

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION awarding a twenty-four (24) month term and supply contract, with three annual options to extend, for the furnishing of food service management for use by the Department of Corrections to ABL Management, Inc., of Baton Rouge, LA, under the terms and conditions of Request for Proposals No. EV00000632, a joint cooperative Request for Proposal with the City of Kansas City, Missouri.

RESOLUTION #16820, February 9, 2009

INTRODUCED BY Theresa Garza Ruiz, County Legislator

WHEREAS, the Department of Corrections has need of an experienced food service vendor for the continuation of correctional facility food services; and,

WHEREAS, the Director of Finance and Purchasing, through a joint cooperative Request for Proposals with the City of Kansas City, Missouri, has solicited formal written proposals pursuant to Request for Proposals No. EV00000632 for these services; and,

WHEREAS, a total of eleven (11) notifications were distributed, and three responses were received as follows:

<u>VENDOR</u>	<u>PRICE FOR FIRST YEAR</u>	<u>PRICE FOR FIVE YEARS</u>
Aramark Downers Grove, IL	\$1,155,513.68	\$6,075,864.00
Canteen Correctional Services, Franklin, MA	\$1,135,152.20	\$6,215,747.30
ABL Management Baton Rouge, LA	\$1,161,520.32	\$6,130,534.56

and,

WHEREAS, the Director recommends award of a twenty-four (24) month term and supply contract, with three annual options to extend, to ABL Management of Baton Rouge, LA, which, while not the lowest bidder, is the lowest and best bidder meeting specifications as set forth in the attached recapitulation and analysis; and,

WHEREAS, the Department of Corrections concurs with this recommendation; and,

WHEREAS, this award is made on an as needed basis and does not obligate Jackson County to pay any specific amount, with the availability of funds for specific purchases subject to annual appropriation; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that award be made as recommended by the Director of Finance and Purchasing, and that the Director be, and is hereby, authorized to execute for the County any documents necessary to the accomplishment of the award; and,


BE IT FURTHER RESOLVED that the Director of Finance and Purchasing be and hereby is authorized to make all payments, including final payment on the contract, to the extent that sufficient appropriations are available in the then current Jackson County budget.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:



Chief Deputy County Counselor



County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #16820 of February 9, 2009, of was duly passed on February 17, 2009 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 7

Nays 0

Abstaining 0

Absent 2

2.18.09
Date



Mary Jo Spino, Clerk of Legislature

This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.

2/4/09
Date



Director of Finance and Purchasing

Jackson County Department of Corrections
MEMO



To: Kenneth Conlee, Director
CC: Marvin Walker, SS Supervisor;
 Barbara Casamento, Senior Purchasing Agent
Date: 12/16/08
From: L.J. Scott, Mgr Jail Services
Subject: Food Service Bids

A review of all of the proposals indicates the following:

Cost Per Year to County:

	Aramark A	Aramark B	Canteen	ABL - County	ABL Joint
YR 1	\$ 1,104,609.99	\$1,155,513.68	\$1,135,152.2 1	\$ 1,161,520.32	\$ 1,172,922.74
YR 2	\$ 1,104,609.99	\$1,155,513.68	\$1,135,152.2 1	\$ 1,161,520.32	\$ 1,172,922.74
YR 3	\$ 1,176,893.23	\$1,176,893.23	\$1,251,518.0 3	\$ 1,213,747.50	\$ 1,225,658.96
YR 4	\$ 1,253,248.76	\$1,253,248.76	\$1,314,129.5 7	\$ 1,268,316.25	\$ 1,280,838.56
YR 5	\$ 1,334,694.66	\$1,334,694.66	\$1,379,795.3 2	\$ 1,325,430.19	\$ 1,338,461.53
Total All Years	\$ 5,974,056.63	\$6,075,864.00	\$6,215,747.3 3	\$ 6,130,534.56	\$ 6,190,804.53

**Totals above based on projected 2008 meal count.*

Aramark

\$1.085 & \$1.135 – first two years

Aramark has four exceptions to the County RFP:

- 1) Under Specifications and Duties – Either party may terminate the contract with 90 days notice, or upon breach or default with 30 days notice. If the County terminates without cause the County will pay at the accepted rates throughout the 30 days and will purchase all food inventories.

- 2) Section III General Conditions Subsection 20 – Aramark will only cover through negligence of Aramark staff – “sole negligence”
- 3) Calls for a guaranteed 5 year contract.
- 4) MBE/WBE Waiver OR subcontract for a higher fee.

In addition, the Compliance Report Form is not properly completed.

Aramark submitted two bids and both are the lowest cost for the County. If the County consented to the MBE/WBE Waiver, this is the lowest cost for all five years. With one Manager, two Assistant Managers and 8 line staff, Aramark's staffing exceeds Canteen's, and ABL's. Aramark offers health and dental insurance to staff which contributes to a more stable work force. Three of Aramark's current clients were contacted: Oriana House, St. Louis County and Shelby County. All three references stated that Aramark: 1) was responsive to needs; 2) worked with the agencies to overcome problems/issues; 3) maintained good continuity of services. Chief Coleman from Shelby County did state, however, that it took Aramark three tries to provide an adequate Manager, but they finally got it right, and he was overall pleased with their service. All three organizations had utilized Aramark services for several years.

The lowest cost with the MBE/WBE waiver is compelling. It would save the County \$156,477.90 over a five year contract. However, consenting to this would over-rule previous MBE/WBE agreements with the City. Accepting the higher Aramark fee that maintains the MBE/WBE requirement, would require the utilization of a subcontractor, which is not in the best interest of JCDC or the County. Though the cost per meal with a subcontractor remains lower than the other bids, responsibility, direction and control become muddled under a subcontractor. For the food service contract immediate response and participation from the Contractor is essential.

Canteen

\$1.115 – first two years

Canteen had three exceptions to the County RFP:

- 1) Section III N. 2. Emergency Conditions: The contractor will not pay in equal shares with the county or city in an emergency caused by a utility supplier.
- 2) Section V Other Contract Requirements Subsection C Standard: The contractor will not comply with liquidated damages.
- 3) Section III General Conditions Subsection 20 Insurance and Indemnification: Contractor will only be responsible for negligent acts of Canteen staff.

Canteen's staffing includes one Manager, one Assistant Manager and 8 line staff. Canteen offers staff both a medical and dental plan. Two references were contacted, the Metropolitan Detention Center, and the Lehigh County Prison. Positive references included: 1) Canteen is very good with food portion control and special diets; 2) Canteen is very professional and flexible. 3) Complaints are remedied in a timely manner and 4) Financial responsibilities are handled well. One institution commended Canteen on Inmate supervision, while the other facility cited some problems with Inmate supervision.

Canteen's bid is second lowest for the first two years of the Contract, however exceeds ABL's bid for years 3, 4 and 5, thus costing approximately \$85,000 more than ABL over a five year period.

ABL

\$1.1409 – first two years

ABL cited no exceptions to the County RFP.

ABL's staffing includes one Manager, one Assistant Manager, and 8 line staff. ABL offers both a medical and a dental plan for staff. References were not contacted for ABL as this company has been on site for several years. Performance has been outstanding overall. Problems and issues that do arise are dealt with via good communication and problem resolution. Support components of the organization, e.g., the Dietician, District Managers, etc. are readily available and participate as needed. Responsiveness is quick and decisive. ABL's bid for the first two years of service is the highest; however, bids over the five year period place ABL in second place for cost for the County and again for the joint County/City bid. ABL was the only Contractor bidding on a joint cost for both the County and the City; however this cost benefits the City only, with an increase of approximately \$60,000 in the County per meal cost over all five years.

Recommendations:

Though Aramark is the low bid, due to the exceptions cited, I do not recommend a bid award. In addition, Canteen has cited several exceptions, and their actual five year cost is greater than ABL's, even though the first two years are lower cost.

My recommendation is: 1) to accept ABL's lowest bid to the County at \$1.1409, OR 2) Considering City/County negotiations, to accept ABL's joint bid at \$1.1521.