

OSPI Food Service Management Contracting Reference Sheet

Food Service Management Contracting

Sponsors contracting with Food Service Management Companies (FSMCs) must comply with United States Department of Agriculture (USDA) and Office of Superintendent of Public Instruction (OSPI) rules and regulations. It is not the intent of OSPI to promote the use of FSMCs.

Requirements:

- ✓ Follow the [OSPI Food Service Management Company Approval Process](#), below.
- ✓ Develop, conduct, and evaluate a competitive procurement process. Steps include:
 - Preparing procurement documents including bid specifications, Request for Proposal (RFP), Invitation for Bid (IFB), and Contract
 - Obtaining OSPI templates from OSPI:
 - FSMC Request for Proposal (RFP) template
 - FSMC Contract template
 - FSMC Contract renewal template
 - FSMC Contract Checklist
 - FSMC Contract Procedures
 - Including terms, conditions, and specifications specific to your Sponsor organization.
 - Developing a 21-day Cycle menu or require as part of solicitation.
 - Preparing cost analysis and determining Summer Food Service Program (SFSP) bonding requirements (if applicable).
 - Review proposals, select successful bidder.
- ✓ The sponsoring organization must retain responsibility and oversight of program operations. This includes:
 - Monitoring food service operations through on-site visits in all schools.
 - Controlling the quality, extent, and nature of the food service, including:
 - Managing Food Service account and financial responsibility.
 - Establishing prices for all meals served.
 - Retaining signature authority on OSPI sponsor and program agreement(s).
 - Retaining approval and signatory responsibility for free and reduced-price meal applications.



- Retaining title to USDA foods and ensures their proper use and crediting to the nonprofit food service account.
 - Applying internal control procedures to prepare and submit all claims for reimbursement.
 - Ensuring applicable health certifications and regulations are met.
 - Establish an Advisory Board that includes parents and students to assist in menu planning.
 - Completing all reports required by the state agency.
 - Ensuring appropriate record retention.
- ✓ Contracts (including all supporting documents) must be annually reviewed by OSPI.

OSPI CNS FSMC Contract Approval Process

1. Notify OSPI of intent to use a FSMC.
2. If contracting with an FSMC will replace the services of classified employees, conduct a feasibility study.
 - a. Complete Feasibility Study Approval form and submit it to OSPI Audit and Financial Manager for approval.
3. Request FSMC templates and customize for your organization.
4. Submit RFP and cost analysis to OSPI for approval prior to going out to bid.
5. After solicitation is complete, submit proposed FSMC contract to OSPI for approval prior.
6. Submit fully executed (signed by all parties) FSMC contract to OSPI.

All sponsors contracting with an FSMC will need to complete a Fact Sheet in the Washington integrated Nutrition System (WINS) during the application renewal process.

Reference

- [2 CFR 200](#)
- [7 CFR 210.16](#)
- [RCW 28A.400.285](#)

Resources

- [USDA's Contracting with Food Service Management Companies Guidance](#)

Acronym Reference

- CFR – Code of Federal Regulations
- FSMC – Food Service Management Company
- OSPI – Office of Superintendent of Public
- RCW – Revised Code of Washington
- USDA – United States Department of Agriculture