

OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
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Long Beach, CA 90802-4664

RESOLUTION NO. RES-23-0109

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH SMART & FINAL STORES, LLC, WITHOUT ADVERTISING FOR BIDS, FOR THE PURCHASE OF GROCERY ITEMS, IN AN ANNUAL AMOUNT OF \$350,000, WITH AN ADDITIONAL SEPARATE 20% CONTINGENCY OF \$70,000, FOR A TOTAL NOT TO EXCEED AMOUNT OF \$420,000, FOR A PERIOD OF TWO YEARS WITH THE OPTION TO RENEW FOR THREE ADDITIONAL ONE-YEAR PERIODS

WHEREAS, the purchase of grocery items is used by all City of Long Beach (“City”) Departments for special events, catering services, community meetings, departmental trainings, and other various needs; and

WHEREAS, most items are purchased on an as-needed basis directly from Smart & Final locations within the City; and

WHEREAS, Smart & Final Stores, LLC is the only grocery provider located in the City that accepts purchase orders and sells items in bulk quantities;

WHEREAS, Section 1801 of the City of Long Beach Charter provides that the City Council, by resolution, may authorize the City Manager to enter into a contract on behalf of the City, in writing or otherwise, without advertising for bids for services, supplies, materials, equipment or labor for actual emergency work; and

WHEREAS, no useful purpose would be served by advertising for bids and to do so would constitute an idle and useless act and an unnecessary expenditure of public funds;

NOW, THEREFORE, the City Council of the City of Long Beach resolves as

1 follows:

2 Section 1. The City Manager is hereby authorized to enter a contract,
3 without advertising for bids, with Smart & Final Stores, LLC, for grocery items, in an annual
4 amount of Three Hundred Fifty Thousand Dollars (\$350,000), with a separate additional
5 twenty percent (20%) contingency in the amount of Seventy Thousand Dollars (\$70,000),
6 for a total not to exceed annual amount of Four Hundred Twenty Thousand Dollars
7 (\$420,000), for a period of two (2) years, with the option to renew for three (3) additional
8 one-year periods, at the discretion of the City Manager. If the sole source status of Smart
9 & Final Stores, LLC changes, the City shall publicly bid instead of extending the contract.

10 Section 2. This resolution shall take effect immediately upon its adoption
11 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

12 I hereby certify that the foregoing resolution was adopted by the City Council
13 of the City of Long Beach at its meeting of August 1, 2023
14 by the following vote:

15
16 Ayes: Councilmembers: Zendejas, Allen, Duggan, Supernaw, Kerr,
17 Saro, Uranga, Austin, Ricks-Oddie.

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19
20 Noes: Councilmembers: None.

21
22 Absent: Councilmembers: None.

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24 Recusal(s): Councilmembers: None.

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26
27 
City Clerk

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