

**OFFICE OF CHIEF ACADEMIC OFFICER**  
**Summary of State Board of Education Agenda Items**  
**Consent Agenda**  
**April 16-17, 2015**

**MISSISSIPPI STATE SCHOOLS**

- E. Approval of the Child Nutrition Procurement Plan for State Schools
1. Mississippi School for the Arts Child Nutrition Procurement Plan
  2. Mississippi Schools for the Blind and the Deaf Child Nutrition Procurement Plan

**Executive Summary**

The document contains the Procurement Plan for the Office of Child Nutrition to be adopted by the Mississippi State Schools. It details the policies and procedures as required by the Mississippi Department of Education. The document is based upon the template required by the Mississippi Department of Education.

Recommendation: Approval

Back-up material attached

The **Mississippi School of the Arts** will purchase food and other items for use in the Child Nutrition Program in compliance with USDA Title 7 CFR Part 3016 and Mississippi State Law, using the procedures outlined in this document and the Chart of Procedures.

- A. Purchases of more than \$50,000.00 require formal bid procedures. Formal bid procedures will be as follows:
  1. Advertise in a newspaper of general circulation,
  2. Mail specifications and bid documents to all potential bidders,
  3. Publicly open and tabulate bids, and
  4. Submit bids to the school board for approval.
- B. Purchases less than \$50,000.00, these purchases shall be made by use of the small purchase procedure. Small purchase procedures will be as follows:
  1. Develop specifications and instructions for all items,
  2. Obtain price quotes from an adequate number of suppliers,
  3. Prepare a price quote documentation sheet and indicate the supplier who was awarded the quote, and
  4. Submit documentation sheet to review official.
- C. Under Mississippi law no quote or bid is required for purchases which involve an expenditure of less than 5,000.00—exclusive of freight or shipping charges—and may be made without advertising or otherwise requesting competitive bids. Federal regulations (7 CFR 3016 and 3019) require school food authorities to follow “informal procurement methods for securing services, supplies, or other property” that do not cost more than acquisition threshold currently set at \$150,000. To comply with this requirement, school foodservice authorities must obtain quotes from “an adequate number of qualified sources” for all purchases that fit within this category.
- D. If it is necessary to make an emergency purchase in order to continue service, the purchase shall be made and a log of all such purchases shall be maintained and reviewed by the review official listed in Column E of the Chart of Procedures. The log of emergency purchases shall show:
  1. Item name,
  2. Dollar amount,
  3. Vendor, and
  4. Reason for emergency.
- E. Non-competitive negotiations will be used to purchase items: (1) which are available from a single source, (2) one time purchases of new food items in order to determine student acceptance and, (3) samples for testing purposes. A log of all non-competitive negotiation purchases shall be maintained and reviewed by the review official listed in Column E of the Chart of Procedures. The log of non-competitive purchases shall show:
  1. Item name,
  2. Dollar amount,
  3. Vendor, and
  4. Reason for purchase
- F. All purchases will be conducted in accord with the attached Chart of Procedures.
- G. The following purchasing records will be maintained for a period of three (3) years, plus the current year:
  1. Records of all phone quotes;
  2. Logs of all emergency and non-competitive purchases;
  3. All written quotes and bid documents;
  4. Comparison of all price quotes and bids with the effective dates shown;
  5. Price comparison will show bids or quote award; and
  6. Log of approved substitutions.
- H. While foods purchased for use in connection with the school lunch are exempt from Mississippi State Law, any

food purchases in which the contract value exceeds \$150,000.00 are required by Federal Law to follow formal bid procedures. For food purchases under \$150,000.00, school food authorities must obtain quotes from “an adequate number of qualified sources.”

- I. The Mississippi School of the Arts will follow procedures of the Mississippi Department of Education to handle any dispute resulting from the competitive process (Bid Protest).
- J. The following conduct will be expected of all people who are engaged in the award and administration of contracts supported by school food and nutrition program funds.
  1. No employee, officer or agent of the Mississippi School of the Arts shall participate in selection or in the award or administration of a contract supported by program funds if a conflict of interest, real or apparent, would be involved.
  2. Conflicts of interest arise when one of the following has a financial or other interest in the firm selected for the award:
    - a. The employee, officer or agent,
    - b. Any member of his or her immediate family,
    - c. His or her partner, or
    - d. An organization that employs or is about to employ one of the above.
  3. The Mississippi School of the Arts employees, officers or agents shall neither solicit nor accept gratuities, favors or anything of material monetary value from contractors, potential contractors or parties to sub-agreements.
  4. The purchase during the school day of any food or service from a contractor for individual use is prohibited.
  5. The removal of any food, supplies, equipment or school property, such as official records, recipe books and the like, is prohibited.
  6. The outside sale of such items as used oil, empty cans and the like will be sold by contract between the Mississippi School of the Arts and the outside agency. Individual sales by any school person to an outside agency or other school person are prohibited.
  7. Failure of any employee to abide by the above stated code could result in a fine, suspension, both, or dismissal. The Director of Food Services will provide interpretation of the code at any time by phone at 601-823-1338. The Mississippi School of the Arts will not be responsible for any other explanation or interpretation, which anyone presumes to make on behalf of the State Board of Education.

This plan adopted by the Mississippi State Board of Education at the regularly scheduled meeting on this the \_\_\_\_ day of \_\_\_\_\_ in the year 2015.

**Signatures:**

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Dr. John R. Kelly, Chair  
Mississippi Board of Education

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Dr. Carey Wright, Superintendent  
Mississippi Department of Education



## MISSISSIPPI SCHOOL OF THE ARTS

### CHART OF CHILD NUTRITION PURCHASING PROCEDURES

A Category WHAT	B Frequency WHEN	C Method HOW	D Writes & Interprets Specifications & Instructions, etc.	E Issues, Requests, Receives & Tabulates Pricing	F Awards & Reviews Bids or Quotes	G Requisitions Product WHO	H Orders Product WHO	I Receives Product WHO	J Approves Substitutions of Product or Brand
1. Fresh Produce	SWPP*	SWPP	SWPP	SWPP	SWPP	MSA Director of Food Services	MSA Director of Food Services	Designated Cafeteria Staff	SWPP
2. Dry Groceries	SWPP	SWPP	SWPP	SWPP	SWPP	MSA Director of Food Services	MSA Director of Food Services	Designated Cafeteria Staff	SWPP
3. Frozen Fruits & Vegetables	SWPP	SWPP	SWPP	SWPP	SWPP	MSA Director of Food Services	MSA Director of Food Services	Designated Cafeteria Staff	SWPP
4. Frozen Meats	SWPP	SWPP	SWPP	SWPP	SWPP	MSA Director of Food Services	MSA Director of Food Services	Designated Cafeteria Staff	SWPP
5. Paper Goods	SWPP	SWPP	SWPP	SWPP	SWPP	MSA Director of Food Services	MSA Director of Food Services	Designated Cafeteria Staff	SWPP
6. Miscellaneous Cleaning Supplies	SWPP	SWPP	SWPP	SWPP	SWPP	MSA Director of Food Services	MSA Director of Food Services	Designated Cafeteria Staff	SWPP
7. Dish Machine & Other Special Chemicals	As Needed	MDE Quote Policy	MSA Director of Food Services	MSA Director of Food Services	MSA Director of Food Services	MSA Director of Food Services	MSA Director of Food Services	MSA Director of Food Services	MDE Purchasing Agent
8. Equipment-Small	As Needed	MDE Quote Policy	MSA Director of Food Services	MSA Director of Food Services	MSA Director of Food Services	MSA Director of Food Services	MSA Director of Food Services	MSA Director of Food Services	MDE Purchasing Agent
9. Equipment-Large	As Needed	MDE Bid Policy	MSA Director of Food Services	MSA Director of Food Services	MSA Director of Food Services	MSA Director of Food Services	MSA Director of Food Services	MSA Director of Food Services	MDE Purchasing Agent
10. Milk	SWPP	SWPP	SWPP	SWPP	SWPP	MSA Director of Food Services	MSA Director of Food Services	Designated Cafeteria Staff	SWPP
11. Bread	SWPP	SWPP	SWPP	SWPP	SWPP	MSA Director of Food Services	MSA Director of Food Services	Designated Cafeteria Staff	SWPP
12. Ice Cream	SWPP	SWPP	SWPP	SWPP	SWPP	MSA Director of Food Services	MSA Director of Food Services	Designated Cafeteria Staff	SWPP
13. Emergency Purchases			MSA Director of Food Services	MSA Director of Food Services	MDE Purchasing Agent	MSA Director of Food Services	MSA Director of Food Services	MSA Director of Food Services	
14. Non-Competitive Negotiations			MSA Director of Food Services	MSA Director of Food Services	MDE Purchasing Agent	MSA Director of Food Services	MSA Director of Food Services	MSA Director of Food Services	

SWPP = Statewide Purchasing Plan

# MISSISSIPPI SCHOOLS FOR THE BLIND AND THE DEAF CHILD NUTRITION PROCUREMENT PLAN

The **Mississippi Schools for the Blind and the Deaf** will purchase food and other items for use in the Child Nutrition Program in compliance with USDA Title 7 CFR Part 3016 and Mississippi State Law, using the procedures outlined in this document and the Chart of Procedures.

- A. Purchases of more than \$50,000.00 require formal bid procedures. Formal bid procedures will be as follows:
1. Advertise in a newspaper of general circulation,
  2. Mail specifications and bid documents to all potential bidders,
  3. Publicly open and tabulate bids, and
  4. Submit bids to the school board for approval.
- B. If the purchases total less than \$50,000.00, these purchases shall be made by use of the small purchase procedure. Small purchase procedures will be as follows:
1. Develop specifications and instructions for all items,
  2. Obtain price quotes from an adequate number of suppliers,
  3. Prepare a price quote documentation sheet and indicate the supplier who was awarded the quote, and
  4. Submit documentation sheet to review official.
- C. **Even though Mississippi law requires** no quote or bid for purchases which involve an expenditure of less than \$5,000.00, Federal regulations (7 CFR 3016 and 3019) require school food authorities to follow “informal procurement methods for securing services, supplies, or other property” that do not cost more than the acquisition threshold currently set at \$150,000.00. **To comply with this requirement, school foodservice authorities must obtain quotes from “an adequate number of qualified sources” for all purchases.**
- D. If it is necessary to make an emergency purchase in order to continue service, the purchase shall be made and a log of all such purchases shall be maintained and reviewed by the review official listed in Column E of the Chart of Procedures. The log of emergency purchases shall show:
1. Item name,
  2. Dollar amount,
  3. Vendor, and
  4. Reason for emergency.
- E. Non-competitive negotiations will be used to purchase items: (1) which are available from a single source, (2) one time purchases of new food items in order to determine student acceptance and, (3) samples for testing purposes. A log of all non-competitive negotiation purchases shall be maintained and reviewed by the review official listed in Column E of the Chart of Procedures. The log of non-competitive purchases shall show:
1. Item name,
  2. Dollar amount,
  3. Vendor, and
  4. Reason for purchase
- F. All purchases will be conducted in accord with the attached Chart of Procedures.

- G. The following records will be maintained for a period of three (3) years, plus the current year:
1. Records of all phone quotes,
  2. Logs of all emergency and non-competitive purchases,
  3. All written quotes and bid documents,
  4. Comparison of all price quotes and bids with the effective dates shown,
  5. Price comparison showing bids or quote award, and
  6. Log of approved substitutions.
- H. While foods purchased for use in connection with the school lunch are exempt from Mississippi State Law, any food purchases in which the contract value exceeds \$150,000.00 are required by Federal Law to follow formal bid procedures. For food purchases under \$150,000.00, school food authorities must obtain quotes from “an adequate number of qualified sources.”
- I. Each SFA must develop an established procedure to handle any dispute resulting from a competitive process (Bid Protest Policy).
- J. The following conduct will be expected of all people who are engaged in the award and administration of contracts supported by school food and nutrition program funds:
1. No employee, officer or agent of the **Mississippi Schools for the Blind and the Deaf** shall participate in selection or in the award or administration of a contract supported by program funds if a conflict of interest, real or apparent, would be involved.
  2. Conflicts of interest arise when one of the following has a financial or other interest in the firm selected for the award:
    - a. The employee, officer or agent,
    - b. Any member of his or her immediate family,
    - c. His or her partner, or
    - d. An organization that employs or is about to employ one of the above.
  3. The **Mississippi Schools for the Blind and the Deaf** employees, officers or agents shall neither solicit nor accept gratuities, favors or anything of material monetary value from contractors, potential contractors or parties to sub-agreements.
  4. The purchase during the school day of any food or service from a contractor for individual use is prohibited.
  5. The removal of any food, supplies, equipment or school property, such as official records, recipe books and the like, is prohibited.
  6. The outside sale of such items as used oil, empty cans and the like will be sold by contract between the **Mississippi Schools for the Blind and the Deaf** and the outside agency. Individual sales by any school person to an outside agency or other school person are prohibited.
  7. Failure of any employee to abide by the above stated code could result in a fine, suspension, both, or dismissal. Interpretation of the code will be given at any time by contacting the Director of Combined Services (601) 984-8109. The **Mississippi Schools for the Blind and the Deaf** will not be responsible for any other explanation or interpretation which anyone presumes to make on behalf of the State Board of Education.

This plan adopted by the Mississippi State Board of Education at the regularly scheduled meeting on this the 17th day of April in the year 2015.

**Signatures:**

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Dr. John R. Kelly, Chair

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Dr. Carey M. Wright, Superintendent

# MISSISSIPPI SCHOOLS FOR THE BLIND AND THE DEAF

## CHART OF CHILD NUTRITION PURCHASING PROCEDURES

<b>A</b> Category WHAT	<b>B</b> Frequency WHEN	<b>C</b> Method HOW	<b>D</b> Writes & Interprets Specifications & Instructions, etc.	<b>E</b> Issues, Requests, Receives & Tabulates Pricing	<b>F</b> Awards & Reviews Bids or Quotes	<b>G</b> Requisitions Product WHO	<b>H</b> Orders Product WHO	<b>I</b> Receives Product WHO	<b>J</b> Approves Substitutions of Product or Brand
1. Fresh Produce	Weekly	MMI Negotiated Contract Pricing	MMI Food Service Manager	MMI Director of Procurement	MMI Director of Procurement	MMI Food Service Manager	MMI Food Service Manager	MMI Food Service Manager	MMI Food Service Manager
2. Dry Groceries	Monthly	MMI Negotiated Contract Pricing	MMI Food Service Manager	MMI Director of Procurement	MMI Director of Procurement	MMI Food Service Manager	MMI Food Service Manager	MMI Food Service Manager	MMI Food Service Manager
3. Frozen Fruits & Vegetables	Monthly	MMI Negotiated Contract Pricing	MMI Food Service Manager	MMI Director of Procurement	MMI Director of Procurement	MMI Food Service Manager	MMI Food Service Manager	MMI Food Service Manager	MMI Food Service Manager
4. Frozen Meats	Weekly	MMI Negotiated Contract Pricing	MMI Food Service Manager	MMI Director of Procurement	MMI Director of Procurement	MMI Food Service Manager	MMI Food Service Manager	MMI Food Service Manager	MMI Food Service Manager
5. Paper Goods	Monthly	MMI Negotiated Contract Pricing	MMI Food Service Manager	MMI Director of Procurement	MMI Director of Procurement	MMI Food Service Manager	MMI Food Service Manager	MMI Food Service Manager	MMI Food Service Manager
6. Miscellaneous Cleaning Supplies	Monthly	MMI Negotiated Contract Pricing	MMI Food Service Manager	MMI Director of Procurement	MMI Director of Procurement	MMI Food Service Manager	MMI Food Service Manager	MMI Food Service Manager	MMI Food Service Manager
7. Dish Machine & Other Special Chemicals	Monthly	MMI Negotiated Contract Pricing	MMI Food Service Manager	MMI Director of Procurement	MMI Director of Procurement	MMI Food Service Manager	MMI Food Service Manager	MMI Food Service Manager	MMI Food Service Manager
8. Equipment-Small	As Needed	MDE Quote Policy	MSB/D Director of Combined Services	MSB/D Director of Combined Services	MSB/D Director of Combined Services	MSB/D Director of Combined Services	MSB/D Director of Combined Services	MSA Director of Food Services	MDE Purchasing Agent
9. Equipment-Large	As Needed	MDE Bid Policy	MSB/D Director of Combined Services	MSB/D Director of Combined Services	MSB/D Director of Combined Services	MSB/D Director of Combined Services	MSB/D Director of Combined Services	MSB/D Director of Combined Services	MDE Purchasing Agent
10. Milk	Weekly	MMI Negotiated Contract Pricing	MMI Food Service Manager	MMI Director of Procurement	MMI Director of Procurement	MMI Food Service Manager	MMI Food Service Manager	MMI Food Service Manager	MMI Food Service Manager
11. Bread	Monthly	MMI Negotiated Contract Pricing	MMI Food Service Manager	MMI Director of Procurement	MMI Director of Procurement	MMI Food Service Manager	MMI Food Service Manager	MMI Food Service Manager	MMI Food Service Manager
12. Ice Cream	Monthly	MMI Negotiated Contract Pricing	MMI Food Service Manager	MMI Director of Procurement	MMI Director of Procurement	MMI Food Service Manager	MMI Food Service Manager	MMI Food Service Manager	MMI Food Service Manager
13. Emergency Purchases			MSB/D Director of Combined Services	MSB/D Director of Combined Services	MDE Purchasing Agent	MSB/D Director of Combined Services	MDE Purchasing Agent	MSB/D Director of Combined Services	
14. Non-Competitive Negotiations			MMI Food Service Manager	MMI Director of Procurement	MMI Director of Procurement	MMI Food Service Manager	MMI Food Service Manager	MMI Food Service Manager	