

Food Service Management Company (FSMC) Contract Review Form

General Information

SFA Name and ID Number: _____

Site Monitored: _____

Date of Site Monitored: _____

Meal Service Reviewed: _____

Contract Type: _____

Date FSMC Contract Review Completed: _____

I. Menus and Service

1. Did the FSMC follow the 21-day cycle menu, as described in the contract, for all programs during the first 21 days of meal service? (Monitored during the first year of the contract only.)
 - Yes
 - No
 - N/A – not reviewing the base year.

NOTE: This is monitored during the first 21 days of meal service and is a requirement per federal regulations 7 CFR 210.16(b)(1). No substitutions are allowed. If the menu was not followed, a finding and fiscal action will be accessed during the Procurement Review (PR).

2. Do the foods purchased meet the quality specification standards indicated in the contract?
 - Yes
 - No

Provide three examples of food specifications reviewed.

1. _____
2. _____
3. _____

3. Does the SFA have an advisory board?
 - Yes
 - No
4. Is the advisory board made up of parents, teachers, students?
 - Yes
 - No

List the advisory board members and titles below.

Name	Title

If additional space is needed, attach a document with all names and titles.

5. Does the advisory board work with the SFA to assist in menu planning?
 Yes No

6. Does the SFA approve menu changes outside the 21-day cycle menu process?
 Yes No

7. Do all menus meet the meal pattern requirements for the appropriate age/grade groups and the nutrient specifications?
 Yes No

8. Is the FSMC serving reimbursable meals as described in the contract and in compliance with program regulations?
 Yes No

9. Does the FSMC provide meal service to all enrolled students as specified in the contract?
 Yes No

10. Are food production records completed each day for all meals served using the TDA prototype or another instrument that collects the same information as the TDA prototype?
 Yes No

11. Does the SFA evaluate the FSMC's menu for affordability, nutrition requirements, and student appeal?
 Yes No

12. Does the FSMC implement meal accommodations based on medical statements provided by authorized medical authorities or Individualized Education Plans (IEP) or special dietary accommodations based on the SFA policy?
 Yes No

13. Are meals monitored to ensure that only reimbursable meals are claimed?
 Yes No

Attach a current menu to reflect the responses above. The menu must match the meal service of the site and the date/month the site was reviewed.

SFA Comments – Provide a rationale for all responses in Menus/Services:

II. Competitive Foods

1. Is the FSMC following Competitive Food Standards?
 Yes No
2. Is the FSMC following the local policy related to fundraisers?
 Yes No

SFA Comments – Provide a rationale for all responses in Competitive Foods:

III. USDA Foods

1. Is the FSMC responsible for receiving USDA Foods on behalf of the SFA?
 Yes No

If yes, is the SFA verifying the delivery of USDA Foods shipments and processed end products?
 Yes No
2. Does the FSMC provide the SFA credit for the full value of USDA Foods received during the school year or fiscal year?
 Yes No

What is the amount received to date? \$ _____

3. Does the FSMC provide the SFA with clear documentation that demonstrates that the SFA has received credit for the value of its USDA Foods?
 Yes
 No

NOTE: This includes crediting for the value of donated foods, including direct delivery (brown box), Department of Defense (DoD) Fresh and processed end products.

4. How often does the SFA receive credit for the value of USDA Foods? Check all that apply.
 Monthly End of the school year
 Quarterly Other
5. How is the SFA credited for the value of USDA Foods? **Check all that apply.**
 Invoice Reductions Discounts
 Refunds Other
6. For cost-reimbursable contracts, does the FSMC ensure that its system of inventory management does not result in the SFA being charged for USDA Foods? (For fixed-rate contracts, skip this question.)

Yes No

7. Does the FSMC ensure that SFA retains ownership of all USDA Foods including processed end products, if applicable?

Yes No

8. Does the SFA/FSMC use USDA Foods to the maximum extent in quantities that can be used and stored without waste?

Yes No

What is the SFA's beginning entitlement balance? \$ _____

What is the SFA's current entitlement balance? \$ _____

9. When substituting, does the FSMC use commercially purchased foods of the same generic identity, of U.S. origin, and of equal or better quality than the USDA Foods in the SFA's Child Nutrition Program?

Yes No

10. Does the FSMC use all donated ground beef, ground pork, and all processed end products in the SFA's food service without substitution?

Yes No

SFA Comments – Provide a rationale for all responses in USDA Foods:

IV. Inventory

1. Does the FSMC have an organized method for storing, preserving, and accounting for the SFA's food inventory?

Yes No

2. Are the food items stored in a manner that is consistent with all health and safety rules that apply to the stored items?

Yes No

SFA Comments – Provide a rationale for all responses in Inventory:

V. Financial Procedures

1. Do the daily meal count records accurately reflect the counts of student and adult meals and a la carte sales by meal type and eligibility category?

Yes No

2. Does the FSMC have a backup system to ensure that all counting and claiming data is maintained?

Yes No

Describe the system:

3. Does the FSMC maintain records to support the claims for monthly reimbursement, Daily Record/Accuclaim information and provide to the SFA promptly?

Yes No

4. Does the FSMC maintain records to support meal count records for other meals not covered by the claim (adult meals, alternative meals)?

Yes No

5. Does the SFA maintain responsibility for submitting claims for reimbursement?

Yes No

Provide name and title for person responsible for submission.

Name: _____

Title: _____

6. Does the FSMC monthly invoice reconcile with the point of service Daily Record/Accuclaim Report for each month?

Yes No

In the comments box, explain how the invoice meal counts are reconciled with the POS count each month.

7. Does the FSMC food service daily income records, such as end-of-day POS reports, accurately reflect the revenue received by meal type (student meals, adult meals, a la carte, etc.)?

Yes No

8. Has the SFA received all applicable discounts, credits and rebates from the FSMC?

Yes No

9. Does the FSMC ensure that all invoice statements are accurate, and that unallowable costs and duplicative services are not billed to the SFA?

Yes No

10. Does all income to the program accrue to the nonprofit school food service account?

Yes No

11. Does the FSMC provide the SFA with all information and documentation needed for the SFA to calculate its program and non-program revenue and cost proportion as required by regulations? (For example, POS records, cost-per-meal data, and inventory or financial reports).

Yes No – provide an explanation in rational section.

12. Does the FSMC utilize the correct meal equivalency factor (MEF)?

Yes No

List the MEF: _____

13. Does the FSMC accurately charge the number of meals claimed to the SFA at the fixed rate?

Yes No

Attach the most recent FSMC invoice and supporting documentation.

For cost-reimbursable contracts (questions 14-16)

14. Are allowable costs paid from the nonprofit Child Nutrition account net of all discounts, rebate and other credits accruing to or received by the FSMC?

Yes
 No

15. Has the SFA audited the food and non-food invoices to ensure that bills reflect actual expenses?

Yes
 No

16. Are the bills monitored to ensure that the FSMC did not double bill or include costs that are not allowed in the contract?

Yes
 No

SFA Comments – Provide a rationale for all responses in Financial Procedures:

VI. Financial – Procurement

1. Does the FSMC follow the SFA's internal process to ensure that foods are procured in compliance with the Buy American provision?

Yes No

2. Does the FSMC provide sufficient documentation for the SFA to determine if all procurement was conducted correctly and in compliance with all applicable regulations?

Yes No

SFA Comments – Provide a rationale for all responses in Financial - Procurement:

VII. Sanitation and Safety Procedures

1. Does the FSMC have a Hazard Analysis and Critical Control Point (HACCP) plan in place and is there evidence of its implementation?
 Yes No

2. Do employees practice safe food-handling procedures?
 Yes No

3. Does the FSMC ensure that all facilities have health inspections as required by law?
 Yes No

4. Are facilities and equipment adequately maintained for safety and sanitation?
 Yes No

5. Is the FSMC's use of the facilities consistent with the facility use clauses included in the contract?
 Yes No

SFA Comments – Provide a rationale for all responses in Sanitation and Safety Procedures:

VIII. Local Wellness Policy

1. Does the FSMC follow the SFA's local wellness policy?
 Yes No

SFA Comments – Provide a rationale of how the FSMC is following the SFA local wellness policy.

IX. Staffing

1. Is the FSMC's staffing plan consistent with the staffing clauses included in the contract?
 Yes No
 # FSMC employees in contract: _____
 # FSMC current employees: _____

2. If there are FSMC vacancies, is there a plan for the FSMC to come into staffing compliance per the contract?
 Yes
 No – submit a staffing plan in the rationale section.

3. Are the District and FSMC paying for staff according to the approved transition plan?
 Yes No

4. Does the FSMC ensure that all Child Nutrition staff have the required training annually?

Yes No

5. Does the FSMC ensure that the Child Nutrition Director's position meets the USDA professional standards, and food safety training annually? (7 CFR 210.30)

Yes No

6. Does the FSMC maintain documentation that demonstrates compliance with the Child Nutrition Director's position and tracks continuing education for all Child Nutrition staff?

Yes No

SFA Comments – Provide a rationale for all responses in Staffing:

X. Record Retention

1. Does the FSMC coordinate with the SFA to transfer all records to long-term storage?

Yes No

2. Does the FSMC provide all documentation required to demonstrate the SFA complies with all regulations—local, state, and federal?

Yes No

SFA Comments – Provide a rationale for all responses in Record Retention:

XI. Contractual Requirements

1. Does the FSMC operate the program(s) contracted as defined by the terms of the contract?

Yes No

2. Were additional terms and conditions included that are outside of the executed contract?

Yes No

Note: Additional contracts and addendums are not allowed. Please submit a copy of the additional contract or addendum to TDA to FSMC@texasagriculture.gov

3. Have all corrections been made as required if problems were noted during the Administrative Review and/or Procurement Review?

Yes No

4. Did the SFA delegate any responsibilities that were not permitted by the contract Exhibit Q to the FSMC?

- Yes – list what was delegated in rationale below.
- No

5. Does the SFA monitor the FSMC's food service operations by performing counting and claiming reviews to ensure conformance with program regulations and that program review and audit findings are resolved?

- Yes
- No

6. Is documentation of monitoring maintained?

- Yes
- No – provide explanation in rationale below.

7. If there were findings, did they get resolved?

- Yes
- No

SFA Comments – Provide a rationale for all responses in Contractual Requirements:

XII. Results of Review

1. Is a Corrective Action Plan (CAP) required?

- Yes
- No

SFA Comments – Provide a rationale to the plan and what sections will be reviewed:

XIII. Corrective Action Plan

1. Was the CAP completed with a follow-up review within 45 days?

- Yes
- No

Date the follow-up review was completed:

2. Have all the items been resolved and the FSMC contract is compliant?

- Yes
-

SFA Comments – Provide a rationale for all responses in CAP:

XIV: Attestation and Signatures:

I attest that this information is true and accurate and complete to the best of my knowledge. This information has been shared with the FSMC partner, as determined by the date below.

Signature of SFA Designee

Signature of FSMC Designee

Printed Name of SFA Designee

Printed Name of FSMC Designee

Title of SFA Designee

Title of FSMC Designee

Date