



**ALBUQUERQUE
PUBLIC SCHOOLS**

Accelerate Progress for Students

Rennette R. Apodaca, MPA, CPPO
Executive Director

Raquel Reedy
Interim Superintendent

**RFP NO. 16-017RA-AM - Beverage Services/Pouring Rights
ADDENDUM #2**

October 21, 2015

Please note the following changes/corrections:

- Clarification

Page 21: **DECA Groups:** Contractor will provide fountain dispenser units with the understanding that contractors product will be 100% of the poured product represented by the dispenser.

- Attachment

Current added restrictions for Competitive Food/Beverage Sales for APS

Thank you for your interest in Albuquerque Public Schools

ACKNOWLEDGE ADDENDUM WITH RFP:

Addenda not signed and returned may consider the RFP non-responsive and may be rejected.

COMPANY/FIRM NAME

SIGNATURE

DATE

Rennette R Apodaca, Executive Director Purchasing

Competitive Food Sales

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General Provisions

For purposes of this procedural directive, “competitive food” means any food or beverage sold to students during the school day on the school campus. The term includes any items sold in vending machines, a la carte or through other school fundraising efforts.

“School day” means the time between 12:01 a.m. until 30 minutes after the last bell.

“Fundraiser” means any beverage or food products sold either during the school day or outside normal school hours to raise money for the school, school club or activity that are not sold in vending machines, a la carte sales or part of the USDA school meal program.

“Vending” means beverage or food products sold to students during the school day in vending machines.

“A La Carte” means beverage or food products which are not a part of the USDA school meal program and are sold to students during the school lunch or breakfast periods by the Food and Nutrition Services, co-curriculum programs (such as DECA), and/or entities approved by the school principal.

Principals may permit the sale of food items in accordance with the guideline below. All foods sold must meet the Albuquerque Public Schools, New Mexico Public Education Department Rule and Federal United USDA guidelines. All food and beverage items offered by the cafeteria meet these criteria as required by the National School Lunch Program/School Breakfast Program. Non-food and nutrition service competitive food sales shall not be allowed within the environs of the cafeteria, as defined by USDA requirements. All competitive food sales shall follow federal and state regulations and must meet the United States Department of Agriculture (USDA) smart snack in schools standards.

Smart Snack Nutrition Standards for Food

The following standards shall apply to all foods sold as competitive food sales during the school day:

- Be a grain product that contains fifty percent (50%) or more whole grains by weight or have whole grains as the first ingredient; or have as the first ingredient a fruit, a vegetable, a dairy product, or a protein food; or be a combination food that contains at least ¼ cup of fruit and/or vegetable; or contain ten percent (10%) of the Daily Value (DV) of one of the nutrients of public health concern in the 2010 Dietary Guidelines for Americans (calcium, potassium, vitamin D, or dietary fiber). If water is the first ingredient, the second ingredient must be one of the food items above.
- Food shall also meet the following nutrient requirements:
 - Calorie limits: Snack items: ≤ 200 calories and Entrée items: ≤ 350 calories;
 - Sodium limits: Snack items: ≤ 230 mg and Entrée items: ≤ 480 mg; * Effective July 1, 2016 snack items and side dishes sold a la carte must be: ≤200 mg sodium per item as served, including any added accompaniments.

- Fat limits: Total fat: $\leq 35\%$ of calories and Saturated fat: $< 10\%$ of calories and *Trans* fat: none; and
- Sugar limit: $\leq 35\%$ of weight from total sugars in foods.

USDA Smart Snack Nutrition Standards for Beverages

The following standards shall apply to all beverage sold as competitive food sales during the school day:

- Sales of the following items are allowable: Plain water (with or without carbonation)—no size limit, or unflavored low-fat milk, or unflavored or flavored fat-free milk and milk alternatives permitted by National School Lunch Program/School Breakfast Program, or one hundred percent (100%) fruit or vegetable juice, or one hundred percent (100%) fruit or vegetable juice diluted with water (with or without carbonation) and with no added sweeteners.
- Elementary schools may sell up to 8-ounce portions of milk and juice.
- Middle schools and high schools may sell up to 12-ounce portions of milk and juice.
- High schools may sell ≤ 20 -ounce portions of: Calorie-free, flavored water (with or without carbonation); or other flavored and/or carbonated beverages that are labeled to contain < 5 calories per 8 fluid ounces or ≤ 10 calories per 20 fluid ounces or ≤ 12 -ounce portions of beverages with ≤ 40 calories per 8 fluid ounces or ≤ 60 calories per 12 fluid ounces.
- Caffeinated beverages may not be sold during the school day.

Fundraiser Standards

The following standards shall apply to fundraisers:

- During the school day, principals may permit two food and/or beverage-related fundraisers lasting up to one full school day per semester for traditional schedule schools and two food-related fundraises per trimester are allowable for year-round schools. The up to one full school day per semester/trimester fundraisers are exempt from the Smart Snack Standards for foods and beverages.
- 50% of all beverage and food products offered at fundraisers held outside normal school hours on school property or at school-related events, should meet the Smart Snack Nutrition Standards for food and beverages.

Vending Machine Standards

Vending machines on school property shall comply with the following standards:

- Elementary schools may sell beverages in vending machines that meet the USDA Smart Snack Nutrition Standards for Beverages for elementary schools. These items shall only be sold in vending machines after the last lunch period.
- Elementary schools shall not sell snack or food products in vending machines.
- Middle schools may sell beverages in vending machines that meet the USDA Smart Snack Nutrition Standards for Beverages for middle schools. These items shall only be sold in vending machines after the last lunch period.
- Middle schools may sell food products in vending machines that meet the USDA Smart Snack Nutrition Standards Foods for middle schools. These items shall only be sold in vending machines after the last lunch period.

- High schools may sell beverages in vending machines that meet the USDA Smart Snack Nutrition Standards for Beverages for high schools. These items may be sold in vending machines at any time.
- High schools may sell food products in vending machines that meet the USDA Smart Snack Nutrition Standards Foods for high schools. These items may be sold in vending machines at any time.

Vendors who supply machines shall be approved Albuquerque Public School vendors and must supply only approved items.

Al La Carte Standards

All a la carte items must meet the Smart Snack Nutrition Standards for Beverages and Foods.

Any entity selling a la carte items in schools shall be required to obtain food license permit for the sale of any non-packaged foods or beverages.

Non-Compliance

Schools are expected to be in full compliance with the Competitive Food Sales Procedural Directive. There are online tools created to assist schools in ensuring all beverages and snacks meet nutritional guidelines. Please refer to the references section of this procedural directive for online tools. The Student Family, and Community Supports Division and the Food & Nutrition Department are available for technical assistance.

If a school is found to be non-compliant, the following process will be followed:

Level 1

Upon a first violation of non-compliance at a school site, the school administrator shall receive a notice of non-compliance from the Student, Family, and Community Supports Division. This notice shall including the reason(s) for non-compliance. The school administrator, or designee, will communicate the reason(s) for non-compliance with the group(s)/activity(ies) that are in non-compliance and determine a resolution. Any resolutions to the non-compliance violations will be agreed upon by the school administrator and kept on file in at the school.

Level 2

Upon a second violation of non-compliance at a school site, the school administrator shall receive a notice of non-compliance from the Student, Family, and Community Supports Division. This notice shall including the reason(s) for non-compliance. The group(s)/activity(ies) that are in non-compliance shall have thirty (30) days to submit an improvement plan to the school administrator. The plan will be kept on file at the school.

Level 3

Upon a third violation of non-compliance at a school site, the school administrator shall receive a notice of non-compliance from the Student, Family, and Community Supports Division. This notice shall including the reason(s) for non-compliance. The school administrator may suspend competitive food sales for the group(s)/activity(ies) found in non-compliance for up to one year from the recorded date of the violation. Notification of suspension of competitive food sales will

be delivered in writing to the group(s)/activity(ies) sponsor(s) The notice of suspension will be kept on file at the school.

Administrative Position: Executive Director, Student Family and Community Supports Division

Department Director: Student, Family and Community Supports

References:

Legal Cross Ref.: Healthy, Hungry Federal Kids Act of 2010
USDA Policy for Free and Reduced Meal Applications
§22-13-13 NMSA 1978
§22-9-1 NMSA 1978
§22-9-2 NMSA 1978
§22-9-5 NMSA 1978
6.12.5 NMAC

Board Policy Cross Ref.: EF Food Services
JL4 - Competitive Food Sales

Procedural Directive Cross Ref.: Free or Reduced School Meals

Online Tools: The "Product Navigator" allows submitting a product by name and size to determine compliance.

https://www.healthiergeneration.org/live_healthier/eat_healthier/alliance_product_navigator/

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The "Product Calculator" allows entering nutritional specifics to determine appropriateness

<http://tools.healthiergeneration.org/calc/calculator/>

NSBA/NEPN Classification: EF, EFD, EFE, EFF, EFDA

Introduced: May 4, 2015

Reviewed: July 8, 2015