



## Child Nutrition & Wellness

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### Purchasing for School Nutrition Programs

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This information was distributed to KSDE's email lists of superintendents, School Nutrition Program authorized representatives and food service directors.

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We've recently received several calls with questions about rules for purchasing food. A salesman for a food distributor has been telling school officials that there is no need to solicit bids for food. He encourages school administrators to make his company their "prime" (i.e. single) vendor. The salesman cites Kansas law (KSA 72-6760) which exempts "food and foodstuffs necessary for the implementation or operation of any child nutrition program" from the requirement to use "sealed proposals" and award the business "to the lowest responsible bidder".

What the vendor fails to mention is that besides this Kansas statute, there are extensive Federal regulations that govern purchasing for the school nutrition programs. Please keep the following three points from Federal procurement rules in mind.

1. For all purchases, program sponsors must provide open and free competition and ensure fair and ethical practices.
2. For food purchases of \$100,000 or more per contract or for non-food items and supplies of \$20,000 or more per contract, "formal" purchase procedures must be used. This includes publicly advertising the opportunity to submit a sealed bid.
3. For smaller purchases, "informal" or "small" purchase procedures are used which include obtaining price quotes or informal bids from more than one vendor. These procedures enable schools to obtain the best prices for food and supplies needed to operate a fiscally sound nutrition program

For guidance on purchasing rules that apply to school nutrition programs, refer to KSDE's administrative manual, *Food Service Facts*, Chapter 13 – Business Ethics and Purchasing. This publication is available at [www.kn-eat.org](http://www.kn-eat.org), School Nutrition Programs, Policies & Guidance. If you have questions about purchasing for school food service, please contact the Child Nutrition & Wellness office at 785-296-2276 or your area's KSDE child nutrition consultant.

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