

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	AT-RISK AFTER SCHOOL PROGRAMS POLICY & PROCEDURE MANUAL	7/1/03; 8/06	1/12db 3/12 sjc	9	9.3
CHAPTER Chapter 9. Procurement		SUBJECT Developing the Invitation For Bid			

Just as a construction worker needs good blueprints to build a quality home, a food service vendor or caterer needs specific instructions regarding the food you, as a buyer, want delivered.

Part 226.6(i) of the CACFP regulations requires the following minimum specifications be placed in the blueprint or Invitation for Bid (IFB):

- The contractor shall maintain such records as the center will need to support the monthly claim for federal reimbursement and shall provide invoices and daily delivery reports to the institution no less frequently than monthly. These records shall be available for inspection and audit by representatives of the State agency, U.S. Department of Agriculture, and U.S. General Accounting Office for a period of three years from the date of receipt of final payment under the agreement or until final resolution of any audits.
- The contractor shall have certification from the State health department or the local health department official deputized by the state health department for any facility in which it proposes to prepare food and/or serve meals and shall maintain this health certification for the duration of the agreement.
- The contractor shall ensure health and sanitation regulations are met at all times. The contractor shall provide meals for periodic inspection by the local health department to determine bacteria levels in the meals being prepared.
- Payment shall not be made for meals that are delivered outside of the agreed upon delivery time, are spoiled or unwholesome at the time of delivery, do not meet the requirements for each food component, or are delivered with potentially hazardous foods at temperatures between 41 to 135° Fahrenheit.
- Any federally donated commodities received by the center and made available to the contractor shall be used only for the food service program in that center.
- A delivery schedule specifying when meals will be delivered and to what location.
- A provision allowing increases and decreases in the number of meals ordered.
- A cycle menu upon which the bid will be based.
- Meals provided by the contractor shall conform to the cycle menu upon which the bid was based, and to menu changes agreed upon by the center and food service management company.
- Names and addresses of all state agency approved facilities to which food shall be delivered.

- The contractor will operate in accordance with current Program regulations.
- All meals served under the contract shall meet the requirements of Part 226.20 of the CACFP regulations.
- The duration of the contract shall not exceed one year and shall include a termination clause whereby either party may cancel upon written notification.
- Provisions or conditions that will allow for administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms.
- An estimation of the number of meals, which shall be provided over a period of one year.

All contracts and sub contracts awarded in excess of \$100,000 shall:

- Contain a provision requiring compliance with Executive Order 11246 entitled “Equal Employment Opportunity” as amended by Executive Order 11375.
- Contain a provision which requires compliance with all applicable standards, orders, or requirements issued under Section 306 of the Clean Air Act, section 508 of the Clean Water Act, Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15).

Part 226.21 of the CACFP regulations further state that the IFB:

- Shall not provide for loans or any other monetary benefit or terms or conditions to be made to adult day care centers by food service management companies.
- Shall not include any nonfood items except for items that are essential to the food service (Example: straws, napkins, plastic utensils).
- Shall not specify special meal requirements to meet ethnic or religious needs unless special requirements are necessary to meet the needs of the participants to be served.

Only by specifying the above items will prospective providers know exactly what the buyer wants. Forms and Instructions and sample IFBs for food service purchases are available at:

http://health.mo.gov/living/wellness/nutrition/foodprograms/cacfp/pdf/Contracting_Food_Svc.pdf.

Reference: 7CFR 226.6(i)
7CFR 226.21 and 226.22