

DEPARTMENT OF EDUCATION
Office of Human Development Services
Rehabilitation Services Administration
Washington, D.C.

APPLICATION AND PERMIT FOR THE ESTABLISHMENT OF A VENDING FACILITY ON FEDERAL PROPERTY AS AUTHORIZED BY P.L. 74-732, AS AMENDED BY P.L. 83-565 AND TITLE II OF P.L. 93-516 (RANDOLPH-SHEPPARD ACT)

The BSVI-OHIO (designated State Licensing Agency) of the State of OHIO requests approval of General Services Admin (Federal Property Agency) to place a vending facility on the property located 1240 East Ninth Street, Cleveland, OH 44199 (AJC Federal Building)

SATISFACTORY SITE: It has been determined that this location meets the criteria of a satisfactory site as defined in 34 CFR § 395.1 (q). Any exceptions are documented in Attachment A.

TYPE, LOCATION AND SITE OF FACILITY: Type of facility (defined in Instructions for Form OHD-RSA-15) vending; Facility location see attach; Facility size see attach (floor plan, Attachment B). The types of articles to be sold and services to be offered are enumerated in Attachment C. The fixtures and equipment for this facility, including the responsibility for the provision thereof, are set forth in Attachment D. The location, type and number of vending machines which constitute all or a part of this facility are noted in Attachment E. The facility will operate 5 days of the week from 7:30 A.M. to 3:30 P.M. commencing on _____.

MACHINE INCOME SHARING: The type and location of each vending machine located on this property and the specific income sharing provisions in 34 CFR § 395.32 applicable to each such machine will be indicated in Attachment F. Vending machine income will be disbursed to the State licensing agency on at least a quarterly basis, unless it is mutually agreed otherwise.

OTHER TERMS AND CONDITIONS: Both parties shall comply with 34 CFR § 395.35. Any additional terms and conditions applicable to this location are included in Attachment G. This permit shall be issued for an indefinite period of time subject to suspension or termination on the basis of non compliance by either party with any of the agreed upon terms and conditions of the permit. By mutual agreement the State licensing agency and the property agency/owner may terminate the permit after providing notice of the intended termination, including the reason therefore and supporting documentation to the other party. Both parties shall comply with all regulations issued in Title VI of the Civil Rights Act of 1964. Reason for denial of the application shall be set forth in writing to the State.

[Signature]
Approving Property Official

USA. Regional Administrator Mgt.
Title Date

9/30/09

[Signature]
Approving Licensing Agency Official

Director BSVF 9/23/09
Title Date

Permit for Blind Vendor

ATTACHMENT A

SATISFACTORY SITE EXCEPTIONS

(REF. Regional Instructions 1023-P-210, page 4, Section IV-E-1-a)

A. A "satisfactory site" is an area fully accessible to vending facility patrons and having:

- (1) Effective on March 23, 1977, a minimum of 250 square feet available for the vending and storage of articles necessary for the operation of a vending facility; and
- (2) Sufficient electrical, plumbing, heating, and ventilation outlets for the location and operation of a vending facility in accordance with applicable health laws and building codes.

Note below any deviations from the specified (A) accessibility,
(1) floor space, (2) utilities, above.

NONE

**SITES FOR FACILITY #208
AJC FEDERAL BUILDING**

VENDING LOCATIONS:

BASEMENT	20TH FLOOR
4TH FLOOR	23RD FLOOR
7TH FLOOR	26TH FLOOR
10TH FLOOR	29TH FLOOR
14TH FLOOR	
17TH FLOOR	

4TH, 7TH, 10TH, 14TH, 17TH, 20TH, 23RD, 26TH AND 29TH FLOOR DIMENSIONS ARE APPROXIMATELY 27 FEET BY 18 FEET.

STORAGE AREAS- BASEMENT AND 1ST FLOOR (STORAGE/OFFICE)

STORAGE AREAS IN BASEMENT:

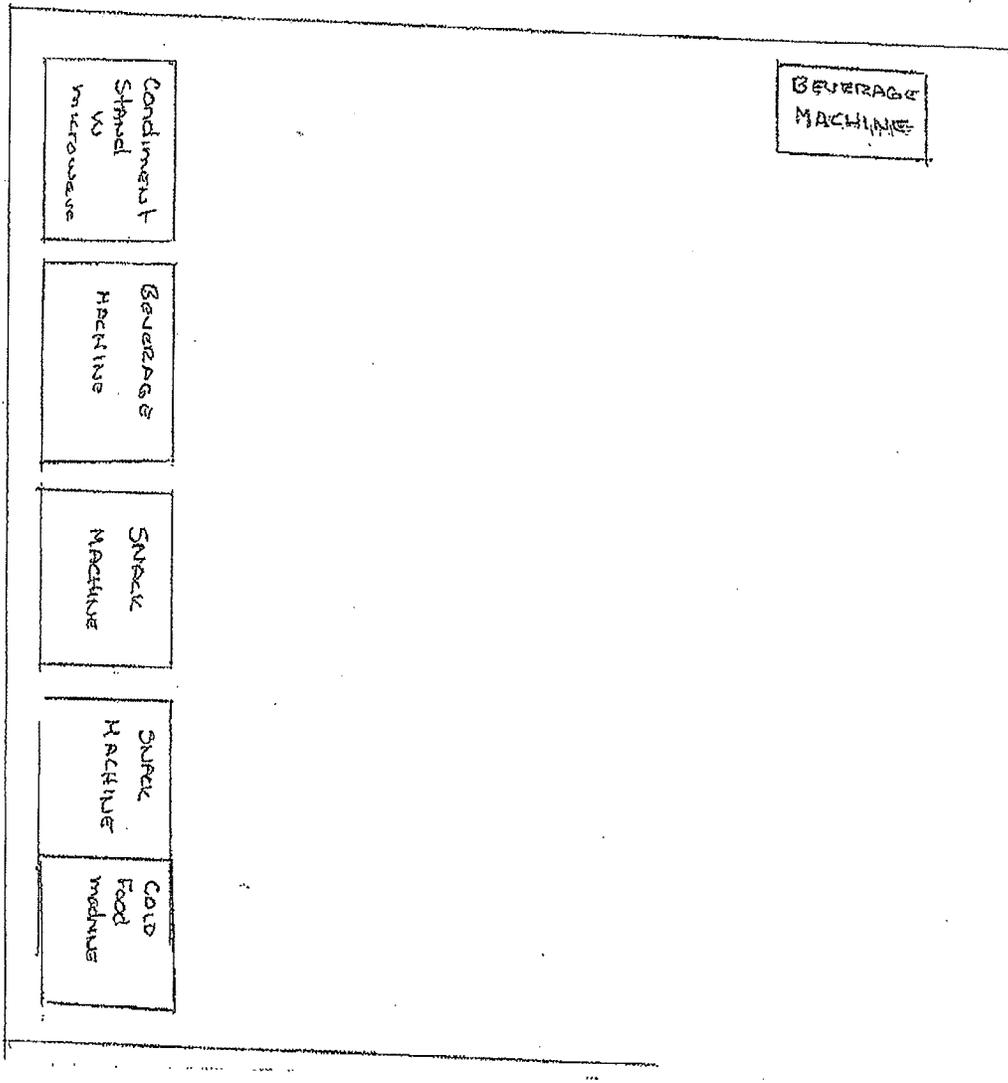
28' BY 8'

22.5' BY 25

14.25 BY 14'

Attachment B

18'



Sample of vending room configuration on the following floors:
4,7,10,14,17,23; 26 and 29. Floor 20 has different configuration with
one snack machine only.

Permit for Blind Vendor

ATTACHMENT C

TYPES OF ARTICLES AND SERVICES TO BE OFFERED

The following articles will be dispensed:

cold beverages

candy/gum

Chips, etc.

pastry

fruit cups

frozen foods (basement-frozen food machine)

Permit for Blind Vendor

ATTACHMENT D

FIXTURES AND EQUIPMENT

The Division of Service for the Blind shall provide the following equipment:

FROZEN FOOD MACHINE

COLD FOOD MACHINE

COLD BEVERAGE MACHINE

CANDY/SNACK MACHINE

SHELVING

OFFICE DESK

SAFE

Permit for Blind Vendor

ATTACHMENT E

VENDING MACHINES WHICH ARE PART OF THIS VENDING FACILITY

*Policy: This permit will not authorize the assigned blind vendor or the State Licensing Agency to subcontract for the operation by an independent outside vendor of any unattended vending machines in locations remote from the authorized site. Neither will it assign to the blind vendor or to the State licensing Agency as a direct adjunct to his/her enterprise any existing satellite vending machines nor space in which to install new unattended vending machines, at location remote from the authorized site (Regional Instructions 1023-P-210, Section IV-G-2-d).

The vending machines which are a part of the vending facility are limited to the following:

NO DEVIATIONS

*Note: If a blind vendor in an existing postal facility now has as a part of his/her vending facility one or more remotely located vending machines, the Policy statement above will appear on Attachment E; AND the number, type, and location will also be described, along with a statement authorizing the continuance of that arrangement with the incumbent blind vendor only.

Permit for Blind Vendor

ATTACHMENT F

COMPETING VENDING MACHINES - INCOME SHARING
(REF. Regional instructions 1023-P-210, Section V, Pages 10-24).

NO INCOME SHARING

ATTACHMENT GADDITIONAL TERMS AND CONDITIONS:

1. Except as modified in this permit and its attachments, both parties, GSA and the Ohio State licensing agency will comply with the provisions of HEW regulations (45 CFR 1369.35). These enumerated terms and conditions require:
 - A. Issuance of the permit in the name of the applicant State licensing agency which shall:
 - (1) Prescribe procedures necessary to assure that the selection of vendors and employees for the operation of the vending facility is without discrimination because of sex, age, creed, color, national origin, physical or mental disability or political affiliation.
 - (2) Assure that vendors do not discriminate against any person or persons in furnishing, or by refusing to furnish, to such persons the use of any vending facility, including any and all services, privileges, accommodations and activities provided thereby, and comply with Title VI of the Civil Rights Act of 1964 and the regulations pursuant thereto.
 - B. Issuance of the permit for an indefinite period of time subject to suspension or termination on the basis of noncompliance with agreed upon terms.
 - C. Provisions within the permit which specify that:
 - (1) No charge will be made to the State licensing agency for normal cleaning, maintenance, and repair of the building structure in and adjacent to the vending facility area.
 - (2) Any cleaning that is necessary for sanitation, and the maintenance of vending facilities and vending machines in an orderly condition at all times and the installation, maintenance, repair, replacement, servicing and removal of any vending facility equipment are to be without cost to the department, agency, or instrumentality responsible for the maintenance of the Federal property.
 - (3) Articles sold at vending facilities operated by blind licensees may consist of newspapers, periodicals, publications, confections, foods, beverages, chances for any lottery authorized by State law and conducted by an agency of the State. Other articles or services may be included as are determined by the State licensing agency, in consultation with the onsite official responsible for the Federal property or the property managing department, agency or instrumentality to be suitable for any particular location. These articles or services may be dispensed automatically or manually and may be prepared on or off the premises in accordance with all applicable health laws.
 - (4) Vending facilities shall be operated in compliance with all applicable health, sanitation, and building codes or ordinances.
 - (5) Installation, modification, relocation, removal, and renovation of vending facilities will be subject to prior approval and supervision of the onsite official responsible for the Federal property of the property managing department, agency, or instrumentality and the State

licensing agency, and that the costs of relocation of vending facilities shall be paid by the initiator of the request.

- (6) Any deviations from the regulations at (45 CFR 1369.35) are to be included in Attachment G.

OTHER TERMS AND CONDITIONS

2. Indemnification

The Ohio state licensing agency shall save harmless and indemnify GSA and its officers, agents, representatives, and employees from all claim, loss, damage, action, causes of action, expense and /or liability resulting from, brought for, or on account of any personal injury or property damage received or sustained by any person, persons, or property growing out of , occurring, or attributable to any work performed under or related to this permit, resulting in whole or in part from the negligent acts or omissions of the blind vendor any subcontractor, or any employee, agent or representative of the state licensing agency or any subcontractor.

3. Permits and Responsibilities

The Ohio state licensing agency shall, without additional expenses to GSA, be responsible for obtaining any necessary licenses and permits and for complying with any applicable Federal, State and municipal laws, codes, and regulations, in connection with the prosecution of the work. He shall be similarly responsible for all damages to persons or property that occur as a result of his fault or negligence. He shall take proper safety and health precautions to protect the work, the workers, the public, and the property of others.

4. The State licensing agency will assign under this permit a blind person or persons whom it has licensed as qualified to operate the particular type of vending facility authorized herein.
5. GSA policy is that such items as soup, canned food, sandwiches, ice cream and beverages are provided through a cafeteria or through vending facilities in areas available to employees. GSA does not provide vending services of this type in GSA lobbies.

ADDITIONAL LOCAL TERMS AND CONDITIONS:

Performance Standards

The facility manager will use quality merchandise.

The facility manager will be able to run a successful sales promotion and public relations campaign as evidenced by an increase in sales.

The facility manager will be able to achieve excellent customer service by developing strategies for handling customer complaints and problem solving.

The facility manager will be able to identify accepted practices and procedures for purchasing, receiving, storing and issuing food and beverages by managing inventories using the commonly

accepted concepts and procedures of controlling inventory level by purchasing products according to expected demand, totaling stock, tracking expiration dates, and discarding old or damaged merchandise.

The facility manager will be able to carry out safe food handling and storage requirement procedures in compliance with Federal, State and local health department regulations in accordance with the latest FDA (Food and Drug Administration) Food Code as evidenced by a written Hazard Analysis Critical Point plan which identifies foods and practices that cause food borne illnesses such as salmonella and staphylococcus and will provide employee training to reduce the risk of food borne illnesses.

The manager will demonstrate an understanding of the link between personal hygiene and food borne illness by development and implementation of basic standards for personal hygiene for use in a food service operation.