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OFFICE OF THE CITY CLERK  
OAKLAND

Approved As To Form And Legality



City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION NO. 89914 C.M.S.

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**RESOLUTION AMENDING RESOLUTION NO. 89745 C.M.S., WHICH APPROPRIATED SUMMER FOOD SERVICE PROGRAM GRANT FUNDS AND AWARDED PROFESSIONAL SERVICE AGREEMENTS FOR FOOD SERVICES, TO:**

- 1. MODIFY THE COMPENSATION AMOUNTS AND TERMS OF THE PROFESSIONAL SERVICE AGREEMENTS WITH UPTONS, INC. (DBA SCHOOL FOODIES), FLO'S FRIENDLY FOODS LLC, THE ALAMEDA COUNTY DEPUTY SHERIFFS ACTIVITIES LEAGUE, INC., COOK & RUN, INC., AND GOLDEN SAFARI RESTAURANT & BAKERY LLC TO PROVIDE FOOD SERVICES FROM MAY 30, 2023 THROUGH AUGUST 4, 2023; AND**
- 2. AUTHORIZE THE CARRYFORWARD OF UNSPENT FISCAL YEAR 2022-2023 FUNDS IN AN AMOUNT NOT TO EXCEED \$793,850 TO FISCAL YEAR 2023-2024**

**WHEREAS**, on May 16, 2023 the City Council passed Resolution No. 89745 C.M.S., which 1) accepted and appropriated a Summer Food Service Program (SFSP) grant from the California Department of Education ("CDE") in the amount of \$426,870, 2) awarded professional services agreements to five contractors to provide food services from May 30, 2023 through July 28, 2023, 3) authorized acceptance and appropriation of additional SFSP Grant monies that become available from the CDE and from private sources during the period of May 30, 2023 through July 28, 2023, and 4) authorized amendments to the professional service agreements; and

**WHEREAS**, the City uses the SFSP grant funds to reimburse the City's own SFSP for the provision of an estimated 60,000 free breakfasts and 90,000 free lunches, to Oakland children, as well as the delivery of the meals to City and community sites during the grant period; and

**WHEREAS**, pursuant to Resolution No. 89745, the City Council appropriated the CDE funds in the amount of \$426,870 in the FY 2023-2023 Budget to Department of Agriculture Fund (2101) Year Round Lunch Program Organization (78241) FY 2022-2023 Summer Food Program Project (1004170); and

**WHEREAS**, pursuant to Resolution No. 89745, the Council awarded Professional Services Agreements to Uptons, Inc. (dba School Foodies) ("Uptons") in an amount not to exceed

\$168,750, Flo’s Friendly Foods (“Flo’s”) in an amount not to exceed \$180,800, Cook and Run (“Cook and Run”) in an amount not to exceed \$185,000, Dig Deep Farms in an amount not to exceed \$87,500, and Golden Safari Restaurant & Bakery LLC (“Golden Safari”) in an amount not to exceed \$75,000; and

**WHEREAS**, as provided in Resolution No. 89745, the contractors were selected through a competitive Request for Qualifications process; and

**WHEREAS**, in addition to the grant from the CDE, City has available funds in the amount of \$152,115 in the Adopted Budget in Measure HH (Fund 1030), Year Round Lunch Program (78241), Project 1000017, and in the amount of \$214,865 in the Adopted Budget in Measure HH (Fund 1030), Year Round Lunch Program (78241), Project 1003817 to cover additional costs of contracted food vendors; and

**WHEREAS**, City staff wish to amend Resolution No. 89745 to correct the name of contractor Dig Deep Farms to Alameda County Deputy Sheriffs Activities League, Inc., which is the fiscal sponsor for Dig Deep Farms; and

**WHEREAS**, The City Administrator has determined that the aforementioned Professional Services Agreements with Uptons, Flo’s, Cook and Run, Alameda County Deputy Sheriffs Activities League and Golden Safari are of a professional and temporary nature and shall not result in the loss of salary or employment by anyone having permanent status in competitive civil service; and

**WHEREAS**, due to the extra available funding, City staff wish to modify the compensation amounts for the above-referenced professional service agreements and extend the term of the agreements through August 4, 2023; now, therefore, be it

**RESOLVED:** That the City Council hereby amends Resolution No. 89745 C.M.S. to correct the name of contractor Dig Deep Farms to the Alameda County Deputy Sheriffs Activities League, Inc., which will serve as the fiscal sponsor, and modify the compensation amount of all five of the professional service agreements for the SFSP as follows:

<b>Contractor</b>	<b>Compensation Amount</b>
Flo’s Friendly Foods LLC	\$229,600
Uptons, Inc.	\$144,250
Cook & Run, Inc.	\$185,000
Golden Safari Restaurant & Bakery LLC	\$125,000
Alameda County Deputy Sheriffs Activities League, Inc.	\$110,000
Total	\$793,850

; and be it

**FURTHER RESOLVED:** That the City Council hereby amends Resolution No. 89745 C.M.S. to extend the term of the aforementioned professional service agreements through August 4, 2023; and be it

**FURTHER RESOLVED:** That based on information provided by the City Administrator, the Council finds that these professional services 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 the City Council hereby authorizes the carryforward of funds in the amount not to exceed \$793,850 in FY 2022-2023 Adopted Budget in Measure HH Fund 1030 and U.S. Department of Agriculture Fund 2102 in the Approved Projects Identified for the SFSP to FY 2023-2024.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE: **OCT 03 2023**

AYES - FIFE, ~~GAFFO~~, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND PRESIDENT FORTUNATO BAS **-7**

NOES **0**

ABSENT **0**

ABSTENTION **0**

**1 Excused - Gallo**

ATTEST: \_\_\_\_\_



ASHA REED

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