

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION**

DATE: June 18, 2009

SUBJECT: PennDOT Procurement Directive 09-03
Catering/Food Purchases/Use of Facilities Policy

TO: Executive Committee
Bureau Directors
District Executives



FROM: Suzanne Itzko
Deputy Secretary for Administration

The purpose of this directive is to rescind and replace previous Procurement Directive 08-02 in its entirety.

• This new Procurement Directive revises policy regarding use of insurance for catering services. Catering services no longer require insurance, if on PennDOT property. Also, requesting organizations within the Executive Offices, in addition to those within the Administrative Deputate, must obtain prior approval for these services from the Deputy Secretary for Administration.

Effective immediately, the following direction applies to the purchase of catering services, the purchase of food from grocery stores and other retailers, and the purchase/use of conference room facilities whether or not the purchasing card is used as a method of payment.

Section 1. Catering/Food Purchases

A. Guidelines

The Department requires detailed justification and strong managerial oversight for the use of catering services and food purchases from grocery stores and other retailers. Guidelines are as follow:

- Light refreshments may be purchased for after-hour partner and external customer sessions. Justification must be provided to substantiate the need to conduct these after hour sessions.
- Lunch may be purchased for the Secretary's Star of Excellence ceremony.
- Lunch may be purchased for "working" meetings that extend through lunch. Justification must include reasons to substantiate the need to work through lunch.

- Light refreshments or lunch may be provided when conducting special events (i.e., open houses, organizational anniversaries, etc.).
- Food may be purchased when staffing the Transportation Communications Center and Transportation Emergency Operations Center during emergencies or when required to staff the Centers after-hours.
- Catering/food purchases should not be routinely provided at in-house training classes if local food service is available for employees to purchase their own food.

Exceptions:

- Lunch may be purchased if training continues during lunch and PennDOT attendees have insufficient time to purchase lunch. Organizations will be required to justify why training must continue during lunch.
- Lunch may be purchased when planned, structured networking sessions are scheduled during the lunch hour. Provide justification as to why session is scheduled during the lunch hour.

B. Approval Levels

- Requesting organizations must first obtain approval from either their Bureau Director or District Executive for **all** catering/food purchases using Form [OS-40](#), *Approval for Catering, Food Purchases or Conference Facilities*.
 - In addition, requesting organizations within the Executive Offices and the Administrative Deputate must obtain prior approval from the Deputy Secretary for Administration using Form OS-40.
- The OS-40 is required regardless of the amount of the purchase and even when ordering under DGS Contract #9985-02.
- An accurate account of attendees will be required via the use of Form [OS-41](#), *Attendee List/Sign-In Sheet*. This form must accompany the OS-40 when forwarding the request through the approval process. Form OS-41 requires organizations to provide each anticipated attendee's name and organization (including non-PennDOT employees) for the approver(s) review. At the time of the event, attendees will be required to complete the remainder of the columns and sign on the row containing their information. Reasons for all no-shows (individuals for whom catering/food is purchased but who fail to attend) must be provided by the requesting organization.

- A copy of both completed forms (OS-40 and OS-41) must be maintained in the originating office's file.

C. **Justification**

- Justification must be provided to substantiate the **need** for catering/food purchases.
- Level and degree of catering/food purchases received (for example: buffet vs. brown bag; lunch only vs. breakfast, breaks, and lunch) must be appropriate and thoroughly justified.

D. **Use of DGS Statewide Contract #9985-02, "Catering Services"**

- Organizations within a 20-mile radius of the Main Capitol Building are contractually obligated to obtain catering services from DGS Contract #9985-02 when these services are anticipated to exceed \$200.00 unless a written waiver is obtained from DGS.
- The minimum order under Contract #9985-02 is \$200.00 unless otherwise agreed to by the agency and the vendor.
- DGS Statewide Contract #9985-02, "Catering Services," Standard Contract Terms and Conditions for Department of General Services Statewide Services Contracts – SAP, states, "Purchase orders under three thousand dollars (\$3,000) in total amount may also be made in person or by telephone using a Commonwealth Procurement VISA Card....." However, agencies are to follow the thresholds as stated in the DGS Procurement Handbook. **Therefore, the threshold for use of the P-Card is \$5,000 or under (not \$3,000 as stated in Contract #9985-02).**
- For boxed lunches in Lebanon and Dauphin Counties and within a 15-mile radius of Mechanicsburg in Cumberland County, the purchase must be offered to PIBH first. If PIBH declines to provide the service, you may proceed to obtain the services through the DGS Contract.
- Purchase Orders written under Contract #9985-02 are entered in SRM. The OS-40 and the OS-41 should be attached.

E. **Purchasing Catering/Food Services NOT Using Contract #9985-02**

- If the purchase is outside the geographical limitation or the costs are less than the minimum order required as defined in Contract #9985-02 and the agency and the vendor do not agree to an amount less than the minimum, the organization may proceed to procure the service following the procedure(s) outlined in [PUB 1](#), *Services and Non-Inventoried Supplies Purchasing Guide*.

- If the purchase of catering/food is \$5,000 or under, the P-Card may be used as the method of payment regardless of whether or not the catering/food services are being performed on PennDOT property.
- *Donation of Excess Prepared Foods* provision is not applicable if the P-Card is used as the method of payment.

Section 2. Use of Facilities

A. Guidelines

Form OS-40 includes justification for use of non-Commonwealth facilities and/or equipment.

Whenever possible:

- Use Commonwealth conference rooms and training rooms.
- Use Commonwealth equipment (i.e., TVs, VCRs, projectors, etc.).

B. Approval Levels

- Requesting organizations must first obtain approval from either their Bureau Director or District Executive for all facilities rentals of non-Commonwealth conference/training rooms and equipment using Form OS-40. This includes non-Commonwealth facilities provided at no cost to the Department.
 - In addition, requesting organizations within the Executive Offices and Administrative Deputate must obtain prior approval from the Deputy Secretary for Administration using Form OS-40.
- An accurate account of attendees will be required via the use of Form, OS-41. This form must accompany the OS-40 when forwarding the request through the approval process. Form OS-41 requires organizations to provide each anticipated attendee's name and organization (including non-PennDOT employees) for the approver's review. At the time of the event, attendees will be required to complete the remainder of the columns and sign on the row containing their information. Reasons for all no-shows (employees who fail to attend) must be provided by the requesting organization.
- A copy of both completed forms (OS-40 and OS-41) must be maintained in the originating office's file.

C. Justification

- Use of non-Commonwealth facilities and/or equipment must be justified.

We need to continue to focus our efforts to ensure that facilities and catering/food purchases are appropriately and judiciously purchased.

Any questions on these procedures or related forms may be addressed to Diane Chamberlin, Director, Bureau of Office Services, at 717-783-8869 or e-mail dchamberli@state.pa.us

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Purchasers
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