**DRAFT BY JV 01/07/22**

**581-051-0500**
**Purpose of Rules**

These rules are adopted to assist National School Lunch Program, School Breakfast Program, Child and Adult Care Food Program, Summer Food Service Program, and USDA Donated Food Program Sponsors in the development of contracts for Food Service Management Companies. .

**Statutory/Other Authority:** ORS 326.051, 7 CFR 210.21, 7 CFR 210.16, 7 CFR 220.16, 7 CFR 220.7(d), 7 CFR 226.22, 7 CFR 226.21, 7 CFR 225.17, 7 CFR 225.15(m), 7 CFR 250.53 & 2 CFR 200**History:**
ODE 19-2004, f. & cert. ef. 8-10-04
ODE 6-1999, f. & cert. ef. 1-12-99

[**581-051-0520**](https://secure.sos.state.or.us/oard/viewSingleRule.action;JSESSIONID_OARD=L8MB0IsundTt98IxpnVQHjkG5KtJW1X8KmFCZUrG7K0YmzXW1bE9!444010641?ruleVrsnRsn=146987)
**Scope of Rules**

These rules apply to the solicitation, award, renewal, and execution of contracts between Sponsors and FSMCs within this State. .

**Statutory/Other Authority:** ORS 326.051, 7 CFR 210.21, 7 CFR 210.16, 7 CFR 220.16, 7 CFR 220.7(d), 7 CFR 225.17, 7 CFR 225.15(m), 7 CFR 226.22, 7 CFR 226.21, 7 CFR 250.53, & 2 CFR 200 subpart D
**History:**
ODE 21-2004, f. & cert. ef. 8-10-04
ODE 6-1999, f. & cert. ef. 1-12-99

[**581-051-0555**](https://secure.sos.state.or.us/oard/viewSingleRule.action;JSESSIONID_OARD=L8MB0IsundTt98IxpnVQHjkG5KtJW1X8KmFCZUrG7K0YmzXW1bE9!444010641?ruleVrsnRsn=146995)
**Contract Renewal**

The sponsor shall renew its contract with FSMC only if all of the following conditions are satisfied:

(1) The original contract allows for annual renewal and the total contract term does not exceed five years, original contract year plus four additional renewal years;

(2) The Sponsor consents to the renewal by action of the board;

(3) There is no change in financial terms, unless so designated in the original agreement. Contracts may not allow for an unlimited or discretionary change to the meal fee at renewal. Contracts may allow for an annual change to the meal fee not to exceed Consumer Price Index for All Urban Consumer Food Away from Home for the 12 months ending in March.

**Statutory/Other Authority:** ORS 326.051, 7 CFR 210.21, 7 CFR 210.16, 7 CFR 220.16, 7 CFR 220.7(d), 7 CFR 226.22, 7 CFR 226.21, 7 CFR 225.17, 7 CFR 225.15(m), 7 CFR 250.53, & 2 CFR 200
**History:**
ODE 24-2004, f. & cert. ef. 8-10-04
ODE 6-1999, f. & cert. ef. 1-12-99