

## CHAPTER 7.00 - BUSINESS SERVICES

### SCHOOL FOOD SERVICE PROGRAM POLICY AND FUNDS

7.06\*+

The School Board adopts the following Procurement Policy that will govern all purchasing activities related to any aspect of the National School Lunch and Breakfast Programs. This policy provides guidance to school personnel and vendors on acceptable and required procurement practices. The Superintendent shall develop written procedures for conducting the District's Food Service Program(s) and include purchasing thresholds to ensure compliance with all federal, state, and local procurement policies. The School Board recognizes the importance of complying with the procurement rules, regulations, and policies set forth in 7 CFR 210, 2 CFR 200, and Chapter 5P-2, Florida Administrative Code. As required by 7 CFR 210 and 2CFR 200 the School Board incorporates the following elements:

- I. Buy American. The School District adheres to 7 CFR 210.21(d) and USDA Policy Memo SP 38-2017 to ensure compliance with the Buy American provision requiring the District to purchase, to the maximum extent practicable, domestic commodities or products. This Buy American provision supports the mission of the Child Nutrition Programs, which is to serve children nutritious meals and support American agriculture.
  - A. There are two limited exceptions when non-domestic foods may be purchased. These exceptions, as determined by the District, are:
    1. The food or food product is not produced or manufactured in the United States in sufficient and reasonably available quantities of a satisfactory quality; or
    2. Competitive bids reveal the cost of a United States food or food product is significantly higher than the non-domestic product.
  - B. In the event a non-domestic agricultural product is to be provided, the vendor must obtain advanced, written approval to use the product from the District.
- II. Comparability. To ensure true competition takes place, the District will maintain reasonable product specifications adequately describing the products to be purchased and the volume of planned purchases based upon pre-planned menu cycles.

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- III. Competition. It is the goal of the District to ensure its goods and services are procured in an openly competitive manner. To ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements.
- IV. Unnecessary and Duplicative Items. The District strives to avoid unnecessary or duplicative items. Consideration will be given to consolidating or breaking out procurements to obtain a more economical purchase. When appropriate, an analysis is made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.
- V. Documentation. The District will maintain all procurement records and any other significant materials to detail the history of all procurement efforts for the current year and the preceding five years. At a minimum, the following documents will be maintained:
- Written rationale for the method of procurement;
  - A copy of the original solicitation, including informal requests for quotes;
  - Proof of public announcement, if applicable;
  - All questions received from potential vendors;
  - All answers provided to potential vendors;
  - Proof of public posting of questions and answers, if applicable;
  - All quotes, bids, and proposals received from potential vendors;
  - Proof of the public bid opening, if applicable;
  - All quote comparisons, bid tabulations, and proposal evaluations; including all determinations for responsible and responsive vendors and all disqualifications of potential vendors.
  - The basis for vendor selection;
  - Any resulting contracts, including all amendments;
  - All receipts, invoices, and records of payment; and
  - Any claims of vendor noncompliance with a contract.
- VI. Code of Conduct. This program is governed by the District's Code of Conduct, and applies to all personnel, employees, directors, agents, officers, volunteers, or any person(s) acting in any capacity concerning procurement for the food service program(s).

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- VII. Procurement Review Process. On an annual basis an internal program review will be conducted by a staff person who is not associated with the food service procurement process. This review is be summarized in written form and kept with the other required program documentation.
- VIII. Contract Administration. Purchases are checked or verified by designated staff to assure that all goods and services are received, and prices verified. All invoices and receipts are signed, dated, and maintained in the documentation file.
- IX. Small, Minority, Women, and Veteran owned Business and Labor Surplus.

The District will utilize the list of businesses approved by the Department of Management Services (DMS), as well as businesses the District may add, to assure that small businesses, minority businesses, women's business enterprises, veteran-owned businesses, and labor surplus area firms are used, when possible, as required in 2 CFR 200.321 and F.S. 287.057.

- X. Food Service Director Duties. The Food Service Director or authorized staff member(s) shall:
  - A. To work with staff and students in developing acceptable menus for breakfast and lunch.
  - B. To keep program menus up to date by testing and using new products and seeking feedback from staff and program participants.
  - C. To conduct a cost analysis for any goods or services anticipated to determine the total annual expenditure so the correct procurement method will be followed.
  - D. To compile market orders or requisitions for purchases which accurately reflect the total quantities of required foods to be ordered per (day, week, or month).
  - E. To place and confirm orders with vendors or make plans to purchase the required items.
  - F. To follow all applicable federal, state, and local procurement policies or ensure that all applicable federal, state, and local procurement policies are followed when purchasing is conducted by a procurement agent.
  - G. To work with vendors on a fair and equal basis.
  - H. To conduct an in-house procurement review once per year to ensure program compliance and to seek guidance or technical assistance when necessary.

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- I. To submit Capital Expenditure Requests to FDACS prior to any capital expenses being paid and equipment purchases being made when over \$10,000 per unit.

School food service funds shall be considered part of the District School Fund and shall be subject to all requirements applicable to the District School Fund such as budgeting, accounting, reporting, and purchasing.

- I. Daily deposits of school food service funds shall be made by authorized personnel in a bank(s) designated by the School Board.
- II. Revenue from the sale of all items handled by the Food Service Department shall be considered school food service income. This includes income from sale of cans, bottles, jars, rice bags, swill, and similar items. Such funds shall not be expended as cash.
- III. All payments from school food service funds shall be made by check or wire transfer.
- IV. School food service funds shall be used only to pay regular operating costs.
- V. Any loss of records, cash, or supplies through theft or otherwise shall be reported immediately to the Superintendent's office. Such losses shall be itemized and a copy of the report submitted with the regular reports.
- VI. Funds shall be collected and expended in compliance with United States Department of Agriculture regulations.
- VII. The Board shall annually adopt prices charged to students and adults who participate in the food services program.

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, 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/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The

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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](mailto:program.intake@usda.gov)

The District is an equal opportunity provider.

**STATUTORY AUTHORITY:** 1001.41, 1001.42, F.S.

**LAW(S) IMPLEMENTED:** 287.057; 570.981, 1001.43, 1010.05, 1010.20, F.S.  
7 CFR 210; 2 CFR 200

**STATE BOARD OF EDUCATION RULE(S):** 6A-1.001, 6A-1.085,  
6A-1.087, 6A-1.091

**STATE DEPARTMENT OF AGRICULTURE**

**AND CONSUMER SERVICES RULE(S):** 5P-1.003

**HISTORY:**

**ADOPTED:** \_\_\_\_\_

**REVISION DATE(S):** 03/18/2014; April 2025

**FORMERLY:** School Food Service Funds