



CITY OF OAKLAND

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OFFICE OF THE CITY CLERK  
OAKLAND

2018 OCT 11 PM 4:00

# AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** Sara Bedford  
Director, Human Services

**SUBJECT:** Agreement To Provide After-School  
Meals at OPYRD and OPL Sites

**DATE:** October 1, 2018

City Administrator Approval

Date:

10/11/18

## RECOMMENDATION

**Staff Recommends That The City Council Adopt A Resolution Waiving The Request For Proposals/Qualifications Requirements, And Authorizing The City Administrator To Allocate Sugar-Sweetened Beverage Distribution Tax Revenues To Enter Into A Professional Services Agreement With Revolution Foods In An Amount Not To Exceed \$517,121 To Provide After-School Meals And Snacks At Oakland Parks, Recreation and Youth Development And Oakland Public Library Sites From November 1, 2018 Through June 14, 2019.**

## EXECUTIVE SUMMARY

On April 9, 2018, the Sugar-Sweetened Beverage Tax Community Advisory Board (the "SSBT Advisory Board") recommended that funds from the Sugar-Sweetened Beverage Distribution tax revenues be allocated to one time funding for food for Oakland Parks, Recreation and Youth Development (OPRYD) and Oakland Public Library (OPL) sites in the 2018-2019 school year. This allocation of funds aligns with the Board's goals to expand access to quality food and nutrition programs for Oakland's youth and to improve children's health outcomes into adulthood.

Staff recommends that the City Council adopt a resolution waiving the request for proposals/qualifications ("RFP/Q") requirements, and authorizing the City Administrator to allocate funds from the Fiscal Year 2018-2019 Sugar-Sweetened Beverage Distribution tax revenues to authorize a professional services agreement with Revolution Foods in an amount not to exceed \$517,121 to restore after-school meals and snacks at twenty (20) OPRYD sites and nine (9) OPL sites. After-school food programs deliver free nutritious meals to children utilizing OPRYD and OPL sites throughout Oakland, especially in communities most impacted by sugar-sweetened drinks.

## BACKGROUND / LEGISLATIVE HISTORY

Measure HH, the Sugar-Sweetened Beverage Distribution Tax Ordinance (the "Ordinance"), was approved by Oakland voters in the November 8, 2016, General Election. The Ordinance established the tax of 1 cent per ounce on the distribution of sugar-sweetened beverages and

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created the SSB Advisory Board to advise and make recommendations to the City Council on the expenditure of those tax revenues.

The SSBT Advisory Board's initial March 2018 recommendations to the City Council include allocations for community grants to be established through a Request for Proposal process, marketing and education, community planning, and water hydration stations in schools and city facilities to promote the consumption of water. At its April 9, 2018 meeting, the SSBT Advisory Board also recommended one-time funding of \$1,085,957 to provide after-school meals and snacks at OPRYD and OPL sites in the 2018-2019 school year. At the same meeting, the Board also recommended additional funding of \$262,640 in FY2018-2019 for a Program Analyst II position and part-time program monitors to establish an expanded year-round integrated food program with OPL and OPRYD based on grant reimbursement funding beginning in FY2019-2020.

The City provides free meals for children through the grant reimbursement programs funded by the United States Department of Agriculture (USDA) and administered by the California Department of Education Nutrition Services Division. The Human Services Department (HSD) applies on behalf of the City to be an approved sponsor and grant recipient under both the Summer Food Service Program for low-income children when out of school and the Child and Adult Food Care Program (CAFPC) for children in Head Start and Early Head Start. The City receives reimbursement on a per meal basis based on strict compliance with the grant terms for the programs.

During the 2016-2017 school year, OPRYD and OPL offered after-school meals by partnering with an outside nonprofit and state approved sponsor, Children's Empowerment Incorporated, which provided meals at no cost to the City. However, in September 2017, the nonprofit ceased operations and discontinued delivery of meals to OPRYD and OPL.

### **ANALYSIS AND POLICY ALTERNATIVES**

Currently, one in four children in Oakland do not have access to healthy, affordable food. About 75 percent of students enrolled in the Oakland Unified School District (OUSD) qualify for free or reduced-priced lunches. OUSD provides meals (currently breakfast and lunch) to students through the United States Department of Agriculture (USDA) National School Lunch Program. OUSD's after-school dinner program, which impacts over 3,000 students, was eliminated early in the 2018-2019 school year due to the District's fiscal constraints.

OPRYD and OPL reported that they served an estimated 200,000 meals to children when food service was provided by the City during both the summer and the school year 2016-2017. The reach and impact of the programs make the City's food service an essential community resource with potential to address the well-being of those most impacted by sugar-sweetened drinks. When the approved state sponsor Children's Empowerment Inc. ceased operations in 2017, OPRYD and OPL lost the ability to serve meals consistently. In the interim, OPRYD and OPL sites have been relying on donations, food giveaways, and modest local food purchases to provide a reduced food program for the children. It is imperative to the health and wellbeing of Oakland children that food programs at OPRYD and OPL be restored as quickly as feasible.

OPRYD and OPL identify 29 sites to receive food service. These sites are identified because they consistently serve Oakland youth through enrichment programs (i.e., after-school and summer programs). Table 1 shows the sites and expected participation identified by OPL and OPRYD. Twenty OPRYD sites will receive meals and snacks. OPL has requested snacks for participants at nine library sites.

**Table 1: OPRYD and OPL After-School Meals and Snacks Sites**

**OPRYD Sites (20)  
Meal and Snack**

**OPL Sites (9)  
Snack**

<b>OPRYD Site (20)</b>	<b>Children Served Daily</b>	<b>OPL Sites (9)</b>	<b>Children Served Daily</b>
Arroyo Viejo	20	81st	25
Rainbow/Digital Arts & Culinary Academy	25	Chavez	25
Tassafaronga	10	Eastmont	25
Sheffield Village	10	Elmhurst	25
Carmen Flores	20	Martin Luther King, Jr.	25
Ira Jenkins	20	Melrose	25
Montclair	56	Main Library	40
Redwood Heights	131	West Oakland	25
FM Smith	50	Rockridge	25
Lincoln Square	59		
Franklin	60		
Charles Porter Golden Gate	25		
deFremery	20		
Bushrod	20		
Willie Keys	20		
Studio One	65		
Mosswood	50		
Dimond	72		
Allendale	25		
Manzanita	35		
<b>Meals Served Daily</b>	<b>793</b>		<b>240</b>

**Waive Competitive Process and Selection of Revolution Foods for Food Service**

Oakland Municipal Code ("OMC") section 2.04.051 requires the City Administrator to conduct an RFP/Q process for professional services contracts. OMC 2.04.051.B provides that the City

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Council may waive the RFP/Q process for professional services contracts upon a finding and determination by the City Council that it is in the best interests of the City to waive the process.

HSD requests a waiver of the RFP/Q requirements. The waiver will enable the City to quickly respond to a public need and build upon the existing professional relationship with Revolution Foods to restore after school meals at City of Oakland sites without further delay.

Revolution Foods is an experienced local food service vendor that has successfully provided delivery to the City's Summer Food Service Program (SFSP) sites over six of the past eight years. While other vendors were considered, Revolution Foods is the only local vendor with the capacity to immediately begin an after-school meal program within the City's projected timeframe. Over the past five years, only four other vendors have applied for vendor services in the City's SFSP. These include Children's Empowerment Incorporated which is no longer in business, San Lorenzo Unified School District which does not deliver, Upton Incorporated dba School Foodies and Preferred Meals Incorporated, a national food service company.

For the summer of 2018, both Revolution Foods and Upton Incorporated (dba School Foodies) were contracted to deliver meals directly to 65 community sites participating in the City's Summer Food Service Program. While both vendors successfully supported last summer's food program, School Foodies is relocating its processing facility and is not currently able to provide meals. Revolution Foods is the only vendor with the capacity to immediately begin services once contracted with the City.

#### **Plans for Citywide Food Services in FY 2019-2020**

The City may be able to expand its CACFP sponsorship to include school year food and nutrition programming for OPL and OPRYD in Fiscal Year 2019-2020. If approved in the CACFP application process, the meals delivered to qualified sites will be reimbursed on a per meal basis at the rate approved by the state. The reimbursement rate is not likely to be sufficient and will need supplemental City support like the summer meals program. To successfully extend the CACFP to OPRYD and OPL for after-school, the City will need to add one Program Analyst II and part-time monitor positions to support year-round vendor coordination and reimbursement, site monitoring and the application process. The Advisory Board recommended an allocation of revenues of \$262,640 for personnel costs to establish the infrastructure needed to coordinate citywide food services, establish new food procurement standards and improve the quality of meals. If the CACFP reimbursement grant is received, the City funds will leverage an estimated \$500,000 annually in additional grant revenues to serve Oakland children with high quality nutritious meals in future years. Staff will address this recommendation in a comprehensive Sugar-Sweetened Beverage Tax spending plan that will be included in the FY2019-21 biennial budget development process as a budget request.

*Policy Alternatives*

<b>Alternative #1</b>	Reject the recommendation to waive the competitive solicitation process to authorize the professional services agreement with Revolution Foods.
<b>Pros</b>	The alternative would allow the City to initiate a competitive bid process through an RFP/Q for food preparation and delivery services for OPRYD and OPL's 29 sites.
<b>Cons</b>	The RFP/Q process will take several weeks to complete. Meal programs at the sites will be further delayed during the solicitation process. Children will miss food services and go without these meals. And, Revolution Foods is the only local vendor with the capacity to provide the program within the City's projected timeframe.
<b>Reason for not recommending</b>	Revolution Foods has provided quality services to the City's meal programs for many years at a reasonable cost and is the only local vendor with the capacity to provide the program beginning November 1. The additional time to conduct an RFP/Q process will likely result in a vendor starting in March 2019 instead of November 1, 2018.

**FISCAL IMPACT**

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT

The professional services contract in an amount not to exceed \$517,121 to Revolution Foods will cover the cost for the vendor to provide after-school food service for children served daily in 20 OPRYD sites and nine (9) OPL sites, based on a proposed price of \$0.91 per snack and \$3.54 per meal, for an estimated 138 days during the period of November 1, 2018 through June 14, 2019.

2. SOURCE OF FUNDING:

The \$517,121 authorized for the agreement with Revolution Foods is available in the FY 2018-2019 Midcycle Amended Budget in the Measure HH (SSBDT) Fund (1030), Non-Departmental City-Wide Activities Org (90591), Contract Contingencies Account (54011), Measure HH – Healthy Kids Program Project (1003817), Childhood & Youth Services Program (YS03). The proposed resolution seeks authority to reallocate this funding to the Human Services Department (DP750) and/or the Oakland Parks, Recreation and Youth Development Department (DP5000), who will be providing program support related to this agreement.

**COORDINATION**

This report was prepared in consultation with the OPRYD, OPL, the Contracts and Compliance Division of the City Administrator's Office, the Budget Bureau and the Office of the City Attorney.

**SUSTAINABLE OPPORTUNITIES**

**Economic:** Increased resources to address food access and the creation of healthy food options have a positive impact on employment and productivity, lead to economic benefits in neighborhoods and communities and long-term benefits for Oakland through positive health outcomes.

**Environmental:** Improved health and wellness of Oakland's youth through the provision of after-school meals and snacks at Oakland community sites.

**Social Equity:** Increased investments to support food access and remove barriers to access healthy food which most impact children and families affected by poverty will have long-term benefits that address health disparities and social inequity.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Adopt A Resolution Waiving The Request For Proposals/Qualifications Requirements, And Authorizing The City Administrator To Allocate Sugar-Sweetened Beverage Distribution Tax Revenues To Enter Into A Professional Services Agreement With Revolution Foods In An Amount Not To Exceed \$517,121 To Provide After-School Meals And Snacks At Oakland Parks, Recreation and Youth Development And Oakland Public Library Sites From November 1, 2018 Through June 14, 2019.

For questions regarding this report, please contact Sara Bedford, Human Services Director, at 238-6794.

Respectfully submitted,

  
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SARA BEDFORD  
Director, Human Services Department

Reviewed by:

Sandra Taylor, Manager  
Human Services Department

Prepared by:

Sharon Robinson, Planner  
Human Services Department

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Approved as to Form and Legality

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City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

**RESOLUTION WAIVING THE REQUEST FOR PROPOSALS /QUALIFICATIONS REQUIREMENTS, AND AUTHORIZING THE CITY ADMINISTRATOR TO ALLOCATE SUGAR-SWEETENED BEVERAGE DISTRIBUTION TAX REVENUES TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH REVOLUTION FOODS IN AN AMOUNT NOT TO EXCEED \$517,121 TO PROVIDE AFTER-SCHOOL MEALS AND SNACKS AT OAKLAND PARKS, RECREATION AND YOUTH DEVELOPMENT AND OAKLAND PUBLIC LIBRARY SITES FROM NOVEMBER 1, 2018 THROUGH JUNE 14, 2019**

**WHEREAS**, the City of Oakland voters passed Measure HH, the Sugar-Sweetened Beverage Distribution Tax Ordinance (the "Ordinance") in November 2016, approving a 1 cent per ounce general excise tax on the distribution of sugar-sweetened beverages in Oakland; and

**WHEREAS**, all Sugar-Sweetened Beverage (SSB) Tax revenue collected and remitted to the City is deposited in the City of Oakland's unrestricted general fund and in the Sugar-Sweetened Beverage Tax Sub-fund to be used for any lawful government purpose; and

**WHEREAS**, City Council Resolution No. 87062 established the Sugar-Sweetened Beverage Tax Sub-fund for the purpose of collecting the revenues from the tax and provided that unspent revenues from the tax will be retained in the SSB Sub-fund for the purpose described in the Ordinance; and

**WHEREAS**, the City Council, in its discretion, has designated certain SSB Tax revenue funds to support programs to reduce sugar consumption and improve the health of Oakland residents, particularly those facing barriers to health; and

**WHEREAS**, the Ordinance established the Sugar-Sweetened Beverages Community Advisory Board (the "Board") to advise and make recommendations on how and to what extent the City Council should establish and/or fund programs to prevent or reduce the health consequences of the consumption of sugar-sweetened beverages in Oakland communities; and

**WHEREAS**, after-school food programs offered at Oakland Parks, Recreation and Youth Development (OPRYD) and Oakland Public Library (OPL) are able to deliver free nutritious meals to children utilizing City sites throughout Oakland, especially in communities most impacted by sugar-sweetened drinks; and

**WHEREAS**, the Board approved a recommendation that tax revenues be allocated for one-time funding to restore after-school meals and snacks at OPRYD and OPL sites; and

**WHEREAS**, this allocation of funds aligns with the Board's goals to expand access to quality food and nutrition programs for Oakland's youth to improve children's health outcomes into adulthood; and

**WHEREAS**, the City of Oakland's Fiscal Year (FY) 2018-2019 Midcycle Amended Budget includes funding in the amount of \$9,466,356 in the Measure HH (SSBDT) Fund (1030), City-Wide Activities Org (90591), Contract Contingencies Account (54011), Measure HH Healthy Kids Program Project (1003817), and Childhood & Youth Services Program (YS03), of which \$517,121 will be allocated toward a professional services agreement with Revolution Foods; and

**WHEREAS**, Revolution Foods is an experienced local food service vendor that has provided delivery to the City's Summer Food Services Program over six of the past eight years; and

**WHEREAS**, Revolution Foods is the only local vendor with the capacity to immediately begin an after-school meal program within the City's projected timeframe; and

**WHEREAS**, staff wishes to execute a professional services agreement with Revolution Foods in an amount not to exceed \$517,121 to provide meals and snacks at twenty (20) OPRYD sites and snacks at nine (9) OPL sites for the period November 1, 2018 through June 14, 2019; and

**WHEREAS**, Oakland Municipal Code ("OMC") section 2.04.051 requires the City Administrator to conduct a request for proposals/qualifications ("RFP/Q") process for professional services contracts; and

**WHEREAS**, OMC 2.04.051.B provides that the City Council may waive the RFP/Q requirements upon a finding and determination by the City Council that it is in the best interests of the City to waive the process; and

**WHEREAS**, staff recommends waiving the competitive solicitation process for the contract with Revolution Foods to enable the City to quickly respond to a public need and to restore after school meals at City of Oakland sites without further delay; and

**WHEREAS**, the City Administrator has determined that this professional services agreement is 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 hereby authorizes the City Administrator to enter into a professional services agreement with Revolution Foods in an amount not to exceed \$517,121 to provide after-school meals and snacks at OPRYD and OPL sites for the period November 1, 2018 through June 14, 2019; and be it



**FURTHER RESOLVED:** that the City Council authorizes the City Administrator to reallocate \$517,121 from the Non-Departmental Department (DP900) to the Human Services Department (DP750) and/or the Oakland Parks, Recreation and Youth Development Department (DP5000) to administer the professional services agreement with Revolution Foods; and be it

**FURTHER RESOLVED:** that pursuant to OMC 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 authorizes the City Administrator to conduct all negotiations, execute and submit all documents, including but not limited to applications, agreements, amendments, modifications, payments requests, and related actions which may be necessary for the above-referenced professional services agreement without returning to Council; and be it

**FURTHER RESOLVED:** that based on information provided by the City Administrator, the Council finds that this contract is 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 professional services agreement shall be reviewed as to form and legality by the Office of the City Attorney and copies filed in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, and PRESIDENT REID

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California