and what, if any, additional State or local purchasing rules must be followed.

## Preparing a Bid Package

The State agency will help you (or refer you to other State or local government sources that can help you) write a complete bid package, solicit bids, and award your contract. A well-written bid package will identify the responsibilities of both parties, what constitutes nonperformance by the FSMC, and how nonperformance will be handled. Such provisions protect the sponsor's interests and ensure the FSMC is fully aware of its responsibilities, as well as the remedies that will be available to the sponsor for nonperformance.

“Nonperformance” by an FSMC is any failure to follow the terms of the contract, whether related to the quality of food provided, the number of meals delivered, the time of meal delivery, or other contract provisions.



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### **Bid Specifications and the “Low Bid”**

A common misconception with the competitive bid process is that the contract must be awarded to “the lowest responsive and responsible bidder.” Some sponsors believe that this requirement forces them to contract with commercial vendors who offer poor meals at a low price. But this is not true. If the sponsor, as it is their responsibility to, spells out, clearly and in detail, the quality of food which the bidder is required to use when calculating the bid price. The State agency can explain food quality grading systems, or they can refer you to local officials (for example, school food service directors) who are familiar with preparing bids for food service.

### **Contract Monitoring and Successful Contractor Performance**

Finally, no matter how well a contract is written, a successful vended summer meals operation depends upon the sponsor monitoring FSMC performance and taking prompt action when problems arise, while still maintaining a positive working relationship with the FSMC. The sponsor has to therefore monitor FSMC performance on a daily basis. When nonperformance occurs, the sponsor must immediately notify the FSMC of the problem and attempt to arrive at a mutually acceptable solution.

**Protect Your Operation:** To protect your rights, this notification should always be made in writing, even when the FSMC has been contacted in person or by telephone, and should explicitly state what the FSMC must do to correct the problem. If prior personal contact has been made, include the name and title of the FSMC representative and any commitments or assurances made by that individual. Sponsors should continue to promptly follow up in writing, either when the FSMC fails to correct nonperformance or if additional incidents of nonperformance arise.

### **Continued Problems**

Despite a sponsor’s best efforts, a FSMC may not correct deficiencies to your satisfaction. If this occurs, the State should be provided with copies of all notices sent to the FSMC. This will provide the State with documentation that can be used to determine if the FSMC is eligible for future SFSP contracts.

In addition, this documentation should be used by the sponsor in determining whether the FSMC contract should be terminated and whether the FSMC meets the standards for a “responsible bidder” for any future contract awards. Before terminating a contract, consult your State agency to discuss alternative means of providing meal service to the children at your site.



## **USDA Resources**

For help with your bid specifications on meal quality and other tips on meal planning for your summer meals operation, visit:

<http://www.fns.usda.gov/sites/default/files/healthy-meals-flyer.pdf>

USDA's Summer Food Service Program Administrative Guide for Sponsors has a detailed section on federal procurement requirements.

<http://www.fns.usda.gov/sites/default/files/AdminGuideSponsors.pdf>

## **Partner Organizations Resources**

### **Food Research and Action Center – Vendor Guide**

FRAC's *A How-To Guide for Summer Food Sponsors on Purchasing High-Quality Summer Meals* provides numerous examples and basic information for purchasing meals.

<http://frac.org/newsite/wp-content/uploads/2009/09/summermeals2007.pdf>

### **Food Research and Action Center—Local Foods**

FRAC's *Fresh from the Farm: Using Local Foods in the Afterschool and Summer Nutrition Program* provides more tips for incorporating local produce.

<http://frac.org/newsite/wp-content/uploads/2009/09/produceguide.pdf>

Sponsors and the general public should contact the appropriate State Agency for additional guidance. State agencies should contact their FNS Regional Office for additional guidance.

List of FNS Regional Offices: <http://www.fns.usda.gov/fns-regional-offices>

List of State Agencies: <http://www.fns.usda.gov/cnd/Contacts/StateDirectory.htm>



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