



# Memorandum

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## Procedure for Participation in the USDA Pilot for Unprocessed Fresh Fruits & Vegetables for SY 2016 - 2017

Please read and agree to the following procedures in order for your school to participate in the Pilot Project for SY 16-17.

1. The USDA Pilot for Unprocessed Fresh Fruits and Vegetables does not invalidate the federal procurement law. Under this program neither USDA nor OGS has procured any product. Schools must continue to properly procure unprocessed produce. A geographic preference may be used to encourage the purchase of locally grown and raised products. This preference does not eliminate the requirement for procurements to be conducted in a manner that allows for maximum free and open competition. While the final rule of the geographic preference option states, *when procuring local, unprocessed agricultural products, the discretion to define the local area for any geographic preference is left to the institution responsible for procurement*, "local" must not be defined in a manner that unnecessarily restricts competition. Questions regarding the procurement process should be directed to NY State Education Department at: <http://portal.nysed.gov/portal/page/portal/CNKC> or (518) 473-8781. In addition, the USDA Food and Nutrition Service website has extensive information regarding the procurement of local foods at: <http://www.fns.usda.gov/farmtoschool/procuring-local-foods>
2. Once you have obtained the successful bidder, check the USDA Pilot Project website at: <https://www.ams.usda.gov/selling-food/pilot-project>

You will find the list of vendors under the Vendor Eligibility heading. The first bullet under this heading is entitled "Pilot Program Eligible Vendors".

Should your successful bidder be listed on the Pilot Program Eligible Vendor listing, then you may use entitlement dollars through the Pilot. Should your successful bidder **not** be listed on the Pilot Program Eligible Vendor listing, then you may **not** utilize entitlement dollars through the Pilot and you would need to use your commercial account for payment.

3. Once you have verified that your successful bidder is indeed on the approved vendor listing, you may then schedule delivery of your Pilot produce. When delivery is made to your school, you will obtain a copy of the invoice from the driver. This is your copy for reconciliation purposes and should **not** be sent to your business office for processing or payment.

You **must** forward your pilot invoices to our office not less than monthly. Please utilize the attached cover sheet and forward copies, as you receive them, by mail to: OGS Food Distribution & Warehousing, Empire State Plaza, Room C120, Albany, NY 12242. You may also scan and email copies to: [ogsdonatedfoods@ogs.ny.gov](mailto:ogsdonatedfoods@ogs.ny.gov) or fax to (518) 486-5660.

4. You are responsible for monitoring the balance of your Pilot entitlement. You should set up a spreadsheet containing, at a minimum, the following data: Vendor name; building name delivered to; invoice number; delivery date; produce received; and total cost. Do not spend more than your Pilot set aside. Failure to properly monitor your pilot funds may put your other USDA food orders at risk and/or your ability to participate in the pilot program over upcoming school years.

Please sign and return no later than July 29, 2016

**RECIPIENT AGENCY (RA):**

\_\_\_\_\_  
RA Code

\_\_\_\_\_  
School Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date