



North Carolina Department of Health and Human Services
Division of Public Health – Women’s & Children’s Health Section
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Beverly Eaves Perdue, Governor

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April 20, 2009

SFSP 09-06

MEMORANDUM

TO: Sponsors Participating in the Summer Food Service Program

FROM: Cynthia Ervin, MBA
SFSP Coordinator, Special Nutrition Programs

SUBJECT: **Competitive Procurement and Private Grants Programs**

It has been brought to our attention that school food authorities (SFA), food banks, and private non profit organizations may be applying for or participating in grant programs aimed at assisting with start-up and/or expansion for the Summer Food Service Program (SFSP). The foundation sponsoring the grant is associated with companies that provide food products for the summer meals programs. A review of these grant programs revealed that at least some contain a mandatory purchasing component, requiring recipients to purchase and use a single purveyor’s specified product for a stipulated amount of time.

This memorandum serves as a reminder for SFSP sponsors that they must comply with the procurement requirements in 7 C.F.R. § 225.17, the Nutrition Service Branch’s Procurement Policy, as well as the requirements in 7 C.F.R. § 3016.36 and 7 C.F.R. § 3019.40-48 requiring that procurements are conducted in a competitive manner. Therefore, all procurements that exceed \$100,000 utilizing a single purveyor or a FSMC must be formally advertised for a contract in accordance with the procurement regulations as specified above.

Due to the proprietary purchasing requirements imposed by these grant programs, a SFA would be unable to participate in the grant while adhering to all required program regulations, specifically those addressing procurement activities. SFAs that have already received such a grant must take immediate steps to either curtail the grant or to ensure that all purchases made as a result of the grant requirements come only from non-program funding sources. The SFA may not go forward with the grant purchasing requirements using nonprofit school foodservice account funds.

All other sponsors of the SFSP can participate in the grant provided that procurement procedures adhere to the SFSP regulation.

Please inform me immediately if you are considering any such grants. Please feel free to contact me at 919-707-5774, I would be happy to answer any questions.

cc: SNP Staff
Auditors



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