

 STATEWIDE POLICY	NUMBER 107-011-330	SUPERSEDES Policy 125-6-330 March 1, 1998
	EFFECTIVE DATE March 1, 1998	PAGE NUMBER Pages 1 of 3
Division Enterprise Asset Management	REFERENCE ORS 276.431(2) ORS 279.835 to 279.855 ORS 283 ORS 346.130 to 346.160 OAR 125-080-0000	
Policy Owner Facilities		
SUBJECT Vending services in State Office Buildings Owned or Leased by the Department	APPROVED SIGNATURE On File	

PURPOSE

To provide clear policies and procedures relating to vending services in state buildings and grounds which are owned, leased or occupied by the Department, pursuant to OAR 125-080-0000.

APPLICABILITY

Vending facilities in state office buildings owned or leased by the Department of Administrative Services (DAS).

FORMS/EXHIBITS/INSTRUCTIONS

None

POLICY

- I. A. No person, firm or state agency may place any vending facility on any state office building premises under the jurisdiction of the Department without specific authorization issued by the Facilities Division. Any inquiry concerning placement of such vending facility shall be directed to:

DAS Facilities Help Desk
Department of Administrative Services
1240 Ferry Street SE
Salem, OR 97301-4288
Phone: (503) 378-3664

- B. As used in this Policy, the term:

- 1. "The state office building premises under the jurisdiction of this department" means any office building, land or other real property, owned, leased or occupied by the Department. It does not include single agency leased facilities which are approved but not being operated by the Department.
- 2. "Vending facility" means:
 - a. Shelters, counters, shelving, mobile cart food vendors, display and wall cases approved by the Division for vending merchandise, including any refrigerating apparatus and other appropriate auxiliary equipment customarily used for such purposes;

- b. Manual or coin operated vending machines or similar devices for vending merchandise; or
 - c. Cafeterias or snack bars for the dispensing of foods and beverage.
 - 3. "Commission for the Blind" means the State agency established under ORS 346.130 to 346.140.
 - 4. "Qualified Rehabilitation Facility" means those organizations defined under ORS 279.835 to 279.855.
 - 5. "Operator" means the individual person, firm or agency responsible for the day to day conduct of the vending facility operation under an agreement or contract with the Division.
 - C. For cafeteria and snack bar management policies and procedures, the Department's rule 125-80-005 and Policy Manual 125-6-331 shall apply.
- II.
- A. The Division shall determine the location, type and number of vending facilities to be placed on any Department controlled state office building premises. Any merchandise to be sold by such vending facilities must be approved by the Division.
 - B. The Division may determine fees for each class of vending facilities which will at least pay for the costs of space, utilities and administration. Such fee schedule may be changed by the division as needed. The Division may permit such payments to be made quarterly and direct such payments to be sent to:

Office of Business Administration
 Department of Administrative Services
 155 Cottage Street NE U90
 Salem, Oregon 97301-3972
 - C. Authorizations issued by the Division for placing vending facilities may be in the form of a permit or a contract which will specify terms and conditions governing the operation of such vending facilities.
- III. For all available vending facility locations, the Commission for the Blind shall be given the first right of refusal on the contract, pursuant to ORS 364.520 and 364.530, on such terms and conditions as may be set forth by the division. Qualified Rehabilitation Facilities shall have second right of refusal on the contract pursuant to ORS 279.015(b) and ORS 279.835-279.855.
- IV. Any vending facility or such prospective locations not contracted with the Commission for the Blind or a Qualified Rehabilitation Facility may be permitted or leased to other applicants that may be selected by competitive bids when appropriate.
- V. The Department reserves the right to reject any and all bids or proposals, and contracts awards shall be based on appropriate qualification standards, contract terms and considerations offered to the Division by vendors.
- VI. All permits issued by the Department for mobile cart food vendors shall be on condition that such vending facility complies with all the applicable laws of the state and ordinances of the local government jurisdictions pertaining to the vending of foods.

PROCEDURE:

Responsibility

Action

Operations and Maintenance Section	<ol style="list-style-type: none">1. In consultation with the building tenant representatives, determine locations where it is practicable or desirable to place vending in facilities.2. Establishes a fee schedule.3. Notifies the Commission for the Blind of any available sites for placing vending facilities and offers to the Commission the right of first refusal to contract with the Division for placing vending facilities.
Commission for the Blind	Notifies the Division in writing of its intention to accept or to decline the Division's offer, and if accepting, proceeds to negotiate with the Division for a contract.
Operations and Maintenance Section	<ol style="list-style-type: none">1. Receives and evaluates offers presented by the Commission for the Blind and if acceptable, awards contracts to the Commission.2. In case an offer made by the Commission for the Blind is not accepted, notifies the Commission of the decision explaining the reasons.3. For the locations not contracted with the Commission, notifies Qualified Rehabilitation Facilities and offers the second right of refusal to contract with the Division for placing vending facilities. If more than one Qualified Rehabilitation Facility applying, decision will be based on competitive bidding among them.
Qualified Rehabilitation Facilities	<ol style="list-style-type: none">1. Notifies the Division in writing of its intention to accept or to decline the Division's offer, and if accepting, proceeds to negotiate with the for a contract.2. Receives and evaluates offers presented by Qualified Rehabilitation Facilities and, if acceptable, awards contracts.
Operations and Maintenance Section	<ol style="list-style-type: none">1. In case the Qualified Rehabilitation Facilities decline or an offer is not accepted, any vending facility or prospective locations may be permitted or leased to other applicants that may be selected by competitive bids.2. Awards contracts according to this Policy, and forwards copies to the lessee/contractor and to the Office of Business Administration.
All Operators	Operate the vending facility according to this Policy and according to any provisions of the contract made with the Division.
Office of Business Administration	Receives fee remittances from vending facility operators, and credits the appropriate accounts.