



CITY OF OAKLAND

FILED
OFFICE OF THE CITY CLERK
OAKLAND

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AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Sara Bedford
Director, Human Services

SUBJECT: FY 2017-18 Head Start
Food Vendor Contract Amendments

DATE: October 27, 2017

City Administrator Approval

Date:

11/21/17

RECOMMENDATION

Staff Recommends That the City Council Adopt A Resolution 1) Waiving The Request For Proposals/Qualifications Requirements; And 2) Authorizing The City Administrator to Amend The Professional Service Agreements With BiRite Restaurant Supply Co., Inc. To Increase the Compensation For A Total Amount Not to Exceed \$100,000 And Allied Poultry Co., Inc. To Increase the Compensation For A Total Amount Not to Exceed \$75,000 to Provide Food Commodities Services for The Head Start/Early Head Start Program through June 30, 2018.

EXECUTIVE SUMMARY

Each year the Human Services Department (HSD), Oakland Head Start Program must enter into professional services agreements to provide food commodities services to Head Start/Early Head Start children and families.

As such, the City of Oakland conducted a Request for Proposal ("RFP") process for Oakland Head Start food commodity services in May of 2017 (*RFP 42391 for 2017-18, Food Commodities Package*). However, only **one** (1) response to the Head Start program RFP was received, from **LeBlanc Dairy**, a provider of dairy products. In order to prevent the Head Start program from being left without canned, dry and packaged goods, as well as meat, poultry and seafood, by the start of services in August 2017, the Oakland Head Start/Early Head Start Program requested and received approval from the City Administrator to waive the Competitive Process for two (2) additional food vendor contracts in amounts not to exceed \$50,000 each.

The approval allowed the Oakland Head Start/Early Head Start Program to contract with two local, small food vendors, **BiRite Restaurant Supply Co., Inc.** and **Allied Poultry Co., Inc.**, to provide dry, canned, and package goods, along with meat, poultry and seafood, for Head Start/Early Head Start children and families by the start of program services in August 2017.

To ensure that enough food commodities are available for the Oakland Head Start/Early Head Start children and families through June 30, 2018, the program requests that Council waive the formal RFP/Q requirements and authorize the City Administrator to amend the Professional

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Services Agreements with BiRite Restaurant Supply Co., Inc. and Allied Poultry Co., Inc. to increase the agreement amounts for additional food services.

Approval of the proposed resolution will allow the Oakland Head Start/Early Head Start Program to continue providing daily fresh, healthy and nutritious food for the children enrolled in the program through the end of the fiscal year.

BACKGROUND / LEGISLATIVE HISTORY

In compliance with Head Start Performance Standards and Child and Adult Care Food Program (CACFP) Guidelines, Head Start grantees (i.e., City of Oakland Head Start) are required to provide daily fresh, healthy and nutritious meals for children enrolled in the program. The Head Start grantee can contract with the food commodities services, per their local procurement and purchasing guidelines.

The Contracts and Compliance Office published an RFP, (RFP #42391 for FY 2017-18 Food Commodities). It was advertised in the Bay Area News Group, May 26, 2017, resulting in only one (1) proposal submitted, LeBlanc Dairy. As a result, the Oakland Head Start/Early Head Start Program was in jeopardy of not having adequate food commodities services for the 2017-18 program year, with services starting in August 2017.

ANALYSIS AND POLICY ALTERNATIVES

As a result of the lack of responses to the Food Commodities RFP, the Head Start/Early Head Start Program submitted to the City Administrator on July 12, 2017, Competitive Process Waiver Requests, along with justification for two (2) additional Professional Services Agreements for food services with BiRite Restaurant Supply Co., Inc. and Allied Poultry Co., Inc., both in amounts not to exceed \$50,000. On July 18, 2017, the City Administrator approved the waiver of the competitive process for these two agreements and City executed agreements with BiRite and Allied Poultry in amounts not to exceed \$50,000 each to provide food services to the Head Start program.

To provide sufficient food for the Head Start/Early Head Start program, City staff must now amend these Professional Services Agreements to increase the funding. Staff is requesting authorization to amend the agreement with BiRite Restaurant Supply Co., Inc. for an additional amount up to \$50,000 and a total contract amount not to exceed \$100,000, and amend the agreement with Allied Poultry Co., Inc. for an additional amount up to \$25,000 and a total contract amount not to exceed \$75,000.

Oakland Municipal Code ("OMC") section 2.04.051.A requires the City Administrator to conduct an RFP/Q process for Professional Service Agreements that exceed \$50,000 and OMC section 2.04.051.B allows City Council to waive the RFP/Q requirements upon a finding by the City Council that it is in the best interest of the City to do so.

City staff recommends that it is in the best interest of the City to waive the RFP/Q requirements for the Professional Service Agreements with BiRite Restaurant Supply Co., Inc. and Allied Poultry Co., Inc. because as a grantee of both, federal Head Start funding and Child and Adult

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Care Food Program (CACFP) funding, the City of Oakland is mandated to ensure that fresh, healthy and nutritious food is provided to all Head Start and Early Head Start children enrolled in the program, on a daily basis. A program could risk the permanent loss of both federal Head Start and CACFP funding, if it were not able to comply with this mandate. As was previously indicated, the results of the FY 2017-18 RFP/Q process placed the Oakland Head Start/Early

The Head Start/Early Head Start Program is in jeopardy of not having adequate food commodities for the remainder of the FY 2017-18 program year, which is the reason for the current request.

FISCAL IMPACT

1. Amount of Amended Recommendation/Cost of Project:

- Total project cost/agreement of the new contract dollars:
 - \$100,000 for BiRite Restaurant Supply Co., Inc. and
 - \$75,000 for Allied Poultry Co., Inc.

For the program year 2017-2018, the Food Commodities Services Professional Services Agreement amendments for BiRite Restaurant Supply, Co., Inc. and Allied Poultry Co., Inc. in the total added amount of \$75,000 will be fully funded through FY 2017-18 U.S. Department of Agriculture Fund, through the Child and Adult Care Food Care Program (CACFP).

2. Source of Funding:

SOURCE OF FUNDING: Department of Agriculture Fund (2102); HS Classroom and Seasonal Org (78231); Head Start FY17-18 CCFP Project (1003681); Strengthening Children, Youth & Families Program (YS13).

PUBLIC OUTREACH / INTEREST

This item did not require any additional public outreach other than the required posting on the City's website.

COORDINATION

Office of the City Attorney and the Budget Bureau were consulted in preparation of this report.

SUSTAINABLE OPPORTUNITIES

Economic: The Head Start program creates more than 100 jobs, including people directly employed in centers, plus an unknown number of jobs through its economic multiplier effect. Most of these jobs are held by Oakland residents. In addition, the Head Start/Early Head Start Program buys most of its goods and services from Oakland firms or individuals to support its programs.

Environmental: Oakland Head Start/Early Head Start provides snacks and meals that meet CACFP nutritional requirements. The program's central kitchen recycles all cooking oil and purchases environmentally safe paper cups and paper plates that are used in all Head Start/Early Head Start classrooms.

Social Equity: The Head Start/Early Head Start program delivers comprehensive, high quality services to children and families in the City of Oakland. Child health and wellness are promoted by providing nutrition services that supplement and complement those of the home. The program's child nutrition services assist families in need, by meeting and supporting each child's nutrition needs, as well as establishing good eating habits that nurture healthy development and promote life-long well-being.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That the City Council Adopt A Resolution 1) Waiving The Request For Proposals/Qualifications Requirements; And 2) Authorizing The City Administrator to Amend The Professional Service Agreements With BiRite Restaurant Supply Co., Inc. To Increase the Compensation For A Total Amount Not to Exceed \$100,000 And Allied Poultry Co., Inc. To Increase the Compensation For A Total Amount Not to Exceed \$75,000 to Provide Food Commodities Services for The Head Start/Early Head Start Program through June 30, 2018.

For questions regarding this report, please contact Alisa Burton, Human Services Division Manager (Acting), Early Childhood and Family Services at (510) 238-2323.

Respectfully submitted,



SARA BEDFORD
Director, Human Services Department

Reviewed by: Alisa Burton, Manager (Acting)

Prepared by: Tracey Black, Program Planner
Early Childhood & Family Services Division

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Approved as to Form and Legality


City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION 1) WAIVING THE REQUEST FOR PROPOSALS/QUALIFICATIONS REQUIREMENT; AND 2) AUTHORIZING THE CITY ADMINISTRATOR TO AMEND THE PROFESSIONAL SERVICE AGREEMENTS WITH BIRITE RESTAURANT SUPPLY CO., INC. TO INCREASE THE COMPENSATION FOR A TOTAL AMOUNT NOT TO EXCEED \$100,000 AND ALLIED POULTRY CO., INC. TO INCREASE THE COMPENSATION FOR A TOTAL AMOUNT NOT TO EXCEED \$75,000 TO PROVIDE FOOD COMMODITIES SERVICES FOR THE HEAD START/EARLY HEAD START PROGRAM THROUGH JUNE 30, 2018

WHEREAS, in compliance with Head Start Program Standards, Head Start grantees (i.e. City of Oakland Head Start) are required to provide fresh, healthy and nutritious meals, daily, for children enrolled in the Head Start/Early Head Start Program; and

WHEREAS, Head Start grantees may contract with food commodities service providers pursuant to their own local purchasing guidelines; and

WHEREAS, the City conducted a Request for Proposal (“RFP”) process for Head Start Food Commodities Services in May of 2017 (*RFP 42391 for 2017-18, Food Commodities Package*) and received only one response to the RFP, from LeBlanc Dairy, a provider of dairy products; and

WHEREAS, on July 12, 2017, the Oakland Head Start/Early Head Start Program requested review and consideration from the City Administrator to waive the RFP Process for two additional contracts, not to exceed \$50,000 each, with providers of dry, canned and packaged goods and meat, poultry, and seafood; and

WHEREAS, the waiver would allow the program to contract with two local, small food vendors to provide needed Food Commodities Services for Head Start/Early Head Start children and families by the start of program services in August, 2017; and

WHEREAS, on July 18, 2017, the City Administrator waived the RFP/Q process for FY 2017-2018 Food Commodities Professional Services Agreements in amounts not to exceed \$50,000 each; and

WHEREAS, the Oakland Head Start/Early Head Start Program entered into contracts with two local, small food vendors, BiRite Restaurant Supply Co., Inc. for an amount not to exceed \$50,000 and Allied Poultry Co., Inc. for an amount not to exceed \$50,000, through June 30, 2018; and

WHEREAS, the Oakland Head Start/Early Head Start Program now wishes to amend the current contracts with BiRite Restaurant Supply Co., Inc. in an additional amount up to \$50,000 for a total contract amount not to exceed \$100,000, and Allied Poultry Co., Inc., in an additional amount up to \$25,000 for a total contract amount not to exceed \$75,000, through June 30, 2018; and

WHEREAS, OMC section 2.04.051.A requires the City Administrator to conduct a RFP/Q process for Professional Services Agreements that exceed \$50,000 and OMC section 2.04.051.B allows City Council to waive the RFP/Q requirements upon a finding by the City Council that it is in the best interest of the City to do so; and

WHEREAS, City staff recommends that it is in the best interest of the City to waive the RFP/Q requirements for the Professional Services Agreements with BiRite Restaurant Supply Co., Inc. and Allied Poultry Co., Inc. because as a grantee of both, federal Head Start funding and Child and Adult Care Food Program (CACFP) funding, the City of Oakland is mandated to ensure that fresh, health and nutritious food is provided to all Head Start/Early Head Start children enrolled in the program, on a daily basis; and

WHEREAS, a program could risk losing both federal Head Start and CACFP funding, if it were not able to comply with this mandate; and

WHEREAS, it was previously indicated that the results of the 2017-18 RFP/Q process placed the Oakland Head Start/Early Head Start Program in jeopardy of not having adequate food commodities for the 2017-18 program year, with services starting in August 2017; and

WHEREAS, City staff also recommends that the City Council authorize the City Administrator to amend the Professional Services Agreements with BiRite Restaurant Supply Co., Inc. to an amount not to exceed \$100,000 and Allied Poultry Co., Inc., to an amount not to exceed \$75,000.; and

WHEREAS, the City Administrator has determined that these contracts are of a professional and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; and

WHEREAS, the funds for the amended contract amounts totaling \$75,000 will be fully funded through the FY 2017-18 funds previously approved under the Child and Adult Care Food Program (CACFP) and available from the Department of Agriculture Fund (2102); HS Classroom and Seasonal Org (78231); Head Start FY17-18 Project (1003681); Strengthening Children, Youth & Families Program (YS13); now therefore, be it

RESOLVED: That pursuant to OMC section 2.04.051.B and for the reasons stated above and in the City Administrator's report accompanying this item, the City Council finds that it is in the best interests of the City to waive the RFP/Q requirements for this agreement and so waives the requirements; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator to amend the Professional Services Agreement with BiRite Restaurant Supply Co., Inc. to increase the compensation amount by up to \$50,000 for a total contract amount not to exceed \$100,000 to provide food commodities services for Head Start/Early Head Start children and families during the second half of the 2017-18 program year, through June 30, 2018; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator to amend the professional service agreement with Allied Poultry Co., Inc. to increase the compensation amount by up to \$25,000, for a total contract amount not to exceed \$75,000 to provide food commodities services for Head Start/Early Head Start children and families during the second half of the 2017-18 program year, through June 30, 2018; and be it

FURTHER RESOLVED: That based on information provided by the City Administrator, the Council finds that these agreements are of a professional and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; and be it

FURTHER RESOLVED: That said agreements shall be approved as to form and legality by the Office of the City Attorney and filed with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN,
KALB, KAPLAN AND PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

Date of Attestation:
