

Request for Proposal Timeline for Food Service Management Company (FSMC) Contracts

The purpose of this document is to provide guidance in order to obtain approval and execute a contract with an effective date of July 1. The state agency suggests that the School Food Authority (SFA) adhere to the following steps and approximate timeline.

August - November	
SFA request TDOE assistance (highly recommended)	<ul style="list-style-type: none"> School Food Authority (SFA) elects to consider proposals from Food Service Management Company (FSMC) to operate SFA's School Nutrition Program. SFA requests technical assistance from Tennessee Department of Education (TDOE). Email TDOE contract specialist and regional consultant letting them know your SFA is interested in a FSMC contract. Discuss advantages/disadvantages of privatization with other SFAs and school boards. Put together a team to evaluate current program, help solicit the Request for Proposal (RFP), and manage the contract after awarding to FSMC.
Download USDA's Contracting with Food Service Management Companies: Guidance for School Food Authorities	<ul style="list-style-type: none"> United States Department of Agriculture (USDA) Publication: https://fnspod.azureedge.net/sites/default/files/cn/SP40_CACFP12_SFSP14-2016a2.pdf
Draft Request for Proposal (RFP)	<ul style="list-style-type: none"> TDOE approval needed prior to RFP publication and subsequent contract execution. RFP must state whether the SFA wants a fixed meal price contract or a cost-reimbursable contract with fixed administrative fees. Contracts for fixed meal prices are recommended because billings are based on a set rate for each meal type. Contract can start July 1 or after, but must end June 30. Contracts are for one year with the option for up to four one-year renewals. Ensure that RFP fully describes the SFA's requirements and the criteria that will be used to evaluate proposals. If a proposal from a company goes beyond what the SFA requested in the RFP, the extra part is considered to be "over-responsive" to the RFP and must be disregarded when evaluating proposals. Guaranteed return is an amount, greater than "break even", that a company guarantees will remain in the food service account at the end of the contract term. If an SFA wants companies to include a guaranteed return in their proposals, this must be stated in the RFP. If a guaranteed

	<p>return is requested, the RFP also must require companies to specify the methodology used to calculate the guaranteed return, which will be applied to calculate the guaranteed return for any years that the contract is renewed.</p> <ul style="list-style-type: none"> • Evaluation criteria is the criteria that the SFA will use to award points for the non-price portions of the proposals and must be included in the RFP. The number of points assigned to price must be higher than the number of points assigned to any non-price criterion. The number of points assigned to price does not necessarily have to be greater than 50 percent. Points are usually distributed so that total maximum points are 100.
Create Bid Protest Procedures	<ul style="list-style-type: none"> • Speak to your district attorney for Bid Protest Language.
Create 21-day Menus	<ul style="list-style-type: none"> • For each food program you participate in, create a 21-day menu. • Must be developed by SFA without assistance of any FSMC bidding on the contract. • Must include all milk choices offered to students.
December - January	
Email the RFP to Josh.Nunnally@tn.gov For Approval	<ul style="list-style-type: none"> • Please submit RFP to TDOE prior to advertising to receive approval. Please allow 3-4 weeks for review. • By not submitting for prior approval the SFA may be required to rebid the contract and incur additional advertising expenses and delays to the execution of the contract. • FSMC may not assist in drafting or developing an RFP. • Approval email from TDOE will serve as SFA's documentation that RFP has been reviewed and the SFA can use it to solicit proposals from FSMCs.
January - February	
Advertise RFP	<ul style="list-style-type: none"> • Ad must be solicited directly from an adequate number of qualified FSMCs and the RFP must be appropriately publicized in order to provide for maximum open and free competition. • Ad should run in newspaper and on SFA website following district's policy regarding advertising. (Recommended minimum of 45-60 days.) • Advertisement must include availability of RFP, RFP number and date, a brief description of what is being proposed, instructions for obtaining a copy of RFP, walk-through details, and submission deadline. • Copies of the actual publication must be kept and submitted to TDOE. This includes a copy of the newspaper publication and a screenshot showing the RFP notice on website. • SFA takes steps to assure that small, minority, and women's businesses enterprises and labor surplus firms are used when possible. • Solicit to a minimum of three (3) full service FSMC.

	<ul style="list-style-type: none"> • Retain copies and submit to TDOE all solicitation documents and emails. This includes publications, specifications, vendor responses, any SFA emails to vendors, and any other documents pertaining to RFP.
February - March	
Form an Evaluation Committee	<ul style="list-style-type: none"> • SFA forms an evaluation committee to review proposals. At least three people should be selected (odd number recommended) for the committee. Do not select individuals who may have a conflict of interest. • Evaluation committee is responsible for scoring each proposal independently, eliminating proposals that offer more or less than RFP requirements (over/under responsive), adhering to scoring criteria, and maintaining confidentiality.
Hold a Pre-proposal Conference	<ul style="list-style-type: none"> • Hold on-site pre-proposal meeting for interested vendors to provide information, answer questions and provide clarifications for companies. • Sign-in sheet required to indicate attendees. • Allow a couple of weeks after RFP is advertised before holding meeting and allow at least two weeks prior to the deadline date to ensure companies have time to develop their proposals and request any clarifications. • At the meeting, state that information provided orally from SFA is not official until provided in writing to all companies that have received the RFP. • Include a walk-through of the facilities, preferably while the food service is in operation.
March - April	
FSMCs Submit Proposals to SFA	<ul style="list-style-type: none"> • Evaluation committee will analyze all FSMC proposals based on the RFP criteria, to include formal presentations, as applicable. • Evaluation committee awards points to responsive and responsible FSMCs' proposals and makes written, objective evaluations and recommendations. • Evaluation committee must select the offer that is most advantageous to the SFA based on the established criteria with cost as the primary factor. • Evaluation committee shares written, objective evaluation and recommendation of proposed awarded FSMC with the SFA's Chief Procurement Officer. • Proposal/contract reviewed by SFA's attorney. • Evaluation forms are required to be submitted to TDOE. • Email the proposed awarded RFP and attachments, along with additional documents (see checklist below) to Josh.Nunnally@tn.gov. • TDOE will review the selected unsigned contract and contact SFA if anything needs to be clarified or revised.

<p>Checklist of Documents Needed for TDOE to Approve FSMC Contract</p>	<ul style="list-style-type: none"> • Copy of newspaper advertisement and proof of advertising period. • Screenshot showing the RFP notice on website. • List of potential offerors who were sent the RFP, along with any additional documents sent to them during solicitation process. • Attendance list (sign-in sheet) of the pre-proposal meeting. • List of all questions and answers from pre-proposal meeting. • List of all questions and answers received as a result of issuing the RFP. • Correspondence from potential offerors opting not to submit proposals. • Template RFP and evaluation summary. • Evaluation criteria (scoring grid) analysis and documentation. • FSMC's completed details and methodology of the administrative and management fees. • FSMC's completed details and methodology of guarantee to SFA (including all formulas and contingencies). • Documentation displaying the method of documenting donated food, rebates and applicable credits to the SFA. • Any addendums or amendments a FSMC is requesting to be added to the RFP or awarded contract.
<p>Final Contract</p>	<ul style="list-style-type: none"> • After changes are made by SFA, RFP and contract should be submitted for final approval no later than April 30. • Final contract with all bid documents must be submitted to TDOE for review and approval prior to final approval by local Board of Education (BOE). • Once the contract is satisfactory to TDOE, the RFP will be returned to the SFA. • Once SFA receives the state agency approved contract, submit the contract for approval to the local BOE and obtain required SFA and FSMC signatures.
<p>May - June</p>	
<p>Executed Contract with Signatures by SFA and FSMC Sent to TDOE</p>	<ul style="list-style-type: none"> • Executed contract is sent to josh.Nunnally@tn.gov. • If the RFP and/or contract is altered without prior TDOE approval, it is considered an unapproved contract and the SFA may not use Child Nutrition funds to pay the FSMC. • Submission includes a copy of entire approved document (RFP), contract authorization with official signatures, and copy of school board approval minutes must be provided to TDOE immediately after contract signing.