



CITY OF POMONA

COUNCIL REPORT

November 16, 2020

To: Honorable Mayor and Members of the City Council

From: James Makshanoff, City Manager

Submitted By: Benita DeFrank, Neighborhood Services Director

SUBJECT: APPROVE SECOND AMENDMENT TO SOLE SOURCE AGREEMENT WITH BETTER 4 YOU MEALS FOR AN AMOUNT NOT TO EXCEED \$838,392 TO PROVIDE HOME-DELIVERED MEALS DURING COVID-19 PANDEMIC IN FY 2020-21

RECOMMENDATION:

It is recommended that the City Council take the following actions:

- 1) Approve the Second Amendment to the sole source agreement with Better 4 You Meals to increase but not-to-exceed the amount of \$838,392 in order to provide home-delivered meals in FY 2020-21; and
- 2) Authorize the City Manager or his designee to execute the amendment and any amendments hereto, following approval by the City Attorney.

EXECUTIVE SUMMARY: Approval of this item would allow the City to execute the Second Amendment to the existing sole source contract. The contract is increasing from \$248,306 by \$590,086 for a total not to exceed amount of \$838,392. Better 4 You Meals has been the sole caterer on the County of Los Angeles Workforce Development, Aging and Community Services' (WDACS) approved caterer list that is able to provide frozen, home-delivered meals to seniors and adults with disabilities in Pomona during the COVID-19 crisis.

FISCAL IMPACT: The Second Amendment will increase the existing agreement of \$248,306 by \$590,086 for a total contract award not to exceed \$838,392. The additional amount will be budgeted under Senior Nutrition Grant Account (226-4190-52351-58695). The initial \$248,306 was comprised of \$100,000 of CDBG-CV funding and \$148,306 of County grant funding. On October 19, 2020, \$580,886 in additional County grant revenue and \$9,200 in additional City match revenue was appropriated to the Senior Nutrition Grant budget. While the increase of \$9,200 in City match revenue was approved in the October 19, 2020 staff report, the corresponding language for expenditure appropriation was inadvertently not included. The \$9,200 in expenditure appropriations will be addressed through a concurrent staff report presented tonight from the Finance Department. The sum of these amounts equal the \$838,392 contract limit.

PREVIOUS RELATED ACTION:

- 1) On April 20, 2020, City Council confirmed the emergency action taken by the City Manager to enter into an agreement with Better 4 You Meals for home delivery of meals to seniors through the Senior Nutrition Program for the remainder of FY 2019-20.
- 2) On July 6, 2020, City Council authorized the City to enter into an agreement with Los Angeles County Workforce Development, Aging and Community Services (WDACS) to receive grant funding not to exceed \$300,000 for the Elderly Nutrition Program (ENP), to provide meal services to the elderly in FY 2020-21;
- 3) On July 20, 2020, City Council approved a resolution amending the Consolidated Plan, FY 2020-2021 Annual Action Plan and the FY 2020-21 City Operating Budget by increasing revenue estimates and appropriations for CARES Act (COVID-19) funding for Community Development Block Grant (COVID-CV) and Emergency Solutions Act (ESG-CV) program funds. City Council also approved funding recommendations for CDBG-CV and ESG-CV funds;
- 4) On August 3, 2020, City Council approved the First Amendment to the sole source agreement with Better 4 You Meals to increase but not-to-exceed the amount of \$248,306 in order to provide home-delivered meals in FY 2020-21; and
- 5) On October 19, 2020, City Council adopted a resolution to receive up to \$760,000 in Elderly Nutrition Grant funding from the County of Los Angeles Workforce Development, Aging and Community Services (WDACS) and amend the FY 2020-21 Operating Budget by increasing revenue estimates and appropriating \$580,886 to the program. An additional transfer of \$9,200 in City match revenue from the General Fund to the Senior Nutrition Grant was also approved.

DISCUSSION:

Since April 2020, Community Services has been contracting with Better 4 You Meals to provide free, frozen, home-delivered meals to senior adults and adults with disabilities in the community during the COVID-19 crisis through County of Los Angeles WDACS and CDBG grant funding. As the health crisis continues, this target demographic remains vulnerable and in need of home-delivered meals. \$100,000 in CDBG funding was made available for home delivered meals this fiscal year, and the County has made up to \$760,000 in grant funding available on a reimbursement basis, with \$484,000 of this funding expiring on December 30, 2020. Both funding sources total \$838,392.

Better 4 You Meals continues to be the only County-approved caterer that is able to provide frozen, home-delivered meals in Pomona. Another vendor was added to the County's approved caterer list earlier this fiscal year that is able to provide home-delivered meals in Pomona, however this vendor is not currently offering frozen meals, and the price per meal is higher than

Approve Second Amendment To Sole Source Agreement With Better 4 You Meals For An Amount Not To Exceed \$838,392 To Provide Home-Delivered Meals During COVID-19 Pandemic in FY 2020-21

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the current price provided by Better 4 You Meals. It is important that the meals are frozen in order to maximize food safety, delivery efficiency and the amount of time participants have to consume the meals.

Since the additional funding from the County was not offered to the City until September 30, 2020, staff could not obtain Council approval to accept the funding until the October 19, 2020 Council Meeting. From this date, only two and one-half months remain until \$484,000 of the funding offered expires. As such, it is not realistic nor reasonably feasible for the City to initiate a formal RFP process for home-delivered meal services, open to non-County-approved vendors with the possibility of having them approved thereafter, select a vendor, and provide such services to the community in the given timeline. Doing so would also require a suspension of services to the community as the agreement with the current vendor would reach its not-to-exceed amount in mid-November, and leave most of the available funding unclaimed throughout the process.

Given the ongoing need for home-delivered meals, the deadline of December 30, 2020 is to expend the majority of the funding allocation, and the fact that Better 4 You Meals remains the only County-approved caterer that can provide frozen, home-delivered meals in Pomona at the lowest price, staff recommends that the City continue to receive services from the existing caterer and amend the not-to-exceed amount of the sole source agreement to \$838,392.

Procurement Process: Per Section 2-994 of the Pomona City Code, sole source requests exceeding \$100,000 require City Council approval. Therefore, the Second Amendment to this agreement will require City Council approval due to the cost of the contract exceeding the \$100,000 threshold.

Prepared by:
Aren Yeh, Management Analyst