

### Public Purpose

The District and its employees are prohibited from using public funds for private purchases, private expenses, or gifts (California State Constitution Article 16, Section 6). In order for food purchases to be legal, there must be an obvious connection to the education of District students. In reviewing proposed purchases, the District should exercise due care and diligence in determining whether or not the expenses have a clearly defined business purpose. Be prepared to show that expenditures are reasonable, allocable and justifiable if audited.

### Selection Process

**Café/Cafeteria:** The District has entered into master agreements with its Cafeteria and Café food vendors. Therefore, these vendors shall have a first right of consideration to provide a competitive proposal.

#### Mission College:

- **WM Café (Cafeteria)** – Contact Nancy Mustafa at (408) 855-5117 or [abdulialopez1000@yahoo.com](mailto:abdulialopez1000@yahoo.com)
- **KJ's Café** – Contact Katherine Bailey at (650) 464-3111 or [katherine@kjcafe.com](mailto:katherine@kjcafe.com)

#### West Valley College:

- **WM Café (Cafeteria)** – Contact Anwar Mustafa at (408) 741-2026 or [wmcafe10@yahoo.com](mailto:wmcafe10@yahoo.com)
- **Drip Coffee** – Contact Bobby Coyle at (650) 222-5282 or [dripcoffee2006@gmail.com](mailto:dripcoffee2006@gmail.com)

If these vendors are unable to provide service or a competitive bid, the Requester may then utilize the following options:

#### Mission College:

- **Mission College's Hospitality Management:** Contact Catering Manager, Marie Keith at (408) 855-5245 or [marie.keith@wvm.edu](mailto:marie.keith@wvm.edu)
- **Caterers under contract with Mission College:** Contact Catering Manager, Marie Keith at (408) 855-5245 or [marie.keith@wvm.edu](mailto:marie.keith@wvm.edu) to obtain quotes from caterers who have entered into Facilities Use Agreements with Mission College.
- **Pre-Approved Preferred Food/Caterers:** The following are preferred vendors who have entered into a Food/Caterer Services Agreement:
  - Athena Grill, 1505 Space Park Dr., Santa Clara, CA – Takis at 408-567-9144
  - Togo's, 4300 Great America Pkwy., Santa Clara, CA – Jeffrey at 408-352-5995
  - Vegetarian House, 520 E. Santa Clara Street, San Jose, CA - Lorna at 408-292-3798
  - World Wrapps, 3125 Mission College Blvd., Santa Clara, CA – Martin at 510-847-9668

#### West Valley College:

- **(COMING SOON) Preferred Food/Caterers:** See the College's website for a list of preferred vendors who have entered into a Food/Caterer Services Agreement

If any other catering vendors are used that do not have a contract with the District, the Requester must submit a Requisition and include the following from the vendor two weeks before the scheduled event:

- Current California Business License
- Public Health Permit/License
- Caterer's Permit (if applicable)

*(Continue to Next Page)*

## GUIDELINE FOR FOOD/CATERING SERVICES

- If Caterer, copy of Food Safety Certificate and confirmation of Contractor's employees having current Food Handler Cards
- Certificate of Insurance with the following limits:

Policy of Insurance	Minimum Coverage Amount
Commercial General Liability and Property Insurance	Per Occurrence: One Million Dollars (\$1,000,000)
	Aggregate: Two Million Dollars (\$2,000,000)
Workers Compensation	In accordance with the Laws
Employers Liability	One Million Dollars (\$1,000,000)
Auto liability	Five Hundred Thousand Dollars (\$500,000)

The certificate of insurance must endorse the District as follows for the limits set forth above: **West Valley Mission Community College District, its officers, officials, agents, employees, and volunteers as additional insureds.** Please have the certificate of insurance addressed as follows: West Valley-Mission Community College District, Attn: General Services, 14000 Fruitvale Ave., Saratoga, CA 95070.

### Food Purchase Charges

If business lunches/events are required, they are to be approved, in advance, by either the College President, the Vice Chancellor of Administrative Services, or their designee. ALCOHOL EXPENSES ARE NOT ALLOWED. Along with their approval, the following must be submitted with the invoice for payment:

- a) A list of the people attending the business meal or college event
  - a. For open meetings (e.g., student focus groups or walk-in workshops), include an agenda, program or flyer and a sign-in sheet or total count of attendees receiving meals.
  - b. For closed meetings, include an agenda and a sign-in sheet
- b) The purpose for the meeting/event
- c) An itemized receipt

When budgeting for food, it is recommended to use the GSA standards for the cost of meals per person. If the food being purchased is for an event, please submit a Requisition to Purchasing to issue the food vendor a Purchase Order. What makes clear sense to the Requester, may not be clear to an auditor. For example, food being provided at noon for a training workshop must be clear that if participants left the workshop to purchase their own lunch, it would be detrimental to the training. Also, there could be additional training activities that take place during lunch. **PLEASE NOTE: Food purchased for routine or regular staff meetings are not allowed.**

### If Charging to Grants or Categorical Programs

Food purchases must follow the District policy and the appropriate guideline of the funding agency. The Program Manager is responsible for determining appropriate expenditures on all restricted funds (Grants and Categorical accounts). The purchase of food on a grant or categorical account is a high audit risk. Food purchases should have documentation showing the expenditure was part of an approved activity, met the purpose of the grant, was allowable under the grant, and was necessary to the success of the grant. Such documentation may include:

- Event date
- Event times (start/end)
- Justification for food being served (e.g. Lunch meeting is required due to this being the ONLY time all needed attendees were available)
- Agenda or minutes that identify the content of meeting
- List of participants which shows reasonableness when compared to cost

### Gratuity? Tip? Is it allowable?

It depends.

- If you have a contract or quote from a caterer, that is your cost. Do not add a gratuity to a caterer's quote for services.
- An acceptable gratuity level is up to but no more than fifteen percent (15%).
- If gratuity is already included in a catering proposal or invoice, you may not add a second gratuity on top of that.

***Remember we must be good stewards of taxpayer dollars.***

***Meal purchases rarely exceed the limits already provided by the District for travel.***

### Food Handling & Misc.

To comply with the Santa Clara County Health Department's regulations related to the preparation, handling, and distribution of food on campus, as well as to guarantee the health and safety of all campus constituencies, the following guidelines for food sales have been established for the West Valley-Mission Community College District:

- Food items must be prepackaged. Prepackaged items are food items packaged at a licensed bakery, restaurant, or grocery store, **OR**
- Food items must be prepared by a licensed food service provider and a certificate of liability insurance must be provided in order to receive event authorization, **OR**
- No foods or perishable beverages can be prepared or stored in a private home due to possible contamination.
- All food and perishable beverages shall be protected at all times from unnecessary handling and possible contamination (i.e. gloves must be worn by servers and items refrigerated).

### Additional Points of Clarification

- *Can pizza be distributed by the slice?* Pizza purchased from a licensed food service provider can be distributed by the slice to the public, provided it is protected at all times from unnecessary handling and possible contamination (i.e. gloves must be worn by servers and items refrigerated as needed).
- *Can baked goods be separated in single servings for sale?* Baked goods purchased from a licensed food service provider can be distributed individually to the public, provided they are protected at all times from unnecessary handling and possible contamination (i.e. gloves must be worn by servers and items refrigerated as needed).
- *Does the food vending policy apply to food in baskets assembled for fundraising?* Yes, because the items are being given to the public.

### Potlucks

Potlucks are permissible when the following guidelines are met:

- The meeting or event must be closed to the general public. Instead, the event is open to a specific target population, e. g., members of a club, students in a class/program, or certain employees.
- There can be no charge for the event.
- The event cannot be advertised to the general public.

Any questions, please contact your College's Vice President of Administrative Services or the District's risk manager, Mina Hernandez, Executive Director of General Services at [Mina.Hernandez@wvm.edu](mailto:Mina.Hernandez@wvm.edu).