

 <b>STATEWIDE POLICY</b>	<b>NUMBER</b> 107-011-331	<b>SUPERSEDES</b> Policy 125-6-331 March 1, 1998
	<b>EFFECTIVE DATE</b> March 1, 1998	<b>PAGE NUMBER</b> Pages 1 of 3
<b>Division</b> Enterprise Asset Management	<b>REFERENCE</b> ORS 276.431(2) ORS 279.835 to 279.855 ORS 283 ORS 346.130 to 346.160  OAR 125-080-0005	
<b>Policy Owner</b> Facilities		
<b>SUBJECT</b> Cafeterias in State Office Buildings Owned or Leased by the Department	<b>APPROVED SIGNATURE</b> On File	

**PURPOSE**

To ensure customer sensitive cafeteria services by providing policies and procedures for establishing and operating cafeterias and snack bars in state office buildings owned or leased by the Department, pursuant to ORS 276.431(2) and OAR 125-80-005.

**APPLICABILITY**

Cafeterias 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 establish or operate any cafeteria or snack bar in any state office building under the Department's jurisdiction without a contract with the Department. The Division may lease any suitable space to restaurateurs to establish and operate cafeterias or snack bars for a term not to exceed five years. Any inquiry therefor should be addressed to:

Cafeterias, Operations and Maintenance Section  
Facilities Division  
Department of Administrative Services  
1240 Ferry Street SE U170  
Salem, OR 97301-4294  
Phone: (503) 373-0748

- 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. "Commission for the Blind" means the State agency established under ORS 346.130 to 346.140.
  - 3. "Qualified Rehabilitation Facility" means those organizations defined under ORS 279.835 to 279.855.
  - 4. "Restaurateur" means the individual person, firm or agency responsible for the day to day

conduct of the cafeteria or snack bar operation under an agreement or contract with the Division.

- II. Determinations as to whether to establish or to continue operating any cafeteria or snack bar in any building under the jurisdiction of the Department shall be within the discretion of the Division, and terms and conditions for operating such facility shall be specified in a written contract made between the Division and restaurateurs. The Division may furnish such facility to the extent such facility is customarily provided for by a lessor, subject to negotiation with the restaurateur, and may set a rental rate for such facility at par with prevailing commercial rates for nearby comparable facilities used for similar purposes.
- III. A committee may be established for each cafeteria to assist with restaurateur selection and contract administration, and to meet with contracted restaurateur periodically. These committee's may be comprised of representatives of the Division and of each department in that building.
- IV.
  - A. For any available opportunity to enter into a new contract with a restaurateur such as when opening a new cafeteria or a snack bar or when a contract for an existing facility is due to expire or being terminated, the Division shall inform the Commission for the Blind in writing of the available opportunity and offer to the Commission the right of first refusal to contract on such terms and conditions as may be set forth by the Division.
  - B. The Commission for the Blind shall respond in writing within 30 days to accept or to decline the offer made by the Division, and if accepting, commence negotiations with the Division for a contract, subject to conditions stipulated under V. of this Policy.
  - C. In case the Commission fails to respond or declines to accept such an offer, the Division shall inform Qualified Rehabilitation Facilities of the available opportunity and offer the right of second refusal to contract on such terms and conditions as may be set forth by the Division. If more than one Qualified Rehabilitation Facility responds, contract will be awarded by competitive bid between the Qualified Rehabilitation Facilities.
  - D. In case the Qualified Rehabilitation Facilities fail to respond or decline to accept, the Division may proceed to select other restaurateurs by competitive bid.
- V. The Division reserves the right to reject any and all bids and proposals. The Division's decision in awarding contracts under this Policy shall be based on any or all of the following conditions:
  - A. Restaurateur's experience and competence in managing and operating food service facilities of the similar nature.
  - B. The proposed menu, food prices and service levels.
  - C. The quality of food and services at other establishments owned or managed by the restaurateur.
  - D. Terms of contract and considerations offered to the Division.
- VI. No alcoholic beverages shall be served in any cafeteria or snack bar contracted with the Division. For this and related purposes, OAR 125-75-015 and Policy Manual 125-6-321 shall apply.
- VII. The Division reserves the right to make periodic inspections of any contracted food service facility established under this Policy to insure the lessee-restaurateur's performance of the terms and conditions of the contract.

VIII. Mobile food vending carts on the Department-controlled building premises are referenced in and governed by the Department's Policy Manual 125-6-330 and OAR 125-080-0005.

**PROCEDURE:**  
**Responsibility**

**Action**

Operations and  
Maintenance Section

Notifies the Commission for the Blind of any available location for a cafeteria or snack bar and offers the Commission the first refusal to contract with the Division to establish and/or operate the cafeteria or snack bar.

Commission for the  
Blind  
Division

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.

Operations and  
Maintenance Section

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 to establish and/or operate the cafeteria or snack bar.

Qualified  
Rehabilitation  
Facilities

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

1. Receives and evaluate offers presented by Qualified Rehabilitation Facilities and, if acceptable, awards contracts. If more than one Qualified Rehabilitation Facility applied, decision will be based on competitive bidding among them.
2. In case the Qualified Rehabilitation Facilities decline or no offer is accepted, any cafeteria or snack bar may be permitted or leased to other applicants that may be selected by competitive bids.
3. Awards contracts according to this Policy, and forwards copies to the lessee/contractor and to the Office of Business Administration.

All Operators

Operate the cafeteria or snack bar according to this Policy and according to any provisions of the contract made with the Division.

Office of Business  
Administration

Receives fee remittances from Operators Division and credits the appropriate accounts.