



SPONSOR AND VENDED MEAL SERVICES

DO I NEED A VENDED MEAL CONTRACT OR SPONSOR TO SPONSOR AGREEMENT?

To determine what type of contract is needed we must first distinguish the scope of services needed for the school food authority (SFA), and what responsibilities will be expected of the meal vendor.

A Vendor Meal Contract (VMC) is required when receiving meals from an outside company. An SFA can act as a meal vendor, prepare, and deliver meals to another SFA.

A VMC **or** a Sponsor to Sponsor Agreement (SSA) is required when one SFA provides meals to another SFA.

The decision to establish a VMC or to complete an SSA depends on which SFA will claim the meals for reimbursement.

Vended Meal Contract	Sponsor to Sponsor Agreement
A VMC is required when an SFA (#1) provides meals to another SFA (#2) and the receiving SFA (#2) is the one claiming the meals for reimbursement.	An SSA is required when an SFA (#1) provides meals to another SFA (#2) and the SFA (#1) claims the meals for reimbursement. All sites must be listed in the Sponsors Application under the Montana Agreement and Payment System (MAPS) for the SFA (#1) providing and claiming the meals.

REQUIREMENTS

SFA's are strongly encouraged to use MT OPI School Nutrition Program Sample Vended Meal Contracts or Sample Sponsor to Sponsor Agreement templates that can be found on the OPI website.

Whether an SFA enters a VMC or SSA contract and chooses not to use an OPI approved template, the agreement must specify certain terms including but not limited to the following:

- procurement standards
- meal service including day and time.
- meal pattern requirements for each meal service
- HACCP procedures
- production records
- access to individual student eligibility
- payment schedule and meal claiming
- record keeping document requirements.
- USDA food requirements and Buy American provision.
- program oversight
- equipment usage and maintenance
- school board signatures

All procurement documents are subject to review as part of the procurement review.

Vended Meal Service Contractors	
Tasks CAN be preformed	Tasks CANNOT be preformed
Meal preparation	Access individual student meal eligibility information
Meal delivery	Act as a receiving SFA employee or agent
Menu development	Collect claim data
Completion of daily menu production records	Collect meal payments
Required backup documentation	Conduct point of service meal counts
	Perform program oversight

STEPS TO ESTABLISH A VMC

- Research possible vendors to obtain price quotes from
- Prepare either an Invitation for Bid (IFB) or a written Request for Proposal (RFP) and send to as many bidders as possible. SFA's are encouraged to review MT OPI sample.
- Should follow a competitive procurement process, should obtain two or more price quotes.
 - May follow informal procedures of procurement.
 - Use the [MT OPI Procurement Guidelines](#)
- The SFA is responsible for the development of the contract **not** the vended meal contractor.
- The contract should state that all meals provided by the vended meal contractor will meet the meal pattern requirements for specific grade groups and specific Child Nutrition Programs.
- The vended meal agreement should include specific details, including but not limited to:
 - Type of meal service—traditional meal service or offer versus serve (OVS)
 - Training regarding meal patterns
 - Menu components will be supplied by the vended meal contractor.
 - Delivery times and locations
 - Process for approving menu.
 - Process for placing meal orders.
 - Recording temperatures when leaving meal vendor's facility and receiving at SFA's facility
 - Food Safety
 - The condition of transport containers and delivery vehicles
 - Access to menu records such as production records, standardized recipes, Child Nutrition (CN) labels, and

Product Formulation Statements (PFS),
food labels

- Daily transportation records
- Use of USDA Foods

SFAs contracting with another SFA for vended meals do not need to submit bid documents to the MT OPI for prior approval; however, SFAs must submit a signed copy of the contract and annual contract renewals to the MT OPI in the MAPS sponsor application.

If an SFA requires the contractor to provide staff to serve meals or prepare the meals at the SFA’s facility the SFA must procure a food service management company (FSMC), not a vended meal contractor.

Know the Responsibilities	
School Food Authority	Vended Meal Contractor
Meal Pattern, Training and Documentation	
Monitoring meals provided contain all required meal components in correct serving sizes by grade group to meet the USDA meal pattern requirements	Provide documentation to show that meals meet the USDA meal pattern requirements by grade group for all required meal pattern components: including grains, M/MA, fruit, vegetable, and milk.
Professional standards are met, staff are trained on the USDA meal pattern requirements for each meal service (SBP, NSLP, ASP) how to serve the meal components for the specific grade groups, and what constitutes a complete meal for reimbursement	Documentation requirements of meal pattern such as use of Food Buying guide, CN Labels, Manufacturer Product Formulation Statements (PFS), Standardized Recipes for scratch cooked food items,
Ensure that the vended meal contractor is providing the correct quantities of vegetables and fruit for each grade group for each meal service including following sub-group specifications for vegetable components at lunch	Vended meal contractor must make all records such as menu production sheets, standardized recipes for scratch cooked foods items, CN labels, and PFSs available to SFAs
Ensure proper amounts and types of milk and milk substitutions (when applicable) are being offered.	

<p>Review that the vended meal contractor has proper menu production records, standardized recipes for scratch cooked food items, CN labels, and PFS.</p>	
<p>Remember that the SFA is responsible if meals are short or missing components, so it is imperative that the vended contractor has had proper training on meal pattern requirements.</p>	
<p style="text-align: center;">School Food Authority</p>	<p style="text-align: center;">Vended Meal Contractor</p>
<p style="text-align: center;">Offer vs Serve (OVS) Requirements</p>	
<p>Remember that OVS is required at Lunch for the High School Level and optional for other grade levels.</p> <p>Breakfast is optional for all grade levels</p>	<p>Do not adjust the number of portions to deliver a particular food component without a request from the SFA</p>
<p>Understand how to implement OVS at Lunch and Breakfast</p>	
<p>OVS at LUNCH:</p> <ul style="list-style-type: none"> ● All five food components must be offered in the minimum required quantities. ● The five components consist of: fruits, vegetables, grains, meats/meat alternates (M/MA), and fluid milk. ● Students can take all five food components if they want. ● At a minimum, students must take at least three food components. ● Students must take a minimum of a ½ cup of fruit and/or vegetable 	
<p>OVS at BREAKFAST:</p>	

<ul style="list-style-type: none"> • Must offer a minimum of four menu items from the three food components. • The three components consist of: fruits (or vegetables substitution), grains (or optional credited M/MA), and fluid milk. • Students must take at least three food items in specific serving sizes. • Must offer 1 cup fruit for all grade groups. • Students are required to take minimum ½ cup fruit 	
Signage	
Must have proper signage for breakfast and lunch indicating to students what components they may choose comprising a reimbursable meal	Work with SFA to include appropriate signage for each meal service.
School Food Authority	Vended Meal Contractor
Transportation Records	
Ensure the transportation record is provided and completed by the vended meal contractor	Must have a transportation record document available for use
Train staff to receive delivered food	Items to record on daily transportation sheet: <ul style="list-style-type: none"> • Food Item • Number of servings • Serving size of each food item • Contribution food item makes in meal pattern. • Time and temperature for hot and cold items prior to leaving vendor food service facility
Verify the correct food items and quantity of food items is delivered matching the transportation records	
Record time and temperature of food items upon receipt of delivery and at time of service	

Use proper serving utensils to ensure proper amounts are portioned	Record if food items are individually or delivered in bulk, documentation of proper serving size, indicate what size(s) of serving utensil SFA should use.
Record number of leftovers and proper handling	
Keep transportation records on file for 3 years plus current year	
School Food Authority	Vended Meal Contractor
Food Safety	
Must have or request two food safety inspections from the local sanitarian on an annual basis	Must possess a current health permit and ensure that health and sanitation requirements are always met.
Must have a written food safety plan based on Hazard Analysis Critical Control Points (HACCP) that includes standard operating procedures (SOP) for each menu item that has a temperature control through the storage, preparation, transportation, holding, meal service, and after the meal service process. Ensure that Food Safety and HACCP are included in mandatory Professional Standard training for staff	Must have a written food safety plan based on Hazard Analysis Critical Control Points (HACCP) that includes standard operating procedures (SOP) for each menu item that has a temperature control through the storage, preparation, transportation, holding, meal service, safe reheating and heating and handling leftovers.
Include in the contract a clause requiring the vended meal contractor to make food safety inspection reports available upon request	Must be able to provide copies of food safety inspections to SFA upon request
Must ensure at least one staff member at each food facility has successfully passed an examination from an accredited food protection manager certification organization.	Must ensure at least one staff member has completed their food safety certification

RESOURCES

- Procurement Guidelines and Review
 - USDA SP 03-2017 <https://www.fns.usda.gov/cn/draft-tool-local-agency-procurement-reviews-school-food-authorities-sy2016-2017-revised>
 - 2 CFR 200.318 [General Procurement Standards](#)
 - MT OPI Procurement <https://opi.mt.gov/Leadership/Management-Operations/School-Nutrition/Procurement>
 - Procurement Guide Document <https://opi.mt.gov/Portals/182/Page%20Files/School%20Nutrition/Meal%20Eligibility/Forms%20and%20Policy/7.6.23/Procurement%20Resource%20Packet%20Fillable%20-%20Updated%202023.pdf?ver=2023-07-06-140940-143>
- Meal Patterns
 - Food Buying Guide <https://www.fns.usda.gov/tn/food-buying-guide-for-child-nutrition-programs>
 - Meal Requirements under NSLP and SBP <https://www.fns.usda.gov/cn/sp052022-questions-answers-program-operators>
 - Offer vs Serve <https://fns-prod.azureedge.us/sites/default/files/cn/SP41-2015av2.pdf>
 - Menu Planning <https://opi.mt.gov/Leadership/Management-Operations/School-Nutrition/School-Meal-Programs>
 - Serving portions <https://theicn.org/wp-content/uploads/2023/10/Basics-at-a-Glance.jpg>
- Signage
 - Breakfast, Lunch, And Justice for All <https://docs.google.com/forms/d/e/1FAIpQLSdye5mmbd59QbgL34j-kUZxzOs0eMfOwDZ2gR-8FkzjgvdZUA/viewform>
- Food Safety
 - https://fns-prod.azureedge.us/sites/default/files/Food_Safety_HACCPGuidance.pdf
 - <https://opi.mt.gov/Leadership/Management-Operations/School-Nutrition/Food-Safety-Special-Diets>
 - <https://opi.mt.gov/LinkClick.aspx?fileticket=DtcQ6nDOFj4%3d&portalid=182>
- Training
 - <https://www.fns.usda.gov/cn/professional-standards>
 - Professional Standards Calendar <https://opi.mt.gov/LinkClick.aspx?fileticket=92WsNcyb1EE%3d&portalid=182>
 - <https://opi.mt.gov/Leadership/Management-Operations/School-Nutrition/School-Nutrition-Professional-Standards-Training>