



State of Arizona  
**Department of Education**

**Tom Horne**  
Superintendent of  
Public Instruction

**SFSP CN# 02-08**

**MEMORANDUM**

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**TO:** Summer Food Service Program Sponsors

**FROM:** Mary Szafranski, Deputy Associate Superintendent  
Arizona Department of Education, Health and Nutrition Services  
  
Katrina Klatt, NSLP Nutrition Director  
Arizona Department of Education, School Health & Nutrition Programs

**DATE:** August 17, 2007

**SUBJECT:** Food Service Management Company Contracts

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*Original Signed*

The purpose of this memorandum is to notify sponsors that the Arizona Department of Education (ADE) permits agreements between Summer Food Service Programs (SFSP) sponsors and Food Service Management Companies (FSMC) in a manner consistent with the National School Lunch Program (NSLP).

The United States Department of Agriculture (USDA) Child Nutrition Division (CND) is committed to exploring opportunities to relieve unnecessary administrative burdens associated with the operation of the SFSP. Although SFSP regulations are silent on the subject of the duration of FSMC agreements, CND has limited the duration of these contracts to a single year, due to the nature and design of the Program. Upon further consideration, CND believes streamlining the process for procuring FSMC contracts to be more consistent with that of the NSLP will provide significant administrative relief without compromising the integrity of the Program.

Provided that appropriate safeguards are in place to ensure the integrity of the procurement process, the ADE may permit sponsors to execute agreements with FSMCs that include an option for renewals. Every precaution must be taken to ensure that procurements are conducted in accordance with Federal procurement standards.

Consistent with NSLP regulations, "(t)he contract between a school food authority and FMSC shall be of a duration of no longer than 1 year; and...options for the yearly renewal of a contract may not exceed 4 additional years. All contracts shall include a termination clause whereby

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either party may cancel for cause with 60-day notification.” It should be noted that the execution of the contract with an option for renewals does not compel either party to renew the agreement.

If you have questions or concerns regarding this memo, please contact your assigned School Health & Nutrition Program Specialist at 602-542-8700.

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