



Illinois  
State Board of  
Education

# Refresh.



# Refocus.

School Nutrition Programs  
Back to School Conference

Thank You for your patience. The live  
Procurement Session will begin shortly.



Illinois  
State Board of  
Education

Equity • Quality • Collaboration • Community

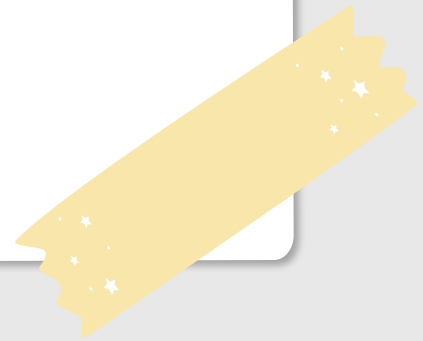
# Procurement Session 1:00-2:30

*Hi!*

Welcome!

**Refresh.**  
  
**Refocus.**

School Nutrition Programs  
Back to School Conference





# B2S Conference Schedule

## Today

9:00-10:30 – ISBE Update – If you missed this session it was recorded & will be available on our website by next week.

1:00-2:30 – Procurement – Welcome to the Procurement Session

## Tomorrow (Tuesday)

9:00-10:30 – Menu Pattern & Planning

1:00-2:30 – USDA Foods

## Wednesday

9:00 -10:30 – Monitoring Part 1

1:00-2:30 – Monitoring Part 2

If you have not registered yet for the sessions tomorrow or Wednesday, there is still time!

Visit [www.isbe.net/snpb2s](http://www.isbe.net/snpb2s) to register.



CHECK THIS OUT!

**SNP Back to  
School  
Conference  
Webpage**



**[www.isbe.net/snpb2s](http://www.isbe.net/snpb2s)**



## NUTRITION

# SNP BACK TO SCHOOL CONFERENCE

## ANNUAL CONFERENCE JULY 25-27, 2022

The Illinois State Board of Education Nutrition Department's annual School Nutrition Programs Back to School Conference will be virtual for School Year 2022-23. This year's theme is "Refresh. Refocus." The virtual conference features recorded trainings, exhibitors, fact sheets and live webinars set for July 25-27, 2022.



- [Submit Questions for ISBE's SNP Back to School Conference](#)
- [Professional Development Tracking Form: Print and complete this form to document your training hours.](#)

## TUNE IN TO LIVE WEBINARS

Click to register for the webinars you would like to attend! Recordings of the webinars will be posted here.

- [ISBE Update](#) , 9-10:30 a.m. Monday, July 25, 2022
- [Procurement](#) , 1-2:30 p.m. Monday, July 25, 2022
- [Meal Pattern and Planning](#) , 9-10:30 a.m. Tuesday, July 26, 2022
- [USDA Foods](#) , 1-2:30 p.m. Tuesday, July 26, 2022
- [Monitoring, Part 1](#) , 9-10:30 a.m. Wednesday, July 27, 2022
- [Monitoring, Part 2](#) , 1-2:30 p.m. Wednesday, July 27, 2022
- **Watch ON-DEMAND Trainings**
  - [Smart Snacks](#)
    - [PowerPoint Presentation](#)
  - [Professional Standards: Hiring Standards for SNP Directors](#)
    - [PowerPoint Presentation](#)
  - [Professional Standards: Required Training Hours and Resources](#)
    - [PowerPoint Presentation](#)



## SY 2022-23 RESOURCES

- Sample Letter to Parents Regarding SY 22-23 School Meals 
  - Spanish 

## FACT SHEETS & TRAINING GUIDES

- The ABCs of Meal Counting 
- **Food Distribution Program**
  - Diversion to Processor 
  - DOD 
  - USDA Foods 
- **Procurement**
  - Code of Conduct 
  - Large/Formal Purchase Method: For FSMC/Vended Meals 
  - Large/Formal Purchase Method: For Food/Supplies/Equipment/Services 
  - Micro Purchase Method 
  - Procurement Procedure 
  - Purchasing Equipment 
  - Small Purchase Method 
  - Terminologies 
- **Resource Management**
  - Maintenance of the Non-Profit School Food Account 

Visit Our Exhibitors



Don't  
Forget!

## To Track Your Training Hours

### Document the following:

- Date
- Topic
- Length (hours, minutes)
- Keep documentation

Sample Tracking form is available on the B2S  
Conference webpage [www.isbe.net/snrb2s](http://www.isbe.net/snrb2s)



## Webinar Housekeeping Items

- You are viewing in “Listen Only” mode
- This webinar is being recorded and will be posted on ISBE’s Nutrition website
- We will be releasing further guidance and plan additional webinars to answer more questions
- Please ask questions during the webinar. If your question(s) is not answered due to time, send an email to [cnp@isbe.net](mailto:cnp@isbe.net)





# Refresh. Refocus.



School Nutrition Programs  
Back to School Conference



**Welcome  
&  
Thank you for  
all you do!!!**

Sit back and enjoy  
the webinar!



**Illinois**  
State Board of  
Education



**Illinois  
State Board of  
Education**

**Refresh.**



**Refocus.**

School Nutrition Programs  
Back to School Conference

**School Nutrition Programs  
Procurement  
SY 2022-2023**

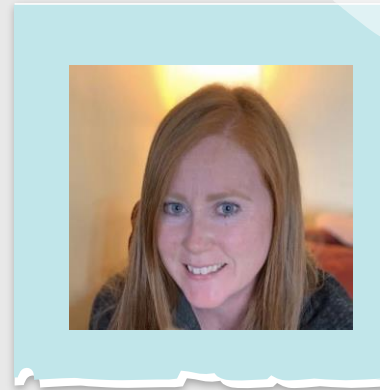
**July 25, 2022**

# Meet the team!



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<https://www.isbe.net/Pages/Nutrition-Financial-Management.aspx>

NEW

# HB 4813



School Nutrition Programs  
Back to School Conference

- Amends the Illinois School Code to allow for Requests for Proposals (RFPs) when soliciting contracts for goods, services or management in the operation of a school's food service. Limits the exemption from the contract bidding requirements for contracts for goods, services, or management in the operation of a school's food service only if a good faith effort is made by the school district to give preference to
  - (1) contracts that procure food that promotes the health and well-being of students in compliance with United States Department of Agriculture nutrition standards;
  - (2) contracts that give a preference to State or regional suppliers that source local food products;
  - (3) contracts that give a preference to food suppliers that utilize producers that adopt hormone and pest practices recommended by the United States Department of Agriculture;
  - (4) contracts that give a preference to food suppliers that value animal welfare; and
  - (5) contracts that increase opportunities for businesses owned and operated by minorities, women, or persons with disabilities. Requires food supplier data to be submitted to the school district at the time of the bid and updated annually thereafter during the term of the contract.

Requires the contractor to submit the updated food supplier data. Provides that food supplier data shall include the name and address of each supplier, distributor, processor, and producer involved in the provision of the products that the bidder is to supply.



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# HB 4813: Q&A

Q1. Does this mean we no longer have to conduct bids for purchases?

A: No.

This update to the law allows for the S use of the IFB procurement method or the RFP procurement method if certain criteria are met. SFAs must continue to solicit bids or proposals in the purchasing of goods, services and/or food service management. There has been no change to the dollar thresholds that determine whether the purchase/contract can utilize the micro purchase, informal or formal procurement method. There has also been no change to the required 3 step process for the procurement of vended meals and/or Food Service Management Company contracts. It does however allow for the SFA to determine if the IFB or RFP would be the best option for their SFA.



NEW

# HB 4813: Q&A



School Nutrition Programs  
Back to School Conference

Q2. I have heard that we can just pick who to award the contract to now - is that correct?

A: No.

- SFAs will need to determine which procurement method will be best for their SFA and complete the procurement process. SFAs must ensure that the award of each contract follows their code of conduct, procurement procedures and make determinations in a transparent & ethical manner. While also ensuring that the SFA is a good steward of federal and state funds. It is important that SFAs should utilize their legal department to ensure compliance and in order to respond to any bid protests that may occur.
- Full and open competition must be maintained and the procurement must not restrict or eliminate competition.
- If choosing the IFB method, the SFA will develop their specifications and bidders that are responsible, responsive and can meet their requirements at the lowest price would be awarded the contract.
- If choosing to utilize the RFP method, the SFA will develop a scoring matrix that will be used in the review of submitted proposals and price must be a primary factor in the scoring.



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NEW

# HB 4813: Q&A

Q3. Do RFPs make meals healthier for our students?

A:

- SFAs determine what their meal programs look like. The SFA needs to define the content of their meals in their solicitation. All meals served as part of the federal meal programs must at a minimum meet the federal meal pattern requirements. SFAs may have additional requirements or preferences regarding meal content with both an IFB or an RFP.
- Both IFBs and RFPs allow for SFAs to define what they want their meals to look like. For Example, if an SFA wants fresh local fruits and vegetables served 3 days per week, that should be listed in their IFB or RFP solicitation. If an SFA wants unprocessed scratch cooked meals, the SFA should list that in their IFB or RFP solicitation.
- Once the contract is awarded, the SFA are required to manage the contract and ensure their meal program has continued compliance with their contract requirements, regardless of the procurement method used.

NEW

# HB 4813: Q&A



School Nutrition Programs  
Back to School Conference

## Q4. Are RFPs better for the SFA than IFBs?

A: Neither and RFP or an IFB is "better" than the other. They both have their purpose and **the SFA** needs to consider a variety of factors in order to determine which procurement method would be best for each procurement they conduct. Some of the factors that play into the SFA determining which method is best for each procurement include but are not limited to the SFAs:

- Timeline - how quickly do you need what you are procuring?
- Does the SFA have a clear understanding of the product or service needs or does the SFA want ideas or suggestions?
- Does the SFA possess the technical skills necessary to develop the written evaluation and scoring criteria, complete a review of the responses received in order to evaluate and score the proposals as specified in the solicitation, and negotiate with proposers?
- Do you want a process in which you have requirements that **MUST** be met or do you have a sliding scale for preferences that you would like to have met?
- How much time do you have to manage your contract (after throughout the year)?
- These are just a few of the factors that the SFA should consider when determining which procurement method they should use for each procurement. Keep in mind that the SFA needs to make this decision based on their needs and if the SFA wishes to talk through the options ISBE procurement staff are available to talk through it.



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# Procurement



# Procurement



# Procurement Topics

- FSMC/ Vended Meals Company
- Website
- Procurement Fact Sheets
- Code of Conduct & Procurement Procedures
- Equipment
- Procurement Reviews
- New Resources on the FSMC/Vended Meal Contracts Page
- Q&A



# FSMC/ Vended Meals Company

- School Year 22-23 Contract Renewal forms and documents due now!
  - If you need a copy of the required form or have any questions, please contact [nutritionprocurement@isbe.net](mailto:nutritionprocurement@isbe.net).
- WINS Annual Application:
  - Participation Detail: if you contract meal preparation type should be contracted

Program	Meal	Start date	End date	Enrollment	Begin time	End time	Meal preparation
<input checked="" type="checkbox"/> * National School Lunch	Lunch	9/6/2022	6/16/2023	430	10:00 AM	02:00 PM	Contracted
<b>Ensure your contractor is listed below.</b>							
<b>Contractor Name Begin Date End Date</b>							
██████████							
██████████ 07/01/2022 08/30/2023							

- Communication from [nutritionprocurement@isbe.net](mailto:nutritionprocurement@isbe.net)



# A la Carte Equivalency Factor

## A la Carte Equivalency Factor

- A method to convert a la carte revenue to determine a “per meal equivalency”
  - a la carte shall be inclusive of all foods and beverages sold to students that do not constitute a component of a reimbursable meal plus all foods and beverages sold to adults during all meal services provided within the scope of the Contract. CATERING OR SPECIAL EVENTS ARE NOT TO BE INCLUDED. THOSE MUST BE BILLED SEPARATE AND OUTSIDE OF THE NON-PROFIT SCHOOL FOOD ACCOUNT.
- For School Year 22-23 the a la carte meal equivalents shall be determined by the following calculation method:  
Dividing all a la carte revenue by the a la carte equivalency factor. This factor is determined by taking the sum of the Federal and State free lunch reimbursement rates plus the value of USDA entitlement and bonus donated foods, Planned Assistance Level (PAL), established in July 2021. The a la carte equivalency factor to be utilized for the 2022–2023 School Year Contract Term is 4.1875.

In Contract renewal Terms, the a la carte equivalency factor will be changed annually to reflect the change in the sum of the reimbursement rates and PAL as stated above. The rates used will be those established in July of the preceding fiscal year and be published annually by the Illinois State Board of Education Nutrition Department.



# A la Carte Equivalency Factor

- You can find the annual factor on the ISBE website  
<https://www.isbe.net/Pages/Seamless-Summer-Option-Eligibility-Information.aspx>  
 under Reimbursement Rates- School Nutrition Programs

## School-Based Child Nutrition Programs Rates of Reimbursement Effective July 1, 2021 - June 30, 2022

National School Lunch Program				
	Less Than 60%	Less Than 60% + 7 Cents**	60% or More*	60% or More* + 7 Cents**
Paid	\$0.35	\$0.42	\$0.37	\$0.44
Reduced-Price	\$3.26	\$3.33	\$3.28	\$3.35
Free	\$3.66	\$3.73	\$3.68	\$3.75

The maximum price a sponsor can charge for a student reduced-price lunch is \$4.00.

\* The higher rate of reimbursement for lunch (60% or more) applies if 60% or more of the lunches served by an SFA during the second preceding school year were served free or at a reduced price.

\*\* Additional 7 cents requires a one-time [menu certification](#)

School Breakfast Program		
	Non-Severe Need	Severe Need *
Paid	\$0.33	\$0.33
Reduced-Price	\$1.67	\$2.05
Free	\$1.97	\$2.35

The maximum price a sponsor can charge for a student reduced-price breakfast is \$3.00.

\* The higher rate of reimbursement for breakfast (Severe-Need) applies if 40% or more of the lunches served at the site in the second preceding school year were served free or at a reduced price.

Special Milk Program			
	All Milk	Paid Milk	Free Milk
Pricing Program Without Free Option and Nonpricing Programs	\$0.2200		
Pricing Program With Free Option		\$0.2200	Average cost per ½ pint milk

After-School Snacks in After-School Care Programs	
Paid	\$0.09
Reduced-Price	\$0.50
Free	\$1.00

The maximum price a sponsor can charge for a student reduced-price after-school snack is \$1.50.

**Food Distribution Program**  
 Planned Assistance Level (PAL) for NSLP = \$0.3975 (per lunch rate of \$0.2600 PLUS the 12% provision dollars and the \$20M breakfast dollars for NSLP)

**Illinois Free Breakfast and Lunch Programs**  
 \$0.04 per each free breakfast and/or lunch

**A la Carte Equivalency Factor - for use in FSMC/vendor contracts**  
 Effective SY20-21 Federal free lunch reimbursement (more than 60% + 7 cents) plus PAL plus Illinois free lunch reimbursement  
 SY2021-2022 Contract - \$3.9700  
 SY2022-2023 Contract - \$4.1875

(August 10, 2021)



# Contract Monitoring

For School Food Authorities (SFA) that contract with a Food Service Management Company (FSMC), Vendor, another SFA and/or any other type of contractor, the SFA **must** maintain responsibility for the overall operation of the Programs. The SFA **cannot** relinquish their control or responsibility for the administration of the meal programs to a contractor. It is important that the SFA understand that the agreement with the State Agency to administer the Child Nutrition Programs (CNP), is between the State Agency and the SFA, not the contractor. The contractor may work as an agent or perform certain portions of an SFAs tasks but there are some limitations and the SFA is ultimately responsible for adhering to all applicable federal and state rules and regulations

- **SFA Monitoring:** The SFA **must** monitor the food service operation through periodic on-site visits in all schools operating the Programs, per 7 CFR 210.16(a)(3), including USDA Foods in accordance with 7 CFR 250.51(d).
- **FSMC Performance Monitoring**  
When the SFA contracts with a Food Service Management Company (FSMC), the SFA **must** conduct performance management of the FSMC contract through periodic on-site monitoring of the contracted requirements, as per 7 CFR 210.8(a)(1), 7 CFR 210.16(a)(3), and 7 CFR 250.54(c).



# Reminders when Soliciting an FSMC/ Vended Meals Contract

## Full and Open Competition:

The foundation of all procurement, regardless of the method used, is that the procurement be conducted in a manner that provides maximum full and open competition. Procurement procedures and processes must not restrict or eliminate competition. Examples of such restrictions include, but are not limited to:

- **Noncompetitive Pricing Practices:**
  - Encouraging or fostering noncompetitive practices, e.g., collusion between firms and noncompetitive awards to consultants that are on retainer contracts.
- **Inappropriate Practices:**
  - Includes using information prepared by a FSMC/Vendor in the solicitation; entering into negotiations with a firm prior to evaluating proposals; negotiating with any bidder at any time when the competitive sealed bid procurement method is used; opening sealed bids in advance of the published open date; and providing only certain firms with the results of pre-bid meetings or releasing the contents of a bid or proposal to other bidders/proposal offerors.
- **Overly responsive:**
  - **Giving consideration to overly responsive elements of the respondent's bid or response is prohibited.** A contract award **must** be made by evaluating responses against the evaluation and scoring criteria stated in the solicitation with price as the primary consideration. Consideration may, however, be given to responses that add value to the Program; however, it is the SFA's responsibility to be able to substantiate that the item adds value to an element already contained in the solicitation as opposed to being overly responsive, for example, if the RFP does not have specific solicitation for equipment yet the offer includes such. Any questions that arise should be discussed with the State Agency.
- **Value-Added responses:**
  - Under an RFP when the SFA requests FSMCs respond with goods and services using general terms rather than specifically defining their expectations, the State agency must determine if the FSMC response includes unallowable cost provisions. **Revenues from the nonprofit food service account are to be used only for the operation or improvement of the food service.**





# Procurement Website

Nutrition Home Page:  
[www.isbe.net/nutrition](http://www.isbe.net/nutrition)

## NUTRITION

Welcome to the Nutrition Department. This department supports and promotes the overall well-being of children. Healthy meals and healthy habits are essential for readiness to learn and success in the classroom and beyond.

Programs administered by the department include the National School Lunch Program, School Breakfast Program, Child and Adult Care Food Program, Summer Food Service Program, Fresh Fruit and Vegetable Program, and the Special Milk Program. Are you interested in participating in Child Nutrition Programs in Illinois? Visit the [New Applicants webpage](#) for more information on how to become a sponsor.

**ATTENTION:** Language assistance services, free of charge, are available to you. Call (800) 545-7892 (Illinois only) or (217) 782-2491 (TTY: (217) 782-1900).

Log in to IWAS

### What's New?

- CDC Guidance for COVID-19 Prevention in K-12 Schools (updated July 9, 2021)
- Tyson Foods Inc. Recalls Ready-To-Eat Chicken Products Due to Possible Listeria Contamination
- SY 21-22 Paid Lunch Equity Requirements and Guidance 📄
- Menu Board Inserts for Fiscal Year 2022
- **ISBE & USDA RESOURCES**
  - School Nutrition Programs Back to School Conference
  - ISBE SY 21-22 FAQs 📄
  - Reimbursement Rate Comparison Chart SY 21-22 📄
  - Meal Pattern Waiver Chart for SY 21-22 📄
  - USDA Q&A for Child Nutrition Program Operations in SY 21-22
  - Child Nutrition Programs Waivers for School Year 2021-22 📄
    - Nationwide Waivers and Flexibilities for CACFP 📄
  - USDA Extends Flexibilities Through the Summer - 📄 (03/10/2021)
  - USDA FNS: Illinois COVID-19 Waivers & Flexibilities
  - ISBE COVID-19 Updates and Resources



### CHILD & ADULT CARE FOOD PROGRAM

- Child Care Institutions
- Family Day Care Homes



### FINANCIAL MANAGEMENT

- General Procurement for All Programs
- SFSP/CACFP Vended Meals Contracts
- SNP FSMC/Vended Meals Contracts
- SNP Resource Management



### FOOD DISTRIBUTION PROGRAM

- USDA Foods Show



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# Procurement Website



School Nutrition Programs  
Back to School Conference

<https://www.isbe.net/Pages/Nutrition-Financial-Management.aspx>



[Log Into ELIS](#) [Log Into IWAS](#) [Public School District Lookup](#) [FRIS Inquiry](#) [IL Report Card](#) [About the Agency and Board](#) [Topics A-Z](#)

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**NUTRITION**

**Financial Management**

- General Procurement for All Programs
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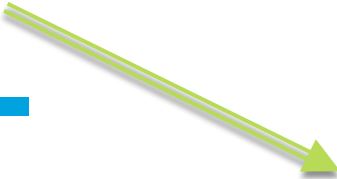
## NUTRITION FINANCIAL MANAGEMENT

The Illinois State Board of Education Nutrition Department's Financial Management section of the website provides rules and resources to Child Nutrition Programs sponsors on procurement, contracts, and other financial matters. Child Nutrition Programs includes sponsors participating in the Child and Adult Care Food Program (CACFP), Summer Food Service Program (SFSP), and the School Nutrition Programs (SNP), which includes the National School Lunch Program and other school-based programs.

Procurement means the process of obtaining goods and/or services in accordance with applicable rules and regulations.

Resource Management for School Nutrition Programs includes four general areas: Maintenance of Non-Profit School Foodservice Account, Paid Lunch Equity (PLE), Revenue from Nonprogram Foods, and Indirect Costs.

- General Procurement for All Programs
- SFSP/CACFP Vended Meals Contracts
- SNP FSMC/Vended Meals Contracts
- SNP Resource Management



[CNP NEWSLETTERS](#) [TRAINING OPPORTUNITIES](#)

[Fact Sheets](#)










# Procurement Fact Sheets



## Fact Sheets

### PROCUREMENT:

- Code of Conduct 
- Large/Formal Purchase Method: For FSMC/Vended Meals 
- Large/Formal Purchase Method: For Food/Supplies/Equipment/Services 
- Micro Purchase Method 
- Procurement Procedure 
- Purchasing Equipment 
- Small Purchase Method 
- Terminologies 



# Fact Sheets

## Micro Purchase Method

The micro purchasing method is usually used by small SFAs or by any SFAs for very small or unplanned purchases, like replacement or repair of equipment or items that are purchased in small quantities like replacement trays, office items and/or extermination services. This method of procurement allows for purchasing without soliciting competitive price quotations as long as the price is reasonable and falls below the required purchasing threshold.

### When can the micro purchase procurement process be used?

The micro purchase method can be utilized when the estimated dollar value of the contract or purchase(s) for the year is below \$10,000 or a lesser amount if the SFA has a more restrictive threshold. SFAs should check their districts procurement procedures/policies to determine if their SFA has a smaller threshold for when they can utilize the micro purchase method. For example, if your district has a more restrictive threshold that states that only purchases under \$5,000 can utilize the micro procurement method, then you would follow your districts more restrictive policy.

When estimating the purchase amount, the estimate should be based on the estimated/planned value of the contract/purchase(s) over the year. When planning for your purchases for an upcoming year, all micro purchases should be assessed to see if the most economical approach would be to purchase all of the items together from the same vendor. Purchases cannot be split to purposely fall below the threshold. If the purchase(s) is/are more than \$10,000 (or lower based on your SFAs threshold) you will need to use either the small or large (formal) purchase method.

### Requirements of the Micro Purchase Process

- Reasonable – all purchases utilizing the micro purchase method must be reasonable in order to verify that the price is reasonable, the SFA could compare previous purchases, conduct online research and/or compare to similar items being purchased.
- Distribute purchases equitably among qualified suppliers – Example: If you purchase a large amount of paper each school year and you usually purchase paper about 3 times a year, you should purchase a small amount of paper each school year.

## Financial Management Procurement

## Small Purchase Method

The Small Purchase process of procurement is sometimes referred to as an Informal Procurement Method or 3 bids and a buy. This method is more structured than the Micro Purchase Method but not as formal as the Large/Formal Procurement Method that is required for purchases above the thresholds listed below.

### When can the Small Purchase Procurement Method be used?

When the estimated dollar value for the year of the contract and/or purchase meets one of the following criteria:

- Public Schools: purchase of perishable foods and beverages below \$250,000
- Public Schools: purchase of non-perishable foods/supplies/equipment/services below \$250,000
- Non-Public Schools and non-school participants: purchase below \$250,000

\*Note that these are the federal and state thresholds, if your SFA has a more restrictive or more restrictive threshold must be followed.

The estimate should be based on the estimated/planned value of the contract/purchase. In general, purchases cannot be split to fall below the threshold. There are limited exceptions. For example, in some scenarios in which a mainline vendor may not carry certain types of products or services, purchases may be a large savings if purchased through a separate vendor, or if an unexpected change occurs later in the year. Please reach out to the procurement staff at ISBE if there are questions.

### Steps of the Small Purchase Process

**Step 1 Pre-Solicitation:** Research prospective vendors, who sells what you are looking for, get names and contact information for outreach after completing step 2.

**Step 2 Develop Your Solicitation:** Write specifications and draft the solicitation for each specified item, any contract terms and conditions including requirements such as Buy American, Equal Employment Opportunity, affirmative action, etc. Small Businesses, invoice method, delivery requirements, and type of contract. Contract terms vary based on the value of the procurement event.

**Step 3 Start the Solicitation Process:** Obtain price quotes from a minimum of three vendors using this method being called 3 bids and a buy. Provide vendors with the solicitation.

## Financial Management Procurement

## Terminologies

In order to assist with following along with instructions, guidance and templates related to procurement, the following definitions of common terminologies has been developed.

**Bid:** an offer to provide a product or a service in accordance with the specifications and conditions as indicated by the SFA for a stated price.

**Bidder or Offeror:** an entity that submits an offer in response to a solicitation. **Contract:** a comprehensive collection of documents together with the solicitation document and all related attachments. Furthermore, a contract is a formal, legally enforceable agreement between a buyer and the seller, which establishes a legally binding obligation for the vendor to furnish goods and/or services and for the SFA to compensate the vendor. A contract must clearly and accurately describe the goods, products and/or services to be delivered or performed and the terms and conditions of the agreement.

**Contract Amendment:** if there is a change to a contract, it must be assessed to determine if the contract can be amended or if the change is substantial enough to require a rebid of the contract. Any changes to a contract, must be discussed with ISBE procurement staff to determine if an amendment would be acceptable.

**Contract Management:** Each SFA is legally and financially responsible for ensuring compliance with federal and state requirements, even if they contract with a FSMC or Vendor. The SFAs must conduct ongoing monitoring and management of the vendor's performance regarding the goods or services awarded in the contract, as well as assuring compliance with all other terms and conditions of the awarded contract, such as pricing and condition of goods or services received. It includes managing the relationship between the vendor and school food service department, the purchasing, communication to the vendor regarding its performance, as well as dispute resolution, if necessary.

**Equipment:** Tangible personal property (including information technology systems) having a useful life of one year or longer and a per-unit acquisition cost that equals or exceeds the lesser capitalization level established for financial statement purposes, \$5,000, or a lower threshold set by local level regulations. (OMB and 2 CFR 200.33)

**Fixed Price:** contract term, which indicates the price is set at a certain amount and is not subject to change unless the school food service department requests a change in specifications, delivery, or term. Generally, a school food service department's request for a change to

## Financial Management Procurement



NEW

# Fact Sheets



FINANCIAL MANAGEMENT

## Purchasing Equipment

If you are a Child Nutrition Program participant that is considering or needing to purchase equipment it can sometimes feel overwhelming and/or you may not know where to start. ISBE staff are here to help you.

First let's note that all purchases made with funds from your non-profit school food service account must be an allowable use of those funds, whether they meet the definition of Equipment or not and must be purchased through the appropriate procurement method.

### Step 1

Determine if it is an allowable expense to your nonprofit school food service account. Determine if this purchase is necessary and reasonable and will be used for the operation and improvement of the school food service. If you are unsure about your answer to this question, please reach out to our Resource Management staff, Mike ([mogogerty@isbe.net](mailto:mogogerty@isbe.net)) or Toby ([rturek@isbe.net](mailto:rturek@isbe.net)).

### Step 2

Does the item(s) meet the definition of Equipment?

Equipment is defined by OMB and the USDA as:

*Tangible personal property (including information technology systems) having a useful life of one year or longer and a per-unit acquisition cost that equals or exceeds the lesser capitalization level established for financial statement purposes, \$5,000, or a lower threshold set by local level regulations.*

If the item(s) that you are considering purchasing do NOT meet this definition of equipment, then you will need to ensure that the purchase is necessary and reasonable for proper and efficient performance and administration of the Child Nutrition Programs (CNP) and that the purchasing process follows applicable procurement requirements.

If the item(s) that you are considering purchasing DO meet the definition of equipment, then the following steps should be followed.

### Step 3

Read and check the [Pre-Approved Equipment List](#) on our website to see if the item(s) you are looking to purchase are included on this list.

If the item(s) you are purchasing are on the Pre-Approved Equipment List, then you will need to read through the [Equipment Purchase Attestation Statement](#) and certify that all of the required criteria are true and sign the form. The SFA does NOT need to send this form to ISBE, but they MUST maintain this documentation.

If the item(s) you are purchasing are NOT on the Pre-Approved Equipment List, then the SFA will need to obtain approval if they wish to use funds from the nonprofit school food service account for this purchase. The [Equipment Purchase Pre-Approval Request form](#) needs to be completed and submitted to [nutritionprocurement@isbe.net](mailto:nutritionprocurement@isbe.net).

### Step 4

If the equipment is allowable based on the previous steps, then the SFA may move forward with purchasing the equipment. The SFA should determine based on the price of the purchase which procurement method is required. Do you need to follow the [micro-purchase](#) method, [small/informal](#) procurement method or does this require a [formal procurement](#) process?

If you have questions regarding which procurement method you must use or if you need assistance in following the proper procurement process please reach out to the procurement team, Lindsay ([lblough@isbe.net](mailto:lblough@isbe.net)) or Christina ([csmith@isbe.net](mailto:csmith@isbe.net)) and we will be happy to assist you. The SFA must document this entire process, must maintain this documentation for a minimum of 3 years plus the current and it must be readily available upon request.



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# Equipment

## Start by Asking Yourself a Couple of Questions:

1

Is this purchase reasonable & necessary for the school nutrition program operation?



If the answer to #1 is NO – then the purchase is not an allowable use of Child Nutrition Program Funds

2

Is this purchase on the pre-approved equipment listing?

YES

- Complete & maintain a copy of the Attestation Statement that is on the Procurement Website under the Equipment box.
- Follow the correct procurement method based on the planned equipment purchases for the year.

NO

- Submit the Equipment Approval Request form & submit it to ISBE staff for review & approval.
- If approved, the SFA must follow the correct procurement method based on the planned equipment purchases for the year.



# Procurement Website



School Nutrition Programs  
Back to School Conference

<https://www.isbe.net/Pages/Nutrition-Financial-Management.aspx>



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## NUTRITION

### Financial Management

- General Procurement for All Programs
- SFSP/CACFP Vended Meals Contracts
- SNP FSMC/Vended Meals Contracts
- SNP Resource Management

## NUTRITION FINANCIAL MANAGEMENT

The Illinois State Board of Education Nutrition Department's Financial Management section of the website provides rules and resources to Child Nutrition Programs sponsors on procurement, contracts, and other financial matters. Child Nutrition Programs includes sponsors participating in the Child and Adult Care Food Program (CACFP), Summer Food Service Program (SFSP), and the School Nutrition Programs (SNP), which includes the National School Lunch Program and other school-based programs.

Procurement means the process of obtaining goods and/or services in accordance with applicable rules and regulations.

Resource Management for School Nutrition Programs includes four general areas: Maintenance of Non-Profit School Foodservice Account, Paid Lunch Equity (PLE), Revenue from Nonprogram Foods, and Indirect Costs.

General  
Procurement for All  
Programs

SFSP/CACFP Vended  
Meals Contracts

SNP FSMC/Vended  
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SNP Resource  
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# Procurement Website

General  
Procurement for All  
Programs

## NUTRITION

### GENERAL PROCUREMENT FOR ALL PROGRAMS

This webpage is on procurement guidance and requirements for all Child Nutrition Programs, including School Nutrition Programs (such as the National School Lunch Program, Special Milk Program, and School Breakfast Program), the Summer Food Service Program, and the Child and Adult Care Food Program. Procurement means the process of obtaining goods and/or services in accordance with applicable rules and regulations. Procurement rules ensure that program benefits are received by eligible schools and participants, and that taxpayer dollars are used effectively and efficiently, with no waste or abuse. Regulations require that all purchases made, whether funded wholly or in part with Child Nutrition Program funds, comply with all federal, state, and local procurement requirements.

All procurement transactions must be conducted in a manner that provides maximum open and free competition. Procurement procedures must ensure they do not foster noncompetitive practices between firms, do not create organizational conflicts of interest, and do not restrict or eliminate competition. Procurement must not place unreasonable requirements on firms, require unnecessary experience, or establish unrealistic bonding requirements. Cost plus a percentage of purchase is not an allowable system. There must be descriptions of all products purchased and identical instructions provided to all potential vendors.

Formal standards of conduct should govern the performance of officers, employees, and agents in the award and administration of contracts. These standards should provide that officers, employees, or agents should not solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties of sub-agreements.

Emergency Procurement Guidance



Contracting Diversification



Rules and Regulations



Procurement Methods



Contract Certification Forms



Geographic Preferences



Bid Protest



Competition



Procurement Procedures



Code of Conduct



Group Purchasing Organization



Buy American



FFVP Procurement Information (School Nutrition Programs)



Procurement Review (School Nutrition Programs)



Expenditures (School Nutrition Programs)



Equipment



References and Resources



Illinois  
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# Equipment

- Equipment purchased with CNP funds must be necessary and reasonable for proper and efficient performance and administration of the Child Nutrition Programs (CNP)
- There is a process and documentation that must be followed when purchasing equipment for the CNP.

## Equipment

The OMB guidance and U.S. Department of Agriculture (USDA) regulations at 2 CFR 200.313 define "equipment" as tangible personal property (including information technology systems) having a useful life of one year or longer and a per-unit acquisition cost that equals or exceeds the lesser capitalization level established for financial statement purposes, \$5,000, or a lower threshold set by local level regulations.

During administrative reviews required by 7 CFR Parts 210, 225, 226 and procurement audits as required by 2 CFR 200.501, ISBE will review equipment purchases, ensuring purchases were made based on either the approved equipment list or the ISBE prior approval process. If equipment purchase(s) are deemed unallowable during any audit or review process, ISBE may disallow the purchase(s) and require the SFA/ Sponsoring Organization to replenish the non-profit school food account as appropriate.

Costs associated with remediation or repair to the facility (i.e. plumbing, heating, air conditioning, construction, etc) that would add to the permanent value of the facility are unallowable. These costs should be borne by the School Food Authority's/ Sponsoring Organization's general fund.

- ISBE Pre-Approved Equipment List
- Equipment Purchase Attestation Form (for equipment purchased on the pre-approved list)
- Equipment Purchase Request Form (for equipment purchased **NOT** on the pre-approved list)

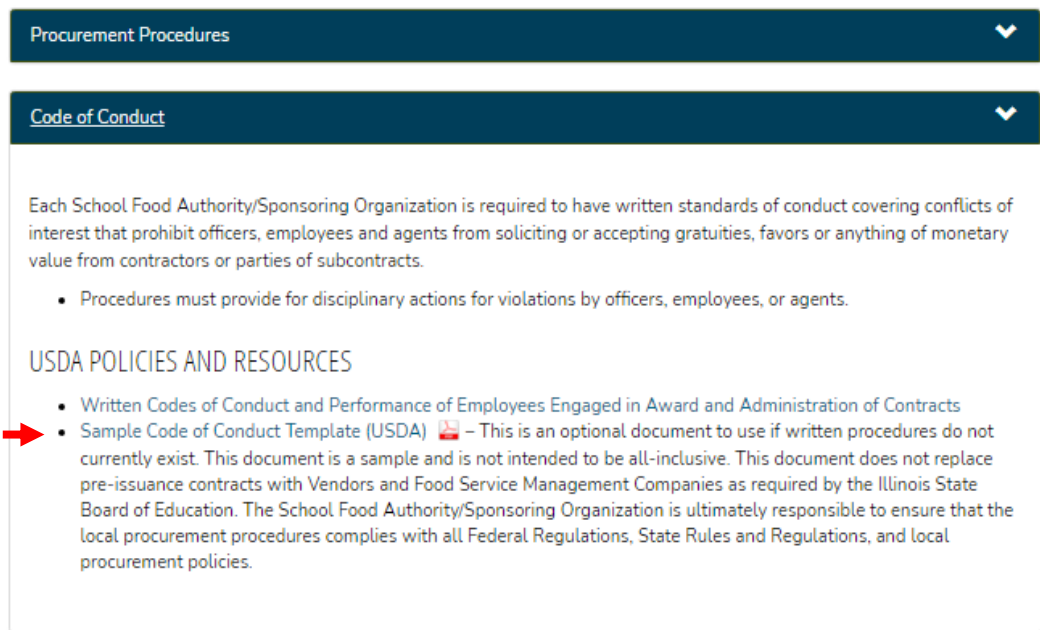
The purchase of equipment must follow local, state, and federal procurement rules and regulations. For more information visit our General Procurement website for more procurement resources including:

- Procurement resources
- Procurement rules, regulations and Q&As
- Other general procurement requirements
- Procurement Method Fact Sheets



# Code of Conduct

- Each School Food Authority/Sponsoring Organization is required to have written standards of conduct.
- Fact Sheet
- Code of Conduct Template




Procurement Procedures

Code of Conduct

Each School Food Authority/Sponsoring Organization is required to have written standards of conduct covering conflicts of interest that prohibit officers, employees and agents from soliciting or accepting gratuities, favors or anything of monetary value from contractors or parties of subcontracts.

- Procedures must provide for disciplinary actions for violations by officers, employees, or agents.

USDA POLICIES AND RESOURCES

- Written Codes of Conduct and Performance of Employees Engaged in Award and Administration of Contracts
- [Sample Code of Conduct Template \(USDA\)](#)  – This is an optional document to use if written procedures do not currently exist. This document is a sample and is not intended to be all-inclusive. This document does not replace pre-issuance contracts with Vendors and Food Service Management Companies as required by the Illinois State Board of Education. The School Food Authority/Sponsoring Organization is ultimately responsible to ensure that the local procurement procedures complies with all Federal Regulations, State Rules and Regulations, and local procurement policies.






# Procurement Procedures

## Procurement Procedures

Each School Food Authority/Sponsoring Organization is required to have its own documented procurement procedures in place that reflect applicable state and local laws and regulations, provided that procurements made with Child Nutrition Program funds adhere to the standards set forth in 2 CFR 200.318(a).

- The School Food Authority/ Sponsoring Organization must have oversight procedures and documentation.
- The School Food Authority/ Sponsoring Organization must have written standards of conduct covering conflicts of interest that prohibit officers, employees and agents from soliciting or accepting gratuities, favors or anything of monetary value from contractors or parties of subcontracts.
- The procedures must avoid acquisition of unnecessary or duplicate items.
- The School Food Authority/ Sponsoring Organization must award contracts only to responsible contractors.
- The School Food Authority/ Sponsoring Organization must maintain records sufficient to detail the history of the procurement.
- School Food Authority/Sponsoring Organization must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold, including contract modifications.
- School Food Authority/Sponsoring Organization must take steps to assure that small, minority and women's businesses enterprises and labor surplus firms are used when possible.

## USDA POLICIES AND RESOURCES

- SP02-2016; CACFP02-2016; SFSP02-2016: Questions and Answers on the Transition to and Implementation of 2 CFR Part 200
- Below is an optional document to use if written procedures do not currently exist. This document is a sample and is not intended to be all-inclusive. This document does not replace pre-issuance contracts with Vendors and Food Service Management Companies as required by the Illinois State Board of Education. The School Food Authority/Sponsoring Organization is ultimately responsible to ensure that the local procurement procedures complies with all Federal Regulations, State Rules and Regulations, and local procurement policies.
  - Sample Procurement Procedures: SFSP/CACFP (ISBE) 
  - Sample Procurement Procedures: SNP (ISBE) 
  - Sample Procurement Procedures: SNP (ADE) 

- Each School Food Authority (SFA)/Sponsoring Organization is required to have its own documented procurement procedures in place that reflect applicable federal, state and local laws and regulations.
- Fact Sheet
- Procurement Procedures Template



# Procurement Reviews



# Procurement Reviews

Notification

Submit Review Kick-off documents

Review & Comprehensive Follow-up

Review & Determination of Compliance

Citations & Technical Assistance

Corrective Action

Closure



# Procurement Website



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**NUTRITION**

**Financial Management**

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General Procurement for All Programs

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# SNP FSMC/Vended Meal Contracts

## SNP FSMC/Vended Meals Contracts

### NUTRITION

## SNP FSMC/VENDED MEALS CONTRACTS

A food service management company (FSMC) contract is one in which the contractor manages some aspect of the school food service program. Generally, the FSMC prepares and serves the meals and/or manages the school meal program(s).

In a vended meals contract, the contractor provides the meals only (generally pre-packaged/pre-plated) and does not manage any aspect of the school food service. However, if the contractor's employees are responsible for the management of the program and/or for the final preparation and/or serving of pre-packaged/pre-plated school meals, the contract becomes a FSMC contract and is no longer considered a vended meals contract.

If you are not sure which type of contract you have or you are considering contracting for the first time, please contact the Nutrition Procurement department for further information and clarification (800-545-7892).

Provided below are links to the forms and documents to assist you in completing a successful procurement or contract renewal.

If you have questions regarding the bid solicitation and contract procedures or contract renewal process, please contact the Nutrition procurement team at (217) 782-2491 or (800) 545-7892 (in Illinois), or [nutritionprocurement@isbe.net](mailto:nutritionprocurement@isbe.net).



Rules and Regulations



SFA Responsibilities When Contracting for Meals and/or Services



Three Step Bid Submission



Food Service Management Company Contract Prototypes



Vended Meals Contract Prototype



Informal Bidding Procedures – Vended Meals Contract



Contract Renewal



Contract Amendments



Contract Rebidding



NEW

# SFA Responsibilities When Contracting

## School Food Authority Responsibilities When Contracting for Meals and/or Services

For School Food Authorities (SFA) that contract with a Food Service Management Company (FSMC), Vendor, another SFA and/or any other type of contractor, the SFA must maintain responsibility for the overall operation of the Programs. The SFA cannot relinquish their control responsibility for the administration of the meal programs to a contractor. It is important that the SFA understand that the agreement with the State Agency to administer the School Nutrition Programs (SNP), is between the State Agency and the SFA, not the contractor. The contractor may work as an agent or perform certain portions of an SFAs tasks but there are some limitations and the SFA is ultimately responsible for adhering to all applicable federal and state rules and regulations. Per [USDA Guidance](#), the SFA must remain responsible for:

**Preparation of Solicitation and Contract Documents:** The SFA must prepare all solicitation documents, evaluation, and scoring criteria for contract award and obtain State Agency approval of the contract prior to contract execution, if applicable. Contractors that develop or draft specifications, requirements, statements of work, or invitation for bids or requests for proposals must be excluded from competing for such contracts, as per 2 CFR 200.319(a).

**SFA Program Oversight:** The SFA remains responsible for Program operations and cannot, therefore, relinquish control of the Program to the contractor. The SFA must ensure that the food service is in conformance with the SFA's agreement with the State Agency and that responsibility for all contractual agreements entered in connection with the Programs operated remains with the SFA.

**State Agency Monitoring (Administrative, Resource Management & Procurement Reviews):** SFAs must be the responsible party in resolving findings resulting from program reviews and audits. The SFA must be involved in the review process and are responsible for the submission of any required corrective actions. The SFA is held responsible for any areas of noncompliance and subsequent fiscal action found during an Administrative Review (AR). However, since State Agencies agreement is with the SFA, the SFA may recoup funds from the contractor for related program violations.

**SFA On-Site Monitoring:** The SFA must monitor the food service operation through periodic on-site visits in all schools operating the Programs, per 7 CFR 210.16(a)(3), including USDA Foods in accordance with 7 CFR 250.54(c).

- [On-Site Review Form Assessment Of School Meal Counting and Claiming Procedures](#)
- [SFA-FSMC Monitoring Form](#)

**Control the Quality, Extent, and Nature of Food Service:** The SFA must retain control of the quality, extent, and general nature of the food service and the prices for meals. This includes retaining control of the nonprofit school food service financial responsibility for the Programs operated; establishing all prices for nonprofit school food service account (e.g., pricing for reimbursable meals, i.e., a la carte food services, adult meals, and other food service Programs applicable).

**Nonprofit school food service account (7 CFR 210.2)** means the revenue from all food service operations conducted by the school benefit of school children is retained and used only for the operation of nonprofit school food service. This account shall include, as applicable, support paid lunches as provided in [§ 210.14\(e\)](#), and proceeds from [§ 210.14\(f\)](#).

**Signature Authority:** The SFA must retain signature authority on the State Agency to participate in the Programs operated, including and reduced-price policy statement, permanent agreement, and

**Free and Reduced-Price Meal Process:** The SFA must maintain and reduced-price policy in accordance with 7 CFR 245. Such requirements related to such determinations and verification of applications for the contractor may act as an agent for the SFA/contractor. Aspects of the application, certification, and verification process for this service is included in the scope of the original information. However, the SFA is ultimately responsible for complying with all requirements for these processes, including household eligibility determinations are accurate. The SFA remains the property of the SFA and cannot be used by the contractor for determination of eligibility.

**USDA Foods:** The SFA must retain title to all USDA Foods received by the SFA are made available to the contractor. The value of the USDA Foods in processed end products that the value of the USDA Foods and are fully utilized by the nonprofit school food service and are fully utilized through rebates, discounts, and credits received from the contractor credited it for the value of all USDA Foods received. The SFA must ensure compliance with 7 CFR 250.50 – 250.53.

The SFA must ensure the contractor maintains applicable health certification(s) and regulations are being met by a contractor in preparing or serving meals at an event.

**Advisory Board:** The SFA must establish and maintain an advisory board of parents and students to assist in menu planning.

The SFA must ensure a sufficient number of knowledgeable staff to evaluate the competitive procurement process; select representatives; and management of the contract through on-site monitoring of the contracted

USDA Foods to the nonprofit food service account (cost-reimbursable contracts); rebates, discounts, and credits (cost-reimbursable contracts) for purchasing services; on behalf of the SFA in all aspects of Program and local education agency operations; and Claims for Reimbursement; and must be retained by the SFA

The SFA must ensure a SFA Food Service Director, even if they contract their food service, is a staff member employed directly by the SFA that is deemed qualified. The SFA Food Service Director must complete the USDA annual training and that training requirements are completed and tracked for all staff. For more information on the required training hours and [USDA Guidance](#).





NEW

# SFA FSMC Monitoring Form

**School Food Authority (SFA)  
Food Service Management Company (FSMC) Monitoring Form**

The SFA must conduct performance management of the FSMC contract through periodic on-site monitoring of the contracted requirements, as per 7 CFR 210.16(a)(3).

Review Date: \_\_\_\_\_

Name of District and Site(s) Monitored: \_\_\_\_\_

Name and title of SFA official conducting monitoring visit: \_\_\_\_\_

Menus and Service	Yes	Needs Improvement	N/A
If changes were made to menus following the first 21 days of the contract, did the SFA approve them?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Have all menu standards been maintained as to type and quality of meal service as outlined in the contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the FSMC only serving reimbursable meals that comply with the latest USDA dietary guidelines as established by USDA in Federal regulations for the National School Lunch Program, the School Breakfast Program, and all other USDA contracted meal programs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has the SFA retained control of the quality, extent, and general nature of its food service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has the SFA made no payment to the FSMC for meals that are spoiled or unwholesome at time of delivery; or do not meet detailed specifications, or do not otherwise meet the requirements of the contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are production records completed each day for all meals claimed for reimbursement?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the FSMC in compliance with the <u>Smart Snacks</u> requirements of the SNP regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are meals monitored after the last food or menu item is served/selected to ensure that only reimbursable meals are claimed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do the foods purchased meet the quality specification standards indicated in the contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does the SFA evaluate the FSMC's menus for affordability, nutrition requirements, and appeal to the students?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

USDA Donated Foods	Yes	Needs Improvement	N/A
Does the SFA receive credit for the value of USDA- donated foods, received during the school year or fiscal year?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Updated 10/2021

Sanitation and Safety Procedures	Yes	Needs Improvement	N/A
Are facilities and equipment adequately maintained for safety and sanitation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do employees practice safe food-handling procedures?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are all employees trained by the contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are all USDA contracts being met?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are all contracts that all meet the contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are all contracts to the extent of the contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are all contracts for all generic items identified in the contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are all contracts for all identified items in the contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are all contracts for all identified items in the contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are all contracts for all identified items in the contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are all contracts for all identified items in the contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Do the food service daily income records accurately reflect the revenue received by meal type? (student meals, adult meals, a la carte, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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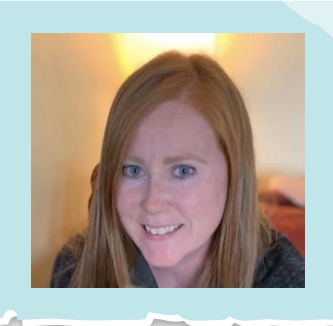


# Contacts



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