CDCR Proposed MOU Language

*(10/21/2022)*

**Challenge on price**

CDCR may challenge the price of any item sold in a vending machine by sending a challenge to DOR/BEP via email.  The challenge must include:

1. the institution,
2. the specific location of the vending machine,
3. the price of the item, and
4. the reason CDCR believes the price may be excessive.

DOR/BEP must respond to the CDCR challenge by either justifying the price or advising the price has been decreased.  The response must be received by CDCR no later than 30 calendar days after the date the email was sent by CDCR.   If the price is justified, DOR/BEP must include the following in the response:

1. It must provide value to the target customer, and how does it do that.
2. The vendor must track how much competitors in a 50-mile radius charge.  Competitors includes stores and vending services.
3. The pricing must reflect the relationship between quality and price, and how does it do that.

**Customer Complaints**

Customers may file a complaint regarding the service of a BEP Vendor, including the price of food items sold in vending machines, the quality of the food items sold in vending machines, and the failure of the vendor to provide a requested refund within 30 calendar days.

Complaints must be filed within 30 calendar days of the date the customer’s concern arose (i.e. date the food item was purchased or the vendor failed to provide the refund, etc.).

CDCR shall set up a mailbox to receive any complaints.  When they come in, CDCR shall forward them to DOR/BEP.  DOR/BEP shall respond to the complaining customer within 30 calendar days, and cc CDCR on that email response.

**Inmate Family Council meeting attendance by DOR/BEP**

A DOR/BEP representative shall attend the statewide Inmate Family Council meetings to address issues raised by the IFC regarding the DOR/BEP program.   In addition, DOR/BEP shall require the DOR/BEP Vendor to attend the local institution IFC meetings to address issues raised by the IFC regarding the Vendor’s operation of the DOR/BEP program.  Should there be no Vendor at an institution, a DOR/BEP representative shall attend the local institution IFC meetings to address any questions about the DOR/BEP program and the status of providing a Vendor for that institution.