



**Timeline and Procedures for Procuring a Food Service Management Company (FSMC)**  
*Montana School Nutrition Programs, Office of Public Instruction*  
 (406) 444-2501 ~ [www.opi.mt.gov/schoolfood/index.html](http://www.opi.mt.gov/schoolfood/index.html)

<b>When</b>	<b>What</b>	<b>Requirements</b>
January	Prepare Request for Proposal (RFP) (Steps 1, 2, and 3).	Use of MTSNP prototype RFP is required.
February	Montana School Nutrition Program (MTSNP) reviews RFP (Step 4).	MTSNP must approve the RFP before it is advertised.
March – April	Advertise RFP (Step 5).	<ul style="list-style-type: none"> <li>• Advertise in a major newspaper, allowing at least 60 days to solicit proposals.</li> <li>• Directly solicit bids from prospective FSMCs.</li> <li>• Keep on file proof of formal advertising and the list of FSMCs that were given the RFP.</li> </ul>
Mid-March	Pre-proposal conference, visitation by potential vendors.	Conference can be held at the School Food Authority's discretion and is usually 2 weeks after solicitation period begins.
May 1	Deadline for proposals and proposal opening (Step 6).	
May	Contract negotiation (Step 7).	Use of MTSNP prototype contract is required.
June	MTSNP reviews and approves final contract (Step 8).	MTSNP must approve contract before it is awarded.
July 1	Award contract (Step 9).	<ul style="list-style-type: none"> <li>• Contract will be awarded for one year, with up to 4 one-year renewals.</li> <li>• Reimbursement cannot be paid for meals provided by the FSMC prior to MTSNP approval and SFA award of the contract.</li> </ul>

## FOOD SERVICE MANAGEMENT COMPANY CONTRACT PROCEDURES

Contracts between School Food Authorities (SFAs) and Food Service Management Companies (FSMCs) require formal bid purchase using open and free competition. Contracts are written for 1 year with the option to renew that contract for an additional 4 years. All contracts end at the end of the school year.

The Office of Public Instruction, School Nutrition Programs (MTSNP) administers the funds for the United States Department of Agriculture, Child Nutrition Programs and has developed the following guidelines for procuring the contracts between the SFA and the FSMC. Allow approximately 6 months to complete all requirements for procuring and contracting with a Food Service Management Company. All contracts must be signed and approved by MTSNP prior to the date the meals are claimed for reimbursement.

### Steps to Procuring a Food Service Management Company (FSMC)

*A simplified timeline is available on the previous page.*

1. Request from MTSNP all references for completing required procedures for contracting with a FSMC.
  - Prototype Request for Proposal (RFP). This may be sent as a hard copy and/or as an e-mail attachment. Please note that the RFP can become the contract if accepted.
  - *Contracting with Food Service Management Companies: Guidance for School Food Authorities*, U.S. Department of Agriculture (USDA).
2. Carefully read USDA publication, *Contracting with Food Service Management Companies: Guidance for School Food Authorities*.
3. Prepare the RFP. The MTSNP prototype RFP must be used for all FSMC contract procurements. You may wish to have your Sponsor's legal counsel for review the RFP. Be aware that the 21-day cycle menu of breakfasts and lunches (as applicable) must be either developed by the SFA or submitted by the FSMC as a part of the RFP and followed during the first 21 days of the contract.
4. Submit the RFP to MTSNP for approval; allow 3-4 weeks for follow-up and approval.
5. After receiving the RFP approval from MTSNP:
  - Solicit bids/ proposals directly from an adequate number (usually 3-5) of qualified FSMCs.
  - Advertise in major newspapers that are normally used by the Sponsor for publicizing other procurements. The advertisement should include the RFP number and date, a brief description of what is being proposed for procurement and instructions for obtaining a copy of the RFP.
  - Allow 60 days from the date the bids are solicited until the date the bids are due.
6. Proposals may not be opened or reviewed until after the due date established in the RFP. Appoint an evaluation team; determine a scoring system to evaluate each proposal. Negotiations are conducted with those offerers whose proposals address all requirements and are deemed responsive. Evaluate all responses and award the bid to the FSMC whose proposal will be most advantageous to the Sponsor. Fully document the selection criteria.
7. Prepare the MTSNP prototype contract between the Sponsor and the FSMC. This must include the 21-day cycle menu and the required forms. **Any** changes or additions to the agreement should be in the form of an addendum to the contract.
8. Submit a copy of the final RFP, 21-day cycle menu, required forms, and the addendum (if applicable) to MTSNP for approval; allow a minimum of four (4) weeks for approval.  
Keep on file at the SFA:
  - The names of FSMC for which the proposals were solicited.
  - Proof of formal advertising.
9. Obtain school board approval for the contract. Award final contract.

***Meals served prior to the date the contract is signed cannot be claimed for reimbursement.***

For questions, please contact School Nutrition Programs at (406) 444-2501.