



Legislation Details (With Board Report)

File #: A 23-463 **Name:** Aramark Agreement
Type: BoS Agreement **Status:** Passed
File created: 9/15/2023 **In control:** Board of Supervisors
On agenda: 9/26/2023 **Final action:** 9/26/2023

Title: Authorize the Contracts Purchasing Officer or their designee to execute a retroactive Agreement with Aramark Services Inc., dba Aramark Correctional Services, to provide food operations and commissary services for incarcerated people within the County of Monterey Jail, effective July 1, 2023 through June 30, 2028, for a total amount not to exceed \$10,000,000.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Standard Agreement, 3. Exhibit A - Scope of Work, 4. Exhibit B - Language Modifications to Standard Agreement, 5. Exhibit C, 6. Revised Final RFP #10788.pdf, 7. Addendums 1-4.pdf, 8. Aramark Response dated January 20, 2022.pdf, 9. Aramark BAFO Response dated March 7, 2023.pdf, 10. Completed Board Order Item No. 26

| Date | Ver. | Action By | Action | Result |
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| 9/26/2023 | 1 | Board of Supervisors | | |

Authorize the Contracts Purchasing Officer or their designee to execute a retroactive Agreement with Aramark Services Inc., dba Aramark Correctional Services, to provide food operations and commissary services for incarcerated people within the County of Monterey Jail, effective July 1, 2023 through June 30, 2028, for a total amount not to exceed \$10,000,000.

RECOMMENDATION:

It is recommended that the Board of Supervisors:
Authorize the Contracts Purchasing Officer or their designee to execute a retroactive Agreement with Aramark Services Inc., dba Aramark Correctional Services, to provide food operations and commissary services for incarcerated people within the County of Monterey Jail, effective July 1, 2023 through June 30, 2028, for a total amount not to exceed \$10,000,000; and

SUMMARY/DISCUSSION:

This report is to ask the Board of Supervisor to approve the resulting contract from the Request for Proposal (RFP) #10788 for Inmate Food Operation Services and/or Commissary System, Goods and Services for the County Adult Detention Facility.

The County of Monterey operates one local detention facility known as the Monterey County Corrections facility or County Jail located in Salinas. The Monterey County Sheriff serves as the Administrator and Keeper of the County Jail and the responsibility to fund the County Jail needs rests to the County Board of Supervisors.

Title 15 of the Board of State and Community Corrections provides Regulation regarding the minimum Standards for Local Detention Facilities. In addition, the Hernandez case settlement agreement mandates for the care of our incarcerated population. The County is responsible for ensuring that incarnated persons housed in the County Jail are treated fairly and humanly. This includes but is not limited to funding educational programs,

feeding and providing medical treatment as needed to name a few. The average daily population of this facility is anywhere from 950 inmates to as high as 1100 inmates per day (the maximum capacity of the jail is 1300). The County is required to provide all incarcerated persons with three meals a day, at county expense, per Title 15 regulations.

MCSO solicited an RFP to provide food operations and commissary services for incarcerated person within the Jail. After reviewing several RFPs, Aramark was selected as the tentative awardee. MCSO entered into negotiations with the proposed vendor with the intent to control costs over time. To accomplish, although a 3-year contract was noted in the RFP, MCSO is recommending a 5-year fixed fee contract to leverage potential cost controls into the contract tied to the average daily population of the jail and the Consumer Price Index, All Urban Consumers (CPI-U), U.S. City Average, food away from home, referenced in the agreement. Thus, future fiscal year baseline budget costs, during the life of the agreement, will allow for controlled budgeting based on annual meeting between the Vendor and MCSO to review the average daily population and CPI-U. MCSO is requesting additional funding to increase the appropriation to be able to meet the cost of feeding the incarcerated persons. Table 1 on Exhibit A shall be updated each fiscal year as necessary.

Although the agreement with Aramark includes a \$0.25 commission, which is revenue, that money goes to the Inmate Welfare Fund. Per Senate Bill No. 542 Inmate Welfare Fund ([Bill Text - SB-542 Inmate Welfare Fund \(ca.gov\)](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201120120SB542) <https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201120120SB542>), the money can only be used solely for the benefit and welfare of inmates of prisons, including the following: (a) the establishment, maintenance, employment of personnel for and purchase of items for sale to inmates at canteens maintained at the state institutions (b) the establishment, maintenance, employment of personnel, and necessary expenses in connection with the operation of the hobby shops at the institutions under the jurisdiction of the department (c) educational programs, hobby and recreational programs, which may include physical education activities and hobby craft classes, inmate family visiting services, leisure-time activities, and assistance with obtaining photo identification from the Department of Motor Vehicles, etc. The revenue received from commissions cannot by law be used to offset the cost of feeding incarcerated persons.

OTHER AGENCY INVOLVEMENT:

The Office of County Counsel has reviewed and advised on this Agreement as to legal form. The Auditor-Controller has reviewed and approved the Agreement as to fiscal provisions.

FINANCING:

All available ongoing revenues have been allocated. The Sheriff's Office will carefully manage and monitor the provided appropriations and endeavor to absorb these increases and return at midyear if budget modifications are needed. The Sheriff's Office budgeted \$1,600,000 to fund the FY24 costs. Additional funding augmentation needed for this Agreement is \$48,098 and the Sheriff's Office presented the additional funding need before the Budget Committee on June 28, 2023. The Sheriff's Office was advised to come back to the Budget Committee in November for Budget Status and determine if there is a need for additional funding. Approval of this agreement may require additional funding be added to the Sheriff's Budget that will be presented before the Budget Committee in November 2023. Implementation of this food services agreement by the County for the County Jail is crucial in meeting the minimum requirements of Title 15.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

- Economic Development
- Administration
- Health & Human Services
- Infrastructure

√_Public Safety

Prepared by: Arthur Curtright, Management Analyst III, Extension #3708

Reviewed by: Garrett Sanders, Chief Deputy, Extension #3887

Reviewed by: Keith Boyd, Undersheriff, Extension #3859

Approved by: Tina Nieto, Sheriff/Coroner, Extension #3750

Attachments:

Board Report

Standard Agreement

Exhibit A - Scope of Work

Exhibit B - Language Modification to Standard Agreement

Exhibit C

- Revised Final RFP#10788
- Addendums 1-4
- Aramark Response dated January 20, 2022
- Aramark BAFO Response dated March 7, 2023