



STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION



TO: Sponsors of the National School Lunch Program (NSLP), School Breakfast Program (SBP), and Special Milk Program

FROM: Cheryl Resha, Education Manager
Bureau of Health/Nutrition, Family Services and Adult Education

DATE: February 13, 2009

SUBJECT: Operational Memorandum # 7-09
Competitive Procurement and Private Grants for School Food Programs

Some School Food Authorities (SFAs) may be applying for or participating in grant programs aimed at assisting schools with start-up and/or expansion, especially of the School Breakfast (SBP) and Summer Food Service Program (SFSP). The foundations sponsoring the grants are associated with companies that provide goods and services to the school meals programs. Some of these grant programs contain a mandatory purchasing component, requiring recipients to purchase and use a vendor's specified product for a stipulated amount of time.

SFAs are reminded that they must comply with the requirements in 7 CFR 210.21, 220.16, and 225.17, as well as the requirements in 7 CFR 3016.36 and 3019.40-48 requiring that procurements are conducted in a *competitive manner*. Copies of these regulations may be obtained at <http://www.fns.usda.gov/cnd/Governance/regulations.htm> and <http://www.csrees.usda.gov/business/awards/fedregulations.html>.

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.**

If you have been a recipient of a grant that requires that you purchase and use a vendor's specified product or if you have questions pertaining to this memorandum, please contact either Teri Dandeneau at 860-807-2079 or teri.dandeneau@ct.gov or Bob Zwack at 860-807-2081 or robert.zwack@ct.gov.

CR:tdd

Important: This is a numbered Operational Memorandum that contains important program information. Please read carefully and retain in a binder for your future reference. Operational Memoranda are also posted on the Child Nutrition website: <http://www.sde.ct.gov/sde/cwp/view.asp?a=2626&q=320676>