



## Module 2: Applications, Training, and Civil Rights

Sponsors must apply and sign a contract to participate in SFSP. Sponsors are also required to complete state agency training and train their staff prior to operating.

- Application Process and Deadlines
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# Application Process

To apply for the program, potential sponsors must complete the Summer Food Service Program (SFSP) Potential New Sponsor Questionnaire and the SFSP Site Eligibility Questionnaire for each site to determine eligibility for the program. The sponsor will also complete a Network User Access Request form. A sponsor that meets the eligibility requirements will be given online access to complete the SFSP application in the CNP web-based system located at <https://mo.cnpus.com/cnp/Login>.

Please note that the sponsor is not approved for SFSP operations until the application has been approved by the Department of Health and Senior Services-Community Food and Nutrition Assistance (DHSS-CFNA). CFNA will not pay for meals served prior to approval.

Steps to the application process are outlined on the SFSP website under the heading, **Application Process**.

Returning sponsors should update the application on the CNP web-based system at <https://mo.cnpus.com/cnp/Login>.

On the CNP web-based system, Sponsors must complete the Sponsor Information Sheet, Budget, and Site Information Sheets prior to completing the Management Plan. **Please ensure that all information is accurate.**

Budgets should include all reasonable uses of the funds and must include the cost of those doing the paperwork and those cooking/serving the meals and the cost of the Food Service Management Company (FSMC) and/or the cost of food. If a cost is not on the budget, it is not an allowable cost and may be disallowed. Please note that sponsor reimbursement is not based on the budgeted amount. Sponsors should budget with the knowledge of the estimated reimbursement and any other sources of income the sponsor receives.

Management Plans must include your plan of how you will run the program and who will be assigned as responsible individuals. Please note that those listed to Monitor SFSP Sites are those who will be doing the formal monitoring at the sites and cannot be the Site Supervisor listed for that site.

Direct questions on the application process to DHSS-CFNA at [SFSP@health.mo.gov](mailto:SFSP@health.mo.gov) or (888) 435-1464.

## Application Deadlines

(For complete applications only)

- April 1-May 1, if you are interested in receiving commodities.
- By May 1, if requesting a June advance.
- The final deadline to submit Potential New Sponsor Questionnaires is May 1.
- The final deadline for new sponsors to submit a fully completed application is May 15.
- The final deadline for returning sponsor renewal completion is 30 days prior to the first day of operation. For example, if SFSP operation begins June 2, a completed application is due no later than May 1.

**Be sure to retain a copy of the SFSP uploaded documents for your records!**

# New Application Checklist

Use this checklist to ensure all required items are complete for application to the Summer Food Service Program (SFSP). New sponsors will be required to complete questionnaires prior to gaining access to the CNP web-based system; the completed questionnaires must be emailed to SFSP ([SFSP@health.mo.gov](mailto:SFSP@health.mo.gov)). Upon receipt, the Department of Health and Senior Services-Community Food and Nutrition Assistance (DHSS-CFNA) will provide Network User Access or follow up if needed. The sponsor will complete additional information directly on the CNP web-based system. Some forms must be downloaded from the Checklist Tab, completed and then uploaded to the system. This is outlined below:

## Forms on the SFSP website that the applicant will complete and email to DHSS-CFNA:

- SFSP Potential New Sponsor Questionnaire
- SFSP Site Eligibility Questionnaire (one for each meal site)
- Network User Access Request

## Forms completed directly in the CNP web-based system:

- Sponsor Information Sheet
- Site Information Sheet (one for each meal site)
- Sponsor Budget
- Sponsor Management Plan

## Additional forms needed to complete the application for new sponsors:

**If you are a returning sponsor, you will only need to upload items that are checkmarked on the Checklist Tab as required.**

- Policy Statement for New Sponsors
- Missouri Buys (for direct deposit)
- Subrecipient Information Form (SIF)
- Unique Entity Identifier (UEI Screenshot from SAM.gov)
- Sponsor/Site Agreements with each meal service site (required if the sponsor does not own location)
- Food Service Management Contract for vended sites (templates on the SFSP website)
- Documentation of IRS section 501(c)(3) Status
- Copy of IRS tax-exempt letter for Nonprofit Religious Organizations (if not a 501(c)(3) status)
- Financial Documentation/Bank Statements
- Date of attendance to the DHSS-CFNA provided SFSP training (Certification of Completion)
- E-Verify Memorandum of Understanding
- Verification of Vendor No Tax Due (if applicable)

# Site Operation Checklist

Use this checklist to ensure sites are ready for SFSP operations.

- Documentation of Training to Program Personnel: Required before start of program operations and kept onsite for DHSS review.
- Pre-Operational Site Review: Completed for each new site prior to site application submission and kept onsite for Department of Health and Senior Services-Community Food and Nutrition Assistance (DHSS-CFNA) review.
- “And Justice For All” Poster: Must be displayed in a prominent location at each site where it can be easily viewed.
- Sponsor/Site Agreement: Must complete before adding a site at a location the sponsor does not own.
- Daily Meal Count Form: Completed at the point of service for each meal. Must be dated and kept with monthly records.
- Medical Food Substitution Form: Have a few copies available for participants with allergies and or special dietary needs. Must be signed by a physician.
- 2<sup>nd</sup> & 4<sup>th</sup> Week Monitor Site Review Form for Self-Preparation Sites or Vended Sites: Sponsors are required to conduct reviews within the first two weeks of operation and again within the first four weeks of operation. There is also space to record your beneficiary data which is required once per year.
- Enrollment Form and Attendance Records: Required for Closed Enrolled Sites and Camps. Must have an enrollment form for each child and an attendance record for each day of operation.



MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES  
 COMMUNITY FOOD AND NUTRITION ASSISTANCE (CFNA)  
 SUMMER FOOD SERVICE PROGRAM (SFSP)  
**SPONSOR ANNUAL CHECKLIST**

**SFSP Sponsor checklist. This is a guide and is not all inclusive. Consult SFSP Manual.**

What to do	When to do it
<input type="checkbox"/> Complete a Sponsor/Site Agreement with each site.	Before adding a new site, ensure you obtain a sponsor site agreement to provide meals at this location.
<input type="checkbox"/> Complete and document staff training.	Required before start of program operations. Keep documentation on site for DHSS-CFNA review.
<input type="checkbox"/> Complete a Pre-Operational Site Visit	Before adding a new site or changing a site from congregate to rural non-congregate. Must also be completed for any site that experienced operational problems the previous year.
<input type="checkbox"/> Complete Daily Dated Menus	Before preparing and serving the meals.
<input type="checkbox"/> Collect and file CN Labels or PFS	When purchasing any commercially prepared, combination food items. CN Labels should be removed and filed from the original food packages. May also print and file CN Labels and PFS.
<input type="checkbox"/> Document program costs (receipts, etc.)	After every purchase for SFSP Operations.
<input type="checkbox"/> Civil rights beneficiary data	Gather the data one time each summer.
<input type="checkbox"/> Post the “And Justice for All” poster at all sites and at the main sponsor location.	Must be displayed in a location at each site where it can be easily viewed. To receive a copy of the “And Justice For All” poster, please contact DHSS-CFNA at SFSP@health.mo.gov
<input type="checkbox"/> Complete Daily Meal Count Forms for each site.	Complete meal counts at the point of service for each meal. Must be dated and kept with monthly records.
<input type="checkbox"/> Complete 2nd Week Site Review for each site.	Sponsors are required to complete a site review within the first two weeks for each site and keep documentation on site for DHSS-CFNA review.
<input type="checkbox"/> Complete Weekly/Monthly Consolidation Form for each site.	Add up the meals served for the week/month and keep documentation on site for DHSS-CFNA review.
<input type="checkbox"/> Complete 4th Week Site Review for each site.	Sponsors are required to complete a review within the first four weeks of operation and keep documentation on site for DHSS-CFNA review.
<input type="checkbox"/> Review/update your online applications to ensure meals, meal times, capacity, and meal locations are correct.	Anytime there is a change in a site meal service, that information must be updated on the online site application immediately to ensure meals will not be disallowed.

<input type="checkbox"/> Complete monthly claim online.	Complete the claim after the end of the claim month in the online claiming system.
<input type="checkbox"/> Complete any follow up site reviews as required.	Sponsors are required to follow up on any site reviews that had findings.
<input type="checkbox"/> File records monthly.	Monthly, compile a file that includes all meal count sheets, menus, receipts, CN labels/Product Formulation Statement, and any other pertinent documentation to support the claim for that month including production records if you have a Food Service Management Company (FSMC) and delivery and temperature logs if you have a central kitchen or an FSMC. Camps, Conditional Non-Congregate Sites, and Closed Enrolled Sites must also include Income Eligibility Forms (IEFs), attendance records and/or enrollment forms as indicated below.
<input type="checkbox"/> <b>For Camps, Conditional Non-Congregate Sites, and Closed Enrolled Sites</b> – Keep Income Eligibility Forms (IEFs) up to date and filed accordingly.	At each meal service, ensure that children who are served have an IEF on file. Attendance records and meal counts must be dated and filed with monthly records.
<input type="checkbox"/> <b>For Camps, Conditional Non-Congregate Sites, and Closed Enrolled Sites</b> – Attendance must be recorded daily, and meal counts must include the names of each child that is provided the meal.	Attendance must be recorded daily. Record meal counts that include each child’s name at the point of service for each meal. Attendance records and meal counts must be dated and filed with monthly records.
<input type="checkbox"/> <b>For Camps and Closed Enrolled Sites</b> – Keep Enrollment Documentation up to date and filed accordingly.	At each meal service, ensure that children that are served have an enrollment form on file. Must be filed with monthly records.

# Meal Preparation and Contracting for Food Service

The best method of meal preparation will depend on factors such as the type of menu desired, the availability of food service equipment, space and personnel, and the budget of the organization.

## Meal Preparation Methods

- **Self-prep:** Self-prep, also referred to as on-site preparation, means a site that prepares the majority of meals that will be served at its site or receives meals that are prepared at its sponsors' central kitchen. The site does not contract for unitized meals, with or without milk, or for management services. This is the most economical method when the center has a kitchen, sufficient food preparation equipment, and available staff. The sponsor will follow the basic recordkeeping requirements of the Summer Food Service Program (SFSP).
- **Central Kitchens:** Meals are prepared in a kitchen at one of the sponsor's physical locations or sites by the sponsor's employees and delivered to another one or more of the sponsor's sites. The sponsor will follow the basic recordkeeping requirements of the SFSP plus daily meal delivery tickets, where applicable. Contact the Department of Health and Senior Services-Community Food and Nutrition Assistance (DHSS-CFNA) for specific requirements for your circumstances.
- **Vended:** Vended site means a site that serves unitized meals, with or without milk, that were procured through a formal agreement or contract with: (a) public agencies or entities such as a school food authority; (b) private, nonprofit organizations; or (c) private, for-profit companies such as a commercial food distributor or food service management company (FSMC). This includes an FSMC that operates within a school.
  - **Purchasing from a School:** Meals may be purchased from a public or private nonprofit school that participates in the National School Lunch Program (NSLP) or the School Breakfast Program (SBP), either in bulk or as individually packaged units. A sponsor who receives meals from a school must enter into a written agreement with that school or district.

This annual agreement must contain the basic provisions of the non-competitive bid process as required by the program. A sponsor may use the **Sponsor Agreement with a School or Affiliated Organization to Furnish Food Service for the SFSP** located on the SFSP website. Federal regulations exempt organizations from having to competitively bid for catered meals when those meals are purchased through schools participating in the NSLP or SBP. Signing an agreement with a school to provide meals does not relieve the independent center of its program responsibilities for monitoring and recordkeeping. Additional recordkeeping is required when a sponsor obtains meals from a school; recordkeeping requirements are listed below.

- **Purchasing from another Department within the Organization:** Organizations that receive meal services obtained through a competitive process by another

department of the same organization, such as a university child care center whose meal services are provided by the campus dining hall or campus student union, may also use a non-competitive process to obtain SFSP meals. Such organizations may sign an agreement with the food service caterer contracted by the organization to provide meals for the entire organization. This type of situation is common in large organizations such as hospitals, nursing homes, schools, governmental entities, and universities where food services are centralized. As long as the meals provided to the centralized food service were obtained through a competitive manner within a formal bid process, those same services may be used by the SFSP organization. A sponsor may use the **Sponsor Agreement with a School or Affiliated Organization to Furnish Food Service for the SFSP** located on the SFSP website when obtaining meals in this manner.

- **Purchasing from a Food Service Management Company:** Food service management companies are organizations that prepare and deliver meals. An independent center that purchases meals from an FSMC must enter into a written contract with the company. The bid prototypes and SFSP guidance on meeting procurement standards are located on the SFSP website. Ensure that there is no conflict of interest with any FSMC contracts as required in regulation. Signing a contract with an FSMC does not relieve the center of its program responsibilities for monitoring and recordkeeping. Regulations require that a copy of the contract be submitted to DHSS-CFNA before the beginning of program operations under the contract, and all bids totaling over \$250,000 shall be submitted for state agency approval before the sponsor accepts and signs any contract. In addition, all bids shall be submitted to the state agency for approval before accepting a bid that exceeds the lowest bid. DHSS-CFNA shall respond to any request for approval within ten working days of receipt (7 CFR 225.15).
- **Purchasing from a Commercial Vendor:** Commercial vendors are public organizations, hospitals, college cafeterias, etc., private commercial enterprises, caterers, or individuals that provide non-food items or individual food items but not complete meals. A sponsor that purchases from a commercial vendor must enter into a written contract with the vendor following the guidelines for the formal or informal competitive bid process, depending on annual meal expenditures.

**Additional recordkeeping is required when an SFSP sponsor obtains meals from a school.** The school or school district that provides meals to sponsors under an agreement must provide the following documentation to the SFSP contractor on a weekly or no less than a monthly basis:

- Food costs to substantiate the reimbursement.
- Daily dated menus using a minimum of a two week menu cycle.
- Daily meal delivery tickets to verify the amount of food and/or number of meals provided to the center.
- Production records.

**In addition to the records required under the agreement,** the commercial vendor must provide the following documentation to the SFSP sponsor on a daily, weekly, or no more than a monthly basis:



- Documentation of paid invoices to verify contractual accountability.
- Meals per labor hour recordkeeping to document staff allocation.

**While completing your Management Plan, keep in mind that Federal regulations prohibit sponsors from contracting out the management responsibilities of the SFSP, including but not limited to:**

- Ordering meals.
- Maintaining program records.
- Submitting claims for meal reimbursement.
- Training and monitoring.
- Determining eligibility for free or reduced-price meals.

The sponsor must monitor the conditions set forth in the food service contract and compliance with SFSP requirements. The DHSS-CFNA will not intervene in contract disputes.

It is the responsibility of the sponsor to monitor the requirements of the agreement for compliance with the SFSP requirements. First-occurrence meal disallowances will be taken at the SFSP monitoring reviews in the following instances when:

- There is no or inadequate processed food documentation, such as CN labels.
- There are no production records to indicate the specific food and food amounts prepared and delivered/served.
- The production records indicate that the caterer did not provide enough food to meet the minimum portion requirement.

The procedures for the informal and formal bid processes are available on the SFSP website at: <http://health.mo.gov/sfsp> - Food Service Management Contracts. These include:

- Bid Packet for Contracts \$250,000.00 or less
- Bid Packet for Contracts greater than \$250,000.00
- Annual Extension for Contracts greater than \$250,000.00
- Sponsor Agreement with a School or Affiliated Organization

# Making Changes

Sponsors are required to contact the Department of Health and Senior Services-Community Food and Nutrition Assistance (DHSS-CFNA) to report any site or sponsor changes. Site changes can be entered online in the CNP web-based system (<https://mo.cnpus.com/cnp/Login>). Submit into Pending Approval status.

Prior to starting operation of your program and periodically during operation, check all information on the online forms and correct if there are any changes.

**The sponsor must notify DHSS-CFNA if any of the following occur prior to implementing:**

- Changes in meal service times.
- Changes in meal types.
- Increases in estimated attendance (i.e., number of children to be served at each meal or snack service).
- Changes in operations such as site temporarily closed, field trips, etc. Note: Field Trip with meals served off site must be documented and approved online in order to claim the off-site meal.
- Start/stop date changes.
- Extending site operations.
- Permanent site closing.
- Sites that were approved for operation but never opened.
- Changes in personnel. Report changes to DHSS-CFNA of administrative personnel who serve as contacts. Site supervisory personnel changes must also be reported to DHSS-CFNA.
- Changes in central kitchen. Central kitchen changes require an inspection and approval prior to the use of the new kitchen.
- Changes in food service management companies. These changes require contract approval prior to the start of using the new contractor/vendor.

This information must be updated online and submitted into Pending Approval status. Failure to update this information could cause a claim for reimbursement to be rejected by the claims payment system and result in delayed and/or reduced payment.

The sponsor must notify DHSS-CFNA by 2:00 p.m. the day before the anticipated change is to take place. Failure to meet this deadline may result in disallowed meals. If a change is to occur on a Monday, the sponsor is required to notify DHSS-CFNA by 2:00 p.m. on the preceding Friday.

In emergency situations, such as fire, flood, or transportation breakdowns, contact DHSS-CFNA at 888-435-1464 as soon as possible, once the situation has been assessed.

**New site opening** – The sponsor must submit an SFSP Site Eligibility Questionnaire. New sites may not operate until the site has been approved by DHSS-CFNA. This approval may include a review of the food service management company to ensure additional meals can be prepared.

**If the site location changes** – If the location of a site changes, the sponsor must submit an SFSP Site Eligibility Questionnaire. Meals served at the new location may not be claimed for reimbursement until the new site location has been approved by DHSS-CFNA.

## **USDA Donated Food (Commodities)**

A complete Summer Food Service Program (SFSP) application must be submitted on-line and approved by the Department of Health and Senior Services-Community Food and Nutrition Assistance (DHSS-CFNA) before the United States Department of Agriculture (USDA) Donated Foods Agreement/Offer Notice will be issued to the sponsor. The sponsor may request commodities starting April 1 through May 1.

Sponsors are encouraged to read the Food Distribution Unit (FDU) Commodity Newsletter for guidance when ordering commodities for the summer. Sponsors may scan and email or fax the USDA Donated Foods Agreement/Offer Notice to the FDU. Do not mail the original form. The email address and fax number are listed on the notice.

Due to the limited number of commodities, FDU will contact sponsors who order less than eight cases to make special delivery arrangements. If you have questions or need additional information, please contact a Food Distribution Representative at 573-751-4328. Please note that sponsors are required to pay FDU for the delivery of the commodities.

## **Using National School Lunch Program (NSLP) Commodities in the Summer Food Service Program**

Schools participating in the NSLP now operate under single inventory rules, meaning commodities are no longer distinguishable from purchased food items. Accordingly, during the SFSP, schools may use NSLP commodities. However, schools that use a Food Service Management Company (FMSC) to prepare meals cannot use the NSLP commodities separately from purchased food items in order to credit back the value of commodities to schools. Examples of FSMCs are Opaa! and Aramark.

# Procurement Methods

Sponsors participating in the Summer Food Service Program (SFSP) who plan to purchase meals, goods, or services from outside sources must follow proper procedures in purchasing these services.

All procurement of food, supplies, goods, and other services with program funds must comply with procurement standards in [7 CFR 225.17](#), [2 CFR 200.317-326](#), and [Food and Nutrition Services \(FNS\) Instruction 796-4, Rev. 4](#). These standards ensure that such materials and services are obtained for the program efficiently and economically and in compliance with applicable laws and executive orders.

## Important Terms

- **Bid** means an offer to perform for a fixed price in accordance with the specifications and conditions set forth in an invitation for bids.
- **Food Service Management Company (FSMC)** Under the SFSP, an FSMC means 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 operations in accordance with the limitations set forth in SFSP regulations. Food service management companies may be: (a) Public agencies or entities; (b) private, nonprofit organizations; or (c) private, for-profit companies. [\(7 CFR 225.2\)](#).
- **Procurement** means the process of obtaining goods and/or services in accordance with applicable rules and regulations.
- **School Food Authority (SFA)** means the governing body that is responsible for the administration of one or more schools and has legal authority to operate the National School Lunch Program (NSLP) or School Breakfast Program (SBP) therein or be otherwise approved by FNS to operate the program.
- **Vendor** means a merchandiser of complete meals, meal components, or raw materials.

## Methods of Procurement

There are three types of procurement methods described in this section: informal procurement methods (for micro-purchases and simplified acquisitions); formal procurement methods (through sealed bids or proposals); and noncompetitive procurement methods. For any of these methods, the recipient or subrecipient must maintain and use documented procurement procedures, consistent with the standards of this section and [§§ 200.317](#), [200.318](#), and [200.319](#).

- **Informal Procurement Methods for Small Purchases**  
These procurement methods expedite the completion of transactions, minimize administrative burdens, and reduce costs. Informal procurement methods may be used when the value of the procurement transaction under the Federal award does not exceed the simplified acquisition threshold as defined in [§ 200.1](#). SFSP sponsor may also establish a lower threshold. Informal procurement methods include:

- **Micro-purchases** are those purchases that do not exceed \$10,000 per transaction. These purchases can be awarded without soliciting competitive quotations if the price is reasonable based on research, experience, purchase history, or other information and the sponsor maintains related documentation on file. The sponsor should also equitably distribute purchases among qualified suppliers rather than buying all supplies from one source.
- **Simplified Acquisitions (Small Purchases)** are those between \$10,000 and \$250,000 per transaction. These purchases can be made using informal methods, such as price or rate quotations for securing products or services. The methods used must ensure free and open competition. The sponsor must contact at least **three** reputable companies to obtain price quotations on the meals they plan to serve. This information must be documented and must be submitted to the State Agency for approval before acceptance. These bids must meet all federal regulations including not contracting with a company that poses a conflict of interest.

A bid packet that includes the informal competitive bid procedures and forms for meal service contracts \$250,000 or less is available at the following link:  
<https://health.mo.gov/living/wellness/nutrition/foodprograms/sfsp/pdf/bid-packet-contracts-250-or-less.pdf>.

- **Large Purchases or Competitive Sealed Bids:** When purchases are estimated to exceed the simplified acquisition threshold of \$250,000, a sponsor must conduct a price analysis and follow a formal competitive sealed bid process. Bids are publicly solicited from **two or more** responsible bidders, and a bid opening evaluation must be completed by the Department of Health and Senior Services, Community Food and Nutrition Assistance (DHSS-CFNA). Competitive sealed bid procedures include preparing the invitation for bid, publicly announcing not less than 14 days before bids are opened, notifying the DHSS-CFNA of the time and place at least 14 days before bid opening, publicly opening all bids, and submitting a selected bid to the DHSS- CFNA before accepting the bid. These bids must be approved by the State Agency for approval before the final acceptance. These bids must meet all federal regulations, including not contracting with a company that poses a conflict of interest.

As required by federal regulation, our organization requires each food service management company to obtain a bid bond and a performance bond in the amount of 25% of the value of the contract for which the bid is made. [7 CFR 225.15\(m\)\(5-7\)](#)

A bid packet that includes the formal competitive bid procedures and forms for meal service contracts greater than \$250,000 is available at the following link:  
<https://health.mo.gov/living/wellness/nutrition/foodprograms/sfsp/pdf/bid-packet-contracts-greater-than-250.pdf>.

- **Noncompetitive procurement:** There are specific circumstances in which the SFSP sponsor may use a noncompetitive procurement method. The noncompetitive procurement method may only be used if one of the following circumstances applies:

- The aggregate amount of the procurement transaction does not exceed the micro-purchase threshold;
- The procurement transaction can only be fulfilled by a single source;
- The public exigency or emergency for the requirement will not permit a delay resulting from providing public notice of a competitive solicitation; or
- After soliciting several sources, competition is determined inadequate.

The sponsor must request in writing to use a noncompetitive procurement method, and the state agency must provide written approval prior to the noncompetitive procurement.

Note that Sponsor Agreements with a School or Affiliated Organization are not “non-competitive;” they are interagency agreements.

All contracts in excess of \$10,000 must contain a clause allowing termination for cause or for convenience by the sponsor including the manner by which it will be affected and the basis for settlement.

# Procurement Standards

Sponsors participating in the Summer Food Service Program (SFSP) who plan to purchase meals or services from outside sources must follow proper procedures in purchasing these services.

All procurement of food, supplies, goods, and other services with program funds must comply with procurement standards in all state and local laws and regulations, as well as the Federal Standards identified in [7 CFR 225.17](#), [2 CFR 200.317-327](#), and [Food and Nutrition Services \(FNS\) Instruction 796-4, Rev. 4](#). These standards ensure that such materials and services are obtained for the program efficiently and economically and in compliance with applicable laws and executive orders.

Federal regulations [2 CFR 200](#) require that all sponsors of federally funded child nutrition programs maintain written procurement documents, which include a code of conduct and procurement procedures. These can be written in two separate documents or combined into one document.

## **Code of Conduct**

Sponsors must maintain written standards of conduct covering conflicts of interest and governing the actions of their employees engaged in the selection, award, and administration of contracts as described in [2 CFR 200.318\(c\)](#).

- No employee, officer, agent, or board member with a real or apparent conflict of interest may participate in the selection, award, or administration of a contract supported by the Federal award.
- A conflict of interest includes when the employee, officer, agent, or board member, any member of their immediate family, their partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an entity considered for a contract.
- An employee, officer, agent, and board member of the sponsor may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors. However, the sponsor may set standards for situations where the financial interest is not substantial or a gift is an unsolicited item of nominal value.
- The sponsor's standards of conduct must also provide for disciplinary actions to be applied for violations by its employees, officers, agents, or board members.

If the SFSP sponsor has a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian Tribe, the sponsor must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest mean that because of relationships with a parent company, affiliate, or subsidiary organization, the SFSP sponsor is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.

## **Procurement Procedures**

Sponsors must maintain and use written procurement procedures that are consistent with state and local laws and regulations, as well as the Federal Standards identified in [2 CFR 200.318-327](#), [7 CFR 225.17](#), and [Food and Nutrition Services \(FNS\) Instruction 796-4, Rev. 4](#), for all procurements made with SFSP funds. The procedures must also conform with procurement requirements that may be established by the State agency, with the approval of FNS, to prevent fraud, waste, and Program abuse.

Sponsors may use their own procurement procedures that reflect applicable State and local laws and regulations, provided that procurements made with Program funds conform with the provisions of this section and with procurement requirements that may be established by the State agency, with the approval of FNS, to prevent fraud, waste, and Program abuse.

The written procurement procedures should include the applicable method(s) of procurement. The following information, as well as additional information found in [7 CFR 225.17](#), [2 CFR 200.318-327](#), and [Food and Nutrition Services \(FNS\) Instruction 796-4, Rev. 4](#), should also be included in the written procedures as appropriate to the needs of the sponsor:

**Oversight of Contractors/Vendors** [2 CFR 200.318\(b\)](#)

SFSP sponsors must also maintain oversight to ensure that their contractors perform according to the terms, conditions, and specifications of their contracts or purchase orders.

**Avoidance of Unnecessary or Duplicative Items** [2 CFR 200.318\(d\)](#)

The sponsor's procedures must avoid the acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. When appropriate, an analysis should be made between leasing and purchasing property or equipment to determine the most economical approach.

**Procurement Arrangements Using Strategic Sourcing** [2 CFR 200.318\(e\)](#)

When appropriate for the procurement or use of common or shared goods and services, SFSP sponsors are encouraged to enter into State and local intergovernmental agreements or inter-entity agreements for procurement transactions. These or similar procurement arrangements using strategic sourcing may foster greater economy and efficiency. Documented procurement actions of this type (using strategic sourcing, shared services, and other similar procurement arrangements) will meet the competition requirements of this part.

**Use of Excess and Surplus Federal Property** [2 CFR 200.318\(f\)](#)

Sponsors are encouraged to use excess and surplus Federal property instead of purchasing new equipment and property when it is feasible and reduces project costs.

**Responsible Contractors/Vendors** [2 CFR 200.318\(h\)](#)

SFSP sponsors must award contracts only to responsible contractors who possess the ability to perform successfully under the terms and conditions of a proposed contract. The sponsor must consider contractor integrity, public policy compliance, proper classification of employees (see the Fair Labor Standards Act, [29 U.S.C. 201](#), chapter 8), past performance record, and financial and technical resources when conducting a procurement transaction. See also [§ 200.214](#).

**Procurement Records** [2 CFR 200.318\(i\)](#)

The SFSP sponsor must maintain records sufficient to detail the history of each procurement transaction. These records must include the rationale for the procurement method, contract type selection, contractor selection or rejection, and the basis for the contract price.

The following records will be maintained for a period of three years plus the current year:

- Records of all telephone quotations
- Logs of all emergency and noncompetitive purchases
- All written quotations and bid documents
- Comparison of all price quotations and bids with the effective dates shown
- Log of approval substitutions



**Settlement of Contractual and Administrative Issues [2 CFR 200.318\(k\)](#)**

The SFSP sponsor is responsible for the settlement of all contractual and administrative issues arising out of its procurement transactions. These issues include but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the sponsor of any contractual responsibilities under its contracts. The Federal agency will not substitute its judgment for that of the sponsor unless the matter is primarily a Federal concern. The sponsor must report violations of law to the Federal, State, or local authority with proper jurisdiction.

**Inclusion of Small Businesses, Minority Businesses, Women’s Business Enterprises, Veteran-Owned Businesses, and Labor Surplus Area Firms [2 CFR 200.321](#)**

Sponsors must follow the practices specified in [2 CFR part 200, subpart D](#) and USDA implementing regulations [2 CFR part 400](#) and [part 415](#), as applicable, with respect to small businesses, minority businesses, women's business enterprises, veteran-owned businesses, and labor surplus area firms:

1. Including qualified minority business enterprises on solicitation lists,
2. Soliciting minority business enterprises whenever they are potential sources,
3. When economically feasible, dividing total requirements into smaller tasks or quantities to permit maximum participation by these business types,
4. Establishing delivery schedules that encourage participation by these business types,
5. Using the services and assistance of the Small Business Administration, and the Office of Minority Business Enterprise of the Department of Commerce as required, and
6. Requiring a contractor under a Federal award to apply this section to subcontracts.

**Contract Cost and Price [2 CFR 200.324](#)**

The SFSP sponsor must perform a cost or price analysis for every procurement transaction, including contract modifications, in excess of the simplified acquisition threshold of \$250,000. The method and degree of analysis conducted depend on the facts surrounding the particular procurement transaction, but as a starting point, the sponsor must make independent estimates before receiving bids or proposals. Costs or prices must be allowable and must comply with [7 CFR 225](#) and [2 CFR Part 200 Subpart E](#). The use of “cost plus a percentage of cost” and “percentage of construction costs” methods of contracting is not allowed.

**Competition Requirements in Procurement [2 CFR 200.319](#)**

All SFSP procurement transactions must be conducted in a manner that provides full and open competition and is consistent with the standards of [2 CFR 200.319](#) and [2 CFR 200.320](#).

The sponsor must have written procedures for procurement transactions that ensure that all solicitations:

1. Are made to ensure objective contractor performance and eliminate an unfair competitive advantage; contractors that develop or draft specifications, requirements, statements of work, or invitations for bids must be excluded from competing on those procurements. Examples of situations that may restrict competition include, but are not limited to:
  - Placing unreasonable requirements on firms for them to qualify to do business
  - Requiring unnecessary experience and excessive bonding
  - Noncompetitive pricing practices between firms or between affiliated companies
  - Noncompetitive contracts to consultants that are on retainer contracts
  - Organizational conflicts of interest

- Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement and
  - Any arbitrary action in the procurement process.
2. Incorporate a clear and accurate description of the technical requirements for the property, equipment, or service being procured. The description may include a statement of the qualitative nature of the property, equipment, or service to be procured. When necessary, the description must provide minimum essential characteristics and standards to which the property, equipment, or service must conform. Detailed product specifications should be avoided if possible. When it is impractical or uneconomical to describe the technical requirements clearly and accurately, a “brand name or equivalent” description of features may be used to provide procurement requirements. The specific features of the named brand must be clearly stated.
  3. Identify any additional requirements that the offerors must fulfill and all other factors that will be used in evaluating bids or proposals.

The sponsor must ensure that all prequalified lists of persons, firms, or products used in procurement transactions are current and include enough qualified sources to ensure maximum open competition. When establishing or amending prequalified lists, the sponsor must consider objective factors that evaluate price and cost to maximize competition. The sponsor must not preclude potential bidders from qualifying during the solicitation period.

To the extent consistent with established practices and legal requirements applicable to the sponsor, the sponsors are not prohibited from developing written procedures for procurement transactions that incorporate a scoring mechanism that rewards bidders that commit to specific numbers and types of U.S. jobs, minimum compensation, benefits, on-the-job-training for employees making work products or providing services on a contract, and other worker protections. Sponsors are also not prohibited from making inquiries of bidders about these subjects and assessing the responses. Any scoring mechanism must be consistent with the U.S. Constitution, applicable Federal statutes and regulations, and the terms and conditions of the Federal award.

In accordance with [2 CFR 200.320\(c\)](#), non-competitive procurement may only be used if one of the following circumstances applies:

1. The aggregate amount of the procurement transaction does not exceed the micro-purchase threshold (see [paragraph \(a\)\(1\)](#) of this section);
2. The procurement transaction can only be fulfilled by a single source;
3. The public exigency or emergency for the requirement will not permit a delay resulting from providing public notice of a competitive solicitation;
4. The sponsor requests in writing to use a noncompetitive procurement method, and the Federal agency or State agency provides written approval; or
5. After soliciting several sources, competition is determined inadequate.

**Federal Agency or State Agency Review [2 CFR 200.325](#)**

The Federal agency or State agency may conduct a procurement review as described in [2 CFR 200.325](#).

The SFSP sponsor must submit documents when requested for the procurement review.

**Bonding Requirements** [2 CFR 200.326](#)

Large purchases which exceed the simplified acquisition threshold of \$250,000 have the following bonding requirements:

- A bid bond must be provided at the bid in an amount not less than five (5) percent and not more than ten (10) percent, as determined by the sponsor, of the value of the contract for which the bid is made.
- A performance bond must be provided in an amount not less than 10 percent or more than 25 percent of the value of the contract for which the bid is made.

**Contract Provisions** [2 CFR 200.327](#)

The sponsor's contracts must contain the applicable provisions described in [Appendix II to Part 200](#) – Contract Provisions for Non-Federal Contracts Under Federal Awards.

**Geographic Preference** [7 CFR 225.17\(e\)](#)

Sponsors participating in the Program may apply a geographic preference when procuring unprocessed locally grown or locally raised agricultural products, including the use of “locally grown,” “locally raised,” or “locally caught” as procurement specifications or selection criteria for unprocessed or minimally processed food items. When utilizing the geographic preference to procure such products, the sponsor making the purchase has the discretion to determine the local area to which the geographic preference option will be applied, so long as there are an appropriate number of qualified firms able to compete.

For the purpose of applying the optional geographic preference, “unprocessed locally grown or locally raised agricultural products” means only those agricultural products that retain their inherent character. The effects of the following food handling and preservation techniques shall not be considered as changing an agricultural product into a product of a different kind or character:

- Cooling; refrigerating; freezing.
- Size adjustment made by peeling, slicing, dicing, cutting, chopping, shucking, and grinding.
- Forming ground products into patties without any additives or fillers.
- Drying/dehydration.
- Washing.
- Packaging (such as placing eggs in cartons), vacuum packing and bagging (such as placing vegetables in bags or combining two or more types of vegetables or fruits in a single package).
- Addition of ascorbic acid or other preservatives to prevent oxidation of produce.
- Butchering livestock and poultry.
- Cleaning fish.
- The pasteurization of milk.

# Training Requirements

Training is one of the sponsor's major administrative responsibilities. Sponsors are required to train all staff in Summer Food Service Program (SFSP) requirements each year, prior to operation of their program or any site. Training must be documented with a sign-in sheet of attendees and an agenda showing topics covered. Depending on the size of the organization, a sponsor may have to conduct different types or numbers of trainings. Trainings should be conducted and documented for administrative staff, monitoring staff, and site staff. If a sponsor is collecting an advance from the SFSP, submission of proof of training is required before a second advance will be paid.

Additionally, all staff must be trained in Civil Rights. Online Civil Rights training is available at: [www.health.mo.gov/sfsp](http://www.health.mo.gov/sfsp).

Available for your use in this Summer Food Service Program Manual is the *Documentation of Training to Program Personnel* form to document the training of staff. A personnel training checklist is included on the back of the form. Be aware that all sites operated by the sponsor must have at least one trained staff person at every site, every day during the meal service. For this reason, it is best to train at least two individuals for each site, if not more, in case one is not available. Sites that operate without at least one trained staff person on-site during the meal service will not be able to receive reimbursement for the meals served on that day.

## **SFSP sponsors must train all site supervisors!**

An SFSP sponsor is required to train the site supervisors for all their sites. The site supervisor is the individual on-site for the duration of the meal service who has been trained by the sponsor and is responsible for all administrative and management activities at the site, including, but not limited to, maintaining documentation of meal deliveries, ensuring that all meals served are safe, and maintaining accurate point-of-service meal counts.

## **Required Training Topics**

- Purpose of the Program
- Meal Pattern Requirements
- Site Eligibility
- Site Operations
- Difference Between Congregate and Non-Congregate Meal Service
- Recordkeeping
- Duties of a Monitor
- Civil Rights



**Personnel Training Checklist**  
Manuals available at [www.health.mo.gov/sfsp](http://www.health.mo.gov/sfsp)

**Administrative Personnel:**

- Refer to all SFSP Guidelines
- Purpose of the Program
- Difference between Congregate and Rural Non-Congregate Meal Service
- Site Eligibility
- Recordkeeping Requirements
- Organized Site Activities
- Meal Requirements
- Nondiscrimination Compliance
- Meal Service
  - ✓ How meals will be provided
  - ✓ The delivery schedule
  - ✓ What records must be kept
  - ✓ What forms to use
- Duties of the Monitors
  - ✓ Conduct site reviews
  - ✓ Site assignments
  - ✓ Monitoring schedule
  - ✓ Reporting procedures
  - ✓ Follow-up procedures
  - ✓ Office procedures

**Monitor Personnel:**

- Training for Administrative Personnel
- Monitoring Duties/Responsibilities
  - ✓ Assignment of sites
  - ✓ Conducting the site visits
  - ✓ Monitoring schedules
  - ✓ Reporting/recordkeeping requirements
  - ✓ Follow-up procedures
  - ✓ Local sanitation and health laws
  - ✓ Civil Rights
  - ✓ Ethnic and racial data collection
  - ✓ Personal safety precautions

**Site Personnel**

- Purpose of Program
- Difference between Congregate and Rural Non-Congregate Meal Service
- Site Eligibility
- Accurate Point of Service Meal Count Records
- Organized Activities at Sites
- Recordkeeping Requirements
  - ✓ Daily recordkeeping requirements
  - ✓ Delivery receipts
  - ✓ Second meals, leftovers, spoiled meals
  - ✓ Daily labor documentation, time sheets
  - ✓ Daily meal service forms
  - ✓ Camps and Closed Enrolled Sites Only
- Vended Site Operations
  - ✓ Meal pattern requirements
  - ✓ Delivery schedules
  - ✓ Adjustments in meal delivery
  - ✓ Facilities available for storing meals
  - ✓ Who to contact about problems
  - ✓ Approved level of meal service
- Self-Preparation Site Operations
  - ✓ Meal pattern requirements
  - ✓ Production records
  - ✓ Meal preparation adjustments
- Duties and Authority of the Monitors
- Civil Rights Requirements; Posters Displayed
- Miscellaneous Policies/Issues
  - ✓ Inclement weather and alternate service areas
  - ✓ How to address non-program adult meals
  - ✓ How to address discipline problems
  - ✓ Review equipment, facilities, and materials available for recreational activities
  - ✓ Review trash removal requirements
  - ✓ Discuss corrective action
  - ✓ Nutrition education

\*Attendance records are applicable for Camps and Closed Enrolled Sites only.

# Civil Rights Requirements



All participating sponsors must inform potential participants of the availability of the Summer Food Service Program (SFSP). In addition, all sponsors and their sites are required to:

- Annually, train all staff on the Civil Rights requirements for the SFSP. For your use and convenience, Civil Rights training is available online at [www.health.mo.gov/sfsp](http://www.health.mo.gov/sfsp).
- Display in a prominent place at the site and in the sponsor's office, the "And Justice For All" poster developed by the United States Department of Agriculture (USDA) and approved by the Food and Nutrition Service (FNS). Please contact our office for additional posters.
- Make program information available to the public upon request.
- Take reasonable steps to ensure meaningful access to services for limited English proficient persons by providing information in the frequently encountered, non-English language of individuals eligible to be served or likely to be affected by the program.
- Sponsoring organizations must ensure that interpretive services are available and that LEP participants do not have to rely on the use of family, friends, or children as interpreters.
- Ensure that translations are accurate concerning the availability and nutritional benefits of the program.
- Make reasonable modifications in policies and procedures to ensure individuals with disabilities have equal access and effective communication when accessing the program.
- Include the nondiscrimination statement, and instructions for filing a complaint, in your public release and in any program information directed to parents of participants and potential participants.
  - Complaint procedures: All civil rights complaints, written or verbal, shall be accepted and forwarded either to the Department of Health and Senior Services-Community Food and Nutrition Assistance (DHSS-CFNA) or directly to the USDA at the address provided in the nondiscrimination statement. Anonymous

complaints should be handled as any other complaint. Civil rights complaints should include as many details as possible.

- Right to File: Any person alleging discrimination in one of the protected classes has the right to file a complaint within 180 days of the alleged action.
- Ensure that meals are served to all attending children, regardless of their race, color, national origin, sex (including gender identity and sexual orientation), age, or disability.
- Ensure that all children have equal access to services and facilities at the site regardless of race, color, national origin, sex (including gender identity and sexual orientation), age, or disability.

## **Ethnic and Racial Data**

Sponsors are required to collect ethnicity and race data once a year for the SFSP. Sponsors of residential camps must collect and maintain this information separately for each session of the camp. Visual observation and identification is not an allowable practice to use to collect the data. The preferred method is self-identification and self-reporting. SFSP sponsors should explain the importance of this data to participants as they encourage them to self-identify and self-report. SFSP sponsors may also obtain ethnicity and race data from other sources in which the respondent has self-identified ethnicity and race such as school databases. For sponsor ease, the Monitor Site Review Form has a section for the collection of the required ethnic and racial category data. This data can also be used to complete the Sponsor Information Sheet and Site Information Sheet(s) Ethnicity and Race Data sections.

## **Outreach and Beneficiary Data Survey**

One method that a SFSP site may use to gather the required ethnic and racial data in which the participant or parent of the participant provides this data is by completion of the Outreach and Beneficiary Data Survey. Completion of the survey is voluntary. The data collected is used to improve outreach efforts and to ensure compliance with USDA nondiscrimination requirements. The completion of or lack of completion has no impact on program participation





STATE OF MISSOURI  
 DEPARTMENT OF HEALTH AND SENIOR SERVICES  
**OUTREACH AND BENEFICIARY DATA SURVEY**  
**COMMUNITY FOOD AND NUTRITION ASSISTANCE**

The completion of this survey is voluntary. The data collected is used to improve outreach efforts and to ensure compliance with USDA nondiscrimination requirements ONLY. Your participation is voluntary and failure to report will not impact eligibility for meals. Please complete one survey per child in attendance. Names are not needed; this is an anonymous survey.

How did you learn about the program?

- Newspaper
- School newspaper/letter/flyer
- Program website
- Other (please specify) \_\_\_\_\_

What activities would you like to have available at the site?

- Homework assistance
- Physical activity
- Educational activities
- Other (please specify) \_\_\_\_\_

What (if any) barriers do you face in participating in this child nutrition program?

**ETHNIC AND RACIAL DATA**

Ethnic Category

- Hispanic or Latino
- Not Hispanic or Latino
- Undeclared

Racial Category (may mark one or more categories)

- American Indian or Alaskan Native
- Asian
- Black or African American
- Native Hawaiian or Other Pacific Islander
- White
- Undeclared

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/ad-3027.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. mail:

U.S. Department of Agriculture  
 Office of the Assistant Secretary for Civil Rights  
 1400 Independence Avenue, SW  
 Washington, D.C. 20250-9410; or

2. fax:

(833) 256-1665 or (202) 690-7442; or

3. email:

Program.Intake@usda.gov

This institution is an equal opportunity provider.

