



Virginia Department of Corrections

Facility Services and Work

Food Service Manual Chapter 7

Purchasing

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Signatory: Mark E. Engelke
Director of Food Services

Signature Copy on File

6/23/2022

Signature

Date

REVIEW

The Director of Food Services will ensure that each Chapter of the Food Service Manual is reviewed annually and revised as necessary.

The content owner reviewed this operating procedure in August 2023 and determined that no changes are needed.

COMPLIANCE

The Food Service Manual is issued with the intent to pull together information from a variety of sources such as directives, operating procedures, regulations, and other mandatory requirements and applies to all Food Service activities in facilities operated by the Department of Corrections (DOC). Contract Food Service vendors must follow all provisions of the Food Service Manual within the specifications of their contract. This manual will not change requirements contained in any approved directive or operating procedure, but does contain specific operational details not included in other documents. Practices and procedures must comply with applicable State and Federal laws and regulations, American Correctional Association (ACA) standards, and DOC directives and operating procedures.

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DEFINITIONS

DOC Dairy - Dairy production and processing plants operated by Department of Corrections Agribusiness to supply dairy products.

DOC Farmers Market - A distribution center operated by Department of Corrections Agribusiness to supply fresh produce, eggs, and frozen vegetables.

DOC Meat Plants - Meat processing plants operated by Department of Corrections Agribusiness to supply beef, pork, poultry, and fish products.

eVA - The Commonwealth of Virginia's automated procurement system.

Food Operations Director /Manager - A general term to refer to the highest ranking food service person in a facility - Food Operations Director or Food Operations Manager Senior.

Food Operations Equipment Repair Manager - The manager of the unit that controls, maintains, and fixes food service equipment for DOC.

Food Service Equipment Committee - A committee, comprised of food service and business office supervisory personnel, that meets at least quarterly to approve and disapprove Food Service Equipment purchases over \$5,000.00.

Perishable Products - Any food item of limited freshness i.e., fresh fruit, produce, raw eggs or vegetables used in the food service operations.

Spot Buys - "One-time" purchases of food items not generally on the Master Menu purchased to provide variety and help control food costs.

Total Maintenance System (TMS) - A web-based software system that provides a computerized system for managing materials and supplies inventories and a maintenance management system to schedule, track, and report maintenance work performed on DOC owned facilities, equipment, and vehicles.

Virginia Distribution Center (VDC) - A warehouse operated by the Virginia Department of General Services Division of Purchases and Supply to supply goods to state agencies.

PURPOSE

This Chapter of the Food Service Manual provides protocols for the purchase of food, supplies, and equipment for Department of Corrections (DOC) food service operations.

PROCEDURE

- I. Sources of Food Service Goods
 - A. The following sources have been established for purchase of food services goods including food, food supplies, and cleaning supplies at wholesale and other favorable prices and conditions. (5-ACI-5C-02)
 1. DOC Agribusiness
 - a. DOC dairies
 - b. DOC farmers market
 - c. DOC meat plants
 - d. DOC facility farms and greenhouses
 2. Virginia Distribution Center (VDC)
 3. United States Department of Agriculture Food Distribution Program
 4. Contract vendors
 5. Spot buys
 - B. All food service goods, except perishables, are purchased through eVA with the approval of the Director of Food Services or designee, generally Regional Food Service Field Directors. All purchases must be processed in accordance with Operating Procedure 260.1, *Procurement of Goods and Services*, and purchasing regulations established by Virginia Department of General Services Division of Purchases and Supply (DPS).
 - C. Purchases of food service goods must be based on the following factors:
 1. Estimation of food and food supply requirements based on the Master Menu and history of meals served; see Food Service Manual, Chapter 3, *Menu Planning*.
 2. Current inventory - inventories are not to exceed a 40-day supply.
 3. Estimation of food to be supplied by facility farms and greenhouses.
 4. Spot buy allocations from the Director of Food Services.
- II. Facility Ordering and Purchasing Procedures (2-CO-4C-01)
 - A. The facility Food Operations Director/Manager or designee must take a physical count of inventory on hand in accordance with Food Service Manual, Chapter 10, *Inventory Control*, prior to placing the order.
 - B. Food Operations Director/Managers will send food and food supplies orders, with the exception of perishables, to the Director of Food Services or designee, via eVA, who will forward them to the VDC in accordance with established procedures.
 1. Amendments made to the order will be communicated to the facilities.
 2. Food and food supply orders will be forwarded separately from other facility orders.
 - C. Contracts for Field Unit purchases are available via the DPS website. Contracts for major institution purchases will be maintained by that institution's Business Manager and Purchasing Officer.
 - D. Documentation of competitive bid requirements will be maintained at any receiving facility.
 - E. In times of revenue constraints, the Director may implement mandatory temporary purchasing procedures.
 - F. Only the following sources of purchased foods, supplies, and/or equipment may be used:

1. DOC Agribusiness Operations - If an item is stocked by DOC Agribusiness Operations, it must be procured from this source.
 - a. The DOC meat plants and the DOC farmers market periodically distribute price lists showing items available for order.
 - b. The DOC dairy delivers weekly facility orders. Orders must be submitted each week by the due date given on the DOC dairy order form. Standing orders are not allowable; products in inventory will be counted before weekly orders are placed.
2. Division of Purchase and Supply, VDC
 - a. If an item is stocked by VDC, and not available from DOC Agribusiness, it must be procured from VDC.
 - b. If VDC does not ship a particular item ordered with any food or food supply order, this item may then be ordered from another source once it is determined by the Director of Food Services or designee that there is an immediate need for the item.
 - c. All procurement procedures will be followed.
3. Items on State Contract
 - a. Where possible, contracts are established by the DPS to obtain more favorable prices through volume purchasing and to simplify and shorten the purchasing process.
 - b. The use of these contracts is mandatory for the purchase of items available through contract, with the exception of VDC and DOC Agribusiness.
4. No special food products will be purchased for the menus from outside vendors, unless approved by the Director of Food Services or designee.

III. Control of Purchases

A. Receiving and Inspection

1. The facility is responsible for receiving and inspecting all orders at the time of delivery and before accepting the goods.
2. Inspection will involve a close examination of all commodities delivered to determine that:
 - a. Quantity is accurate
 - b. Quality is acceptable
 - c. Packaging and labeling is acceptable and accurate
 - d. Delivery is in accordance with terms of purchase orders
 - e. No damage has occurred
3. Staff other than the person who initiated the purchase order must receive and sign for all shipments.
4. Produce received from DOC Agribusiness is not to be returned. The DOC farmers market must be contacted for any discrepancies.
5. The Commonwealth of Virginia has no statute requiring for food products that have been grown or produced within the system to be inspected and approved by any government agency. (5-ACI-5C-12)

B. Exceptions Found in Shipments

1. The facility must note all apparent shipping damages on the freight bill and notify the vendor. Discovery of concealed damage must be reported by the receiving unit to the carrier and the vendor within seven days of receipt.
2. The facility will arrange with the vendor for either replacement or credit for damaged items.

C. Over-Shipments

1. A facility is not obligated to accept goods in excess of those specified on the purchase order.
2. The facility may refuse to receive the excess goods at delivery.

3. The facility may temporarily receive the excess goods and notify the vendor that the over shipment will not be accepted and that unless the over shipment is picked up by the vendor, it will be returned at the vendor's expense.
4. If the Food Operations Director/Manager wishes to accept the over shipment, they must submit a *Request for Change of Purchase Order*, accompanied by an explanation, to the Purchasing Officer.
5. Over shipment cannot be received for any amount greater than \$200.00 or 5 percent of the purchase order unless the agency Purchasing Officer is notified, and a purchase order is issued to reflect the overage.

D. Complaints

1. The Food Operations Director/Manager, in conjunction with the agency Purchasing Officer, will attempt to resolve any vendor delivery or supply problems.
2. If problems cannot be resolved, the agency Purchasing Officer must report the problem to the DPS by phone, followed by completion of a *Procurement Complaint Form FSM_F3*.

IV. Purchase of Equipment

A. When a Food Operations Director/Manager identifies the need for equipment, they will:

1. Contact the Food Operations Equipment Repair Manager to determine if the equipment is available from any other correctional facility.
2. If the equipment is not available from within the correctional system, the Food Operations Director/Manager will complete the *Food Service Equipment Justification/Approval FSM_F4* and may attempt to obtain State or Federal Surplus Property, if the item is \$5,000.00 or less and the funds are available in the facility's budget and the Facility Unit Head approves the purchase.
3. The Food Operations Director/Manager must complete and submit the *Institutional Equipment Request Power Verification FSM_F5* with each request to obtain equipment.
4. After approval by the Facility Unit Head any equipment purchases over \$5,000.00 will need approval from the Food Service Equipment Committee.
5. The Food Service Equipment Committee will meet quarterly, the last week in the month.
 - a. The *Food Service Equipment Justification/Approval FSM_F4* and *Institutional Equipment Request Power Verification FSM_F5* with signatures and all supporting documents must be emailed before the last week in the month.
 - b. This will ensure you are included in the upcoming meeting.
 - c. All documents can be emailed to FoodServiceEquipmentRequest@vadoc.virginia.gov. In the subject line type "Equipment Request- Your Facility Name - Agency Code", for example, Equipment Request - Food Service Headquarters - 75600.

B. Obtaining State or Federal Surplus Equipment

1. For state surplus equipment, the Food Operations Director/Manager will contact the DPS State Surplus Equipment Office to determine the location of the needed equipment.
2. The Food Operations Director/Manager will notify the agency Purchasing Officer who will submit a Purchase Requisition to the DPS and arrange to comply with the requirements of the Fixed Asset Accounting and Control System (FAACS).
3. For Federal Surplus equipment, the Food Operations Director/Manager will contact the Director of Food Services/designee who will contact the DPS, Federal Surplus Property, to determine the availability of the equipment.
4. The Food Operations Director/Manager will arrange for pick-up of the equipment.
5. Facility Food Service Directors will contact the Surplus Property Officer in Central Office for assistance in acquiring surplus equipment.

- C. Contracted Food Service Equipment – The DOC Director of Food Services, must approve any equipment in a privately contracted food service operation in a DOC facility that is deemed unusable or is to be replaced.
- D. Purchase of Equipment from Outside Vendors - Before equipment can be purchased from an outside vendor, the following steps must be completed:
 - 1. Confirm that adequate equipment is not available within the DOC from the Food Service Equipment Repair Manager.
 - 2. Confirm that adequate equipment is not available from State or Federal Surplus.
 - 3. If over \$5,000.00, obtain written approval from the Director of Food Services or designee for the purchase of this equipment.
- E. For each piece of Food Service equipment, regardless of the acquisition source:
 - 1. Applicable equipment will be maintained and tracked in accordance with the TMS system; see Operating Procedure 301.3, *Preventative and Corrective Maintenance*.
 - 2. The Food Operations Director/Manager must maintain inventory and other records, as required by the DPS and FAACS.

V. Emergency Procurement

- A. Emergency Procurement can be approved by completing a *Food Service Equipment Justification/Approval* FSM_F4 and *Institutional Equipment Request Power Verification* FSM_F5 to be submitted to the facility Unit Head and Business Manager for review and approval.
- B. Once reviewed and approved by facility Unit Head and Business Manager, the request will be forwarded to the Regional Food Service Field Director for review.
- C. The Regional Food Service Field Director will approve or disapprove equipment purchase and notify the Business Manager to proceed with the purchase, if appropriate.

VI. Sale or Disposal of Equipment

- A. No food service equipment will be disposed of without the prior approval of the Director of Food Services or designee.
- B. If an item is no longer usable, the Food Operations Director/Manager will notify the Regional Food Services Field Director prior to sale or disposal.
 - 1. If an item is usable but no longer of use to the facility, the Regional Food Service Field Director and Food Service Equipment Repair Manager will be notified prior to surplus, so that it may be considered for transfer to another facility.
 - 2. Both surplus and transfers must be reflected in FAACS.
 - 3. The disposal of any surplus property must be in accordance with Operating Procedure 260.2, *Surplus Property*.

VII. Ethical Conduct

- A. Food service staff are not to participate directly or indirectly in a purchase when such participation would place them in violation of COV §2.2-4300 et seq., *Virginia Public Procurement Act*.
- B. Staff must not use to their own financial advantage information gained by virtue of their responsibilities or disclose it to any other person not entitled to that information.
- C. Food service staff must not accept any gift, gratuity, favor, or advantage from any vendor.
 - 1. Gifts, gratuities, favors, or advantages include, but are not limited to money, credits, discounts, seasonal or special occasion presents, edibles, drinks, appliances and furnishings, clothing, loans of

goods or money, tickets, transportation, vacations, travel or hotel expenses and various forms of entertainment.

2. Staff are expected to report to the Director of Food Services or designee any vendor who persists in such offers after an explanation of this practice.

REFERENCES

COV §2.2-4300 et seq., *Virginia Public Procurement Act*

Operating Procedure 260.1, *Procurement of Goods and Services*

Operating Procedure 260.2, *Surplus Property*

Operating Procedure 301.3, *Preventative and Corrective Maintenance*

Food Service Manual, Chapter 3, *Menu Planning*

Food Service Manual, Chapter 10, *Inventory Control*

ATTACHMENTS

None

FORM CITATIONS

Procurement Complaint Form FSM_F3

Food Service Equipment Justification/Approval FSM_F4

Institutional Equipment Request Power Verification FSM_F5