

2.25 Amendment to the Agreement with Trio Community Meals LLC. for Senior Nutrition Services at Multiple City-Owned Community Centers.

Recommendation:

Adopt a resolution authorizing the City Manager or her designee to negotiate and execute a seventh amendment to the agreement with TRIO Community Meals LLC. (formerly Bateman Community Living, a division of Compass Group), for a contract not to exceed \$3,278,126.98, subject to the annual appropriation of funds, for the term of the agreement from July 1, 2024 to June 30, 2025.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Parks, Recreation, and Neighborhood Services)

[Rules Committee referral 5/15/2024 - Item A.1.a]



COUNCIL AGENDA: 5/21/24
FILE: 24-91318
ITEM: 2.25

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Jon Cicirelli

SUBJECT: SEE BELOW

DATE: May 13, 2024

Approved

Date

5/13/2024

SUBJECT: AMENDMENT TO THE AGREEMENT WITH TRIO COMMUNITY MEALS LLC. FOR SENIOR NUTRITION SERVICES AT MULTIPLE CITY-OWNED COMMUNITY CENTERS

REASON FOR ADDENDUM

This item urgently requires the need for City Council action prior to the end of May 2024 as the program encumbrance must be completed before the end of the 2023-2024 fiscal year.

RECOMMENDATION

Adopt a resolution authorizing the City Manager or her designee to negotiate and execute a seventh amendment to the agreement with TRIO Community Meals LLC. (formerly Bateman Community Living, a division of Compass Group), for a contract not to exceed \$3,278,126.98, subject to the annual appropriation of funds, for the term of the agreement from July 1, 2024 to June 30, 2025.

SUMMARY AND OUTCOME

Approving execution of the recommended amendment will allow the Department of Parks, Recreation, and Neighborhood Services (PRNS) to continue providing healthy congregate meal service at Citywide senior nutrition sites for an additional year while the City works on conducting a competitive procurement process for senior nutrition services.

BACKGROUND

In October 2017, PRNS released a request for proposal to solicit senior nutrition service providers. In June 2018, the City Council adopted a resolution authorizing the City Manager to negotiate and execute an agreement with awarded vendor Bateman Community Living, a

division of Compass Group (now known as TRIO Community Meals LLC.) and to execute five one-year options to renew the agreement, subject to annual appropriation of funds.¹

Below outlines the history of actions that occurred on the agreement.

- The agreement was executed on June 5, 2018 and included an initial contract term beginning July 1, 2018 and ending June 30, 2019, with compensation for this term not to exceed \$2,515,744.30.
- On March 18, 2019, the City Manager's Office executed the first amendment to the agreement to decrease compensation for July 1, 2018 through June 30, 2019 to \$2,504,439.40 and to amend the scope of services.
- On August 7, 2019, the City Manager's Office executed the second amendment to the agreement to amend the scope of services and exercise the first option to extend the contract term from July 1, 2019 through June 30, 2020, with compensation for this term not to exceed \$2,504,709.25.
- On August 24, 2020, the City Manager's Office executed the third amendment to the agreement to amend contractor's name to Bateman Community Living, LLC doing business as Trio Community Meals and exercise the second option to extend the contract term from July 1, 2020 through June 30, 2021, with compensation for this term not to exceed \$2,903,843.96.
- On February 23, 2022, the City Manager's Office executed the fourth amendment to the agreement to amend the scope of services and exercise the third option to extend the contract term from July 1, 2021 through June 30, 2022, with compensation for this term not to exceed \$3,288,516.21.
- On January 31, 2023, the City Manager's Office executed the fifth amendment to the agreement to amend the scope of services, update contractor's name to TRIO Community Meals LLC, and exercise the fourth option to extend the contract term from July 1, 2022 through June 30, 2023, with compensation for this term not to exceed \$3,457,428.21.
- Lastly, on September 20, 2023, the City Manager's Office executed the sixth amendment to the agreement to amend the scope of services and exercise the final fifth option to extend the contract term from July 1, 2023 through June 30, 2024, with compensation for this term not to exceed \$3,260,419.81.

The process of payment and reimbursement for the Senior Nutrition Program is the following. First, the City receives an invoice from TRIO Community Meals LLC., as the service provider that charges \$14.69 per meal, excluding the catered site at Alviso Library, which charges \$8.14 per meal. Then, the County of Santa Clara provides partial reimbursement to the City of \$8.71 per meal, excluding the catered site at Alviso Library, which reimbursement at that location is \$4.83 per meal. The City incurs the remaining costs after the County of Santa Clara's reimbursement.

¹ June 2018 City Council memorandum:

<https://sanjose.registar.com/View.ashx?M=F&ID=6270428&GUID=19762085-B164-4BD2-9BD4-6E6330F9D4FA>

May 13, 2024

Subject: Amendment to the Agreement with TRIO Community Meals LLC. for Senior Nutrition Services at Multiple City-Owned Community Centers

Page 3

ANALYSIS

Approval of this recommendation provides the City Manager or her designee authorization to amend the agreement to extend the contract term for an additional year, from July 1, 2024 to June 30, 2025, so that senior nutrition services can continue while the City conducts a competitive procurement process.

EVALUATION AND FOLLOW-UP

No follow-up action with City Council is anticipated.

COST SUMMARY/IMPLICATIONS

TRIO Community Meals LLC. will continue to provide nutritional meal services to San José seniors aged 60 years and older at up to 14 community center sites in the 10 City Council Districts within the City. The City funds this effort through a reimbursement received from County of Santa Clara in addition to funds through a City Council-approved budget. TRIO Community Meals LLC. is requested to provide all meals for the Senior Nutrition Program for Fiscal Year 2024-2025. The total cost of these services is outlined below.

TOTAL COST OF CONTRACT/AGREEMENT FOR FY 2024-2025: \$3,278,126.98

The table below reflects a breakdown of the cost of providing meals at the Citywide Senior Nutrition Program sites:

Meal Site Community Center Locations	Daily Allotted Meals Per Serving Day	Number of Serving Days for FY 2024-2025	Total Meals for FY 2024- 2025	TRIO's Rate Per Meal	Total Cost of Meals Per Site
Alma	30	246	7,380	\$14.69	\$ 108,412.20
Almaden	90	246	22,140	\$14.69	\$325,236.60
Alviso Library - Catered	7	102	714	\$8.14	\$5,811.96
Berryessa	140	246	34,440	\$14.69	\$505,923.60
Camden	41	246	10,086	\$14.69	\$ 148,163.34
Cypress	80	246	19,680	\$14.69	\$289,099.20
Evergreen	90	246	22,140	\$14.69	\$ 325,236.60
Gardner	20	246	4,920	\$14.69	\$72,274.80
Mayfair	50	246	12,300	\$14.69	\$ 180,687.00
Northside	45	240	10,800	\$14.69	\$158,652.00
Roosevelt	80	290	23,200	\$14.69	\$340,808.00
Roosevelt Saturdays	80	44	3,520	\$14.69	\$51,708.80
Seven Trees	65	246	15,990	\$14.69	\$ 234,893.10
Southside	95	246	23,370	\$14.69	\$343,305.30
Willow Glen	52	246	12,792	\$ 14.69	\$ 187,914.48
Grand Total	965	3,382	223,472		\$3,278,126.98

HONORABLE MAYOR AND CITY COUNCIL

May 13, 2024

Subject: Amendment to the Agreement with TRIO Community Meals LLC. for Senior Nutrition Services at Multiple City-Owned Community Centers

Page 4

BUDGET REFERENCE

The table below identifies the fund and appropriations to fund the contract recommended as part of this memorandum and remaining project costs, including project delivery, construction, and contingency costs.

Fund #	Appn #	Appn. Name	Total Appn	Amt. for Contract	2023-2024 Adopted Operating Budget Page	Last Budget Action (Date, Ord. No.)
001	211N	Senior Nutrition Program	\$3,300,420	\$3,278,126.98	710	10/17/2023 30966

COORDINATION

This memorandum has been coordinated with the City Attorney's Office and City Manager's Budget Office.

PUBLIC OUTREACH

This memorandum will be posted on the City's Council Agenda website for the May 21, 2024 City Council meeting.

COMMISSION RECOMMENDATION AND INPUT

No commission recommendation or input is associated with this action.

CEQA

Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.

HONORABLE MAYOR AND CITY COUNCIL

May 13, 2024

Subject: Amendment to the Agreement with TRIO Community Meals LLC. for Senior Nutrition Services at Multiple City-Owned Community Centers

Page 5

PUBLIC SUBSIDY REPORTING

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

/s/

JON CICIRELLI

Director of Parks,

Recreation and Neighborhood Services

For questions, please contact Cynthia Rosas, Analyst I, at Cynthia.Rosas@sanjoseca.gov or (408) 793-5524.