



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: Joe Devries
Deputy City Administrator

SUBJECT: 2022 Summer Food Service Program

DATE: October 28, 2022

City Administrator Approval

Date: Nov 3, 2022

RECOMMENDATION

Staff Recommends That The City Council:

(1) Receive An Informational Report About the 2022 Summer Food Service Program (SFSP); And

(2) Adopt A Resolution Waiving The Competitive Request for Proposals/Qualifications (RFP/Q) And Local/Small Local Business Enterprise (S/SLBE) Requirements And Awarding A Professional Services Agreement To Cook and Run, Inc. In An Amount Not To Exceed \$96,000 For Providing Food Services from June 6, 2022 Through July 29, 2022

EXECUTIVE SUMMARY

The 2022 Summer Food Service Program began on May 31, 2022 and concluded on July 29, 2022, for a total of 9 weeks. Over this period, a total of 45 sites received meals from our program, with 18 of these sites being open to the public while the other 27 sites required meal recipients to be enrolled.

The City Council adopted [Resolution No. 89196 C.M.S.](#) on May 17, 2022, awarding Professional Services Agreements (PSA) To Upton's, Inc. (DBA School Foodies) and to Flo's Friendly Foods. During the meeting, councilmembers raised concerns about the number of meals served citywide and the number of vendors involved in the distribution. Staff were instructed to submit a report to Council with recommendations addressing these concerns. On June 7, 2022, staff informed Council that a third vendor, Cook and Run, Inc, had been identified to participate in the Summer Food Service Program.

BACKGROUND / LEGISLATIVE HISTORY

The City has provided the SFSP for thirty-seven years with funding provided through the United States Department of Agriculture (USDA) Title 7 Code of Federal Regulations (CFR) Part 225 administered by the California Department of Education (CDE), Nutrition Services Division. In 2022, SFSP vendors delivered meals to 45 sites, including 18 City of Oakland Park and

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Recreation centers and 7 public libraries. Over the course of the 2022 program, the SFSP received requests to provide 39,320 breakfasts and 62,437 lunches to children in Oakland.

Both Upton's, Inc. (DBA School Foodies) and Flo's Friendly Foods were chosen as part of a competitive selection process. A Request for Proposal (RFP) was issued on February 18, 2022, soliciting bids for breakfast and lunch. Vendor selection was based on bid price, menu and food appeal, reusable and compostable packaging, capacity to provide services and delivery, and past performance. In response to instruction from Council to expand the number of vendors and sites, City staff reached out to three local vendors this spring to fill the original breakfast gap at four locations. One vendor, Chef Marisa with Cook and Run, Inc, an Oakland-based, African American Woman Owned Business has had her kitchen inspected and taste tests of her breakfast products were conducted with favorable results. Cook and Run, Inc was then added to the program in the first week of June when the program had already begun, and therefore did not participate in the competitive Request for Proposal (RFP) process. Because the vendor was added after the program began, it was anticipated that their contribution would not exceed \$50,000 and therefore did not meet the need for a formal competitive bidding process. However, due to increased demand and the addition of sites, Cook and Run's contract exceeded that amount and requires Council authorization to waive the RFP and Local/Small Local Business Enterprise (L/SLBE) requirements to be fully reimbursed at a total amount of \$96,000.

ANALYSIS AND POLICY ALTERNATIVES

Expansion in Sites over 2022

There were 35 sites listed in the original staff report. In response to instruction from Council to add new sites, 10 sites were added over the course of the program, bringing the total for the summer of 2022 to 45 sites. OUSD also offered lunches at 40 sites throughout Oakland.

For 2023 and future years, the City will coordinate with OUSD's SFSP early to identify sites and promote both efforts across the city with a prioritization of open enrollment vs. closed-enrollment sites. Due to the pandemic, OPRYD sites which were initially open enrollment, allowing members of the public to pick up meals even if they were not involved in programming, became "closed" sites only providing meals to children enrolled in their programming. While safety remains an important consideration for these locations, we will work with OPRYD staff to return to open enrollment. Library sites will also remain "open" to all.

Staff have begun engaging community providers to survey satisfaction with the program to plan for next year, including meal pattern preferences, and will begin site recruitment much earlier to have a better estimate of site needs and community needs. Specifically, staff will evaluate the landscape and perform targeted site recruitment to build sites in underserved communities.

Expansion of Vendors

The Human Services Department and City Administrator staff have agreed to process improvements for next year to expand the vendor pool including:

- Releasing the food vendor RFP earlier: the 2022 RFP was released in February, staff will plan to release prior to the end of 2022.

- Allowing for a longer period between the RFP release and proposal due date; this year the window was only 2 weeks and next year will be 4 weeks.
- Providing Technical Assistance (TA) prior to the release of the RFP for prospective vendors to inform them of the SFSP requirements.

Based on developments with Cook and Run, Inc., as well as preliminary outreach to other local based vendors, we are confident next year's local vendor pool will increase even further.

Waste Reduction

Of the 101,697 meals that were ordered by our Food Service sites, 10,136 meals were not delivered due to such factors as meals not meeting the temperature requirements and sites not being able to accurately predict the number of children receiving meals on a regular basis. In certain instances, meals were rejected by sites as they did not meet specific dietary restrictions. A few sites did not have adequate storage and refrigeration capacity that would have improved their ability to prevent waste. The Human Services Department and City Administrator Staff will work with the Oakland Recycling Program to reduce food waste per the new California state law SB-1383. Staff will also work with sites to ensure that they can preserve food.

Customer Satisfaction

As noted earlier, staff began engaging community providers to survey satisfaction with the program to plan for next year, including meal pattern preferences, and will begin site recruitment much earlier to better estimate site and community needs. Specifically, staff will evaluate the landscape and perform targeted site recruitment to build sites in underserved communities.

Based on input from participants and vendors, staff have already identified several changes to implement for next year's program, such as:

- **Better training for vendors and sites** – Due to COVID-19 precautions, we held several mandatory online training sessions for all our sites via Zoom. While attendance was large, it became apparent that several sites were not familiar with the protocol that was taught during training. We will strive to hold in-person training sessions and include a test at the end to ensure all participants are familiar with the program protocol.
- **Menu upfront monthly requirement** – We will require that vendors provide their menus at the start of each month. This will ensure that sites are familiar with the food being provided and can request any special orders ahead of time.
- **Provision of supplies** – We will ensure that every site is provided with thermometers and other required equipment to ensure that an appropriate quality of food is served.
- **Better efforts at marketing and promotion** – The SFSP is required to put out a media release announcing the start of the program. We intend to go further by working with each site to help promote the Food Program within specific communities and neighborhoods. We will engage with communities through the Neighborhood Councils, Neighborhood Service Coordinators, and other Community Based organizations that serve these frontline communities.

- **Grab and Go option** – At the open sites, some parents were apprehensive about leaving kids alone to eat by themselves, and therefore chose not to return. By providing an option for children to grab meals to eat at home or elsewhere, we believe participation in the program will increase.
- **Better variety** – We intend to provide vegetarian options, as well as ensuring that children with allergies and dietary restrictions can participate in the program.
- **Milk sourcing** – SFSP guidelines require milk to be served with breakfast, and our smaller vendors expressed difficulty in obtaining milk on a large scale to serve to children every day. We are looking into our options to support our vendors next year in ensuring access to milk throughout the duration of the program.

We will use the above-mentioned input from participants and vendors to consider improving the local program while staying within SFSP guidelines. We will also continue to engage the SSB Community Advisory Board in the process as the supplemental funding provided by SSB Tax dollars markedly improves the program delivery.

Waiver of RFP/Q and L/SLBE Requirements

As detailed above, Cook and Run was not selected through a formal RFP process given the timing required to quickly find a qualified vendor before the SFSP began and because it was anticipated that the contract would not exceed \$50,000. Additionally, Cook and Run is a local Oakland-based business, but has not yet been certified pursuant to Oakland's Local and Small Local Business Enterprise Program guidelines adopted by Ordinance No. 13647 C.M.S.

Section 2.04.051(B) of the Oakland Municipal Code (O.M.C.), authorizes the City Council to waive the competitive RFP/Q selection requirements of O.M.C. section 2.04.051(A) upon a finding that it is in the best interests of the City to do so. Council may also waive the City's Local/Small Local Business Enterprise (L/SLBE) requirements for professional services contracts due to a lack or limited availability of SLBEs or LBEs pursuant to Part I of Oakland's Local and Small Local Business Enterprise Program guidelines adopted by Ordinance No. 13647 C.M.S.

The City Administrator recommends that it is in the best interests of the City to waive the L/SLBE and RFP/Q requirements because Cook and Run was able to rapidly provide expanded SFSP services per Council direction, was selected through a local vendor outreach process with limited local vendor availability and has already assisted the City for the 2022 SFSP.

The following citywide priorities are supported by this work:

1. Holistic community safety
2. Housing, economic, and cultural security

The provision of summer breakfasts and lunches addresses food insecurity, which promotes holistic community safety and economic security. Serving 45 program sites citywide, with sites

concentrated in West, Central, and East Oakland in low-income communities. The list of sites served for distribution in summer 2022 is provided as **Attachment A**.

FISCAL IMPACT

The Table below show the number of meals requested by each site as well as the actual number of meals that were accepted. It also reflects the state reimbursement for meals and Oakland’s augmentation with the Sugar Sweetened Beverage Distribution Tax funds that allow for meals to be more substantial and of higher food quality. The augmentation responds to the feedback received from staff and youth at the sites from prior summers.

Table 1: Estimated Food Service Cost Per Vendor for Breakfast and Lunch Service to SFSP Service Sites

Vendor	Meal Type	# of meals requested	# of meals billed/delivered	Bid Price	Reimbursement rate	Total Vendor Cost	Total CDE Reimbursement Grant	Total Cost after CDE Reimbursement Grant
Flo’s Friendly Foods	Breakfast	27,100	24,337	\$3.60	\$2.60	\$87,613.20	\$63,276.20	\$24,337
Flo’s Friendly Foods	Lunch	28,585	25,532	\$6.56	\$4.56	\$167,489.92	\$116,425.92	\$51,064
School Foodies	Lunch	23,602	22,271	\$6.50	\$4.56	\$144,761.50	\$101,555.76	\$43,205.74
Cook and Run, Inc	Breakfast	12,220	10,913	\$3.60	\$2.60	\$39,286.80	\$28,373.80	\$10,913
Cook and Run, Inc	Lunch	10,250	8,608	\$6.56	\$4.56	\$56,468.48	\$39,252.48	\$17,216
Total		101,757	91,662			\$495,619.90	\$348,884.16	\$146,735.74

The total vendor cost is reflective of the cost of each meal between May 30, 2022 and July 29, 2022. The total CDE reimbursement is the rate of reimbursement for each meal for the duration of the program. The total cost to the City after CDE reimbursement is the difference between the vendor cost per meal and CDE reimbursement rate per meal, which totals \$146,735.74. This difference is supported by the Sugar Sweetened Beverage Distribution Tax funds (Fund 1030) and private donations.

The total cost for the vendors for SFSP is \$495,619.90, funded by the SFSP grant from the CDE and augmented with local funding from the Sugar Sweetened Beverage Distribution Tax Fund (Fund 1030), and private donations. The SFSP grant from the CDE will be \$348,884.16 for revenue received retroactively for SFSP 2022. Measure HH Sugar Sweetened Beverage Tax Fund (Fund 1030) (SSBT) will provide \$152,115 to offset vendor meal costs for sites that do not qualify for reimbursement due to insufficient income qualifying children but still demonstrate need to ensure healthy meals for children.

SSBT funds also offset other programmatic expenses including additional operating costs for temporary part-time staffing for site training, coordination and monitoring, and for city car usage in the amount of \$304,041 as they were budgeted in lieu of General Purpose Funds that were

available to the program in prior years. Additional funding is being received from two = other sources that support the personnel and implementation costs of the program. The City has been awarded a grant from Alameda County - Oakland Community Partnership in the amount of \$5,000. HSD Donations for the Summer Food Program (Fund 2994, PJ 1001396) in the amount of \$21,802 are also available for SFSP 2022.

Table 2 summarizes the funding sources for SFSP.

Table 2: Funding Source for SFSP 2022

Funding Source	Fund	Org.	Project	Award	SFSP Allocation
CDE Summer Food Service Program Grant	2102	78241	1004170	23405	\$426,870
Measure HH SSBT - Project Funds	1030	78241	1000017	N/A	\$152,115
Measure HH HSD - Personnel Support	1030	78241	1003817	23469	\$304,041
Alameda County – OCAP CSBG Grant	2128	78362	1005643	23376	\$5,000
Grant and Donations	2994	78241	1001396	21711	\$21,802
Total					\$909,828

PUBLIC OUTREACH / INTEREST

To encourage local food vendors to submit proposals for the City’s contract for meal preparation and delivery, staff conducted outreach to announce the formal competitive process. An RFP announcement was advertised in the Bay Area News Group. Public outreach for the SFSP occurs through a press release and the use of visible banners at all community site locations to publicize the free lunch program in low-income communities.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

Upton dba School Foodies has delivered meals to program sites from 2017 to 2022, while Flo’s Friendly Food delivered food to program sites in 2020, 2021 and 2022. This is the first year that Cook and Run, Inc. has participated in the program. A poll was sent to all City sites to solicit feedback from the program. The City will continue to monitor to ensure reusable and compostable packaging, timely delivery of meals, control of temperature during delivery, and delivery of complete and undamaged meals.

SUSTAINABLE OPPORTUNITIES

Economic: The SFSP provides temporary part-time employment opportunities for four to six program monitors.

Environmental: Reusable, compostable and recyclable materials are used to package all meals provided to the SFSP program. The Environmental Services Division assists with waste reduction efforts at City sites and supporting compliance with State Senate Bill 1383 mandates to reduce waste.

Race & Equity: The SFSP provides access to free and nutritious meals for low-income children. Improvements in nutritional intake are linked to performance in school and overall child health and wellness. Participating sites in SFSP are required to meet the USDA standards for free and reduced price meals. Area eligibility is determined based on location on USDA-provided map. Over 70% of the participating sites are in neighborhoods in West and East Oakland that are disproportionately impacted by disparities in access to healthy food.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council:

(1) Receive An Informational Report About the 2022 Summer Food Service Program (SFSP);
And

(2) Adopt A Resolution Waiving The Competitive Request for Proposals/Qualifications (RFP/Q) And Local/Small Local Business Enterprise (S/SLBE) Requirements And Awarding A Professional Services Agreement To Cook and Run, Inc. In An Amount Not To Exceed \$96,000 For Providing Food Services from June 6, 2022 Through July 29, 2022

Respectfully submitted,



JOE DEVRIES
Deputy City Administrator

Prepared by:
Michael Akanji, City Administrator Analyst

Attachments (1):

A – SFSP Distribution Sites 2022