



Meals Purchased from a Vendor or Contractor

If meals are not prepared on site, a center may contract with a school, another care facility, or a food service management company to obtain meals. CACFP regulations define a Food Service Management Company (FSMC) as “an organization other than a public or private nonprofit school, with which an institution may contract for preparing and, unless otherwise provided for, delivering meals, with or without milk, for use in the Program.”

All procurements of meals must adhere to the procurement standards set forth in regulations (7 CFR 226.22). See the chart below for additional details regarding contract procedures. Sponsors are responsible for all contractual agreements. The prototype contract in this guidance assures that all CACFP requirements are included; the sponsor is responsible to assure their organization’s requirements are met.

Contracting with a public school:

Organizations that contract for meals from a school sponsor are exempt from these procedures to the extent that contracts with school sponsors may be procured noncompetitively, without soliciting or advertising for bids.

Informal Procurement:

For contracts totaling less than \$250,000, Informal Purchasing procedures may be followed.

- Obtain an adequate number of price quotations (at least 2 or more).
- Maintain a written record of all contacts and quotations obtained (*Price Quotation Record*).
- Award of the contract would go to the responsive bid with the lowest price. Complete the *Vended Contract to Provide Meals*, and any required attachments (see chart).

Formal Procurement:

For contracts totaling more than \$250,000, Competitive Negotiation procedures must be followed.

- Bid must be publicly announced at least once 14 days prior to the opening of bids. Proof of bid announcement must be submitted to KSDE.
- The *Vended Contract to Provide Meals* and the *Selection Criteria* will be provided to potential bidders.
- The sponsor will evaluate each bid using the *Selection Criteria* to determine the award of the contract to the responsive bid with the highest score.
- All contracts must be submitted to KSDE **prior to signing**. Once KSDE reviews the contract, the sponsor will receive notice to proceed with signing.



Contract Procurement Overview

Process Required	School - Public or private	Contract less than \$250,000	Contract more than \$250,000
Complete <i>Vended Contract to Provide Meals for the USDA Child Nutrition Programs</i>	√	√	√
Complete <i>Price Quotation Record</i>		√	
Complete <i>Selection Criteria</i>			√
Complete <i>Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion</i>			√
Complete <i>Lobbying Statement</i>			√

After the contract(s) and applicable forms are completed or approved, make copies. Keep the original forms with your CACFP documents and give one copy to the vendor. Upload the signed contract and supporting documents into the site application in KN-CLAIM or send a copy to:

*Child Nutrition & Wellness, KSDE
Landon State Office Building,
900 SW Jackson St. Suite 251
Topeka KS 66612-1212*

This institution is an equal opportunity provider.