

2024 FEB 28 PM 5: 05

APPROVED AS TO FORM AND LEGALITY

FILED
OFFICE OF THE CITY CLERK
OAKLAND


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 90130 C.M.S.

RESOLUTION:

1. ACCEPTING AND APPROPRIATING A SUMMER FOOD SERVICE PROGRAM (SFSP) GRANT FROM THE CALIFORNIA DEPARTMENT OF EDUCATION (CDE) IN THE AMOUNT OF \$426,870 (FOUR HUNDRED TWENTY-SIX THOUSAND EIGHT HUNDRED SEVENTY DOLLARS); AND
2. AWARDING PROFESSIONAL SERVICES AGREEMENTS (PSAS) TO UPTONS, INC. (DBA SCHOOL FOODIES) IN AN AMOUNT NOT TO EXCEED \$221,875 (TWO HUNDRED TWENTY-ONE THOUSAND EIGHT HUNDRED SEVENTY-FIVE DOLLARS); TO FLO'S FRIENDLY SCHOOL LUNCHESES IN AN AMOUNT NOT TO EXCEED \$253,750 (TWO HUNDRED FIFTY-THREE THOUSAND SEVEN HUNDRED FIFTY DOLLARS); AND TO COOK AND RUN, INC. IN AN AMOUNT NOT TO EXCEED \$257,500 (TWO HUNDRED FIFTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS), TO PROVIDE FOOD SERVICES FROM MAY 28, 2024 THROUGH AUGUST 9, 2024; AND
3. AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND APPROPRIATE ADDITIONAL SFSP FUNDING THAT BECOMES AVAILABLE AND AMEND THE ABOVE PSAS TO INCREASE AMOUNTS WITHIN THE TERM OF MAY 28, 2024 THROUGH AUGUST 9, 2024

WHEREAS, the City of Oakland (City) is committed to addressing childhood food insecurity through the Summer Food Service Program (SFSP); and

WHEREAS, the City has been awarded a \$426,870 SFSP grant from the California Department of Education (CDE) for the period from May 28, 2024, to August 9, 2024; and

WHEREAS, it is in the best interest of the City to award Professional Services Agreements (PSAs) to selected vendors, namely Uptons, Inc. (dba School Foodies), Flo's Friendly School Lunches, and Cook and Run, Inc., which were selected through a competitive Request for Proposals (RFP) process; and

WHEREAS, the selected vendors have demonstrated their capability, capacity, and past performance to provide food services during the 2023 SFSP program; and

WHEREAS, the City Administrator has determined that the aforementioned Professional Services Agreements with Uptons, Flo's and Cook and Run are of a professional and temporary nature, ensuring no loss of salary or employment for individuals with permanent status in competitive civil service; and

WHEREAS, recognizing the need for uninterrupted service delivery in order to tackle youth food insecurity in Oakland, advance payments of up to \$125,000 will be made to each vendor at the commencement of the program; and

WHEREAS, a grant amount of \$426,870 will be accepted and appropriated from the California Department of Education - Department of Agriculture Fund 2102, Organization 02111, Project 1006932, And Account 54919 to offset food vendor costs for the purpose of operating the Summer Food Service Program for Children; and

WHEREAS, the appropriation in the amount of \$306,155 in the Adopted Budget in Measure HH (Fund 1030), Organization 02111, Project 1007373, Account 54919 covers additional costs of contracted food vendors; now, therefore, be it

RESOLVED: That the City, by and through the City Administrator or his designated representative, is hereby authorized to apply for, and the City hereby accepts, SFSP grant funds in the amount of \$426,870 from the California Department of Education Division for the purpose of allocating said funds for the City's own SFSP for the period beginning May 28, 2024 to August 4, 2024; and be it

FURTHER RESOLVED: That said funds are appropriated to Measure HH (Fund 1030), Organization 02111, Project 1007373, Account 54919; and be it

FURTHER RESOLVED: That the City Council hereby awards a Professional Services Agreement to Uptons, Inc. in the amount of \$221,875, to provide food services for the City's SFSP from May 28, 2024 to August 9, 2024; and be it

FURTHER RESOLVED: That the City Council hereby awards a Professional Services Agreement to Flo's Friendly School Lunches, in the amount of \$253,750, to provide food services for the City's SFSP from May 28, 2024 to August 9, 2024; and be it

FURTHER RESOLVED: That the City Council hereby awards a Professional Services Agreement to Cook and Run, Inc. in the amount of \$257,500, to provide food services for the City's SFSP from May 28, 2024 to August 9, 2024; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to accept and appropriate additional funds that become available, and amend the Professional Services Agreements with the aforementioned vendors to increase the amounts within the term of May 28, 2024, through August 9, 2024, subject and limited to City appropriated funding for SFSP; and

FURTHER RESOLVED: That the City Administrator is hereby authorized to conduct all negotiations, execute and submit all documents, including but not limited to applications, agreements, amendments, modifications, payment requests, and related actions, which may be necessary for the completion of the SFSP grant; and be it

FURTHER RESOLVED: That said agreements and any amendments thereto authorized under this resolution shall be reviewed and approved as to form and legality by the Office of the City Attorney and executed copies of same filed with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE: **MAR 06 2024**

AYES - ~~FIFE~~, GALLO, JENKINS, KALB, KAPLAN, ~~RAMACHANDRAN, REID~~ AND
PRESIDENT FORTUNATO BAS **-5**

NOES -

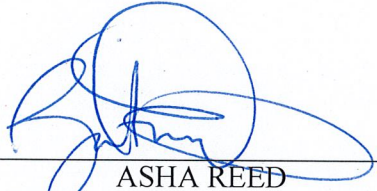
ABSENT -

ABSTENTION -

Excused - 3 Fife, Ramachandran, Reid

3328133v4/MJM

ATTEST: _____


ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California