

**FOOD SERVICE - NYGD 1338.1**

**PREFACE**

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FOR THE COMMANDER



**OFFICIAL:**



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**1. Purpose.** This publication sets forth the format and procedures that governs the management of the food service process within the New York Guard.

**2. Application.**

a. Format and procedures established in this directive apply to the acquisition, consumption, and records accountability of meals. Specifically during the periods of Annual Training when large quantities of food are required and consumed and are applicable to all major support commands (MSCs) and units of the New York Guard.

b. This publication is directive in nature. These formats, and procedures will be followed, except when, in the judgment of the commander, exceptional circumstances dictate otherwise. (Exceptions must be submitted in writing in a timely manner.)

**3. Scope.** This publication describes the processes used to provide food services to all organizations comprising the New York Guard.

**4. Basis.** Office of the New York State Comptroller Procurement and Disbursement Guidelines.

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**CHAPTER I**

**POLICY**

It is the policy of the New York Guard to provide its members with subsistence during periods of Annual Training, scheduled assemblies of eight (8) hour duration's, and other specified events when authorized. Annual review and funding availability will determine the execution of this program.

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**CHAPTER II**  
**RESPONSIBILITIES**

**1. The Commander New York Guard,** Provides guidance and notification of availability of funds to support the New York Guard subsistence program.

**2. The Deputy Chief of Staff for Logistics (G-4),** shall:

a. Establish appropriate guidelines, policies and procedure for food service management within the New York Guard.

b. Insures that all acquisitions conform with New York State procurement practices.

c. Publish changes to policies, procedures and allowable costs when appropriate.

**3. The Commanders of the New York Guard Major Subordinate Commands (MSC's),** shall:

a. Ensure that their subordinate units implement the procedures established in this directive.

b. Publish additional implementing regulations or instructions as required. Commanders will exercise judgment in implementing and adding to requirements. This directive will be followed, except when, in the judgment of the Commander New York Guard, exceptional circumstances dictate otherwise. Conflicts will be resolved through recommended changes to this directive. Commanders will not publish directives or instructions that conflict with this directive.

c. Notify and provide copies of follow-on directives or instructions to Headquarters, New York Guard for review and approval.

**4. Subordinate Units of MSCs,** shall:

a. Follow the directive stipulating food service management.

b. Submit all appropriate forms and supporting documents for payment not later than seven (7) days after receipt of the vendors billing.

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**CHAPTER III**  
**PROCEDURES**

**1. General.** The procedures herein provide the necessary guidance to ensure that the procurement of meals for all service members of the New York Guard conform with the New York State procurement practices.

**2. Command Accountability.**

- a. Commanders certify the accuracy of meals consumed by service members
- b. In the absence of the commander, a unit officer, designated in writing, may certify the NYG Form 1338-1b (Appendix B).
- c. Retain copies of all food services accounting records and commanders certification in active files for three (3) years from the date of initiation.

**3. Authorized Meal Allowance.**

- a. The Deputy Chief of Staff for Logistics (G-4) will periodically announce the lunch meal rate currently in effect. This rate will typically be the same rate announced for members of the active military forces. See Chapter III, paragraph 8, this directive for meal cost allocations based on the published lunch rate.
- b. Commanders may not exceed the published lunch rate in effect, or the calculation of other meals based on that published rate. Commanders who exceed the authorized rate may be held personally liable for the over-costs.
- c. Commanders are authorized to incur the lunch cost per member in attendance for a regularly scheduled eight (8) hour assembly. Unless a moratorium on expenditures has been published due to lack of funding.
- d. Commanders must request prior approval for breakfast and dinner meals by submittal of a completed NYG Form 800 for allocation and certification of available funding. Requests for breakfast and dinner meals must meet the following conditions.

(1) Breakfast Meal:

- (a) Training is scheduled to commence prior to 0500 hours, and
- (b) Mission requires troops to remain overnight and not released from duty prior to 0800 hours.

(2) Dinner Meal:

- (a) If the duty day extends beyond 1900 hours, and
- (b) If mission requires troops to report for duty prior to 1700 hours with an overnight stay.

**4. Methods of Procurement by Unit.** NYG units authorized to provide meals to unit members in accordance with this directive, may provide meals for NYG personnel on duty as follows:

a. "Group meals" through a vendor or contractor to personnel in training in a pay or non-pay status. The vendor must provide an invoice which shall state the number of personnel fed and the cost per meal, not exceeding the authorized allowance per person as calculated from the current published rate by the first line of the table at paragraph 8 of this chapter.

b. "Group meals" through an organic kitchen facilities with food and ingredients purchased locally. The total cost shall not exceed the authorized allowance as calculated from the current published rate by the second line of the table at paragraph 8 of this chapter, times the number of personnel fed.

c. Personnel on temporary assignment to a unit, or in a travel status to visit a unit, may obtain subsistence with the unit they are assigned to for that temporary duty.

d. Group meal submission for payment or reimbursement must be transmitted utilizing NYG Form 1338-1b (Appendix B) and received at HQ-NYG within 7 days of drill, along with the complete, original receipts for meals, and original sign in sheets NYG Form 1338-1a (Appendix A). Note vendor's payment will not exceed the published rate or contracted rate, whichever is less, and the headcount sheet totals. Payment will not be made based on a fixed cost or count not substantiated by headcount sheets.

**5. Method of Procurement by Individuals.** Members of the New York Guard who are placed on orders in a travel status may be eligible for a meal allowance at the prevailing per-diem rates.

a. Service members are authorized meals from any New York Guard unit that they are performing duty with, regardless of duty status.

b. Conversely, when a unit is not available, service member being under competent orders is authorized to obtain meals by commercial means. Request for orders with per-diem must be submitted with a NYG Form 800. Request for reimbursement will be accomplished on an appropriate NYS Travel Voucher supported by orders, NYG Form 800, and receipt(s) and forwarded through command channels to Headquarters, New York Guard for review and processing. The reimbursement check is sent directly to the individual's home of record..



**6. State Finance Regulations.** Commanders must be aware that New York State procurement regulations are to be strictly complied with at all times. Following are the guidelines for quote requirements IAW Office of the State Comptroller, Procurement Guidelines.

Dollar Ranges of Services or Purchase	Documentation Requirements
\$1,000 to \$2,499	Two Verbal Quotes, documented
\$3,000 to \$4,999	Three Verbal Quotes, documented
\$5,000 to \$14,999	Solicit 5 vendors, 3 written quotes
Over \$15,000	Formal Advertise and Bid Process

**7. Record Keeping and Compliance.**

a. Forms. Forms relative to this program is available from the Division of Military and Naval Affairs website at, [www.dmna.state.ny.us/nyg/forms](http://www.dmna.state.ny.us/nyg/forms).

b. Records. Supporting documents relative to this program will be maintained in active files for three (3)-years.

c. Inspections and Compliance. Commanders of MSCs are requested to have all food service documents pertaining to their subordinate units audited annually by their IG. A copy of the audit findings to be sent to Headquarters, New York Guard, ATTN: NYSG-G4, 330 Old Niskayuna Road, Latham, NY 12110-2224

**8. Current Meal Cost Allocations.** Refer to the following chart for current meal costs. The categories are catering, unit provided kitchen meals, and by individual. Costs are for breakfast, lunch, and dinner respectively.

Meal	Breakfast	Lunch	Dinner
Group-Catered	68.5% of lunch	Published Rate	137% of lunch
Unit-Kitchen	68.5% of lunch	48% of published rate	137% of lunch
Individual	State per diem rate	Not authorized	State per diem rate

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APPENDIX A: Food Service Accounting Record
CERTIFIED FOOD SERVICE ROSTER
FOOD SERVICE ACCOUNTING RECORD
(Prescribing Directive NYGD 1338.1, Proponent NYSG-G4)

UNIT: (include full unit designation, including address)

FOOD SERVICE LOCATION

(insert location of food service activity)

PAGE of PAGES

DATE: MEAL TOTAL NUMBER OF MEALS THIS PAGE

All personnel who obtain subsistence for this meal must be listed below by name and rank. Signature of soldier, in ink, must be signed adjacent to typed or printed name. Include last four digits of service number. Form must be filled out on date of subsistence, no preprinting allowed.

Table with 6 columns: LAST NAME, FIRST NAME, MI, RANK, Signature, NYG ID#. The table contains multiple rows for data entry.

Certification: I hereby certify that I have personally reviewed the above listed names and signatures. That personnel who are listed hereon and have signed there nam have received the meal indicated above and that this is an accurate accounting to the best of my knowledge.

Check if last page

Insert Total Number of Meals if Last Page:

S/

Certifying Officer: Type or Print Name/ Grade

Title:

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APPENDIX B: Sample Transmittal and Certification

NEW YORK GUARD

Unit

Street address

City,state,zip

(1338.1)

Office Symbol

date

MEMORANDUM FOR HEADQUARTERS, NYG, 330 Old Niskayuna Road, Latham, NY 12110

SUBJECT: COMMANDING OFFICERS CERTIFICATION OF FOOD SERVICE ACTIVITY

I hereby certify below that I am the Commanding Officer or designated certifying officer for the above identified unit, and that I have inspected the Food Service Accounting Record (Meal Roster) attached hereto, consisting of \_\_\_ pages, numbered 1 through \_\_\_ and find that the Forms are an accurate accounting of subsistence activity for the individuals listed thereon for Duty performed on \_\_\_\_\_, and that such subsistence was provided in accordance with NYG Directive 1338.1. Total number of meals certified as signed for and issued are \_\_\_\_\_.

Commander or Certifying Officer

Typed name
Grade, title
Date signed

VENDOR INFORMATION

Type or print

NAME OF VENDOR

ADDRESS OF VENDOR

TELEPHONE NUMBER OF VENDOR

VENDOR POINT OF CONTACT

NUMBER OF MEALS PROVIDED

DATE MEALS PROVIDED

ENCLS

Original Vendor Invoice

Food Service Accounting Record

CF: (Higher Hqs) \_\_\_

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