


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION

1. **ACCEPTING AND APPROPRIATING A SUMMER FOOD SERVICE PROGRAM (SFSP) GRANT FROM THE CALIFORNIA DEPARTMENT OF EDUCATION AND THE UNITED STATES DEPARTMENT OF AGRICULTURE IN AN AMOUNT NOT TO EXCEED \$426,870;**
2. **AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND ENTER INTO PROFESSIONAL SERVICES AGREEMENTS (PSAS) WITH UPTONS, INC. (DBA SCHOOL FOODIES) AND FLO'S FRIENDLY SCHOOL LUNCHES, INC. FOR FOOD SERVICES TO SUPPORT THE 2025 SFSP;**
3. **AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND APPROPRIATE ADDITIONAL SFSP FUNDING FROM ANY SOURCE THAT BECOMES AVAILABLE AND TO AMEND THE ABOVE PSAS TO INCREASE AMOUNTS WITHIN THE 2025 SFSP TERM;**
4. **AUTHORIZING THE CITY ADMINISTRATOR TO AMEND AND EXECUTE THE 2023 SFSP CONTRACT WITH FLO'S FRIENDLY FOODS LLC TO INCREASE THE CONTRACT VALUE FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$350,000 AND TO CHANGE THE CONTRACTING PARTY TO FLO'S FRIENDLY SCHOOL LUNCHES, INC.; AND**
5. **AUTHORIZING THE CITY ADMINISTRATOR TO AMEND THE 2024 SFSP CONTRACT WITH FLO'S FRIENDLY SCHOOL LUNCHES, INC. TO INCREASE THE CONTRACT VALUE FOR A TOTAL CONTRACT NOT TO EXCEED AMOUNT OF \$444,000**

WHEREAS, the City of Oakland (the "City") operates a Summer Food Service Program (SFSP) to provide free meals to children during summer months when school is not in session; and

WHEREAS, the City has been awarded grant funds from the United States Department of Agriculture (USDA) through the California Department of Education (CDE) to operate the 2025 SFSP in the amount of \$426,870; and

WHEREAS, the City Administrator is authorized to accept and appropriate any additional funds that may become available from the USDA, CDE, or other public or private sources to support or expand the 2025 SFSP, including entering into any agreements required to facilitate access or use of such funds for the 2025 SFSP; and

WHEREAS, the City issued a competitive solicitation for qualified food service providers and selected two vendors: Uptons, Inc. (dba School Foodies) and Flo’s Friendly School Lunches, Inc. (collectively, the “Contractors”), to provide food preparation and delivery services for the 2025 SFSP; and

WHEREAS, the City proposes to enter into professional services agreements with the Contractors for the provision of food preparation and delivery services during the period of May 27, 2025 through August 8, 2025, with initial contract amounts not to exceed \$213,435 per contractor, and with the intent to allow for amendments or increases to such contracts if additional funding becomes available, without further Council action; and

WHEREAS, the City contracted with Flo’s Friendly Foods LLC to provide food services under the 2023 SFSP, and following reconciliation of services rendered and delivery documentation received, the City has determined that additional compensation is owed to Flo’s Friendly Foods LLC, requiring an increase to the 2023 contract amount in an amount not to exceed \$350,000; and

WHEREAS, the City proposes to amend the 2023 SFSP contract with Flo’s Friendly Foods LLC to accommodate the name change to Flo’s Friendly School Lunches, Inc; and

WHEREAS, the City contracted with Flo’s Friendly School Lunches, Inc. to provide food services under the 2024 SFSP, and following reconciliation of services rendered and delivery documentation received, the City has determined that additional compensation is owed to Flo’s Friendly School Lunches, Inc., requiring an increase to the 2024 contract amount in an amount not to exceed \$440,000; and

WHEREAS, the funding for the 2025 SFSP, including the professional services agreements with Flo’s Friendly School Lunches, Inc. and Uptons, Inc. (dba School Foodies), will be drawn from Department of Agriculture Fund (2102), City Administrator: Administration Organization (02111), HSD – Summer Food FY25 Project (1006933), Strengthening Children, Youth, and Families Program (YS13);

WHEREAS, the City Administrator has determined 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; now, therefore, be it

RESOLVED: That the City Council here by accepts and appropriates a Summer Food Service (SFSP) Grant from the California Department of Education and the United States Department of Agriculture in an amount up to Four Hundred Twenty-Six Thousand Eight Hundred Seventy Dollars (\$426,870); and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator or designee to enter into professional services agreements with the following vendors to provide

food services for the 2025 SFSP in a total amount not to exceed Four Hundred Twenty-Six Thousand Eight Hundred Seventy Dollars (\$426,870):

Contractor	Compensation Amount
Flo’s Friendly School Lunches, Inc.	\$213,435
Uptons, Inc	\$213,435

; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator to increase the contract amounts with the above-named vendors if additional funding becomes available from any public or private source, including the USDA and/or CDE to support or expand the 2025 SFSP, and to accept and appropriate such funds without returning to the City Council for further authorization, including entering into any agreements required to facilitate access or use of such funds for the 2025 SFSP; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator to reduce the contract amounts or otherwise adjust the distribution of contract funds with the above-named vendors in the discretion of the City Administrator based on actual performance and/or services delivered without returning to the City Council for further authorization; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator to amend the 2023 SFSP contract with Flo’s Friendly Foods, LLC to increase the total contract to an amount not to exceed Three Hundred Fifty Thousand Dollars (\$350,000) and to change the contracting party to Flo’s Friendly School Lunches, Inc.; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator to amend the 2024 SFSP contract with Flo’s Friendly School Lunches, Inc. to increase the total contract to an amount not to exceed Four Hundred, Forty-Four Thousand Dollars (\$444,000).

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, FIFE, GALLO, HOUSTON, JENKINS, KAPLAN, RAMACHANDRAN, UNGER, WANG AND PRESIDENT JENKINS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California