

Catering Guidance

FFY 2011-2012



...building healthy habits for life

**Florida Department of Health
Bureau of Childcare Food Programs
4052 Bald Cypress Way, Bin #A-17
Tallahassee, Florida 32399-1727**

Phone: 850.245.4323

Fax: 850.414.1622

Web site: www.doh.state.fl.us/ccfp/

November 2011

In accordance with Federal Law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call toll free (866) 632-9992 (Voice). Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer.

Table of Contents

Catering Options	4
Monetary Threshold for the Standard Catering Contract	5
Catering Record Retention	5
Catering Contract Approval	6
Informal Competitive Procedure for Catered Meal Service	7
<i>Step One: Obtain Price Quotes for Catered Meals</i>	7
<i>Step One (continued): Sample Request for Price Quotes</i>	8
<i>Step Two: Determine Lowest Price Quote</i>	9
<i>Step Three: Prepare and Sign Standard Catering Contract</i>	10
Informal Procedure Checklist	11
Formal Competitive Procedure for Catered Meal Service	12
<i>Step One: Advertise</i>	12
<i>Step Two: Prepare Standard Catering Contract Bid Packages</i>	13
<i>Step Three: Bid Opening Log</i>	14
<i>Step Four: Bid Evaluation and Award</i>	15
<i>Step Four (continued): Bid Evaluation and Award</i>	16
<i>Noncompetitive Negotiation</i>	17
Formal Procedure Checklist	18
Catering Renewal Chart	19
Procedure for Renewal Catering Contract	20
Changing Amount of Catered Meals Ordered	21
Definitions	22
Catering Questions & Answers	23

Catering Options

The Institution must decide if Child Care Food Program (CCFP) meals will be prepared onsite by program staff or if meals will be catered. The method of meal service will depend upon such factors as the type of menu desired, the availability of registered caterers, the availability of food service equipment, space, personnel, budget, and whether an institution is able to prepare food onsite. Please keep in mind the following:

- As of July 1, 2011, the Department of Children and Families (DCF) is responsible for food service inspections in licensed child care centers in 61 counties. Local licensing is responsible for food service inspections in these six counties: Brevard, Broward, Hillsborough, Sarasota, Palm Beach, and Pinellas.
- Child Care Food Program (CCFP) regulations require child care facilities to have a current health/sanitation permit or satisfactory inspection report issued by a local authority at least yearly.
- All child care centers must have at least yearly food service inspections and provide current food service inspection documentation during a CCFP monitoring review.

Below are the three types of **catering** options available to Institutions:

- I) **Purchasing meals from a caterer registered with the Department of Health (DOH) using an informal or formal competitive procurement procedure depending on the Institution's or facility's annual monetary threshold for meal service. The CCFP Standard Catering contract must be used when procuring catered meal service.**

Note: *registration* means the caterer has registered with the CCFP and demonstrated it is properly licensed in the State of Florida to provide catering services. The CCFP is only authorized to reimburse child care centers that receive catered services from a caterer properly registered with the Florida Department of Health, CCFP. The Florida Department of Health, Bureau of Childcare Food programs does not endorse nor approve any specific catering entity.

- II) **Purchasing meals from a Public School District:**

A competitive procurement procedure is not required; however the Institution must have a written agreement with the Public School District that includes the unit meal price, school district menu, time period of the meal service agreement, and basic Child Care Food Program requirement information. A prototype agreement for this type of meal service is available on the CCFP website.

Note:

- a. Arrangements must be made to secure catered meal service when the local school district is not in session.
- b. School District menus are subject to approval by the Florida Department of Health, Bureau of Childcare Food Programs for compliance with CCFP meal pattern requirements.

- III) **Purchasing meals from another approved Child Care Food Program Institution:**

A competitive procurement procedure **is** required. If the competitive procurement procedure is unsuccessful, the Institution may have a written agreement with another approved Child Care Food Program Institution that plans to cater the meals. The meal service agreement must include the unit meal price, center menu, time period to be covered by the meal service agreement, and basic Child Care Food Program requirement information. The agreement for this type of meal service is available on the CCFP website.

This guidance booklet focuses on option one, purchasing meals from a registered caterer for obtaining catered meal service.

Monetary Threshold for the Standard Catering Contract

The monetary threshold to determine whether to follow an informal or formal competitive procurement procedure is \$100,000 which is set by 41 U.S.C. 403(11). The procurement determination is based on an Institution's or a facility's total annual food costs.

Informal competitive procedure: Institutions or facilities participating in the CCFP with a total annual meal service cost **up to** \$100,000 may use informal procedures for securing catered meal service contracts by:

- a. Obtaining written quotes from at least three registered caterers
- b. Ensuring quotes include the unit price for each meal type
- c. Accepting the lowest grand total quote unless prior approval is obtained from DOH for choosing a caterer with a higher quote (written justification is required)

Formal competitive procedure: Institutions with a total annual meal service cost **at or above** \$100,000 must use a formal bid procedure. Institutions or facilities must:

- a. Advertise the bid proposal in a newspaper of general circulation
- b. Conduct a formal bid opening in which sealed bids are required
- c. Provide a single award to the responsive, responsible caterer offering the lowest grand total price unless prior approval is obtained from DOH for selecting a caterer with a higher bid (written justification is required)

Catering Record Retention

The Institution or facility shall maintain books and records pertaining to the Standard Catering Contract or Renewal Catering Contract for a period of three years from the date of receipt of final payment under the contract, or in cases where an audit requested by any agency of the State of Florida, law enforcement or the U.S. Department of Agriculture remains unresolved, until such time as the audit is resolved. The books and records of the caterer pertaining to the caterer's operations relating to CCFP food service catering shall be available for inspection and audit by employees of the Department of Health, U.S. Department of Agriculture, Florida Department of Law Enforcement, Florida Department of Financial Services, Division of Public Assistance Fraud, and Early Learning Coalitions upon presentation of appropriate photo identification.

The following records must be retained by the Institution:

- a. Documents to support award of catering contract
- b. The contract and all addendums or changes
- c. Delivery records and meal change form confirmations
- d. Invoices and proof of payments to caterer
- e. All other documentation to support meals claimed

Catering contracts and all supporting documentation must be readily available for monitoring and review purposes.

Catering Contract Approval

Initial Standard Catering Contracts with registered caterers using informal or formal procedures and totaling \$50,000 or more must be approved by the Florida Department of Health, Bureau of Childcare Food Programs headquarters office before the Institution or facility signs (executes) the contract. The CCFP approval of these contracts is required before any CCFP reimbursement for associated catered meals may be claimed or paid. Any claims based upon catering agreements not so approved shall not be approved for payment.

Informal Competitive Procedures (grand totals of \$50,000 up to \$100,000): The Institution or facility must scan and email or fax or mail a copy of the following to the Nutrition Program Manger (email Brenda_Crosby@doh.state.fl.us or fax 850-414-1622):

1. Name of center, contact, phone number, and email
2. List of registered caterers contacted for quote (minimum of three required)
3. Any state approved amendments/addendums included with quote request to caterers
4. Selected state catered cycle menu or state approved menu included with quote request to caterers
5. Meal Services to be Provided, Attachment 5 included with quote request to caterers
6. Price schedule, Attachment 7 from each caterer that submitted a quote
7. If applicable, justification for approval with higher quote

Formal Competitive Procedures (grand totals at or above \$100,000): The Institution or facility must scan and email or fax or mail a copy of the following to the Nutrition Program Manger (email Brenda_Crosby@doh.state.fl.us or fax 850-414-1622):

1. Name of center, contact, phone number, and email
2. Bid advertisement from the publication of general circulation
3. Bid opening log sheet
4. Evaluation checklist for each caterer that submitted a bid
5. Any state approved amendments/addendums included in bid packet
6. Selected state catered cycle menu or state approved menu included in bid packet
7. Meal Services to be Provided, Attachment 5 included in bid packet
8. Price schedule, Attachment 7 from each caterer that submitted a bid
9. If applicable, justification for approval with higher bid

After receipt and review of the required documents, the Department will evaluate the proposed contract(s). If additional information or justification is required, the Department must request and receive that added information before a request for approval will be considered complete and ready for review. The Institution or facility will be contacted by email with a scanned copy of bid/quote notifying it of either approval or denial of reimbursement for catered meals provided under the proposed contract. A copy of the notice shall also be provided to the Regional Program Supervisor and Specialist. The Department shall provide its decision by email within 10 working days after a completed request for review is received from the Institution or facility.

Informal Competitive Procedure for Catered Meal Service

Step One: Obtain Price Quotes for Catered Meals

The Institutions or facilities with an estimated contract monetary threshold below \$100,000 must obtain written quotes from **at least three** caterers registered with the Department. The quotes must include the unit price for each meal type. The Institution or facility must accept the lowest grand total price quote unless the Institution or facility submits prior written justification to the Department for choosing a caterer with a higher grand total quote.

- The Institution or facility must complete the top portion and columns 1 & 2 of Attachment 7, Price Schedule of the Standard Catering Contract.

Note: You must indicate which Cycle Menu (A, B, or C) you prefer. Any changes to A, B, and C Cycle Menus or menus other than A, B, and C Cycle Menus must have prior written approval from the Florida Department of Health, Bureau of Childcare Food Programs headquarters office, before seeking quotes.

- Column 1 is the estimated number of meals you plan to serve each day.
- Column 2 is the estimated number of days in a year your Institution or facility will be open for business, so consider any weekend days and holidays that your Institution or facility will be closed (please note: there are only 365 days in a year!). Please average if you are a sponsoring organization of facilities with different serving days per year.
- A “boxed lunch” meal type has been included for those centers in need of this type of meal for field trips.

Note: The estimated number of school age children needs to be considered when estimating the 6-12 year old meal types(s) for the number of meals per day and number of days per year.

- Select at least three registered caterers that provide services to the county(s) your center(s) is located in from the Registered Caterer List for the Child Care Food Program.
Note: In the event there is only one registered caterer that provides services to your county, you will only need one quote. Likewise, if there are only two registered caterers, you will only need two quotes.
- The Institution or facility must complete Attachment 5, Meal Services to be Provided and Attachment 6, Delivery Schedule. (If more than one facility location, selected caterers will need delivery schedule when providing price quotes.)
- Call, then fax or mail (certified receipt recommended) the following three items to the caterers: a copy of the Price Schedule (completed with center information), a copy of the Cycle Menu you have chosen, and Attachment 5 – Meal Services to be Provided (completed with center information) to selected caterers (also send Attachment 6 if more than one delivery location).
- Request caterers to complete columns 3, 4, and 5 of the Price Schedule, sign and date, then return price quotes to you by a specific date. You must select at least three registered caterers willing to provide price quotes for catered meals.

Please refer to the sample quote request that can be adapted and sent with the above information on the following page.

Informal Competitive Procedure for Catered Meal Service

Step One (continued): Sample Request for Price Quotes

Request for Price Quotes for Child Care Food Program Meal Service

_____, a child care center located
Name of Center
in _____ County Florida is requesting price quotes for meals
County Name
(hot lunches, breakfasts & snacks) as indicated on the attached Price Schedule.
Please complete Columns 3, 4 and 5 of the Price Schedule, sign and date and return
to the address below by _____. Price Schedule can be faxed or
Date
mailed to the following:

FAX: 555-444-FOOD

ADDRESS: PEACEFUL CHILD CARE
700 HOPE VALLEY ROAD
FAITH TOWN, FL 33333

*****IMPORTANT*****

Keep all price quotes as required documentation of the Standard Catering Contract process.

Informal Competitive Procedure for Catered Meal Service

Step Two: Determine Lowest Price Quote

The Institution or facility must accept the lowest grand total price quote unless the Institution or facility submits prior written justification to the Department for choosing a caterer with a higher grand total quote.

It is important to check the math for each price quote received to determine the actual lowest grand total price quote. Below is an example of how this is done:

Type of Meal	Estimated Total No. of Meals per Day	X (Multiplied by)	Estimated No. of Serving Days per Year	X (Multiplied by)	Unit Price per Meal	= (Equals)	Total unit meal price
Breakfast	120	X	260	X	.85¢	=	\$26,520.00
Lunch	55	X	260	X	\$1.80	=	\$25,740.00
Snack	120	X	260	X	.48¢	=	\$14,976.00
Add the <u>total</u> unit meal price column to obtain the lowest grand total quote:							\$67,236.00

Note: If this example was the lowest grand total price quote, the Institution or facility would need to get approval before signing the contract because it exceeds \$50,000.

After determining the lowest grand total price quote (and receiving approval if necessary), contact the caterer and schedule a date and time to meet and sign the contract.

Remainder of page intentionally left blank.

Informal Competitive Procedure for Catered Meal Service

Step Three: Prepare and Sign Standard Catering Contract

After determining the lowest grand total price quote (and receiving approval if necessary), contact the caterer and schedule a date and time to meet and sign the contract.

DO NOT SIGN CONTRACT PRIOR TO OBTAINING PRICE QUOTES.

Also, do not sign contract prior to obtaining DOH approval if price quote totals \$50,000 or more (see Catering Contract Approval, page 6).

The Institution or facility must complete and include the following pages of the Standard Catering Contract:

- Fill in Institution or facility name on first line on page 12 of the contract.
- Include preferred Cycle Menu (A, B, or C) provided by the Florida Department of Health (**DOH**), Bureau of Childcare Food Programs. Remove the blank page and insert cycle menu of choice as Attachment 2.
Note: Any changes to A, B, and C Cycle Menus or menus other than A, B, and C Cycle Menus must have prior written approval from the Florida Department of Health, Bureau of Childcare Food Programs headquarters office, before seeking quotes.
- Include Attachments 1, 3, and 4.
- Include completed Attachment 5, Meal Services to be Provided.
- Include completed Attachment 6, Delivery Schedule. Make additional copies of this attachment **before** entering information if extra pages are needed.
- Include completed Attachment 7, Price Schedule based on the lowest quote received.
- Include completed Attachment 8, Institution Conflict of Interest Questionnaire. Remember to sign and date this attachment.
- Complete and sign Institution or facility portion of contract signature page 26.

The Institution or facility must ensure the caterer with the lowest price quote has:

- Accurately completed and signed Attachment 7, Price Schedule.
- Completed and signed Attachment 9, Caterer Conflict of Interest Questionnaire.
- Filled in second line of page 12.
- Completed and signed caterer portion of contract signature page 26.

The Institution or facility must provide a copy of the contract to the caterer and keep the originals on file. The original contract and supporting documentation (all price quotes, correspondence, faxes, etc.) must be kept on file for three years plus current year. The contract and supporting documentation must be readily available for auditing and monitoring purposes.

*****IMPORTANT*****

No amendments to the contract shall be made by the Institution or the caterer without prior express written consent of DOH.

Informal Procedure Checklist

The checklist below is provided for the Institution or facility to review each of the steps for accuracy and completeness when following the informal procedure for obtaining catered meal service.

Obtained Price Quotes for Catered Meals (Step One)

- Identified registered caterers to solicit quotes from.
- Completed top portion and columns 1 & 2 of Attachment 7, Price Schedule.
- Completed Attachment 5, Meal Services to be Provided.
- Completed Attachment 6, Delivery Schedule (if more than one facility location, selected caterers will need delivery schedule when providing price quotes).
- Called and faxed or mailed a copy of completed Price Schedule, preferred Cycle Menu, and Meal Services to be Provided to selected caterers to request price quotes. (If more than one facility location, also faxed Delivery Schedule.)
- Received quotes from at least three registered caterers.

Selected Caterer Based on Price Quotes (Step Two)

- Evaluated price quotes from caterers and determined actual lowest grand total price quote.
- Received approval from Florida Department of Health, Bureau of Childcare Food Programs headquarters office for CCFP catered meal reimbursement based upon initial contract quotes totaling \$50,000 or more.
- Contacted caterer to schedule time to sign contract.

Prepared and Signed Standard Catering Contract (Step Three)

- Filled in name of Institution or facility on first line of page 12
- Signed Institution or facility signature page of contract, page 26
- Inserted Attachment 2, Cycle Menu of choice (A, B, or C)
- Included:**
- Attachment 1, CCFP Meal Pattern
- Attachment 3, Minimum Food Specifications and Exhibit A
- Attachment 4, CCFP Boxed Lunch Menus
- Attachment 5, Meal Services to be Provided
- Attachment 6, Delivery Schedule
- Attachment 7, Price Schedule of lowest quote received
- Attachment 8, Institution Conflict of Interest Questionnaire
- Ensured caterer accurately completed attachments 7 and 9
- Ensured caterer filled in second line of page 12 and signed the caterer signature portion of page 26, Standard Catering Contract.
- Provided a copy of the completed and signed contract to the caterer and filed the original contract on-site for future CCFP monitoring reviews.
- Notified remaining caterers that submitted a quote with the outcome of the award.

Formal Competitive Procedure for Catered Meal Service

Step One: Advertise

Institutions or facilities with an estimated contract monetary threshold at or above \$100,000 must advertise an invitation to bid (written solicitation) for competitive sealed bids. This formal solicitation must be publicly announced at least once and at least fourteen (14) calendar days before the bid opening. The advertisement **must** include the date, time and place of the bid opening. A copy of the advertisement from the publication must be kept on file for documentation.

The invitation to bid must be publicly advertised in a newspaper of general circulation.

Below is a sample newspaper ad. Information, specific to your ad, must be inserted in the underlined space provided.

ADVERTISEMENT FOR BIDS

Bids will be accepted for catering service for the _____, _____
Name of Center
a child care center located in _____ County, Florida, to provide
_____ meals (hot lunches, breakfasts & snacks).

Amount

Bid packets and specifications may be obtained at the center located at _____

and/or call _____ . Bids will be opened at the above

address on _____ at _____

Date

Time (A.M. or P.M.)

Formal Competitive Procedure for Catered Meal Service

Step Two: Prepare Standard Catering Contract Bid Packages

The Institution or facility must prepare Standard Catering Contract bid packages for registered caterers to pick-up or to be mailed per caterer request. The Institution or facility must keep a list of all caterers provided a bid package (when and who it was given to). Prepare enough bid packages for the number of caterers that you think will be interested and keep at least one copy for your records. The bid packets must include all pages of the Standard Catering Contract and attachments. Bid packets must be prepared by the Institution or facility prior to receipt by caterers. Information required to be completed by the Institution or facility (**except for signatures**) may be filled out once and then copied. **All signatures must be originals.** Please use blue ink.

DO NOT SIGN CONTRACT SIGNATURE PAGE (PAGE 26) PRIOR TO BID OPENING AND AWARD – ALSO, DO NOT SIGN PRIOR TO OBTAINING DOH APPROVAL IF BID AMOUNT TOTALS \$50,000 OR MORE.

The Institution or facility must complete and include the following pages of the Standard Catering Contract:

- Fill in Institution or facility name on first line on page 12 of the contract.
- Include Attachment 1, CCFP Meal Pattern.
- Select one of the three Cycle Menus (A, B, or C) provided by the Florida Department of Health (**DOH**), Bureau of Childcare Food Programs. Remove the blank page and insert cycle menu of choice as Attachment 2.
Note: Any changes to A, B, and C Cycle Menus or menus other than A, B, and C Cycle Menus must have prior written approval from the Florida Department of Health, Bureau of Childcare Food Programs headquarters office, before seeking bids.
- Include Attachment 3, Minimum Food Specifications and Exhibit A.
- Include Attachment 4, CCFP Boxed Lunch Menus.
- Complete Attachment 5, Meal Services to be Provided.
- Complete Attachment 6, Delivery Schedule. Make additional copies of this attachment **before** entering information if extra pages are needed.
- Complete top portion and columns 1 & 2 of Attachment 7, Price Schedule.
Note: The estimated number of school age children needs to be considered when estimating the 6-12 year old meal type(s) for the number of meals per day and number of days per year. Also, a “boxed lunch” meal type is included for those centers in need of this type of meal for field trips. Column 2 is the estimated number of days in a year your Institution will be open for business, so consider any closings for weekend days and holidays (please note: there are only 365 days in a year!).
- Complete Attachment 8, Institution Conflict of Interest Questionnaire. Remember to sign and date this attachment.
- Include Attachment 9, Caterer Conflict of Interest Questionnaire.
- Include Attachment 10, Catered Meal Order Change Form.
- Complete top portion of Attachment 11, Bidder Acknowledgement Form.
- Complete Institution or facility portion of Attachment 12, Certificate of Independent Price Determination.

*****IMPORTANT*****

Sealed bid packages received from caterers before the bid opening must be securely kept, unopened with the date and time received recorded (written or stamped) on the outside of the sealed envelopes. No amendments to the bid shall be made by the Institution or facility or the caterer without prior express written consent of DOH.

Formal Competitive Procedure for Catered Meal Service

Step Three: Bid Opening Log

The Institution or facility must publicly open and read all bids received at the location and date and time advertised. **No bids shall be accepted for consideration after this date and time.** After the bid submission deadline, the Institution or facility will open each bid package, read aloud the name of the caterer and the Grand Total bid price, and record them on the form below. ***No award will be made at this time.*** There must be no discussion of bids between the Institution or facility and the caterer during the bid opening. Questions from caterers regarding the bid must be submitted in writing to the Institution or facility. The Institution or facility must determine if bids are ***responsive*** before determining which caterer will be awarded the bid. **The Institution or facility or caterer is not allowed to change any part of a sealed bid package once the caterer has submitted it to the Institution or facility. Bids must not be altered in any way after the bid opening.**

Bid Opening Log for: _____ <div style="text-align: center;">Name of Institution or facility</div>	
Date of Bid Opening: _____	
Time of Bid Opening: _____	
Signature of Authorized Institution/facility Representative(s): _____	
Name of Caterer:	Grand Total Price (From Attachment 7, Price Schedule)

Formal Competitive Procedure for Catered Meal Service

Step Four: Bid Evaluation and Award

The Institution or facility must evaluate if the submitted bids are responsive based on the checklist below. The Institution or facility has up to 72 hours to determine the responsiveness of bids after the bid opening. Bid award of the Standard Catering Contract shall be made to a single responsive, responsible bidder on the basis of the lowest aggregate total price submitted. After the bid has been awarded, all bids submitted are considered public information and may be viewed by appointment.

Make copies of the checklist below and complete for each caterer that submitted a bid.

Name of Institution or facility: _____

Authorization No.: _____

Date and Time of Bid Opening: _____

Evaluation Checklist for Caterer Responsiveness		
Name of Caterer:	Yes	No
1. Caterer is registered with the Bureau of Childcare Food Programs and is included on the Registered Caterer List for CCFP. <i>(Registration means the caterer has submitted required documentation to DOH to provide meals to participating Institutions in the CCFP.)</i>		
2. Caterer submitted bid on time.		
3. Caterer completed and signed the signature page of contract as a legally binding offer (page 26).		
4. Caterer accurately completed and signed Attachment 7, Price Schedule. <i>(See example on the following page of this booklet.)</i>		
5. Caterer completed and signed Attachment 9, Caterer Conflict of Interest Questionnaire.		
6. Caterer completed and signed Attachment 11, Bidder Acknowledgement Form.		
7. Caterer completed and signed Attachment 12, Certificate of Independent Price Determination.		
8. Caterer provided pages requiring original signatures in duplicate.		

All items must be checked “Yes” in order for the caterer’s bid to be evaluated

Formal Competitive Procedure for Catered Meal Service

Step Four (continued): Bid Evaluation and Award

It is important to check the math for each bid price received to determine the actual lowest grand total price submitted. Below is an example of how this is done:

Type of Meal	Estimated Total No. of Meals per Day	X (Multiplied by)	Estimated No. of Serving Days per Year	X (Multiplied by)	Unit Price per Meal	= (Equals)	Total unit meal price
Breakfast	220	X	260	X	.85¢	=	\$48,620.00
Lunch	155	X	260	X	\$1.80	=	\$72,540.00
Snack	220	X	260	X	.48¢	=	\$27,456.00
Add the <u>total</u> unit meal price column to obtain the lowest grand total quote:							\$148,616.00

Note: If this example was the lowest grand total price submitted, the Institution or facility would need to get approval before signing the contract because it exceeds \$50,000.

Remember, all initial Standard Catering Contracts using formal procedures and bids totaling \$50,000 or more must be approved by the Florida Department of Health, Bureau of Childcare Food Programs headquarters office for purposes of obtaining reimbursement for meals delivered under the contract before the Institution or facility signs (executes) the contract (see Catering Contract Approval, page 6).

After determining the responsiveness of each bid submitted and receiving approval (if \$50,000 or more), contact the responsive caterer with the lowest aggregate total price submitted and schedule a date and time to meet and sign the contract.

Remember, the caterer submitted the required mandatory attachments in duplicate so both parties (the Institution or facility and the caterer) need copies of the contract pages requiring original signatures.

The original Standard Catering Contract and supporting documentation (all bids submitted, bid log, evaluation checklists, correspondence, faxes, etc.) must be kept on file for three years plus current year. The Standard Catering Contract and supporting documentation must be readily available for auditing and monitoring purposes.

Formal Competitive Procedure for Catered Meal Service

Noncompetitive Negotiation

Noncompetitive Negotiation is only allowed when the formal bid procedure has been unsuccessful in obtaining a food service contract in a competitive manner. Below are examples that would allow noncompetitive negotiation.

- No response to bid
- Single response

If you do not receive any responses from registered caterers by the designated date and time of bid opening, you will need to contact the caterer(s) that received a bid package and discuss the reasons for no response. You can then negotiate the price and terms of the meal service with a registered caterer or re-bid.

If you only receive a single bid response, you may negotiate the price and terms of the meal service with the registered caterer or re-bid.

Remainder of page intentionally left blank.

Formal Procedure Checklist

The checklist below is provided for the Institution or facility to review each of the steps for accuracy and completeness when following the formal procedure for obtaining catered meal service.

Advertised (Step One)

- Advertised (in a newspaper of general circulation) at least one time, allowing 14 calendar days from date of appearance of advertisement to actual bid opening.
- Has on file a copy of the advertisement from the publication which includes the date, time, and place of the bid opening.

Prepared Bid Packages (Step Two)

- Filled in name of Institution or facility on first line of page 12
- Inserted Attachment 2, Cycle Menu of choice (A, B or C)
- Inserted Attachments 1, 3, 4, and 10

Completed:

- Attachment 5, Meal Services to be Provided
- Attachment 6, Delivery Schedule
- Attachment 7, Price Schedule
- Attachment 8, Institution Conflict of Interest Questionnaire
- Top portion of Attachment 11, Bidder Acknowledgement Form
- Institution or facility portion of Attachment 12, Certificate of Independent Price Determination
- Securely kept and marked sealed bid packages received from caterers with date and time received

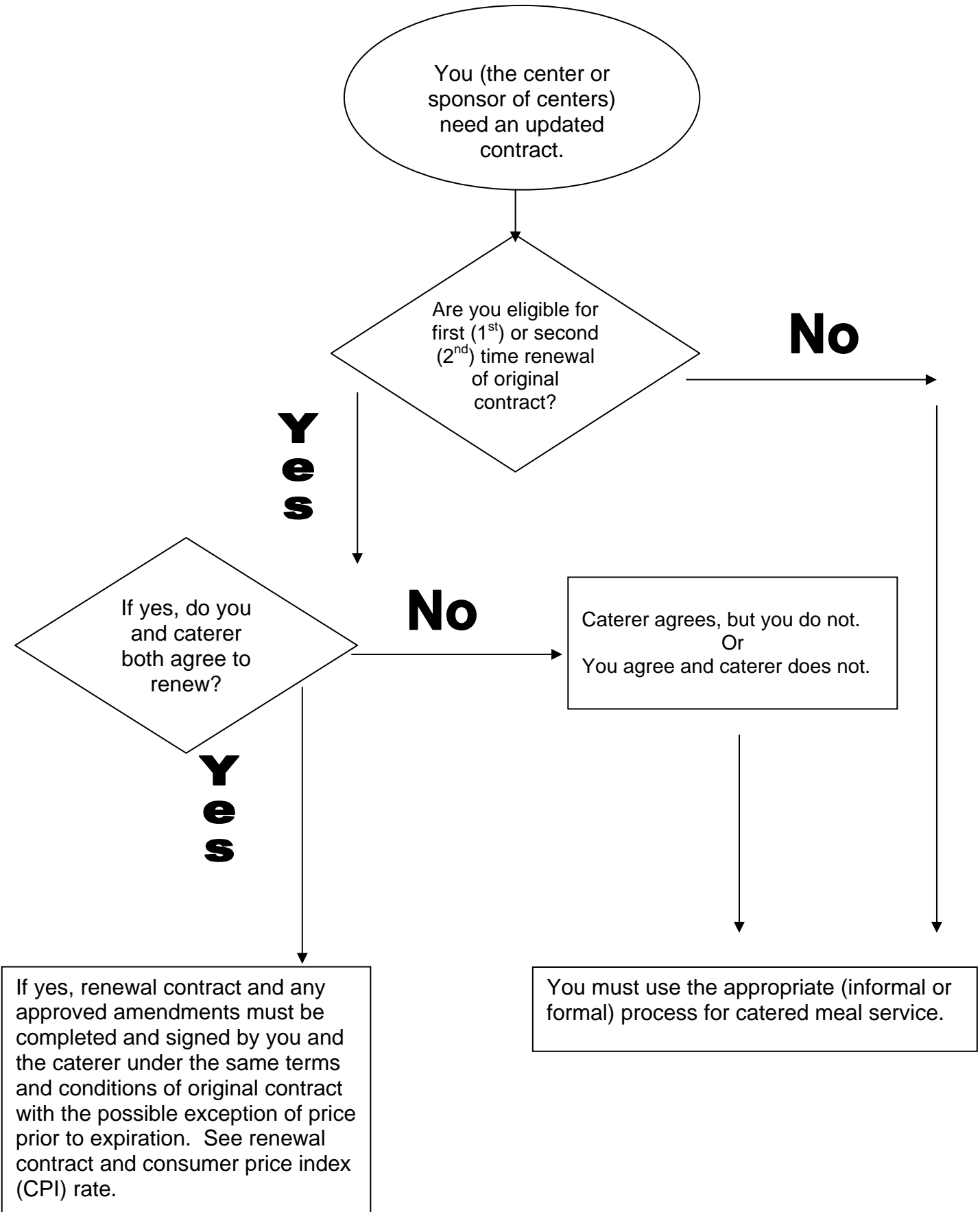
Held Bid Opening (Step Three)

- Publicly opened bids at advertised location, date, and time.
- Completed bid opening log.

Evaluated and Awarded Bid (Step Four)

- Reviewed bids within 72 hours and completed Evaluation Checklist for Caterer Responsiveness for each bid received.
- Submitted documents required for approval (see Catering Contract Approval, page 6) which included the single responsive, responsible caterer.
- Received approval from Florida Department of Health, Bureau of Childcare Food Programs headquarters office of bids totaling \$50,000 or more prior to signing (executing) contract with registered caterer.
- Awarded bid and scheduled appointment with caterer to sign contract. Award can be made by phone or letter. If by phone, document in writing the registered caterer who was contacted, date and time called and signature of the person who called.
- The Institution or facility and the caterer each received a complete signed contract with required original signatures.
- Notified remaining caterers that submitted a bid with the outcome of the award.

Catering Renewal Chart



Procedure for Renewal Catering Contract

- A. If the Institution or facility and the caterer desire to renew the original contract, the CCFP Renewal Catering Contract must be used. Original contracts may only be renewed for two additional one-year periods. Catering contracts are based on federal fiscal year (October 1st thru September 30th of the following year). Catering contracts (originals and renewing) expire on September 30th each federal fiscal year.
- B. Public and military Institutions or facilities must comply with their governing authority's fiscal year requirements for catering contracts and renewals.
- C. To determine if you are eligible to renew your catering contract, review your existing original contract for federal fiscal year signature dates. For example using the federal fiscal year of 2011-2012, if the original contract was signed in 2009-2010 federal fiscal year, you may be eligible for your second (and final) one-year renewal period. If the original contract was signed in 2010-2011 federal fiscal year, you are eligible for your first one-year renewal.
- D. Fill in the expiring year on page one of the Renewal Catering Contract.
- E. Fill in the signature date of the last party to sign the original catering contract or first year renewing contract (whichever is latest) on page one of the Renewal Catering Contract.
- F. **IMPORTANT:** Catering contracts cannot be renewed after the current contract ending date of September 30th. If the current catering contract (original or renewing) has expired, you must follow informal or formal catering contract procedures depending on your Institution's or facility's monetary threshold.
- G. Remember, a renewal is by mutual consent of both parties (the Institution or facility and the caterer) and is subject to the same terms and conditions as established in the original catering contract and the CCFP Renewal Catering Contract including any CCFP amendments.
- H. The Renewal Catering Contract amends the original catering contract and must include:
 - a. Attachment 2, entitled "Cycle Menu" which is updated each fiscal year. The Institution or facility must select from the current fiscal year menus (A, B, or C). Remember, any changes to A, B and C Cycle Menus or menus other than A, B, and C must have prior written approval from DOH, Bureau of Childcare Food Programs prior to signing the renewal contract.
 - b. The following if different than the original or renewing catering contract:
 - Attachment 3, Minimum Food Specifications and Exhibit A – Grains/Breads Requirement
 - Attachment 4, Boxed Lunch Menus
 - Attachment 5, Meal Services to be Provided
 - Attachment 6, Delivery Schedule
 - Attachment 7, Price Schedule
- H. Re-negotiation of price for purposes of CCFP meal reimbursement payments shall be allowed (increases or decreases) within specified limits. Any price increases shall not exceed the Consumer Price Index (CPI) as published by the Florida Department of Health, Bureau of Childcare Food Programs. For the upcoming federal fiscal year 2011-2012, the new CPI is 9.1%.
- I. The Institution or facility must maintain the signed original Renewal Catering Contract and provide a copy of the complete Renewal Catering Contract to the Caterer.
- J. **IMPORTANT:** The Renewal Catering Contract and supporting documentation (amendments, attachments, correspondence, faxes, etc.) must be kept on file for three years plus current year. The Renewal Catering Contract and supporting documentation must be readily available for auditing and monitoring purposes.

Changing Amount of Catered Meals Ordered

When making changes to the number of meals ordered under a catering contract, the Institution or facility must complete the Catered Meal Order Change Form (Attachment 10 of the Standard Catering Contract) or one that is substantially similar.

The meal order change form must be faxed to the caterer by 5:00 p.m. two days prior to delivery.

The caterer will confirm the requested change(s) with a return fax to the Institution.

IMPORTANT: This form is to be used for changing the number of meals ordered only. Meal type must be based on the original or renewal contract Price Schedule.

The Institution or facility must inform the caterer of the following:

- Current total number of meals ordered per day by meal type
- Total number of meals (per day by meal type) the Institution or facility would like to change to
- If the change is for specific time period (provide dates) or until further notice
- The maximum number of children age one

Remainder of page intentionally left blank.

Definitions

1. Bid means an offer to perform catering service in accordance with the specifications and conditions of the governing contract for a set, stated price.
2. Caterer means a person or business entity registered with the Department that wishes to sell prepared meals, food related supplies and services to CCFP participating Institutions.
3. Center means a child care center, at-risk after school care center, an emergency shelter, or an outside-school-hours care center.
4. Competitive sealed bid means a method of procurement whereby two or more sealed bids are publicly solicited and a firm fixed-price contract is awarded to the responsive, responsible bidder whose bid, conforming to all the material terms and conditions of the solicitation, is the lowest in price or a selected acceptable bid price based upon CCFP criteria.
5. Contract means a legally enforceable agreement duly executed by the authorized representative of the Institution or facility and the caterer that calls for the provision of meals, supplies and services by the Caterer in accordance with all the conditions and specifications in the contract for a price to be paid by the Institution. The contract is solely between the Institution or facility and the caterer. The Florida Department of Health, Bureau of Childcare Food Programs is in no way liable as an active participant in or a party to the catering contract between the caterer and Institution.
6. Executed contract means a contract that has been signed and dated by both parties (authorized representatives of the Institution and caterer). In those instances where the quoted or bid price for service under the original contract equals or exceeds \$50,000, if such contract is intended to support claims for CCFP meal reimbursement, it may not be executed until it is approved by the Department and must be so approved prior to the parties executing and commencing service under that contract for CCFP meal disbursements.
7. Facility means a sponsored child care center.
8. Fixed-price contract means a contract in which the caterer is paid at a set or fixed rate per meal for a specific period of time.
9. Formal competitive procedure means a method of obtaining catered meal service by an advertised sealed bid process.
10. Informal competitive procedure means a method of obtaining catered meal service by requesting price quotations for meals.
11. Institution means a sponsoring organization, child care center, at-risk afterschool care center, outside-school hours care center, or emergency shelter which enters into an agreement with the Department to assume final administrative and financial responsibility for Program operations.
12. Invitation to bid means a written solicitation for competitive sealed bids with the title, date and hour of the public bid opening. The written solicitation contains specifications and pertinent attachments that define the items or services needed and upon which basis the bidder shall be required to respond.
13. Noncompetitive negotiation means the procurement through solicitation of a proposal from only one or a very limited number of sources or after solicitation of a number of sources, competition is determined to be inadequate.
14. Quotation or quote means the formal statement of a price at which a prospective caterer is prepared to deliver specified services.
15. Responsive bidder means a caterer registered with the Bureau of Childcare Food Programs who has submitted a response to an Invitation to Bid for catering services.
16. Responsive potential caterer means a caterer registered with the Bureau of Childcare Food Programs who has submitted a response to a solicitation for a quote for catering services.

Catering Questions and Answers

Q1: If a Child Care Food Program (CCFP) center is receiving meals from another unaffiliated CCFP center, do they need to have the Standard Catering Contract filled out?

A1: No, however the center must complete the 1-page "Meal Service Agreement with CCFP Contractor" (see website: www.doh.state.fl.us/Family/ccfp/index.htm) and keep on file for three years plus current year (this is assuming the centers are not owned by the same person/organization). Both centers will need to have documentation related to how many meals are produced/delivered, and what the unit price is per meal. Remember, a center must first competitively solicit for catered meal service – if unsuccessful, they may have an agreement with another participating center.

Q2: Is a registered caterer required to provide a quote when asked?

A2: No. Caterers are not obligated to provide quotes. It may not be worth the caterer's time/money if the center is located far away from the caterer or only has a small number of children.

Q3: Can a center provide self-prep meals and receive catered meals?

A3: Yes. For example, a center may wish to receive catered lunches and provide self-prep breakfasts and snacks. This would be indicated on Attachments 5 and 7. The Institution must have a current food service inspection at the appropriate level of foodservice (full or limited) in order to claim reimbursement for self-prep meals. Note, all meals must meet meal pattern requirements and meal receipts must be available for review.

Q4: Can a center switch from catered meal service to self-prep?

A4: Yes, the center must have a current food service inspection that designates full food service. If not, they would need to contact their local licensing authority. A change form must be submitted for approval.

Q5: Can a center located on a large complex receive meals from a central kitchen located across the parking lot?

A5: Yes, assuming the center is owned by the same organization that operates the kitchen. If not, they should procure catered meals competitively.

Q6: Can a CCFP center also be a registered caterer?

A6: No. Registered caterers are separate entities. A CCFP center may not act as both a CCFP contractor and registered caterer at the same time as this is prohibited in the CCFP Contract.