

TDA FSMC Procurement Update

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General Updates

- 2 CFR 200
 - Consolidated procurement regulations into one place
 - Offers a Micro Purchase option for aggregate purchases that are \$3500 or less.
- Cost must be the most heavily weighted factor in the evaluation criteria for a Request for Proposal (RFP).

Stage Agencies Role and Responsibility

◉ 7 CFR 210.16

- State agencies must check to ensure that when an Food Service Management Company (FSMC) purchases food or other items on behalf of the School Food Authority (SFA), they must comply with all federal and state requirements that apply to the SFA itself.
- Review the FSMC contract b/w the SFA and the FSMC

Stage Agencies Role and Responsibility

- Ensure contract provisions clearly require all costs to the program be net rebates, discounts and credits.
- Conduct an onsite review of each SFA contracting with a FSMC for ongoing contract compliance.

FSMC Role and Responsibility

- Fulfill the terms and conditions of the contract

Please note: contracts exist b/w TDA and the SFA, and b/w the SFA and the FSMC. No contracts exist b/w TDA and the FSMC.

SFA Role and Responsibility

- Follow local procurement plan,
- Ensure FSMC is properly procured,
- Contract management
 - Ensure contract terms and conditions are fulfilled;
 - Validate invoices;
 - Validate the receipt of USDA foods and the receipt of all rebates, discounts and credits;
 - Ensure quality of products and services meet contractual obligations.

SFA Role and Responsibility

The SFA holds ultimate responsibility for all contracts they enter into for goods and/or services.

Procurement Review

- ◉ Pilot
- ◉ Reviews a sample of all formal and informal procurements
 - FSMC procurements will always be reviewed
- ◉ Each contract was evaluated on:
 - Following procurement plan
 - All required language was included in solicitations
 - Appropriate award procedures were followed
 - Contract Management
 - USDA and state requirements

USDA Foods

- ◉ Rebates, discounts and credits for the value of any USDA foods the FSMC receives on behalf of the SFA.
- ◉ Procurement for further processing of USDA Foods must occur in addition to a FSMC contract.

Cooperatives

- ◉ Group of School Food Authorities that have come together to increase buying power.
- ◉ Lead School or Board
- ◉ Bylaws govern how the cooperative will operate
- ◉ Third Party Entities services must be procured

Thank You!

- For questions, please contact your local Education Service Center.
- You may also contact TDA at:
(877)TEX-MEAL