

Solving the Mystery to the Competitive Bidding Process



Welcome

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Training Outcomes

- Understand the Invitation for Bid and Contract process and related timelines
- Develop a contract that meets state and federal regulations and statutes
- Generate bidder responsibility and bid responsiveness criteria—pass/fail
- Contract renewal process

Nutrition Programs Website

- www.isbe.net/nutrition
- Click on the big yellow button

Nutrition Programs & Support Services - Microsoft Internet Explorer

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Address <http://www.isbe.net/nutrition/> Go Links >>

Supplemental Ed. Serv. Teaching & Learning

Employment at ISBE Education Vacancies

Contact ISBE
Send ISBE a File
ISBE Home

Child Nutrition Programs

- NSLP National School Lunch Program
- SBP School Breakfast Program
- NSLP Afterschool Care Program Snack Services
- SMP Special Milk Program
- CACFP Child and Adult Care Food Program
- SFSP Summer Food Service Program
- FDP Food Distribution Program

Programs

- Professional Development
- Rules Part 305 School Food Service
- School Meals Initiative (NSLP)
- USDA Food Distribution Programs
- Valuable Links and News
- Wellness Policy (NSLP)
- Workshops/Trainings
- Contact Us
- Nutrition Programs Home

Start | Internet | 12:52 PM





SFSP Webpage

[New Sponsors](#)

[Forms and Documents](#)

[Resources and Handbooks](#)

[Seamless Summer Option](#)

- ▶ [2009 Schools Participating in Summer](#) 
- ▶ [Appeal Procedures](#) 
- ▶ [Application for Current Sponsors](#) 
- ▶ [Basic Program Information](#)
 - ▶ [Fact Sheet](#) 
 - ▶ [Comparison of Seamless Summer and Summer Food Service Program \(Updated 10/09\)](#) 
 - ▶ [Frequently Asked Questions](#)
- ▶ [Civil Rights Requirements](#) 
- ▶ [And Justice for All Poster](#) 
- ▶ [Civil Rights Compliance and Enforcement Training SFSP Administrative Staff](#) 
- ▶ [Civil Rights Compliance and Enforcement Training SFSP Frontline Staff](#) 
- ▶ [Summary of Civil Rights Requirements for SFSP](#) 
- ▶ [Commodities](#)
- ▶ [Free and Reduced-Price Eligibility List](#) 
- ▶ [Invitation for Bid and Contract](#)
- ▶ [Meal Service During Dismissals due to H1N1 Outbreak](#)
- ▶ [Menu Planning](#)
- ▶ [Publications](#)
 - ▶ [Child Nutrition Program Newsletters](#)
 - ▶ [Tidbits for Summer Bulletin](#)
- ▶ [Regulations and Policies](#)
- ▶ [Serious Deficiency Process](#) 
- ▶ [Simplified Cost Procedures](#) 
- ▶ [Workshop Information](#)

Invitation For Bid and Contract (IFB)



Illinois State Board of Education
Jesse Rulz, Board Chair
Dr. Christopher Koch, State Superintendent
Gov. Rod Blagojevich

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Employment at ISBE
Education Vacancies

Nutrition Programs

Summer Food Service Program (SFSP) Contract and Competitive Bidding Process














The Invitation for Bid and Contract, used to procure vended meals for the Summer Food Service Program, must be used for all contracts and must be competitively bid if the contract will exceed \$100,000. Materials were developed to assist program sponsors in procuring a contract and include required materials and instructions for completing the competitive bid process.

- ▶ Included in the [Instruction Handbook](#) 
 - ▶ Instructions for Completing the Invitation for Bid and Contract
 - ▶ Sample Newspaper Advertisement
 - ▶ Sample Food Specifications
 - ▶ Sample Cold Lunch Menus
 - ▶ Sample Cold Breakfast Menus
 - ▶ Instructions for Developing Menus
 - ▶ Sample Vendor Letter
 - ▶ List of Known Vendors
- ▶ Invitation for Bid and Contract Prototype – Contact the Illinois State Board of Education for a copy at [ifb@isbe.net](#)

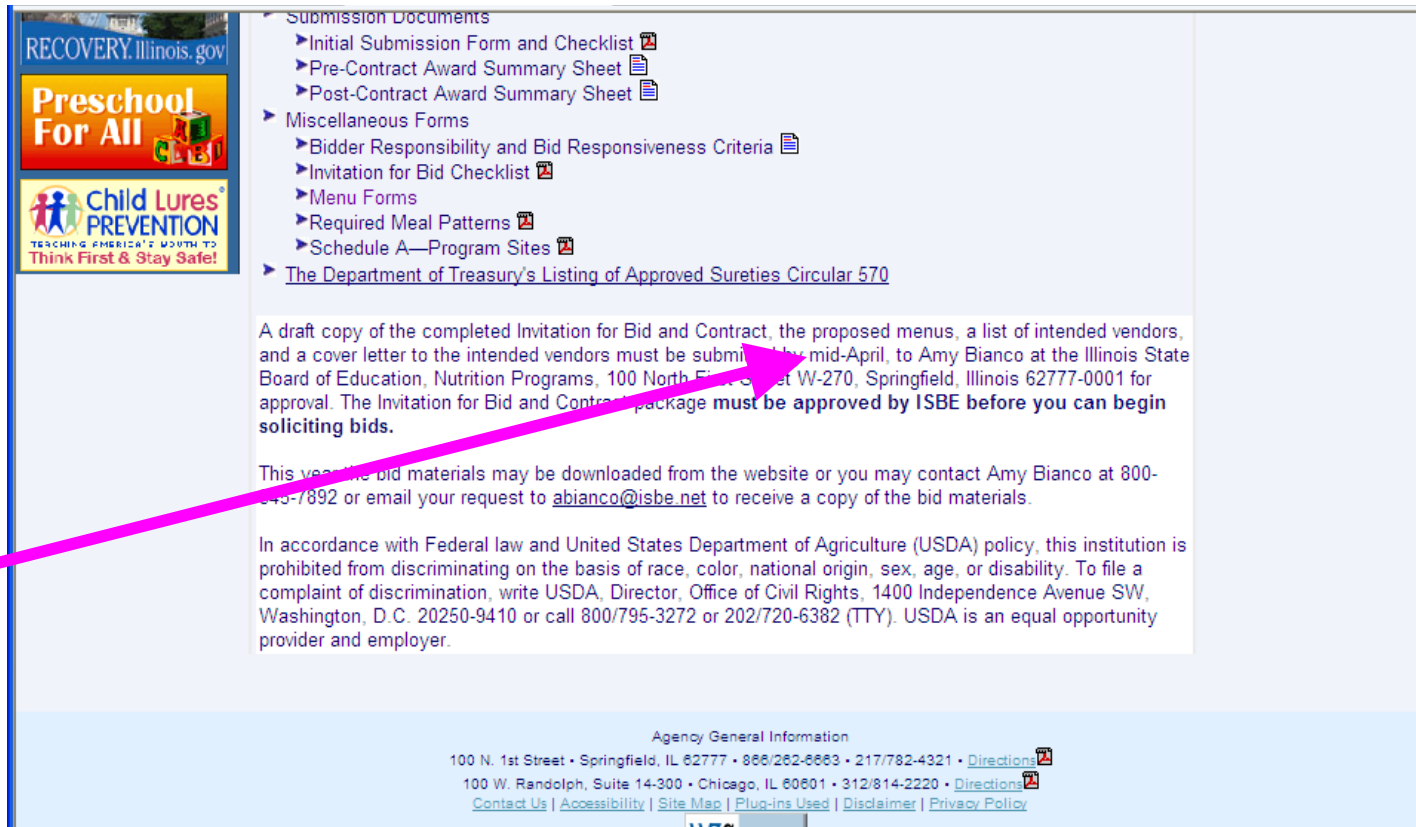
Resources

- ▶ Calendar
- ▶ Child Nutrition Programs
- ▶ Civil Rights Compliance and Enforcement
- ▶ Contracts/Procurement for School-Based Child Nutrition Programs
- ▶ Data and Other Useful Information
- ▶ Food Recall Information
- ▶ Forms, Documents, and Resources
- ▶ Illinois Commodity System/USDA Food Distribution Programs
- ▶ Instructions for Online Applications and Reports
- ▶ Legislation, Regulations, and Policy
- ▶ Monitoring and Program Requirements
- ▶ Newsletters
- ▶ Nutrition Education

IFB Forms

<ul style="list-style-type: none">School InfoLearning StandardsBoardPress ReleasesProgramsFormsGlossaryEmployment at ISBEEducation VacanciesContact ISBESend ISBE a fileISBE Home	<p>Materials were developed to assist program sponsors in procuring a contract and include required materials and instructions for completing the competitive bid process.</p> <ul style="list-style-type: none">▶ Included in the Instruction Handbook <ul style="list-style-type: none">▶ Instructions for Completing the Invitation for Bid and Contract▶ Sample Newspaper Advertisement▶ Sample Food Specifications▶ Sample Cold Lunch Menus▶ Sample Cold Breakfast Menus▶ Instructions for Developing Menus▶ Sample Vendor Letter▶ List of Known Vendors▶ Invitation for Bid and Contract Prototype—Contact the Illinois State Board of Education for a copy at 800-545-7892 or email your request to abianco@isbe.net▶ Renewal Procedures  (Renewal procedures will not be applicable until 2009)▶ Informal Bidding Procedures▶ Certifications<ul style="list-style-type: none">▶ Bid-Rigging Certification ▶ Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion Lower Tier Covered Transaction ▶ Certification Regarding Lobbying—Contracts, Grants, Loans and Cooperative Agreement ▶ Disclosure of Lobbying Activities ▶ Submission Documents<ul style="list-style-type: none">▶ Initial Submission Form and Checklist ▶ Pre-Contract Award Summary Sheet ▶ Post-Contract Award Summary Sheet ▶ Miscellaneous Forms<ul style="list-style-type: none">▶ Bidder Responsibility and Bid Responsiveness Criteria ▶ Invitation for Bid Checklist ▶ Menu Forms▶ Required Meal Patterns ▶ Schedule A—Program Sites 	<ul style="list-style-type: none">▶ Information▶ Food Recall Information▶ Forms, Documents, and Resources▶ Illinois Commodity System/USDA Food Distribution Programs▶ Instructions for Online Applications and Reports▶ Legislation, Regulations, and Policy▶ Monitoring and Program Requirements▶ Newsletters▶ Nutrition Education Loan Library▶ Professional Development▶ School Breakfast Program Start-up Grant Application (FY09)▶ Valuable Links and News▶ Workshops/Trainings▶ Contact Us▶ Nutrition Programs Home
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IFB Link and Instructions



RECOVERY.Illinois.gov

Preschool For All



Child Lures PREVENTION
TEACHING AMERICA'S MOUTH TO
Think First & Stay Safe!

- ▶ Submission Documents
 - ▶ Initial Submission Form and Checklist 
 - ▶ Pre-Contract Award Summary Sheet 
 - ▶ Post-Contract Award Summary Sheet 
- ▶ Miscellaneous Forms
 - ▶ Bidder Responsibility and Bid Responsiveness Criteria 
 - ▶ Invitation for Bid Checklist 
 - ▶ Menu Forms
 - ▶ Required Meal Patterns 
 - ▶ Schedule A—Program Sites 
- ▶ [The Department of Treasury's Listing of Approved Sureties Circular 570](#)

A draft copy of the completed Invitation for Bid and Contract, the proposed menus, a list of intended vendors, and a cover letter to the intended vendors must be submitted by mid-April, to Amy Bianco at the Illinois State Board of Education, Nutrition Programs, 100 North First Street W-270, Springfield, Illinois 62777-0001 for approval. The Invitation for Bid and Contract package **must be approved by ISBE before you can begin soliciting bids.**

This year the bid materials may be downloaded from the website or you may contact Amy Bianco at 800-645-7892 or email your request to abianco@isbe.net to receive a copy of the bid materials.

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100 W. Randolph, Suite 14-300 • Chicago, IL 60601 • 312/814-2220 • [Directions](#) 
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What is Procurement?

Procurement is all activities relating to the purchase of goods and services within an organization

Goals of Procurement

- Assure open and free competition among vendors
- Purchase high quality food, supplies, equipment, and services at the best price delivered when needed
- Meet federal and state regulations

Federal Procurement Regulations

- **Public Entities**
 - 7 Code of Federal Regulations 3016
- **Nonpublic Entities** (private non-profit)
 - 7 Code of Federal Regulations 3019
- Located on the U.S. National Archives and Records Administration Website at www.nara.gov

Allowable Cost Rules

- Public Entities
 - Office of Management and Budget (OMB) Circular A-87
- Nonpublic (Private) Entities
 - OMB Circular A-122
- Located on the Office of Management and Budget Website at <http://www.whitehouse.gov/omb/>

Program Rules and Regulations

- 225.6(g)(h) State Agency requirements
- 225.15(h) Food service management company (FSMC) requirements
- 225.17 SFSP Procurement standards

Dividing Contracts

- Unallowable
 - *Intentionally dividing to avoid formal procurement procedures*
 - *Intentionally dividing to deter full and open competition*
- Allowable
 - *When purchase is made more economical*
 - *Increase competition*

Four Basic Purchase Procedures Are:

- Small purchase procedure
- Competitive sealed bids—Invitation for Bid (IFB)
- Request for proposals (RFP) competitive proposal
- Noncompetitive negotiation

Small Purchase Procedures

- Used for simple and **informal** purchases that do not exceed formal procurement threshold (\$150,000)
- Maintain open and free competition
- Provide an adequate description of items
- Obtain verbal or written price or rate quotations from an adequate number of qualified suppliers (at least 4)
- **Document, Document, Document!!!!!!**

Request for Proposal



Noncompetitive Negotiation

Can be used only when one of the following conditions exist:

- After conducting your IFB, competition is deemed inadequate
 - Only one bidder
 - ◆ document those who did not bid
- An emergency exists when competitive procurement method would take too long

FSMC vs. Vendor

Food Service Management Company (FSMC)

Contracted to manage any aspect of the food service operation

Vendor

Provides meals only (prepackaged, unitized); does not manage any aspect of the food service operation

SFSP—FSMC Definition

Any commercial enterprise or nonprofit organization with which a sponsor may contract for preparing unitized meals, with or without milk, for use in the Program **OR** for managing a sponsor's food service operation in accordance with the limitations set forth in 225.15.

Who Must Use the actual Competitive Bidding Process?

- SFSP regulation 7CFR 225.15(h)(4)
 - Sponsors which are schools or school food authorities that have an exclusive contract with an FSMC for year-round service, AND sponsors whose **total** contracts with FSMCs will not exceed \$10,000 shall NOT be required to comply with these procedures
- Policy Memo from USDA 07-2013, *Standard Contract Threshold*, dated January 24, 2013, raises the competitive bidding procedure to a \$150,000 threshold

Invitation for Bid (IFB) and Contract

- Competitive sealed bid process
- Item/service can be specifically defined
- Two or more responsible bidders are willing and able to compete effectively
- Publicly advertised (at least 14 calendar days prior to the bid opening)
- Bids are solicited from an adequate number of known suppliers (at least four)

Invitation for Bid (IFB) and Contract

(continued)

- Bids are opened publicly
- Contract is awarded to the responsive-responsible bidder lowest in price
- Any or all bids may be rejected if there is a sound documented reason
- Results in a fixed-price contract
- Invitation for Bid becomes the contract
- No negotiations

Important Notes

- Persons who help prepare bids or specifications are excluded from bidding on the services or products (7 CFR 3016.60)
 - Example: using a vendor's menu
- Geographic preference, commonly called *local preference*, is not allowed
 - However, policy memo, SFSP 02-2013, gives the approval of a geographic preference for unprocessed agricultural products.
- If you use a *brand* name, you must add language to bid: “brands of like nature and quality will be considered.”

Local, General Laws, Regulations, and Policies

It is the sponsor's responsibility to ensure all bid documents are also in compliance with:

- Local laws
- Local regulations
- Local policies
- General legal aspects

Consult legal counsel

Quiz – 1

- If the estimated total of your meals is \$75,000, do you have to complete the competitive sealed bidding process?

True

False

Quiz – 2

- When following informal bidding procedures, how many price quotes from qualified suppliers need to be recorded?

2

3

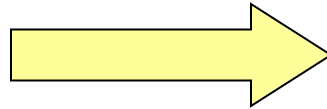
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Quiz – 3

- Which of the following statements is not true about the competitive bidding process?
 - A. Results in a fixed-price contract
 - B. Contract is awarded to whoever is the lowest in price
 - C. Any or all bids may be rejected if there is a sound documented reason
 - D. Invitation for Bid becomes the contract
 - E. No negotiations

IFB-Contract Process

Develop
IFB-
Contract

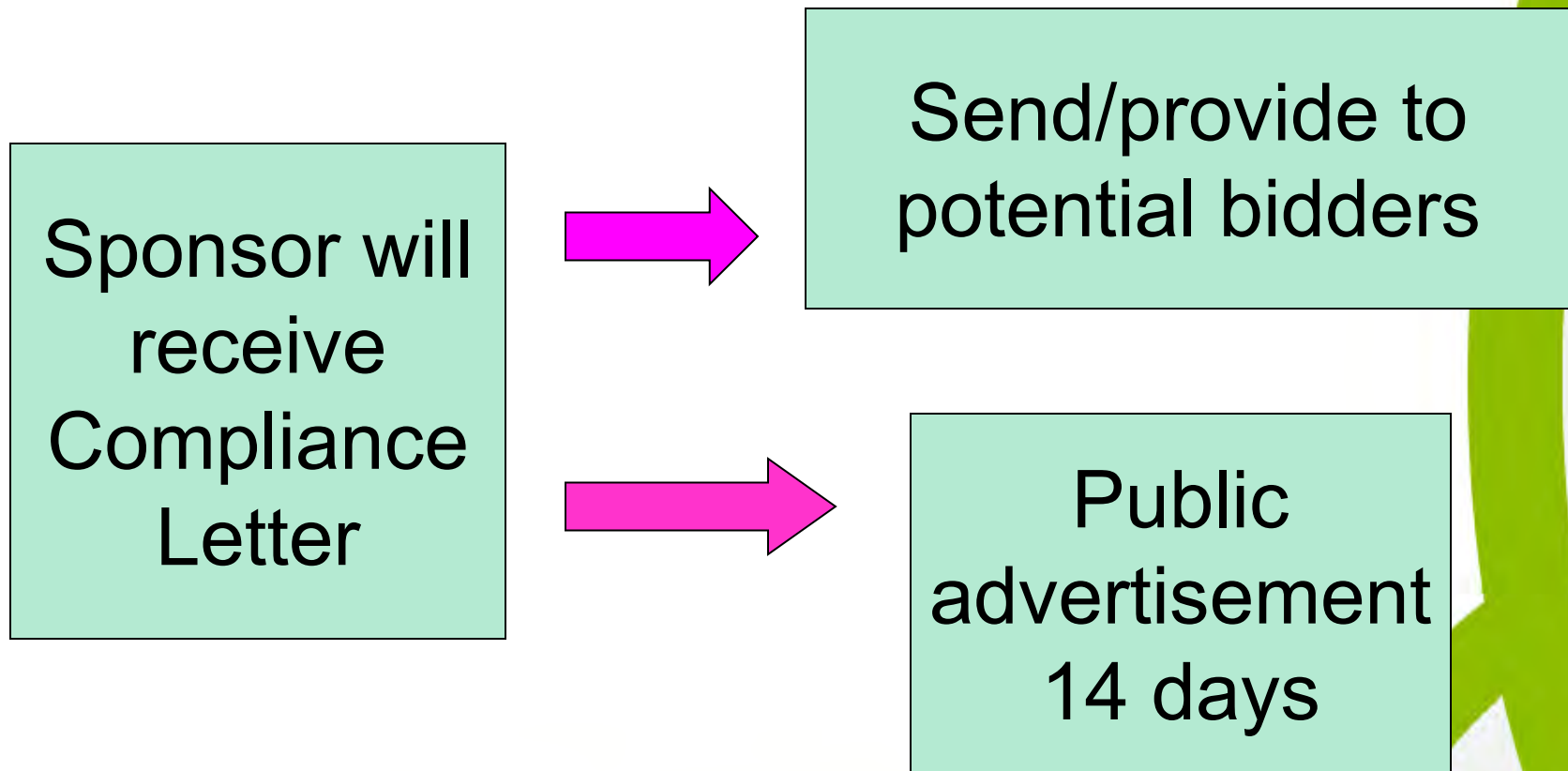


Submit IFB-
Contract
to ISBE
(Initial Submission Form)

If over \$150,000,
call ISBE to set
bid opening date

Allow ten business
days for review

IFB-Contract Process (continued)



IFB-Contract Process (continued)

Pre-Bid Conference (if applicable):
This should be held approximately one week before the bid opening. It can be mandatory if you wish; all details should be in the IFB.

IFB-Contract Process (continued)

- Bid Opening
 - Have everyone sign in
 - When time
 - Open each bid
 - Make sure the bid bond is attached, if applicable
 - Read the per meal prices and the totals for each bid received
 - Thank everyone for coming and give an estimated timeframe on when the bid will be awarded
 - Sponsor must review criteria (pass/fail)
 - Complete Criteria Analysis Sheet

IFB-Contract Process (continued)

Bid Opening

Submit solicitation-bid results to ISBE

(Pre-Contract Award Summary Sheet)

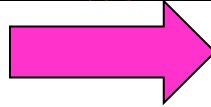


Receive notice to award contract

Allow five business days for review

IFB-Contract Process (continued)

Award
contract



**Submit final
contract
documents
to ISBE**

*(Post-Contract Award
Summary Sheet)*



Quiz – 4

- A pre-bid conference is optional?

True

False

Quiz – 5

- How many days before the bid opening must the advertisement be in the paper?
 - A. 14 days
 - B. 10 days
 - C. 15 days

IFB Development

- Use the Invitation for Bid and Contract Prototype provided by ISBE as the foundation or springboard for your solicitation.
- Encouraged to procure services from minority business enterprises.
- Geographic preference may only be applied to the procurement of unprocessed agricultural products which are locally grown and raised.



Time Frames

- When does program start?
- Estimate the review time?
- Are you conducting a pre-bid conference?
- Is Board approval necessary?
- Is there a deadline to print in paper?



IFB Development (continued)

- **READ**
- **READ**
- **READ**
- **READ**
- **READ** the IFB prototype

IFB Development (continued)

- Add, delete, or revise items in the prototype to meet the specific needs of the sponsor while still ensuring the document meets all federal and state regulations and statutes.

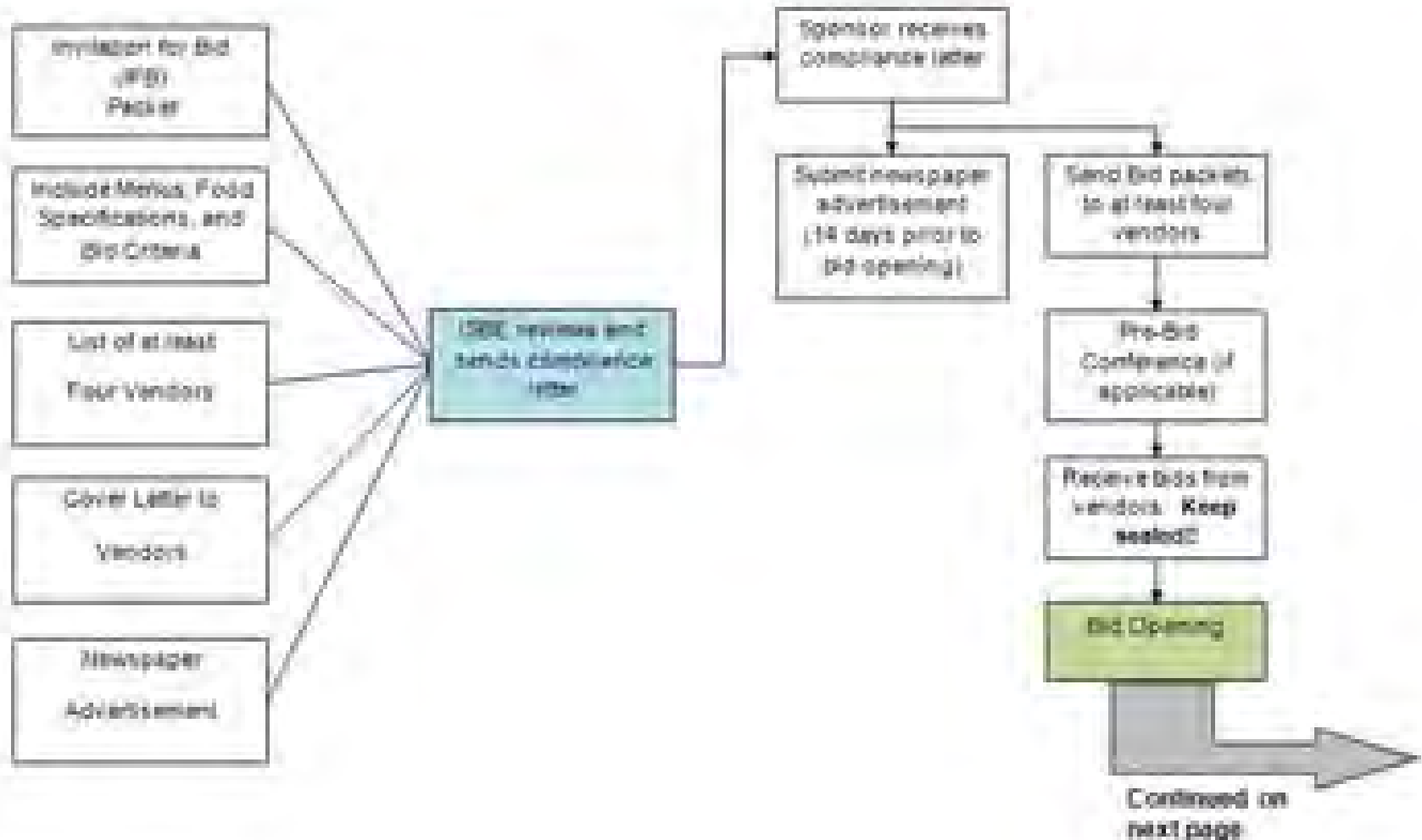
Pre-bid Conference

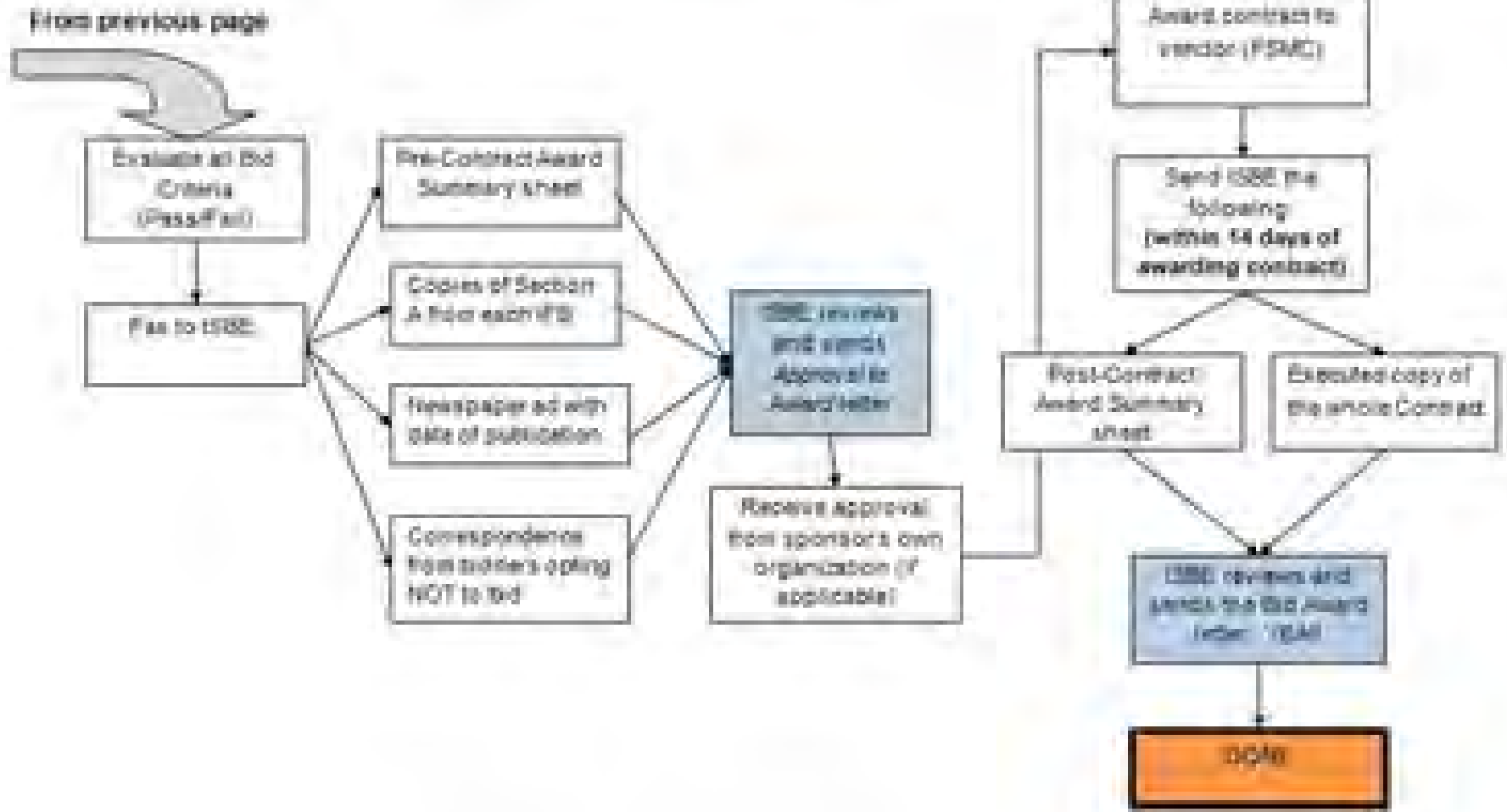
- Mandatory or non-mandatory
- Agenda, sign-in sheet, fax number, email addresses, take minutes
- Purpose – review and clarify bid terms, menus, food specifications, etc
- Q & As
- Addendums
 - Approved by ISBE

Submission of Bids

- Bids submitted in triplicate
- IFB will become the contract
- Copy of a current State or local health certificate for the food preparation facilities
- Documents to satisfy bid criteria
- Failure to comply shall be reason for rejection of the bid
 - Sponsor reserves the right to waive as an informality any irregularities contained in the bid

SFSP Invitation for Bid and Contract (r/yw \$150,000)





Menu Planning

- Training Module
 - Cannot have vendor help prepare menu
 - Must adhere to for at least the first eleven days
- Offer vs Serve
 - Milk only

Questions????



Solving the Mystery to the Competitive Bidding Process

- Continued



Section A

SECTION A

SUMMER FOOD SERVICE PROGRAM

INVITATION FOR BID AND CONTRACT

This document contains an invitation to bid for the furnishing of utilized meals to be served to children participating in the Summer Food Service Program established by the United States Department of Agriculture (7 CFR Part 225), and sets forth the terms and conditions applicable to the proposed procurement. Upon acceptance, this document shall constitute the contract between the bidder and the sponsor.

The Illinois State Board of Education or the United States Department of Agriculture does not in any way become a party to any contract between a sponsor and a vendor. The sponsor has full responsibility for seeing that the terms of the contract are fulfilled. The Illinois State Board of Education or the United States Department of Agriculture has no involvement with the enforcement of the contract; however, payment can be denied for all meals received under an invalid contract.

SOLICITING SPONSOR

1. STATE OF SPONSOR			2. BID NUMBER	
STREET ADDRESS			3. BID OPENING DATE TIME	
CITY	STATE	ZIP CODE	4. BID OPENING LOCATION	
TELEPHONE NUMBER			4. CONTRACT COMMENCEMENT DATE	
FAX/TELEPHONE/CALL			5. CONTRACT EXPIRATION DATE	

6.	MEAL TYPE	ESTIMATED SERVINGS PER DAY (B)	ESTIMATED NUMBER OF SERVING DAYS (C)	UNIT PRICE (IN INK) (D)	TOTAL PRICE
	Breakfast				
	AM Supplements				
	Lunch				
	PM Supplements				
	Supper				

BIDDER (Complete areas enclosed in block.)			7. Total Estimated Amount of Bid \rightarrow	
8. NAME OF BIDDER			PROMPT PAYMENT DISCOUNT	
STREET ADDRESS			_____ % for payment within _____ days	
CITY	STATE	ZIP CODE		
By submission of this bid, the bidder certifies that, in the event he receives an award under this solicitation, he shall operate in accordance with all applicable, current program regulations.				
Date		Signature of Bidder (in ink)		
Title		Telephone		

ACCEPTANCE OF CONTRACT

Bonding Requirements

- Bid bond (over \$150,000) not less than 5 percent and no more than 10 percent
(U.S. Department of Treasury Circular 570)
 - Shall accompany each bid
- Performance bond (over \$150,000) not less than 10 percent and no more than 25 percent of the value of the contract
(U.S. Department of Treasury Circular 570)
 - Furnish within ten days of awarding the contract

Bonding Requirements (continued)

- Alternative forms of bid or performance bonds
 - NONE (cash, certified checks, letters of credit or escrow accounts)
 - Reason to reject bid

Instructions to Bidders

- Right to reject any or all bids
- No claim for relief because of errors or omissions
- No consideration after date and time specified; bidder assumes risk of any delay
- Once bids are opened, they may not be modified

Scope of Services

- Are you purchasing your milk through another entity?
 - If so, enter exclusive
- Time period of service – put the exact dates of the summer meals



Meal Pricing

- Bid price based on menu(s) in Schedule B
 - Must adhere to for at least the first 11 days
 - Substitutions must be agreed upon by both parties before substitution is made
 - Meal must still meet SFSP required meal pattern
- No required minimum purchase
- Quantities included in contract are estimates

Noncompliance

- Sponsor reserves right to inspect
- Sponsor may reject and not pay for spoiled or unwholesome meals—damaged, incomplete, inadequate portion sizes
(Inform contractor within 48 hours)
- Sponsor may obtain meals from other source if rejected or inadequate number of meals delivered
- Sponsor will not pay for deliveries not received by meal time(s) on Schedule A

Packaging Requirements

- Hot and/or cold meal units
- Containers and overlays
- Cartons—labeling
- Extra items
- Temperatures

General Contract Conditions

- Delivery according to Schedule A
- Reserves the right to add/delete sites
- Delivery tickets must be prepared—4 copies
- Monthly invoice in detail
- Emergency clause
- No provision assigned or subcontracted
- Vendor must have meals inspected for bacteria levels

Delivery Requirements

- Approved menu—11 day cycle
- Delivery slip
 - Date and number of meals
 - Should include specific items in the meal
 - Site personnel verifies condition of meals
 - Site personnel should sign delivery slip
 - Attach to Daily Meal Count Sheet
- Specified time or no later than the start of the meal time
- Meals at appropriate temperatures

Record Keeping

- Contractor must retain records for **three** years plus current fiscal year
 - Depends on number of years renewed

Terms and Termination

- Contract for a one-year period
- Terminated for cause with a 60-day written notification
- Options to renew yearly not to exceed four additional one year periods
 - Minor changes to original contract acceptable
 - Major changes; must rebid the contract

Terms and Termination (continued)

- Renegotiation (Renewal) in subsequent years:
 - One-year renewal prior to expiration
 - Up to four additional one year periods
 - Only fixed (per meal) rates may be increased
 - Contractor/vendor must provide a written financial analysis to document any increase
 - Must use measurable index or flat percentage

Terms and Termination (continued)

- The measurable index recommended by the USDA is the Consumer Price Index for All Urban Consumers (CPIU)—Food Away From Home
 - December 2013 published January 2014
 - <http://www.bls.gov/cpi/tables.htm>
 - For 2014, the CPI index is 2.1%

General Provisions

- **This contract constitutes the entire agreement—may not be changed, extended orally, or altered. No other contracts will be signed!**
- Schedules, attachments, etc., are part of contract
- Compliance with specific regulations
 - Clean Air Act
 - Energy Policy and Conservation Act
 - Etc.

Schedules

- Sponsor shall provide site names, addresses, meal types, previous year claim numbers, highest daily participation, estimated delivery times, and dates of operation in Schedule A
- Schedule B is the 11 day cycle menu
- All meals furnished must meet or exceed USDA requirements as specified in Schedule C
- Create your food specifications in Schedule D
 - Examples are included in the IFB and in the instruction manual
 - Specific to your menu

Schedule A

- List of Sites
- Contact Person
- Meals Claimed in Previous Year
- Type of Meal(s)
- Quantity
- Delivery Time
- Dates of Program
- Offer vs Serve

Schedule B

- Menus
 - Form
 - Portion size
 - F/V in cups
 - Bread/grain in grams or ounces

Schedule C

- Required Meal Pattern
 - See notes
- Grain/Bread requirements
- Meat/Meat alternate

Food Specifications

- General food specifications for breads/grains, meat/poultry, fish, cheese, fresh fruits, canned vegetables, and eggs
- Make specific to your menu
- Include specifications on processed meat or breaded items, if applicable

Criteria—Bidder Responsibility and Bid Responsiveness

- Must evaluate on a pass/fail basis
 - Must be objective, not subjective
 - Must establish minimum standards
- Must define how a bidder can demonstrate compliance
 - What must a bidder do or provide to demonstrate compliance?

Criteria—Bidder Responsibility and Bid Responsiveness (continued)

- The criteria should be included in the body of the contract whenever possible
- Include criteria sheet as part of bid packet
- Criteria must not place unreasonable requirements on bidders in order to qualify to do business—cannot restrict competition [7 CFR 3016.36(c)(1)(i)]

Criteria Examples

- Bidder Responsibility
 - Performance history
 - Financial stability
 - Transportation capability
 - Adequacy of plant facilities



Criteria Examples (continued)

- **Bid Responsiveness**
 - Experience with other sponsors
 - Experience with nutritional guidelines
 - Marketing plan
 - Taste tests
 - On-site evaluations



Certifications

- Bid-Rigging Certification
- Certification Regarding Debarment
 - \$25,000 or more
- Certification Regarding Lobbying
 - Over \$100,000
- Disclosure of Lobbying Activities
 - Contractor completes if applicable

Addendum

If you need to add, delete, or revise anything after the initial IFB package has went out:

- Issue Addendum

- Submit to ISBE for review
- Receive compliance notification
- Distribute to all potential bidders
- Potential bidders must acknowledge receipt

Bid Protest

- Sponsors are responsible for properly responding to protests and concerns raised by potential bidders.
- Bid procedures in place
 - Consult legal council
- Disclose information regarding a protest to the Illinois State Board of Education (ISBE)

Contract Renewal Agreements

- Maximum of four (4) one-year contract renewals allowed
- Renewal process must occur prior to the expiration of the contract
- Must use the ISBE form
 - Include the whole year for the dates
 - Verify the math for the percentage increase (CPI)
 - New rates cannot exceed four decimal places
 - **DO NOT ROUND THE RATES!!**
 - Signatures
- Per the contract, percentage increases can only be applied to the individual per meal rates

Contract Renewal Agreements

(continued)

- Must include the debarment and lobbying forms signed by the contractor annually (if applicable)
- Must submit the Contract Renewal Agreement to ISBE along with the signed debarment and lobbying forms (if applicable)

Contract Renewal Agreements

(continued)

- Material changes
 - Add meal type
- Minor changes
 - Adding/deleting sites
 - Revising participation levels
 - Small changes to menu

Sponsor's Responsibilities

- Cannot contract out management responsibilities
 - Monitoring
 - Training
 - Meal ordering
 - Enforcing corrective action
 - Preparing application or claim
- Pay vendor
 - Watch # of meals delivered vs served

Sponsor's Responsibilities (continued)

- ISBE and the USDA are not parties to the contract
- Preparing menus – Schedule B
 - Hot and cold meals must be two separate menus
- Maintain health certification and assure regulations are met by the FSMC

Sponsor's Responsibilities (continued)

- Ensure the FSMC provides “unitized meals”
 - Request waiver from ISBE if meals are not unitized (actually a question on site application)
 - State agency must respond **before** advertise bid
- Resolution of program review and audit findings
- Resolution of bid protests by potential contractors
 - Inform ISBE of any bid protests

Responsibilities of the FSMC

- Deliver or serve food as requested
- **Adhere to 11-day cycle menu for first 11 days of service (Schedule B)**
- Substitutions—agreed upon by both parties
 - Mark menu and delivery tickets accordingly
- Accommodate special dietary needs
 - Nutrition Guidance

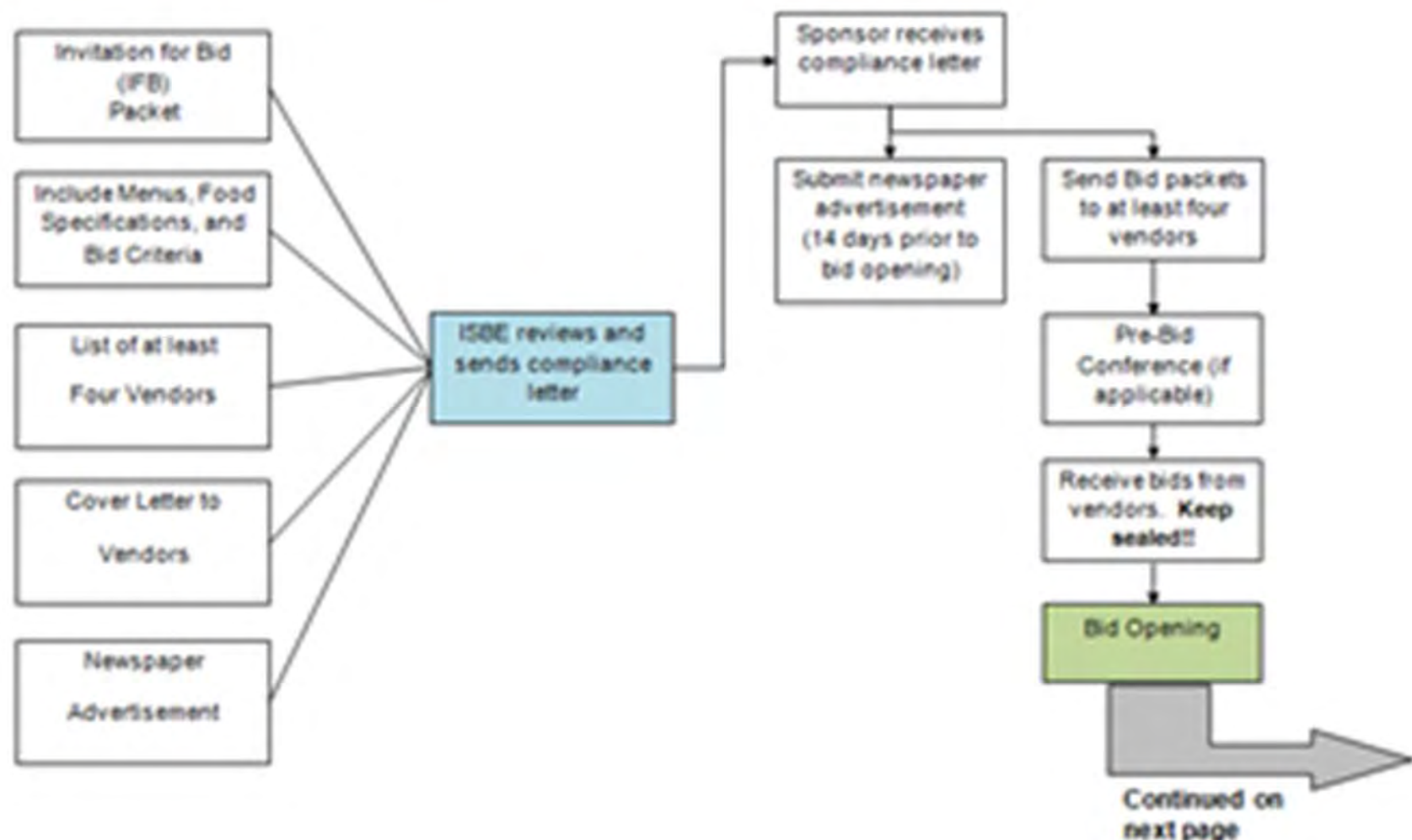
Responsibilities of the FSMC (continued)

- Responsible for meals up to and including delivery
 - temperature
- Cannot subcontract:
 - For the total meal
 - For the assembly of the meal
- Must maintain records that the sponsor needs to meet program responsibilities

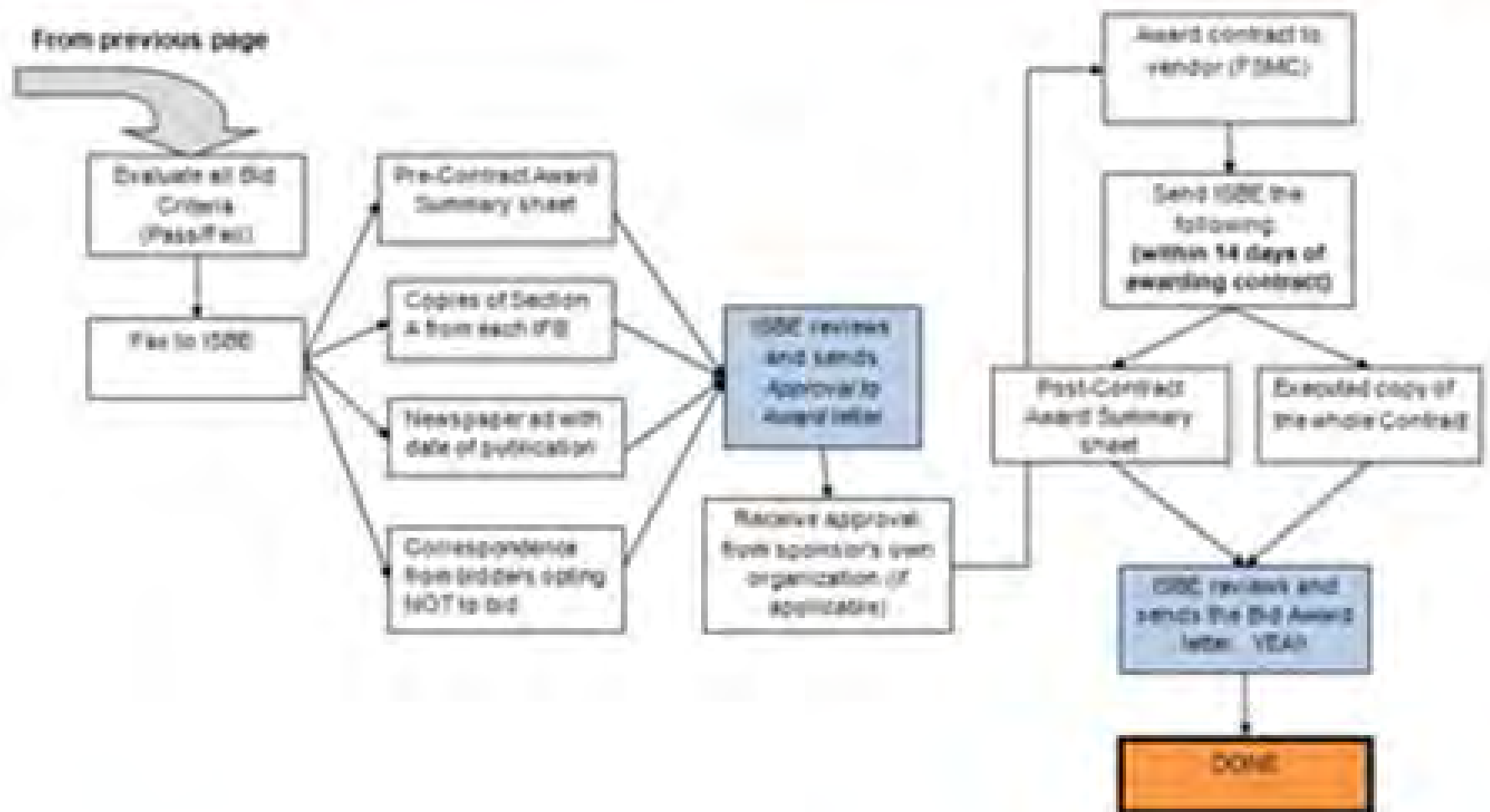
Final Notes and Comments

- The executed contract must be the same document previously submitted to ISBE and determined in compliance. No other documents should be signed!
- Revisions cannot be made to the executed contract without first submitting proposed revisions to ISBE and receiving written notification the proposed revisions are allowable.

SFSP Invitation for Bid and Contract (over \$150,000)



SFSP Invitation For Bid and Contract (over \$150,000)



Quiz – 6

- The potential bidder can bid on their own menu?

True

False

Quiz – 7

- Which of the following is not a reason to reject the meal?

- A. there was only one fruit/vegetable component included
- B. they ran out of oranges and just increased the apples to $\frac{3}{4}$ cup
- C. the applesauce container was smashed in the box
- D. they substituted oranges for apples

At a Glance

- Receive Invitation for Bid (IFB) packet
- Complete packet—**call me to schedule your bid opening date**
 - Sections A through G
 - Schedule A—Listing of your program sites
 - Schedule B—Menus
 - Schedule C—Meal pattern requirements
 - Schedule D—Product specifications
 - Bid Criteria and Responsive form
 - Certifications
 - Certification Regarding Debarment, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions
 - Bid Rigging Certification
 - If the estimated contract cost is \$150,000 or more, you must include:
 - Certification Regarding Lobbying form
 - Disclosure of Lobbying Activities form
- Check with legal counsel for local laws/regulations
- Fax **complete** packet and items below to the Illinois State Board of Education (ISBE); Attn: Amy Bianco (**Fax number is 217/524-6124**):
 - Complete packet including applicable certifications
 - Newspaper advertisement
 - List of vendors that will be mailed a bid packet (at least four)
 - Cover letter to vendors



At a Glance (continued)

- **WAIT**—ISBE reviews and sends *approval/compliance* letter to sponsor
- Receive *compliance* letter from ISBE
- Send advertisement to newspaper—at least 14 calendar days before bid opening (You **CANNOT** send this to the newspaper until your complete bid packet has been approved by ISBE)
- Send bid packet to list of vendors (at least four)
- Collect bids—**Do Not Open!**
- Hold Pre-bid conference (if applicable)
- Hold Bid opening
- Check Bid criteria
- Fax to ISBE:
 - *Pre contract Award Summary Sheet*
 - Copies of Section A from each bid received
 - Actual copy of newspaper advertisement from newspaper (include date)
 - Correspondence from bidders opting not to bid (or phone call documentation)
- **WAIT**—ISBE reviews and sends *Approval to Award* letter
- Receive *Approval to Award* letter from ISBE
- Receive approval from sponsor's organization (Board of Directors), if applicable
- Award contract to FSMC (vendor)
- Meet with FSMC to go over contract and expectations
- Send (Mail) to ISBE at 100 N. First Street, Springfield, IL 62777-0001, Attn: Amy Bianco (W270) **within two weeks** of awarding the contract:
 - *Post-Contract Award Summary Sheet*
 - Complete Copy of the Contract with signatures including applicable certifications
- **WAIT**—ISBE will send *Bid Award* final letter
- Receive *Bid Award* letter from ISBE

Done! YEA!!!



Renewals—At a Glance

- Option to renewal – four additional one year periods
- Cannot be any major changes in contract
- Written financial analysis
- Percentage increase cannot go over the index contained in the contract
- Send in the Contract Renewal Agreement Form
- If the contract is over \$150,000, include signed copies of the following certification forms:
 - Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transactions
 - Certification Regarding Lobbying—Contracts, Grants, Loans and Cooperative Agreement
 - Disclosure of Lobbying Activities (if applicable)

Questions???

