

RFP Process Training



CONNECTICUT STATE
DEPARTMENT OF EDUCATION

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1

1

Who Am I and What do I do

Andy Paul

- ✓ Food Service Management Company Contracts
- ✓ Procurement and Procurement Reviews
- ✓ Fresh Fruit and Vegetable Program Grant

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2

2

Who Am I and What do I do

Sean Fogarty

- ✓ Contracts/Amendments
 - ✓ NSLP/Summer/DPH/UConn/USDA Foods
- ✓ CNP Fiscal Support
- ✓ FSMC Support
- ✓ Local Food for Schools Program
- ✓ NSLP Equipment Assistance Grants
- ✓ Farm to Summer

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3

3

Housekeeping

- Training will be recorded and posted
- Keep yourself on mute unless you have a question
- Please use the "Chat" function and/or raise hand button to ask questions or make comments
- We will take questions and provide responses throughout the training

4

Why Are We Here?

- Requirement
- Choice

5

What will this training accomplish?

- Provide a detail of the FSMC RFP Process
- Make the process as efficient as possible
- Minimize revisions

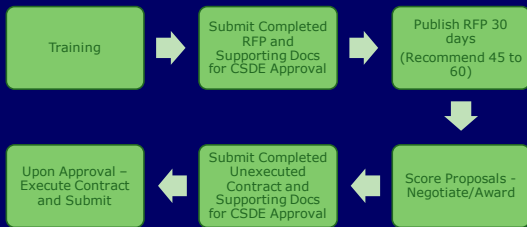
6

Food Service Management Company (FSMC) Defined

A commercial enterprise, public or nonprofit organization or individual that enters into a contract with a school food authority (SFA) to run any aspect of the food service operation, whole or in part.

7

High Level Overview



8

Documents

Price/Cost Analysis – 2 CFR 200.324(a)

- The non-Federal entity must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the non-Federal entity must make independent estimates before receiving bids or proposals.

9

Vending - BESB

- State Statute allows Bureau of Education and Services for the Blind (BESB) first right of refusal to service all district vending machines
- District must contact BESB to offer vending services, if you have vending or are interested in vending machines

10

Vending - BESB

- BESB Contacts
 - Tracy Morin, Vending Services Supervisor
 - Tracy.morin@ct.gov or 860.602.4111
 - Tyrell Sampson, Business Enterprise Supervisor
 - Tyrell.sampson@ct.gov or 860.602.4219

11

Documents

RFP Instructions and Submission Checklist

Food Service Management Company Contract
RFP Instructions and Submission Checklist

12

Documents

RFP/Contract Template

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13

Farm to School – Geographic Preference

- Sec. 10-215j. School nutrition program bids by food service management companies. Consistency with farm to school program. Preference in award of contract. Any bid submitted by a food service management company in response to a request for proposals or bid solicitation by a local or regional board of education that is posted to the State Contracting Portal and that relates to such local or regional board of education's school nutrition program shall include information detailing the consistency of such bid with the state's farm to school program, established in section 22-38d and the ways in which such bid facilitates the purchase of products from local farmers by the local or regional board of education, as described in section 22-38d. In the award of any such contract, in accordance with any other statute, regulation or rule concerning such award, all other factors being equal, preference shall be given to the proposal or bid that facilitates such purchase of products from local farmers by the local or regional board of education, as described in section 22-38d.

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14

Geographic Preference

- SFAs *may* apply a geographic preference when procuring unprocessed locally grown or locally raised agricultural products
 - Unprocessed means agricultural products retain their inherent characteristics
 - SFA has discretion to determine local area to which this option will be applied

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15

Geographic Preference

- Solicitation must **clearly outline** how responses will be evaluated and scored, including geographic preference
- Application of preference option must leave an **appropriate number of qualified firms**, given the nature and size of the procurement
- Include specification like freshness (delivered within 24-48 hours from harvest), variety/species of product, grade, production standards, and/or harvest techniques (by hand).

16

Geographic Preference

Geographic Preference

- Geographic Preference: What it is and how to use it [📄](#)
- Procuring Local Foods for Child Nutrition Programs [📄](#) (USDA)
- USDA Final Rule: Geographic Preference Option for the Procurement of Unprocessed Agricultural Products in Child Nutrition Programs [📄](#)
- USDA Memo SP 02-2016 CACFP 02-2016 SFSP 02-2016: Questions and Answers on the Transition to and Implementation of 2 CFR Part 200
- USDA Memo SP 03-2013 CACFP 02-2013 SFSP 02-2013: Procurement Geographic Preference Q&As – Part II

17

USDA AMS Specifications

- Agricultural Marketing Services
- <https://www.ams.usda.gov/grades-standards/fruits>
- <https://www.ams.usda.gov/grades-standards/vegetables>

18

Submit Completed RFP and Supporting Docs for CSDE Approval

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19

Documents

RFP/Supporting Document Submission

- Documents to be uploaded in the Linq (CNP Online Claiming) System
- Must have access to upload documents
- New System for upload – if it does not work

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20

Documents

RFP/Supporting Document Submission

- Submit to Sean Fogarty
 - Email
 - Google Drive (request a folder set up from Sean)
 - Other Cloud Based Option
- Label Exhibits
- Submit documents orderly
- Colyar option in the future starting with your renewals next year

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21

Publish RFP 30 days
(Recommend 45 to 60)

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22

Publish

- **MUST BE POSTED ON RFP ISSUE DATE**
- As long as possible
- Publications district uses for all procurement notifications
- Highest Circulation
- Must post on Department of Administrative Services (DAS) CTSOURCE site
- May post on district/town websites

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23

DAS CTSOURCE Training

- Via Microsoft Teams recording from last year
- Available on CSDE's FSMC Webpage
- Review Process for Uploading RFP and Supporting Docs

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24

Hot Buttons

- RFP Specific
 - Not submitting completed/signed Submission Checklist
 - Completing sections not noted on Submission Checklist
 - Date inconsistencies
 - Timeline not accurate
 - Program selection inconsistencies
 - FFVP inconsistencies
 - Performance Bond for summer program
- Publication Date After RFP Issued
 - RFP must be published on issue date
- FSMC proposals including unallowable options – ie Coffee Bars
- FSMC's not submitting all required documents with proposal.
- Meeting July 1 or 1st day of school timeline for executed contract

25

Hot Buttons

- Exhibits not submitted or incorrect
 - Not including "This Page Intentionally left Blank" for Equipment Amortization and or Equipment Purchases, when applicable
- Schedules:
 - Not including "or equivalent" when requesting a specific brand-named item
 - Not including a Product Formulation Statement for requested brand-named items.
- Including correct USDA Foods reports/data
- Scoring
 - Incomplete
 - Inaccurate
- Presentations
 - Not noting presentation required within the RFP or not including scoring criteria

26

Score Proposals -
Negotiate/Award

27

Scoring

- Quick overview of RFP scoring
- A separate detailed scoring training will be set up and those on the scoring committee must attend

28

Scoring

- Form I – Individual Scoring
 - Each member of the evaluation team must complete Form I
 - Scoring should be based on the submitted proposal

29

Scoring

- Form II – Final Points Award Per FSMC
 - SFA will complete one Form II for each FSMC submitted proposal
 - Final Points Awarded column must be completed
 - Average of all points awarded across each criteria row
 - Total points at the bottom of each column – double check your calculations!!!

30

Scoring

■ Form III – Comparison, Selection and Justification

- One final form for comparing the final totals for each FSMC
- Double check your data and calculations
- Must enter a justification for selection

31

Submit Completed
Unexecuted
Contract and
Supporting Docs
for CSDE Approval

32

Contract Submission

FSMC Contract Submission Checklist

33

Documents

RFP-Contract/Supporting Document Submission

- **Submit to Sean Fogarty**
 - Email
 - Google Drive (request a folder set up from Sean if necessary)
 - Other Cloud Based Option
- **Label Exhibits**
- **Submit documents orderly**

34

Additional Process Topics

- **Material Changes**
- **Unallowable Costs**
- **Non-competitive Proposals**
- **Monthly Meetings**
- **Quick Tidbits**

35

Material Changes

- **Would respondents have bid differently if proposed change had existed in the original RFP?**
- **Change in "Scope" or increases in the contract amount more than the Simplified Acquisition Threshold (now \$250,000)**

36

Material Changes

- Adding other SFAs or unaffiliated schools (interschool agreements) including new constructions
- Adding more programs
- Adding requirements for FSMC to purchase/invest in equipment, POS system, or remodel/renovate
- Changing the value of a guaranteed return or failure to achieve breakeven

37

Unallowable Costs

- Unallowable cost changes (overly responsive items) added to renewals
 - Scholarships?
 - Grants?
 - Gifts?
 - Principal accounts?
 - Back to school breakfast?

38

Non-competitive Proposals

- Non-competitive proposals – SFA only receives 1 proposal
- SFA will be required to submit the following:
 - Statement of a RFP review for restrictions
 - Contact FSMCs for reasons they did not bid
 - Some FSMCs may submit a letter stating they are not bidding
 - Statement of past FSMC procurement history

39

Maintain Records

- **Maintain records sufficient to detail the significant history of the procurement**
 - The non-Federal entity must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price 2 CFR §200.318(i)

40

Monthly Meetings

- **Conduct a monthly meeting with FSMC FSD**
- **Set standing agenda items to discuss**
- **Add additional items as necessary**

41

Quick Tidbits

- **RFPs must be open for a minimum of 30 days**
- **Staff need to know about the contract (terms/conditions and potential material changes)**
- **This is your contract with the FSMC**
- **SFA should seek answers from CSDE not FSMC**
- **Ensure you have bid protest procedures**

42

Resource

■ USDA

- Contracting with Food Service Management Companies: Guidance for School Food Authorities



43

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44

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- 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) 25C-1665 or (202) 696-7442; or
 3. email: program.intake@usda.gov
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45

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