

renegotiation and an economic price modification to change from a flat rate of \$3.906 per meal for up to 50 youths to a sliding-scale price contract in order to keep running the food service operations with no interruption. Sliding scale prices under the new contract range from \$6.25 per meal for 20-25 youths to \$4.00 for 76-100 youths.

Currently, the Department participates in the National School Lunch and Breakfast Programs (NSLP) which are federally funded programs that assist schools and other agencies in providing nutritious meals to children, and offer financial assistance to sponsored agencies, on a meal reimbursement basis, to help reduce lunch and breakfast program costs. The United States Department of Agriculture (USDA) is responsible for overseeing the program nationally. In California, the program is administered by CDE, Nutrition Services Division, who reviews and approves the contract and/or the contract amendment process and other topics relevant to the food service operations and contracting requirements.

Department of Agriculture Regulations set forth in Title 7, *Code of Federal Regulations* (7 CFR Section 3016.36 [g][2][v]) indicate that modifications that change the scope of the contract, or increases the price of the contract by more than the applicable federal, state, or local small purchase threshold due to events beyond the control of the parties will require the County to rebid the Contract. To implement the renegotiated sliding-price contract modification and keep funding, at the determination of the CDE, the County qualified for a non-competitive emergency solicitation which required the County to obtain price quotes from at least two vendors. The Department received two quotes and after careful analysis, the Department determined that Aramark Correctional Services was the lowest-priced, most responsive bidder to provide these services. The Department is planning to issue a full Request for Proposals for these services for the fiscal year FY2021/22.

FINANCIAL IMPACT:

The maximum amount for the contract is \$200,000 and is included in the FY2020/21 Probation Department Adopted Budget. There is no additional impact to the County General Fund.

ALTERNATIVES:

The Board of Supervisors could choose:

1. Not to award the contract to Aramark Correctional Services, LLC. which implements the renegotiated sliding-scale pricing provisions. This action is not recommended since non-compliance with Title 7 CFR regulations will prevent continuity in funding from the National School Lunch Program.
2. Not to delegate signing authority to the County Administrator to execute the standard contract and amendments that remain within budget appropriations. This action is not recommended since it would reduce flexibility and timeliness in completing the scope of work.

OTHER AGENCY INVOLVEMENT:

The California Department of Education reviewed and approved the new contract and concurs with Department's recommendation. County Counsel has reviewed and approved the contract for legal sufficiency.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION