



## Legislation Text

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**File #:** 2021-1333, **Version:** 1

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**To:** Sonoma County Board of Supervisors  
**Department or Agency Name(s):** Sheriff's Office  
**Staff Name and Phone Number:** Julie Bertoli, 565-1469  
**Vote Requirement:** Majority  
**Supervisory District(s):** Countywide

**Title:**

Inmate Food and Commissary Management Services Agreement

**Recommended Action:**

Authorize the Chair to execute an Agreement with Summit Food Service, LLC, to provide inmate food and commissary management services for the period February 1, 2022 through January 31, 2027, with two one-year options to extend. Options to extend are recommended to be exercised by the Sheriff without Board approval, unless the annual increase for either year is greater than the average Consumer Price Index (CPI) used as the basis, in which case Board approval is needed to exercise the option to extend. The Sheriff's Office FY 21-22 Adopted Budget includes \$1,450,324 for inmate food management services for an Average Daily Population (ADP) of 800. Assuming an increase in population to 1,000 ADP for years two through seven, and CPI increases, the estimated value of the Agreement, for five years and two optional extensions, is approximately \$13,050,871.

**Executive Summary:**

As a result of a Request for Proposal (RFP) process for Inmate Food and Commissary Management Services, the Sheriff is requesting the Board authorize the Chair to execute the Agreement for Inmate Food and Commissary Management Services with Summit Food Service, LLC effective February 1, 2022. The current Agreement for inmate food management services with Trinity Services Group, Inc. is due to expire on March 31, 2022.

**Discussion:**

As described in detail below, the Sheriff's Office provides three meals each day to all adult inmates in County custody, and operates an in-house jail store to give inmates the opportunity to purchase additional food and miscellaneous items. The Sheriff's Office also operates a Jail Management System that provides the banking structure for inmates to purchase items from their individual accounts. The proposed agreement with Summit Food Services, L.L.C. will ensure continued and improved provision of these services.

**Inmate Food Management Services**

The Sheriff's Office is responsible for providing meals to inmates housed at the County's adult detention facilities and has used an outside vendor to provide food management services for over 30 years. Food management vendors develop menus and meal plans that meet specific dietary requirements, procure the

food and supplies needed to prepare and distribute the meals, and administer the meal preparation and distribution in coordination with the Sheriff's kitchen staff and inmate work crews. All adult inmate meals must meet the standards and guidelines of the California Code of Regulations (CCR), Title 15, Minimum Standards for Local Detention Facilities. Over a million meals are served annually; however, the number of meals fluctuates depending on the average daily population (ADP), which decreased in recent years due to the COVID 19 pandemic.

	<b>FY 17-18</b>	<b>FY 18-19</b>	<b>FY 19-20</b>	<b>FY 20-21</b>	<b>Projected FY 21-22</b>
<b>Meals Served</b>	1,242,014	1,214,155	1,254,863	777,257	848,625
<b>Annual Expense</b>	\$1,507,683	\$1,584,224	\$1,370,602	\$1,226,841	\$1,298,722

#### Commissary Management Services

The Sheriff is authorized to operate a jail store, known as the Inmate Commissary, to sell goods to inmates at the Sonoma County adult detention facilities. Commissary services give inmates the opportunity to obtain food products and other items that are otherwise not available in the adult detention facilities. Section 4025 of the California Penal Code authorizes the establishment, maintenance, and operation of the commissary store, but it is not mandated and there is no legal requirement for the County to provide commissary services. The Sheriff's Office currently manages an in-house commissary program, through which inmates may order snacks, non-essential food products, personal hygiene and cosmetic supplies, stationery, approved over-the-counter medications, and other miscellaneous items using a pre-approved order form. Inmates may place orders once a week for delivery to their housing unit. Approximately sixty percent (60%) of the inmate population generally utilize commissary services on a weekly basis.

Operating the commissary program in its current form is labor intensive. Twice a week, five Detention Assistants, with the help of two Supervising Detention Assistants, participate in the Commissary fulfillment process. Orders are collected in the evenings and are entered into a computer. The next morning, inventory is pulled from stock, bagged, and loaded onto carts organized by housing unit, for distribution to inmates. Each commissary day, a "store" is set up in each housing unit for inmates to collect and verify commissary orders. The twice a week order fulfillment process takes approximately 12 hours per day, incurring approximately 20 hours of overtime per week. This is in addition to the staff time it takes to order, receive, process invoices for goods and stock and maintain the commissary warehouse.

#### Inmate Banking Services

The Sheriff's Office has an inmate accounting system within the 30+ year old Jail Management System that records all individual inmate account balances and commissary activity. Inmates make purchases using money from their accounts, which includes any cash they had at the time of arrest and can be supplemented with subsequent deposits from an inmate's family and friends. The Main Adult Detention Facility and North County

Detention Facility both have kiosks in the lobby that accept cash and debit/credit card payments to apply funds to inmate accounts for commissary or telephone use. Every inmate (except those on disciplinary status for violating facility rules) may order up to \$100 in purchases from the commissary each week. If an inmate does not have funds available, they are eligible for an indigent package that contains soap, toothpaste, a razor, and writing materials; which is available upon request, on a weekly basis.

#### RFP and Selection Process

Through a Request for Proposals (RFP), the Sheriff's Office sought to obtain proposals to update and modernize the antiquated and labor-intensive commissary and banking system with new technology and systems that will create efficiencies, increase purchasing power and variety of products, allow detention assistants to focus on the critical duties and needs of the detention facilities, and free-up critical storage space at MADF currently used for commissary products. Toward that end, the Sheriff's Office prepared a RFP for food services that also included commissary management and inmate banking services.

On May 14, 2021, a Request for Proposals (RFP) for Inmate Food and Commissary Management Services was posted on the Sonoma County Purchasing portal. An optional tour of the Main Adult Detention Facility (MADF) kitchen was offered by the Sheriff's Office as part of the RFP process. The following vendors attended a tour: Aramark Correctional Services, LLC; Summit Food Service, LLC; and Trinity Food Group, Inc. Vendors were required to submit all questions in writing. Questions and responses were subsequently distributed to all potential proposers. Three vendors submitted proposals by the June 11, 2021 deadline. Vendors were asked to include information in their proposals for the following criteria: Inmate Food Services, Commissary Services, Inmate Banking, Staff Dining, Staffing, References, Cost Relative to Scope of Service, and Experience.

A review committee comprised of representatives from the Department of Health Service and the Sheriff's Office were assigned to evaluate the proposals. Once proposals were reviewed by the committee, each committee member independently prepared an evaluation sheet, scoring each of the three proposals. The evaluations included several criteria (mentioned above), totaling 100 possible points. Based on the ranking of the scores, all three vendors moved on to the finalist round. Finalists were evaluated a second time, based on presentations made to the RFP committee, which included a question and answer component. This evaluation process was outlined in the RFP.

All three finalists demonstrated an ability to provide the requested services, but Summit scored considerably higher in the Inmate Food and References categories. The evaluation scores resulted in the RFP Evaluation Committee recommending that Summit Food Service, LLC (Summit) be selected to provide inmate food, commissary management, and inmate banking services. Overall, staff found Summit to be the most cost effective and efficient for the County and in the best interest of the inmate population.

Overall Score per Vendor		
Summit	Aramark	Trinity

468	459	402
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Committee recommendations were based on the following:

1. Inmate Meals - Summit's inmate menu plan was the most appealing. It provided greater variety, more fresh fruits and vegetables, and lower sodium and fat content than other menus, and exceeds industry standards requirements. Professional references gave consistently positive feedback regarding the quality, appearance, flavor, and variety of the enhanced menu, and confirmed inmate satisfaction with Summit's food and menus.
2. Staff Dining - Summit's proposal includes a quality, enhanced staff dining program that will provide appealing and affordable meal and snack options 24/7 for purchase by staff. Special staff appreciation events are also included on a periodic basis. This service is 100% funded by employee purchases.
3. Staffing - The staffing levels proposed by Summit meet detention facility needs and provide adequate coverage for both kitchen facilities. Summit provides a lengthy training program with an emphasis on safety and cleanliness. Their resources allow them to pull staff from other agencies when needed, to provide for a smooth transition and management of temporary staffing shortages.
4. Inmate Banking - Summit's comprehensive inmate commissary and technology program exceeds the quality and support required by our facility.
5. Commissary - Summit will manage commissary services at no cost to the County, including the installation of kiosks throughout the facilities for inmates to place orders electronically. Orders will be fulfilled offsite and delivered to MADF in bundles organized by housing unit for simplified staff distribution to inmates, thereby freeing up valuable staff time and storage space. Inmates will have more choices, including the opportunity to purchase special restaurant-quality meals such as chicken strips, burritos, cheeseburgers, etc. Friends and family will also be able to purchase these special meals for inmates. Under the new commissary program, an extensive list of essential hygiene items (e.g., brush, comb, toothbrush, toothpaste, toothbrush cover, floss loops, shampoo, conditioner, shaving cream, razor, hair ties, palm brush, soap, soap dish, deodorant, lotion, wash cloth, lip therapy, foot powder, etc.); and essential stationary items (e.g., eraser, #2 pencil, manila envelope, stamped envelope, blue pen, greeting cards, stamp, composition book, legal and medium pads) will be available for purchase at 0% markup.
6. Inmate Training - Summit offers a safe food handling and culinary vocational training program for inmate workers that helps create new re-entry employment opportunities.
7. References - The RFP Committee contacted the references provided and received no negative feedback. All counties the Committee spoke to were extremely pleased with Summit's services. It was noted that no contracts were terminated early for cause and those that had been lost were as a result of a re-bid.
8. Pricing - Meal prices are based on actual meals served. A sliding scale is used to determine the price per meal. The sliding-scale rate adjusts based on ADP; the price per meal drops when the population goes up, and the price per meal increases as the population goes down. Meals are based on a caloric

intake of 2,800 calories per day. Trinity's inmate food prices were negotiated in 2015 with CPI adjustments year over year. The current FY 21-22 Trinity menu is a basic menu that meets Title 15 minimum requirements at a cost of \$1.216 per meal for 1,000 ADP. In contrast, Summit's proposal offers an enhanced menu that exceeds Title 15 requirements and includes a hot/cold alternating breakfast, more fresh fruits and vegetables, and overall has more variety. Summit's pricing (\$1.666 per meal for 1,000 ADP) is based on this enhanced menu and reflects current market food costs, which are higher due to inflation.

9. Experience - Summit provides food services to over 500 institutional and correctional facilities nationwide. This national exposure provides an abundance of resources and strong purchasing power. Summit's presence in institution and correctional settings across California demonstrates their clear understanding of California's rules and regulations as they relate to providing food services in a correctional setting.

#### Proposed Agreement

The proposed Agreement includes all of the provisions outlined in the RFP for the delivery of inmate food, commissary management, and banking services, in compliance with the California Code of Regulations, Title 15 Minimum Standards for Local Detention Facilities; and the American Correctional Association (ACA) standards. The proposed Agreement is for an initial term of five years, with two one-year options to extend. The proposed Agreement contains the same provision as the previous agreement for annual increases for the second year through the fifth year, to be based on the CPI rate increase. The rate increase for the two optional years, should both parties choose to exercise the option, will be based on the same criteria with the understanding that the parties will meet in good faith to determine whether the required compensation should increase by an additional amount based on an increase in the prevailing wages for food services staff in the local area. The options to extend the Agreement are recommended to be exercised by the Sheriff without Board approval; however, if the annual increase, for either option year is greater than the average U.S. Department of Labor Consumer Price Index (CPI): All Urban Consumers National Average Unadjusted, Food Away from Home; approval by the Board of Supervisors is required to exercise the option to extend.

#### **Strategic Plan:**

N/A

#### **Prior Board Actions:**

The Board has approved consecutive agreements for inmate food services with vendors for over 30 years. The Board approved Agreements with Trinity on 8/25/2015 and on 10/6/2020. The 2020 Agreement was due to expire on September 30, 2021. An emergency 6-month extension was authorized by County Purchasing in response to the COVID-19 pandemic. This extension was executed by the Sheriff on July 30, 2021.

#### **FISCAL SUMMARY**

<b>Expenditures</b>	<b>FY 21-22 Adopted</b>	<b>FY22-23 Projected</b>	<b>FY 23-24 Projected</b>
Budgeted Expenses	\$1,450,324	\$1,915,034	\$1,972,485
Additional Appropriation Requested			
<b>Total Expenditures</b>	<b>\$1,450,324</b>	<b>\$1,915,034</b>	<b>\$1,972,485</b>

<b>Funding Sources</b>			
General Fund/WA GF	\$1,305,292	\$1,627,779	\$1,676,612
State/Federal	\$145,032	\$287,255	\$295,873
Fees/Other			
Use of Fund Balance			
Contingencies			
<b>Total Sources</b>	<b>\$1,450,324</b>	<b>\$1,915,034</b>	<b>\$1,972,485</b>

**Narrative Explanation of Fiscal Impacts:**

The Sheriff's FY 21-22 Adopted Budget includes \$1,450,324 to fund inmate food and commissary services for an ADP of 800. Years two through seven of the Agreement assume an ADP of 1,000, plus a 3% CPI. Food cost increase is due to a projected higher inmate population (1,000), enhanced menu, and extraordinarily high food costs due to inflation. Inmate Banking and Commissary Management services are no cost to the County.

The State provides AB109 reimbursement to the County that offsets a portion of the inmate food costs. The reimbursement is based on the number of AB109 inmates held at the SCSO adult detention facilities. The percentage of meal costs reimbursement through AB109 has recently been approximately 10% and is expected to increase to 15% when the Courts resume normal operations. The Fiscal Summary above assumes 10% reimbursement for FY 21-22, and 15% in the following years.

<b>Staffing Impacts:</b>			
<b>Position Title (Payroll Classification)</b>	<b>Monthly Salary Range (A-I Step)</b>	<b>Additions (Number)</b>	<b>Deletions (Number)</b>

**Narrative Explanation of Staffing Impacts (If Required):**

N/A

**Attachments:**

Proposed Agreement for Inmate Food and Commissary Management Services

**Related Items "On File" with the Clerk of the Board:**

N/A