



ARMY CENTER OF EXCELLENCE, SUBSISTENCE

RESERVE COMPONENT

FOOD SERVICE WORKSHOP 2008

*"FEEDING AN ARMY STRONG"*



# ARMY FOOD SERVICE CONTRACTING

## Dining Facility Operations

## Subsistence Prime Vendor

### Challenges & Solutions

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Food Service Contract Management



# FOOD SERVICE CONTRACTING



## CHALLENGES

- PROCUREMENT INTEGRITY
- CONTRACT ADMINISTRATION
- USE OF SPV STANDARD  
OPERATING PROCEDURES



FOOD SERVICE  
CONTRACTING  
PROCUREMENT INTEGRITY  
Non-Starter

*"I KNEW WHAT I WAS DOING WAS  
WRONG,  
BUT I DIDN'T THINK IT WAS  
ILLEGAL".*



# FOOD SERVICE CONTRACTING



## PROCUREMENT INTEGRITY CHALLENGE

- GIFTS (Gratuities)
- Conflicts of Interest = Any action or inaction of a person which is incompatible with the official duties of that person.



# FOOD SERVICE CONTRACTING PROCUREMENT INTEGRITY Solution



- KNOW and FOLLOW THE RULES ON:
- GIFTS (No Touch = No Worry)
- CONFLICTS OF INTEREST Lead to fraud, abuse and prosecution.



# FOOD SERVICE CONTRACTING



## CONTRACT ADMINISTRATION Challenges

- Contract cooks in military operated dining facilities
- Improper Direction Of Contractor
- Ineffective Performance Eval.
- Ineffective Documentation



# FOOD SERVICE CONTRACTING Solution



## COR/PAE MUST BE ABLE TO:

- Accurately Define Requirements
- Effectively Adm. Contr. at COR/PAE Levels
- Accurately Evaluate Performance
- Adequately Document Performance
- **RECOMMEND** Remedies for Unsat. Service



## FOOD SERVICE CONTRACTING



COR/PAE must be:

- Knowledgeable in Army Food Service
- COR certified through QMC&S or ALMC
- Trained in Food Service Sanitation in accordance with TB MED 530
- Able to create and implement monthly Performance Assessment Plan
- Able to effectively monitor the contractor
- Able to develop and provide information/ reports to the KO



# FOOD SERVICE CONTRACTING

## Challenges: Causative Factors



### Insufficient training / Inexperience

- Lack of contracting and food service technical knowledge
- Inadequate planning / poorly written requirements documents
- No team approach
- Lack of communication
- Failure to follow established guidelines



# FOOD SERVICE CONTRACTING Solutions



ACES - TRAIN PERSONNEL

ACES - ASSIST

Develop food service contracts PWS.

ACES - IMPROVE

- Requirements and Standards
- Performance Assessment Plans

INSTALLATION PERSONNEL- FOLLOW

- Established Contract PROTOTYPES
- Standard Operating Procedures



# FOOD SERVICE CONTRACTING



## Solution: ACES Training

- Training provided in the USAQMC&S WOBC, WOAC and FSM Courses.
- CONUS and OCONUS MTTs
- FYs 05/06 ACES provided training to 810 Students (16 Classes in FY 06)
- FY 07 - ACES provided training to 475 Students (16 Classes)



## Training/Food Service Contract Management Course



FSCM Course: Offers five days of instruction several times a year at Ft Lee, VA

- Provides Food Service Contract Officer Representative training to both Soldiers and Civilians
- Primary focus is Contract Management in the Dining Facility, overview of contract law, Monitoring/Performance Assessment Plan Procedures, Food Safety Standards and HACCP
- Off Site instruction is available upon request (minimum requirements must be met)



# Food Service Contract Management



- FSCM course provides COR certification valid for five years (Possible change to two years)
- Training is required within 90 days in accordance with AR 30-22
- Over 1200 hundred soldiers trained since October 2004
- Need for training is at all time high due to current mission
- Recently added to BNCOC/ANCOC



# FOOD SERVICE CONTRACTING



## Solution: Improve Guidance

### ACES

- Continues to revise all training materials and contract prototypes.
- Newly developed prototype guidance for contracted cook support in military operated facilities (C.5.4)
- Continued promulgation of Standard Operating Procedures



# FOOD SERVICE CONTRACTING



## Solution: Improve Guidance ACES

### New Sect. C.5.4 for DA Prototype

- Restriction on Personal Services
  - 1) Service Contracts. (FAR) 37.101 defines a service contract as one that directly engages the time and effort of a contractor whose primary purpose is to perform an identifiable task rather than furnish an end item of supply.



# FOOD SERVICE CONTRACTING



## Solution: Improve Guidance ACES

- (2) Personal Service Contracts. A contract that by its written terms or as administered causes the contracted personnel to appear to be government employees. Contracted personnel are subject to continuous supervision and control of a government officer or employee. (FAR 37.104)



# FOOD SERVICE CONTRACTING



## Solution: Improve Guidance ACES

- (3) Non-Personal Service Contracts.  
A contract under which contractor employees are not subject, either by the contract terms or by the manner of daily administration, to the supervision or control of government employees.  
(FAR 37.104)



# FOOD SERVICE CONTRACTING



## Solution: Improve Guidance

- Requiring activity responsible for a suitable performance work statement (PWS) indicating “what is to be done” and NOT “how to do it”.
- Separation of duties must include recognition of the requirement for military cooks to remain proficient in food preparation.



# FOOD SERVICE CONTRACTING



## Solution: Improve Guidance

- Military manager coordinates with contractor supervisor who directs contractor employees.
- If contractor employees take their daily orders from government personnel an illegal personal services contract will be created.



# FOOD SERVICE CONTRACTING



## Solution: Follow Guidelines

### INSTALLATIONS

- Use DA Prototypes to:
  - Develop Accurate Requirements
  - Develop & Implement Comprehensive Assessment Plans
  - Accurately Report Contractor Performance Levels
  - Develop Sound Recommendations Awards/Remedies



# FOOD SERVICE CONTRACTING



## Challenge: Improve SPV OPNS

- Expanding Catalogs
- Constant Turnover
- Insufficient Consumption
- AFMIS Master Item File not Updated
- AFMIS Recipe File not Updated



# FOOD SERVICE CONTRACTING



## Solution: ACES - SOPs to Assist

- Selection, Maintenance and Retention of Subsistence Items
  - Food Product Demonstrations and Comparison Cuttings.
- SOP for Receiving Subsistence at Garrison Dining Facilities
  - Vendor Visit Policy



# FOOD SERVICE CONTRACTING



## Solution: Follow Guidelines

### INSTALLATIONS

- Understand SPV Contract
- Utilize SPV Operating Procedures in AR and DA Pam 30-22
- Utilize SOPs to enhance operation reduce operational turmoil.



# FOOD SERVICE CONTRACTING



## Solution: Follow Guidelines

SOP for Selection, Maintenance and Retention of Subsistence Items

- Procedures for New Items
  - "Why should we select one product over others"*
- Selection or Retention of Items
  - Cost to Benefit Analysis



# FOOD SERVICE CONTRACTING



## SOP for Selection, Maintenance and Retention of Subsistence Items

- Visits of Vendors, Manufacturers or Brokers
- Evaluation, Selection of & Obligation to Consume Products (Cuttings, Demonstrations)
- File Maintenance Requirements



# FOOD SERVICE CONTRACTING ON THE HORIZON



Revision to DA Prototypes for:

- Food Service Contracts
- Performance Assessment Plans

• Revision to FSCM:

- Student Study Guide
- Student Work Book

• Update to SOP for:

- Selection, Maintenance and Retention of Subsistence Items (Purchasing Guides)



# FOOD SERVICE CONTRACTING QUESTIONS?



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