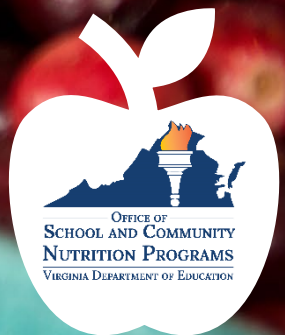




# Procurement in Action: Mock Bid Workshop



# Agenda

Introduction  
Scope of Work  
Evaluation  
Criteria

Specifications  
VA Preference  
Provisions  
Piggybacking

**Learn Key Components  
of a Solicitation**

*and then...*

## Put it into Practice!

Mock Bid  
Workshop



- ✓ Introduction
- ✓ Scope of Work
- ✓ Evaluation  
Criteria



- ✓ Specifications
- ✓ VA Preference



- ✓ Provisions
- ✓ Piggybacking



# Quick Reminder: Procurement Basics



# Build a Strong Procurement Foundation with VDOE-SCNP Templates



Templates in SNPWeb Download Forms

## Procurement Profile

Describes an SFA's **organizational details & participation**, not its purchasing methods

## Procurement Plan

**Formal, written document** that outlines how an SFA will **purchase goods and services** (food, equipment, FSMC contracts) in compliance with federal, state, and local regulations

## Code of Conduct

Designed to govern the performance of employees engaged in procurement

Template updated!  
**Remember to update annually**



# Purchasing Threshold Decision Tree

In SNPWeb Download Forms



# Cost/Price Analysis

Template in SNPWeb Download Forms

**The purpose of a cost/price analysis is to determine...**

The estimated cost of a product or service

If the cost can be sustained by the SFA's budget

If the bid pricing received is reasonable

## SFA Responsibilities

Make independent estimates before receiving bids or proposals

1. Compare past prices
2. Use consistent measurement units (lbs., cases)
3. Review catalog pricing or published price lists
4. Conduct market research
5. Compare proposals

**Costs Must Be Allowable**

# Formal Procurement

**What?** Value of purchase is greater than \$200,000  
**Why?** To get the best pricing

## Sealed Bids or Invitation for Bids

IFB

- Technical specifications
- Publicly advertised
- Public bid opening
- Awarded to responsible bidder whose bid is the lowest price
- Result in a firm, fixed-price contract

## Competitive Proposals or Request for Proposals

RFP

- Solicitation includes evaluation criteria
- Publicly advertised
- Not publicly opened
- Awarded to responsible party whose proposal is most advantageous with price and other factors
- Fixed price or cost-reimbursable





Topic:

Solicitation  
Components



Intent & Scope  
Evaluation  
Criteria

# Know the Difference

## WHY?



### INTRODUCTION/ INTENT

- ✓ Solicitation type
- ✓ Purpose & SFA goals
- ✓ Contract term & renewals
- ✓ Proposal/Bid deadline

## WHAT?



### SCOPE OF WORK

- ✓ Vendor agreements
- ✓ Nutritional standards
- ✓ Meal services
- ✓ Documentation & reporting requirements

## HOW?



### TECHNICAL REQUIREMENTS

- ✓ Delivery & service details
- ✓ Vendor references
- ✓ Food safety specifics
- ✓ Equipment service/repair

- **Include in every type of procurement**
- **Do not restrict competition**
- **Be flexible!**
- **Consider requirements that may lower costs**

- **Black and white: These items won't be included in scoring criteria**
- **Send the same specifications and requirements to all potential vendors**

# Evaluation Metric

SFAs evaluate proposals using the **evaluation metric** that the SFA creates and includes in this solicitation



SFAs are encouraged to add criteria that aligns with their procurement goals

| Criteria  | Maximum Score |
|---|---------------|
| <i>Technical Evaluation Criteria</i>              |               |
| Implementation and Account Representation         | 5 points      |
| References  | 5 points      |
| Product Availability and Online Ordering          | 5 points      |
| Local/Geographic Preference                       | 10 points     |
| Delivery Schedule                                 | 5 points      |
| Narratives  | 5 points      |
| Invoice/Payment                                   | 5 points      |
| <i>Pricing Evaluation Criteria</i>                |               |
| Total Extended Costs (including handling charges) | 60 points     |
| Total Possible Score                              | 100 points    |

Just make sure that **price** is weighed the most





## Topics:

Solicitation Components → Product Specifications

Preference for VA Goods

# Product Specifications

## PRODUCT SPECIFICATIONS

- Critical communication tool
- Describe the item(s) the sponsor is looking to purchase
- Built from market research

- 
- **Grade**
  - **Size**
  - **Quantity**
  - **Planned usage**
  - **Quality**
  - **Cleanliness**
  - **Packaging**

**Note: Product specifications can now include “local”**

# Preference for Virginia

**In case of tie bid**

Public school divisions must give preference to goods produced in Virginia

**If Virginia bidder is within 10% of the lowest bid, and the lowest bidder is not from Virginia**

Public school divisions must allow Virginia bidders with the option to price match

If the lowest bidder is a resident of another state with a percentage preference, and the Virginia bidder is within that other state's percentage





Topics:  
Contract Provisions  
Piggybacking

# Required Contract Provisions

Resources in SNPWeb Download Forms

Appendix II Part 200 of the CFR lists required contract provisions that may be required in formal solicitations and contracts.

## Remedies & Penalties

- Over \$250,000 for perishables
- Over \$25,000 for services/supplies

## Termination Rights (over \$10,000)

- For cause (contractor fails to perform)
- For convenience (chosen by entity)

## Equal Employment Opportunity

## Contract Work Hours & Safety Standards Act (over \$100,000 & involves laborers)

## Rights to Inventions Made

## Clean Air Act and Federal Water Pollution Control Act (over \$150,000)

## Debarment and Suspension

## Anti-lobbying (\$100,000)

## Civil Rights Assurance Clause

## Domestic Preference

## Other provisions not in CFR Appendix II Part 200

1. Standards for Vendor Oversight & Duplicative Items

2. Buy American (food)

3. Material Change

4. Piggybacking

# Buy American

Webinar in Virtual Virginia

Resources in SNPWeb Download Forms

*The National School Lunch Act requires SFAs to purchase, to the maximum extent practicable, domestic commodities or products*

Maintain documentation to demonstrate the use of exceptions

**USDA phased-in approach:** Putting a cap on non-domestic food purchases

**Beginning in:** % of total food costs from non-domestic foods **cannot exceed:**

**SY25-26**

**10%**

**SY28-29**

**8%**

**SY31-32**

**5%**

# Piggybacking

Resources in SNPWeb Download Forms

**What?** Using an existing contract to acquire the same commodities or services

**Why?** Increased purchasing power

## Requirements if you are an...

### SFA with Original Contract

- Properly procure the contract per CNP regulations
- Include correct piggybacking language in the contract
- You and the original vendor approve the purchasing language

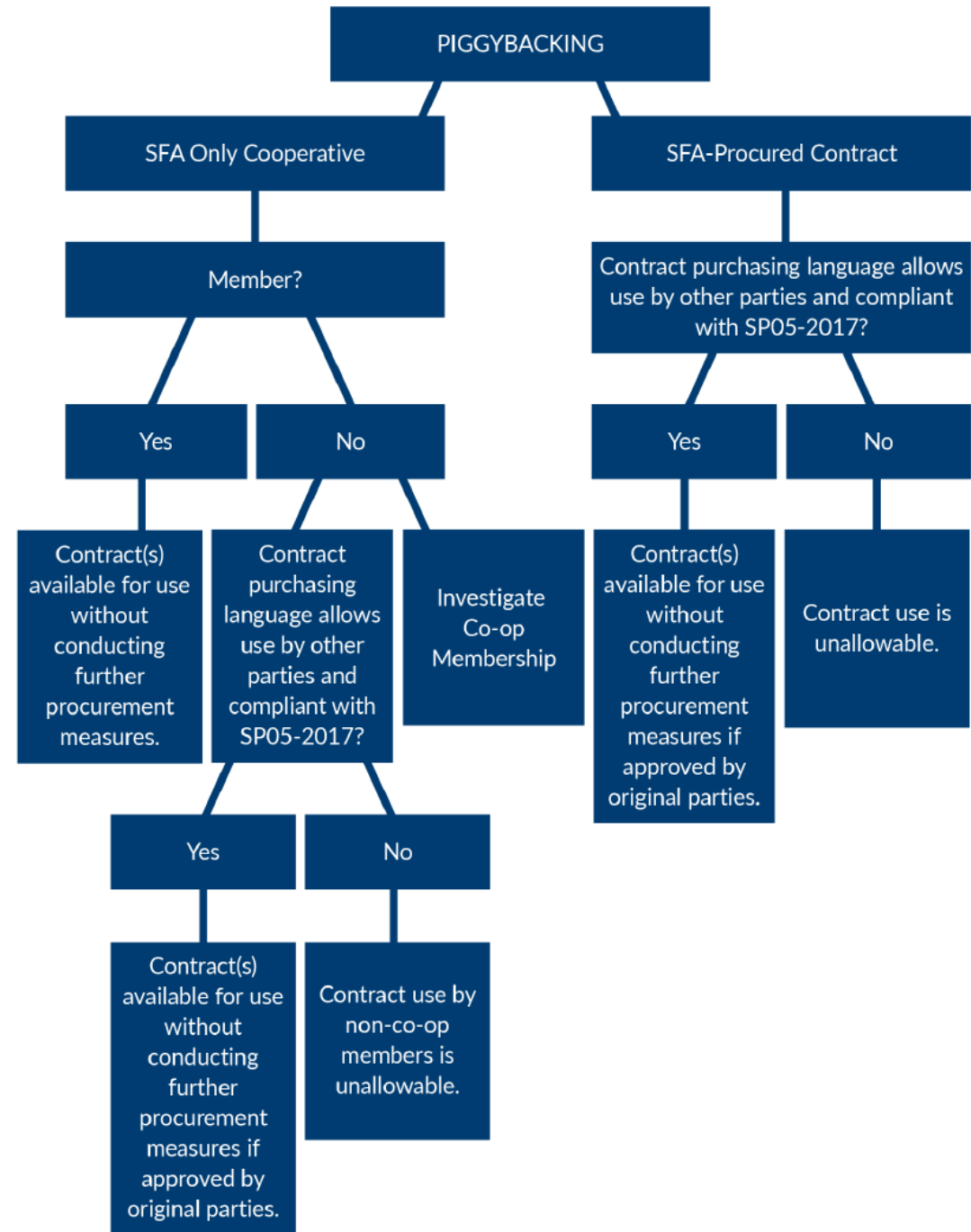
If piggybacking language is not included in the contract and a material change is determined

 a new competitive procurement is required

### SFA wanting to Piggyback

- Ensure the original contract's specifications meet your needs
- Ensure the original contract was properly procured per CNP regulations
- Ensure correct piggybacking language is in the contract
- Maintain copies of original solicitation, contract, cost/price analysis

# Optional Provision: Piggybacking



# Piggybacking Language

Resources in SNPWeb Download Forms

## What does piggybacking language look like?

### OPTIONS

Name the other SFAs by name who are allowed to piggyback

OR

Include information about the potential number, size, and location of sponsors that could piggyback



**Best practice** is to specify the maximum dollar amount that can be spent under the contract



### EXAMPLES

Amherst County Public Schools  
Lynchburg City Public Schools  
Appomattox County Public Schools

OR

Other K-12 SFAs in Region 1 are invited to participate in purchasing from this contract



If piggybacking language is not in the original contract, then **piggybacking is not allowed**





Now, Let's Practice...

*Congratulations!*



You have recently been hired as SCNP's new  
Procurement Lead

Your responsibility is to provide TA to SFAs  
that need help with procurement

# Meet Jane



**Name:** Jane Doe, SNS, School Nutrition Program Director

**Job Location:** Virginia County Public Schools

**What are they trying to procure?** Produce

## VCPS Purchasing Goals

- Purchasing local produce items
- Adhering to federal and state procurement regulations

## Anticipated Bid Cost

Over \$210,000

# Questions?



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Sessions

