

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CONTRACTS JOINTLY WITH THE
COMMITTEE ON SMALL BUSINESS AND THE
COMMITTEE ON ECONOMIC DEVELOPMENT

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DECEMBER 12, 2023
Start: 1:12 P.M.
Recess: 4:19 P.M.

HELD AT: COUNCIL CHAMBERS, CITY HALL

B E F O R E: JULIE WON, CHAIRPERSON
JULIE MENIN, CHAIRPERSON
AMANDA FARIAS, CHAIRPERSON

COUNCIL MEMBERS: SELVENA N. BROOKS-POWERS
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INNA VERNIKOV
JULIE WON
JOANN ARIOLA
JAMES F. GENNARO
LINDA LEE

A P P E A R A N C E S (CONTINUED)

SANDY NURSE
GAIL BREWER

KATE MCKENZIE, Executive Director of the
Mayor's Office of Food Policy

TED LONG, H and H

JIM, DHS

MIKE GARNER, City of New York Chief
Business Diversity Officer

MATTHEW JOZWIAK, Rethink Food NYC

ZAKARAYA KHAN, Rethink Food Provider

ELENA RISTOVSKI, self, Marlow Bistro

LATOYA MEADERS, self, Collective Fare

ALI AHMED, self, Brain Food, The Smart
Kitchen

ANGEL SANCHEZ, Chefscape Kitchen

JONATHAN FORGASH, Queens Together

SANDRA JAQUEZ, Latino Restaurant and Bar
Association

ELENA BARCENES, self

JACLINN TANNAY, The Migrant Kitchen

A P P E A R A N C E S (CONTINUED)

ANDREW RIGIE, NYC Hospitality Alliance

FRANK GARCIA, National Association of
State Latino Chamber of Commerce

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SERGEANT AT ARMS: Mic check. Mic check.

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So, mic check. Today's hearing on Small Business and

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Economics, Contracts and it is recorded by Walter

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Lewis. Today's date is December 12, 2023.

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SERGEANT LEWIS: Good afternoon and

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welcome to the Committees on Economic Development

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jointly with Contracts and Small Business. At this

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time, we ask you to please place phones on vibrate or

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silent mode. Thank you for your cooperation.

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Chairs, we are ready to begin.

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CHAIRPERSON JULIE WON: Good afternoon.

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Welcome to this hearing of the New York City

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Council's Committee on Contracts as well as Small

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Business and Committee Economic Development. My name

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is Julie Won and I have the privilege of chairing

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this Committee. I would like to thank my co-Chair

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Council Member Julie Menin and the Chair of the Small

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Business Committee and Council Member Amanda Farías.

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The Chair of Economic Development Committee as well

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as the members of all three Committees for coming

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together to hold this hearing. Today we will examine

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the Administrations Food Procurement at both Homeless

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and Humanitarian relief shelters during this

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unprecedented humanitarian emergency. As record

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2 asylum seekers under New York, the city had struggled
3 to meet people's need for accommodation and shelter.
4 However, it is our duty and responsibility to ensure
5 that people seeking shelter here are offering the
6 most basic human needs such as safe and edible food.
7 Today's discussion with focus on how contracting
8 agencies set nutrition and food quality standards
9 when contracting food for shelters, short term
10 respite centers and over 200 emergency relief sites.
11 We hope to hear from the Administration on how
12 providers are being held accountable and what could
13 change in the light of city comptrollers revoking
14 blanket approvals for emergency contracting. We will
15 ask the Mayor's Office of Contract Services about
16 procurement barriers, about small minority and women
17 owned food businesses faced in bidding for nearly
18 \$500 million spent annually on food contracts. We
19 will examine how reporting and oversight can improve
20 transparency regarding the \$1.7 billion already spent
21 on the humanitarian crisis. We will be asking the
22 Mayor's Office of Food Policy about progress on its
23 goals towards the 10-year Food Floor Plan in relation
24 to this crisis including how it is expanding access
25 to regional farms and engaging small businesses in

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2 New York City. We also hope to hear from Department
3 of Homeless Services but how a taxed resident
4 complaint regarding allegations of inadequate,
5 spoiled or culturally insensitive food and whether
6 there are ways to incorporate those preferences into
7 its vendor selection process. We would also like to
8 understand the vastness and range of pricing per
9 shelter even if it's from the same subcontractor
10 amongst multiple shelters throughout the city. And
11 we want to understand the procurement process overall
12 since we do do competitive bidding for all of your
13 food. And we would also like to understand the depth
14 of subcontracting and what their requirements are for
15 that as well. Lastly, we plan to hear from New York
16 City Health and Hospitals regarding the consistency
17 of contracting and services between the food provided
18 at traditional shelters and emergency relief sites.
19 We also would like to know how Health and Hospitals
20 is using its Food Procurements contracts to safe
21 guard the well-being of shelter residents across the
22 City. I want to make sure it is on the record that
23 HPD has refused to come despite having HPD hurt
24 throughout the City and they also administer food
25 contracts through another contractor so they still

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have food subcontracts within their contracts like their contract with DACCO yet they have not provided any transparency or responsibility for how those food contracts are administered and what their requirements are since they all operate and disperse services. We hope this hearing will encourage the administration to restore integrity to the City's contracting system and we look forward to engaging with several contracting agencies today on these important issues. Before we begin, I would like to take a moment to thank the Contracts Committee Senior Council Alex Pauenlnoff, Policy Analyst Alex Yablon, Principal Finance Analyst Nia Hyatt as well as the Small Businesses and Economic Development Committee for all of their hard work on this hearing and I would like to thank my staff, my Chief of Staff Nick Gulotta, my Legislative Director Isaac Blasenstein and my Communications Director Jenna Laing for their hard work. I would like to acknowledge the Council Members that are here today, Council Member Rafael Salamanca, Council Member Kevin Riley, Council Member Linda Lee, and Council Member Joann Ariola. Do we have anyone online?

ALEX, COMMITTEE COUNSEL: No.

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CHAIRPERSON JULIE WON: Okay. And I'll now turn the floor to Council Member Julie Menin, Chair of the Small Businesses Committee for her opening remarks.

CHAIRPERSON JULIE MENIN: Thank you so much, Chair Won. It's a pleasure to be here with you today and to be doing this joint hearing along with Chair Fariás. Good afternoon, everyone. I am Council Member Julie Menin, Chair of the Committee on Small Business. Thank you all for joining today's joint hearing to examine the role of small businesses and food procurement for shelters. I also want to thank my Council colleagues, representatives from the administration and public for being here and members of the public who are also participating remotely. In the past two years the city has seen a record surge in its shelter populations driven by an ongoing housing shortage, rising rents, inflation and a sharp increase in newly arrived asylum seekers. From the beginning, I've strongly advocated for the city government to work with small businesses in response to this challenge, particularly in the area of food procurement. This challenge also presents an opportunity to capitalize on the talent and

1
2 logistical advantages that our local New York City
3 Small Businesses offer. New York City's Food economy
4 is an enormous strength, resource and source of pride
5 for our city. More than 40,000 food businesses most
6 of which are small businesses sustain around 500,000
7 jobs in the city. Many businesses source local New
8 York foods or a specializing in cuisines from around
9 the world. For these reasons and more they are
10 uniquely well-equipped to provide healthy and
11 culturally competent meals for New Yorkers in
12 shelters whether long-time residents or newly arrived
13 asylum seekers. Unfortunately shelter food standards
14 are not always what they should be. At times,
15 residents of shelters across the City have been
16 served food that is spoiled nutritionally or
17 medically inappropriate or raw. Many migrant
18 children have difficulty adjusting to the food and
19 shelters which has led to nausea, vomiting, and other
20 gastrointestinal issues. Some have even had to be
21 hospitalized. Yet, when agencies have partnered with
22 local community based organizations and businesses it
23 has led to positive outcomes for shelter residents
24 who are also supporting the local economy. For
25 example, the City's humanitarian emergency response

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2 and relief centers have partnered with Rethink Food,
3 an organization whose missions involves community
4 based organizations with local food sector
5 businesses. Successful partnerships like this send
6 strong message of highlighting and empowering our
7 small business community while also benefiting the
8 New York City economy. These partnerships also help
9 to advance the City's legal commitments and policy
10 goals. For example, local law 50 of 2011 requires
11 City agencies where practicable to prioritize New
12 York State food products in their purchasing
13 decisions in order to supply New Yorkers with fresh,
14 healthy, sustainably produce and transported food.
15 Accordingly, the Mayor's office of Food Procurement
16 oversees a good food purchasing program which guides
17 City agencies toward food procurement contracts that
18 support the local economy, advance environmentally
19 sustainable food procurement and uphold worker's
20 rights. The 10-year Food Policy Plan Food Forward
21 NYC also sets a number of goals to support local food
22 businesses. These goals include increasing the
23 City's share of food purchased from local or regional
24 sources and making City Food Procurement and Bid
25 Processes more accessible. I look forward to hearing

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2 the testimony from the administration about the
3 prospects for working with New York City's talented
4 small business community to provide high-quality food
5 while supporting and growing our local economy. I
6 similarly look forward to hearing from the small
7 business community and all members of the public
8 about opportunities they see for improving the City's
9 food procurement processes for New Yorkers. Before I
10 thank our staff involved, I want to echo the comments
11 that were made by Chair Won about HPDs absence. It's
12 honestly pretty shocking considering what we're
13 trying to do in this hearing is to get to the bottom
14 of what the City is spending on these contracts. And
15 to not have HPD here it completely subverts what
16 we're trying to do. These are the very basic
17 questions that the Council has every right to be able
18 to ask, that the public has every right to be able to
19 nail and when an agency refuses to show up it's
20 really unconscionable. Finally, before we begin, I
21 want to thank Rebecca Barilla and Jessica Boulet from
22 central staff for their hard work putting this
23 hearing together as well my Chief of Staff Jonathan
24 Szott, my Legislative Director Brandon Jordan and
25 Legislative Liaison Jan Mendez for their assistants.

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Thank you also to the staff of Contracts and Economic Development Committee for their hard work on this hearing and I'll now turn the floor over to my colleague, Council Member Amanda Farías.

CHAIRPERSON AMANDA FARÍAS: Thank you, Chairs Menin and Won. Good afternoon, I am Amanda Farías Chair of the Committee on Economic Development. Our committee has called today's hearing to discuss how the administration can ensure city food contract does reliably provide quality food at the City's homeless and migrant shelters. If the Administration cannot guarantee its vendors are providing safe and edible food, the most basic of human needs, then we encourage the Administration to find new food provides. I agree with my co-Chairs that contracting with the City's many eager small-businesses for shelter food contracts would likely result in a better outcome than out of state institutional food vendors who may be more likely to sacrifice quality for profit and less easily tracked than our local small businesses. The Administration has spent over \$1.7 billion so far on the ongoing humanitarian crisis. Rather than financing food providers from half-way across the country and

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2 offering no benefit to New Yorkers, we can recover a
3 bit of that expense in supporting local food
4 businesses who are clamoring for city contracts.
5 Since the Mayor's Office of Food Policy is aligned in
6 these goals and offering testimony at today's
7 hearing, I am eager to hear how we can work together
8 on this issue going forward. We look forward to
9 discussing how MLSP is envisioning ways to connect
10 needs associated with this crisis and to relief to
11 those in need and an opportunity for small city
12 vendors in the future as well as how we can engage
13 with our current vendors to ensure consistency and
14 reliability while the asylum crisis continues. Since
15 we have the office of food policy here, we would also
16 like to discuss a bill in the economic development
17 committee. Introduction Number 964 sponsored by
18 Council Member Rita Joseph would require the Office
19 of Food Policy to develop a winterization plan to
20 ready farmers markets to provide fresh regional
21 produce so they can continue serving customers during
22 the colder months. This could involve infrastructure
23 improvements to withstand winter weather, adjustments
24 to food offerings that account for seasonal crop
25 availability and promotional efforts to drive winter

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demand. Winter doesn't have to mean scarcity if we tap into our signature New York resilience. So today we will briefly discuss the logistics of keeping farmer's markets open year round as it goes for local communities and public health. I do want to be associated with the comments by both Council Members Won and Menin and I don't need to belabor the point of HPDs absence here. So, before we begin, I would like to take a moment to thank the economic development committee's five Senior Counsel, Alex Paulenoff, Senior Policy Analyst William Hongach and Financial Analyst Glen Martelloni as well as the staff of the Small Business and Contracts Committees for all of their hard work on this hearing. With that said, I will now turn it over to Committee Counsel to Administer the oath.

ALEX, COMMITTEE COUNSEL: And will all members of the Administration please raise your right hands? Do you swear or affirm to tell the truth, the whole truth and nothing but the truth in your testimony today and to respond honestly to Council Member questions.

ALL: I do.

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ALEX, COMMITTEE COUNSEL: Thank you all.

You may begin when ready.

KATE MCKENZIE: Good afternoon, Chair
Won, Chair Fariás, Chair Menin and Members of the
Committee on Contracts, Economic Development and
Small Business. My name is Kate McKenzie and I'm the
Executive Director of the Mayor's Office of Food
Policy. Joining me today are my colleagues from the
Department of Social Services, particularly Homeless
Services, the Mayor's Office of Contract Services,
the Mayor's Office of Minor and Women Owned Business
Enterprises and NYC Health and Hospitals. I
appreciate the opportunity to speak with you today
about the City's efforts to equitably provide
nourishing meals to asylum seekers as well as
individuals and families experiencing homelessness
and how various agencies are utilizing local small
businesses in particular minority and women business
enterprises in doing so. To start, I would like to
explain the role that MOFP has played in the
provision of food through the hotels functioning as
shelters as well as the asylum seeker emergency
sites. At the Mayor's Office we advise agencies on
the strongest program considerations and practices

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2 that achieve these Administrations goals related to
3 food policy. As such, we encourage adhering to the
4 City's food standards, prioritization of cultural
5 food options, equity, and reporting requirements of
6 Executive Order 8. That is the types of meal
7 provision we offer should model existing program
8 provisions to the greatest degree possible. For
9 example, in our traditional shelter system, three
10 meals a day are provided with the requirement that
11 one meal is hot meal. It was important to keep that
12 requirement to maintain a standard service as well as
13 adherence to our updated food standards and ensuring
14 that vendors submit menus for review. In addition to
15 providing nutrition and meal service guidance, MOFP
16 worked closely with my colleagues here and when the
17 Mayor's Office of Minority and Women Business
18 Enterprises, the Small Business Service and MOC to
19 identify and maximize small business opportunities
20 for meal provision. This required getting very clear
21 on the services needed so an appropriate scope of
22 work could be identified for the request for proposal
23 that H and H developed. Specifically, the means
24 preparing breakfast, lunch and dinner that meet those
25 food and nutrition standards, packaging them and

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2 transporting them to the various sites. Given that
3 scope, businesses that could complete the work could
4 be considered. For the hotels, serving as shelters
5 for asylum seekers the Department of Homeless
6 Services leveraged its existing contracts with
7 vendors who provide meals and notably two of the
8 three prime vendors are MMWBE certified. Under the
9 leadership of Mayor Adams and First Deputy Mayor
10 Wright the MMWBE office has taken several proactive
11 steps to increase participation amongst MMWBE
12 businesses. These include weekly meetings at City
13 Hall with agencies involved in food and other
14 procurements for asylum seekers. The objectives of
15 these meetings is to review upcoming procurements to
16 ensure that MMWBE contracts are being maximized
17 whether as prime or as subcontractors. The mayor
18 also issued Executive Order 34 which strengthening
19 MMWBE utilization of emergency contracts.
20 Additionally, in collaboration with MOFP, HPD, H and
21 H, DHF, MOCS and FBF my colleagues at the Mayor's
22 Office of MMWBE hosted an outreach event to introduce
23 prime vendors to MMWBE vendors. This effort resulted
24 in subcontracting opportunities for MMWBEs. When H
25 and H issued its most recent food procurement in

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September, my office posted that opportunity on our website and through our networks. Additionally, on October 2nd my office co-hosted an opportunity room on food procurement at the largest ever annual citywide MWBE procurement fair at the Barclay Center. We shared a calendar of agency food RFPs with vendors. The food and meal requirements in the New York City Food Standards and the data requirements that Executive Order 8 of 2022 require. MOFP created materials for businesses to understand the City's food need and requested feedback from those MMWBEs and their experiences in doing business with the city so that we can constantly be learning. While health, nutrition and equity are important values that we are committed to advance through food, so is a thriving food economy and supporting the diversity of food businesses across the five boroughs. MOFP released a report to outline recommendations to support more MMWBE businesses with City contracts. As noted, my colleagues here from the Office of MMWE convene that weekly meeting for agency chief contracting officers and their teams to ensure that we are maximizing MMWBEs across all procurements including good where there is substantial MMWBE vendor availability and

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2 capacity. To that end, I am pleased to share the
3 MMWBE utilization within an asylum seeker food
4 contract. As of November 30th, the total value of
5 prime food contracts for asylum seeker operations is
6 more than \$463 million. Of this amount, more than
7 \$284 million was awarded to MMWBEs achieving a record
8 breaking 61 percent MMWBE utilization rate. In
9 particular, I would like to highlight rethink food, a
10 nonprofit organization that has partnered with 12
11 restaurants and small businesses as subcontractors.
12 Another vendor, Commissary and MMWBE business has
13 over 150 staff members. It is 98 percent minority
14 employed and 100 percent staffed by local talent.
15 While the figures and examples are mentioned reflect
16 direct contracts, we know that MMWBE participation is
17 significantly greater when considering the
18 subcontractors associated with other food related
19 procurements. For example, DHF is working with
20 Withams to bring in new MMWBE subcontractors and HPD
21 is doing the same with its prime vendor for asylum
22 seeker work. Also, as you know, due to the
23 complexity of human service contracts, the Office of
24 MMWBE and agencies are working hard to have better
25 line of site into the myriad of MMWBE subcontracts

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2 performing food and meal provision for both asylum
3 seekers as well as an agency standard practices. And
4 I just want to remind us all that due to local law,
5 both emergency and human service contracts are exempt
6 from MMWBE goals. Despite these exemptions, our
7 collaborative efforts with City agencies involved in
8 food procurement for asylum seekers have resulted in
9 the remarkably success that I described in promoting
10 MMWBE participation. This achievement reflects the
11 City's unwavering commitment to ensuring that small
12 business, especially MMWBEs fully participate in the
13 procurement of food for asylum seekers. The city has
14 served the more than 150,000 asylum seekers who have
15 come through our system since last spring but with
16 hundreds of people arriving daily, 74,200 migrants
17 still currently in the city's care, New York City is
18 left responding to this humanitarian crisis without
19 the level of support needed from other levels of
20 government to manage this national crisis. We have
21 undertaken substantial efforts to ensure culturally
22 responsive healthy and equitable food service
23 provision across all sites including across all types
24 of asylum seeker emergency sites. In reference to
25 Council Member Fariás, what you have described with

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2 Intro 964, that would require the Mayor's Office of
3 Food Policy to develop and implement a plan to
4 prepare farmer's markets in the City for use in
5 winter weather. Farmer's markets are essential to
6 New York City and the Administration supports their
7 growth and viability in a myriad of ways. However,
8 we question the need for a winterization plan. Grow
9 NYC and other market operators have managed winters
10 for more than 50 years. At this point, we do not
11 offer support through this Legislation and would like
12 to engage with the Council to understand more about
13 the desired impact and utilization of that plan. I
14 would sincerely like to thank the Council for its
15 leadership and its partnership in addressing and
16 improving food access in our city. From ensuring
17 emergency food resources to expanding food education
18 in our schools, addressing diet related diseases and
19 building up infrastructure across the City including
20 at Hunt's Point and in other food hubs throughout the
21 boroughs, we value your commitments to advancing food
22 forward NYC our 10-year Food Policy Plan. Thank you
23 for your time and consideration. I am happy to
24 address questions or concerns that you may have, and
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will welcome my colleagues from the Administration as well.

CHAIRPERSON JULIE WON: Thank you so much, I just want to acknowledge that we've been joined by Council Member Darlene Mealey, Council Member Jennifer Gutierrez, Council Member Marjorie Velázquez and Council Member Gail Brewer, Council Member Shekar Krishnan and we will move on to the questions. We wanted to make sure -- it's good to hear that stats that you have for MWBEs being administered through the current migrant shelter crisis. I want to give an example of an MWBE that we have many complaints about that have been in the news for many years, even before the migrant crisis began, Regina's Caterers. I was trying to open all the food that we received yesterday from a local resident in the shelters in my district. I have more than 8000 migrants living in the temporary shelters. A combination of H and H HERC as well as DHS Microshelters and we have an OEM respite center and I also have HPD HERC as well. This is an example of the food that we have received from a migrant neighbor who gave us what is given to them on a daily basis and there is no refrigeration for Regina's

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2 Caterers food. So that's the first issue. Again, I
3 repeat this food is laid out on a table in the dining
4 area of the hotel in the city and there is no
5 refrigeration for all three meals that are laid out
6 on the table. And when I opened one my colleagues
7 asked me to stop opening them because of the ramset
8 smell. And we have seen in the news as well as from
9 our own individual constituent complaints of spoiled
10 and rotten food, raw food as well as inedible food.
11 We have gotten calls from hospitals, nurses, doctors,
12 school nurses, teachers, and principals as well as
13 parents about the food quality especially in children
14 who are malnourished having rapid weight loss and are
15 getting sick from the food. We have raised this with
16 the administration multiple times now about our
17 concerns about Regina's Caterers yet you continue to
18 have no oversight or accountability and they continue
19 to administer the same kind of food that both regular
20 homeless shelter residents and migrants have now
21 raised as inedible. So now I'm going to turn to
22 questioning for the Mayor's Office of Contracts. So,
23 as you just heard we have shelter residents for
24 migrants at H and H, we also have HPDs, HERCs, and we
25 have our OEM respite centers, now we have the

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2 reticketing centers but we've been getting food
3 questions about as well as the DHS shelters. So can
4 you help me understand how MOCS works with all of
5 these agencies to have standard relation in these
6 contracts of what is required and what is expected
7 for the food quality for it to be a well-balanced
8 meal and what the cost difference is, why there are
9 so many cost differences for every single shelter.

10 UNIDENTIFIED MALE 1: Thank you Chair Won
11 and thank you Council. On taking your questions in
12 the order you have it. In terms of the different
13 contracts at play for the emergency crisis. As I
14 have testified before there are some that are
15 explicit emergency contracts and there are what we
16 would not call formal emergency contract, this is
17 done simply in response to the emergency and then
18 finally as Executive Director McKenzie already
19 testified to, there is a leveraging of existing
20 contacts. So, in the space of leveraging the
21 existing contracts those terms that I think we were
22 talking about DHS using their existing vendors and
23 going beyond, those are going to utilize those terms
24 that were negotiated at that time, presumably or some
25 basis of that. Whereas, if you're starting with

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2 brand new vendor you would be negotiating presumably
3 from scratch. So MOCS role when it comes to non-
4 emergency contracts, MOCS has an approval role and
5 will be going through and ensuring the agencies are
6 complying with the procurement rules. When it comes
7 to the good food standards and the various work with
8 the mayor's office of Food Policy, we work very
9 closely with their office to educate agencies about
10 their responsibilities, about what they have to have
11 in their contracts, about what they need to ensure
12 that their vendors are educated about. So that
13 includes presentation to agencies, working with
14 agencies to distribute materials. When it comes to
15 the emergency contracts, as you know Chair, MOCS does
16 not have a formal approval role. However, we work
17 very closely to less in our traditional oversight
18 role, more in our service role of trying to connect
19 agency, much as Executive Director McKenzie was just
20 speaking of with the various resources that can help
21 them. So, working with the Mayor's Office of MMWBEs
22 encouraging various small vendor various events in
23 which we can introduce MMWBEs and small businesses to
24 primes who might be able to utilize them, might be
25 able to improve outcomes but then as you know, also,

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2 when it comes to MMWBEs or small businesses, these
3 barriers to entry that prevent them from even
4 competing. Under this administration, MOCS has taken
5 a much different path of going and meeting vendors
6 where they are and trying to break down those barriers
7 so that these businesses can compete. Just to give
8 you some kind of brief overview, we are talking about
9 in terms of borough based in person trainings over 11
10 workshops held was 310 days. In terms of live
11 educational webinars over 18 training sessions we
12 have had 4.5 thousand attendees who are coming in.
13 These are vendors who do not know the system, who
14 have not been filed or registered before who are now
15 engaging with the system and are now able to compete.
16 So, in that sense, even though we don't have an
17 approval process with emergency contracts, we are
18 constantly trying to connect and educate the vendor
19 communities so that they are able to effectively
20 compete. There are not the technological barriers,
21 there is not the kind of somewhat emotional barriers
22 of just being confused by City contracting. So
23 through going out there, that's where we see a lot of
24 our success in terms of connecting agencies with
25 those vendors.

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CHAIRPERSON JULIE WON: For non-existing contracts, for nonemergent contracts for existing contracts, for every single agency can you lay out what the requirement are for food?

UNIDENTIFIED MALE 1: Oh, it would depend specifically on the contract Chair. I wouldn't be able to say explicitly what would be required in each contract.

CHAIRPERSON JULIE WON: So, you have no standardization for food procurement across the city agencies?

UNIDENTIFIED MALE 1: I wouldn't say that no. I would say that the good food standards and the way that agencies are required to put in their solicitation, those standards exist; however, the analysis it is not going to be set for one contract exactly what it says for food than for another contract. So, in terms of the solicitation, I guess I would take, the solicitation is where MOCS is engaging with agencies and saying you need to have the standards that we work with food policy on in your solicitation to make sure vendors understand that the data and reporting to make sure that they understand that so in that sense, you know, a vendor

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2 must be responsive to that solicitation so that is a
3 requirement. They must adhere to that in order to
4 effectively compete for the contracts. But I would
5 say that individual contracts will have different
6 requirements beyond that that I wouldn't be able to
7 say it's explicitly this across all the contracts and
8 in the good food standards those are applicable to
9 any contract that is within scope and would be
10 applied. So those standards certainly exist but to
11 your question of what would be required of a food
12 vendor on contract by contract basis is going to
13 depend on that.

14 CHAIRPERSON JULIE WON: Can you expand on
15 the Good Food Policy for each contract that everyone
16 has to adhere by for food because we are seeing a
17 food that clearly is not good.

18 KATE MCKENZIE: I am happy to respond to
19 that actually. Thank you for the question. Mayor
20 Adams in April of 2022 signed the Executive Order 8
21 that requires reporting. And what that means is that
22 for every new contract entered after April 2022 we
23 provide an Excel template in all of the things that
24 we want that require from the point of where is this
25 food packaged, where is it processed, where their

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2 ingredients come from all the way back to the level
3 of the farm. That gives like the line of site and
4 data visibility into the food that we wanting, right?
5 So, that is required across all contracts that are
6 newly entered. With that data, we then analyze it
7 and I will save that for a separate hearing to
8 discuss because I would love to do that. But we
9 require reporting, we require strict adherence to our
10 nutrition and mean standards. So, those, also happy
11 to provide a briefing around but those are both for
12 food and meal provide, meals served and purchased by
13 the city. So, in the instance that you are providing
14 here, you know, we welcome and part of the new food
15 standards is actually hearing from customers, our
16 customers across all city agencies, feedback about
17 the meals. We require that now where as we've never
18 done that before. So, there is an intentionality
19 about getting the feedback. But we should be doing
20 that all points in time so with what you raised to
21 the surface today, we'd certainly, I know my
22 colleagues with DHF will respond as well, take that
23 very seriously. And we will track that down. The
24 other thing I will just say is that we have an
25 enhanced focus on cultural and ethnic relevance

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2 within meals and so I know again for all of the new
3 procurements that H and H has offered, you've seen
4 that in the schools as well we are really striving to
5 make sure that the variety of cultures that we
6 experience in New York City are reflective in the
7 meals that we serve.

8 CHAIRPERSON JULIE WON: With the influx
9 of West African migrants there has been a higher
10 request for whole jollof meals and how is that being
11 administered in H and H and other shelters outside of
12 H and H so DHS, OEM, for the welcome centers, the
13 reticketing centers as well as the HPD?

14 KATE MCKENZIE: Sure. And again, I think
15 our experiences over the course of the COVID pandemic
16 really helped to bring this issue and this meet in
17 sharp resolution for us. I don't Ted, if you want to
18 speak from H and Hs perspective?

19 TED LONG: Yeah. That's a great question.
20 It makes me remember back to October of 2022, so
21 initially when we were starting to provide food for
22 asylum seekers the vast majority of asylum seekers
23 were coming from South America, Venezuela, Columbia,
24 Ecuador. There was a time and I believe it was in
25 October of 2022 where we had our first large group of

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2 West African asylum seekers or migrants that came to
3 our side of Randall's Island at that point. So, I
4 remember it literally happened in an afternoon. That
5 afternoon at our H and H site there, we brought in a
6 crew truck to be able to provide jollof foods and as
7 soon as they entered, they would automatically have
8 food that was culturally responsive and relevant for
9 them. That was day 1, day 2 to today we've made 100
10 percent of our food jollof at all of our H and H
11 humanitarian centers and arrival center so that
12 anybody coming from West Africa including we will
13 receive people Senegal, Mauritania, they being rest
14 assured that any food in front of them is jollof.

15 CHAIRPERSON JULIE WON: What is happening
16 at DHS and the other sites?

17 KATE MCKENZIE: They'll be able to
18 respond to that.

19 JIM: Thank you, at DHS all our contracts
20 are written to include religious sensitive foods as
21 well as dietary needs as well as it is going to be in
22 our shelters. They express the need for a
23 specialized meal related to that we provide it.

24 CHAIRPERSON JULIE WON: Can you help me
25 understand what avenues especially migrants who don't

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2 speak English and do not have working cellphones have
3 to report when they are being fed spoiled food, other
4 than showing up at my office?

5 KATE MCKENZIE: Ted, would you like to?

6 TED LONG: Yeah. I'll start again from
7 the point of view of H and H and then my colleagues
8 can add on. So, what we've done at H and H to help
9 give asylum seekers an opportunity to give us
10 feedback is we've proactively done surveys of them so
11 they can rate each individual meal. We've done door
12 knocking to make sure that people have a chance to be
13 able to weight in and that's enabled us at H and H to
14 not only get feedback and I should also say the way
15 that we distribute food, we have a point person for
16 receiving feedback so as we receive feedback or as
17 people literally vote on the individual meals to see
18 which ones they would prefer to have more or less of,
19 enables us to make sure that we are being responsive
20 so that we can tailor meals to everybody at our
21 sites. One challenge just to put out there, is of
22 course, it's hard to have a single meal that might be
23 appealing to somebody from the Ukraine, from
24 Venezuela and from Senegal and if you asked me what
25 meal I would give to people from all of those places

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2 I wouldn't know what to say so we did the only thing
3 we could do which is again have people from every
4 country come in to us which is now tens, hundreds of
5 countries, tell us what they want. And through that
6 voting it turns out that there are actually some
7 pretty common things. For example, I think I've
8 shared this before but it seems that from across the
9 world nobody likes roast beef which I don't like it
10 either, so we've taken it off the menu. But also, in
11 doing this, it has enabled us, which has informed our
12 overall efforts to figure out what meals people do
13 like. And it turns out that our most highly rated
14 meal from people from Senegal to Venezuela is Italian
15 Food. So, as we have gone forward, we continue to do
16 things like that and then it gives us more
17 information literally from the people that we are
18 serving about what their priorities might be that we
19 can meet as a city.

20 CHAIRPERSON JULIE WON: The largest
21 complaints that I get are from DHS shelters, what
22 avenues are you providing for your shelter residents
23 to give feedback on the food?

24 JIM: Thank you. At DHS, you know, we
25 utilize language access program to help communicate

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2 first of all. This is how we get information from
3 the clients and understand exactly what their needs
4 are. We do go out and get sampling of the food, make
5 sure it meets the food standards as well as the menus
6 that are provided that are pre-approved by our
7 nutritionist to make sure that they are in compliance
8 with the Food Standards. This month we are looking
9 to start implementing as we said earlier, client
10 surveys, so we can understand the needs and you know
11 look to make adjustments in the future. It is a
12 pilot and you know we're hoping to, you know.

13 CHAIRPERSON JULIE WON: So currently
14 there is no avenue for them provide feedback? There
15 are no current surveys being administered in the DHS
16 shelters?

17 JIM: The surveys will start being
18 implemented by the end of the month.

19 CHAIRPERSON JULIE WON: By when?

20 JIM: The end of the month.

21 CHAIRPERSON JULIE WON: Okay.

22 JIM: By next month.

23 CHAIRPERSON JULIE WON: So, we will
24 continue to follow up on that?

25 KATE MCKENZIE: Yes.

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TED LONG: I think I just want to emphasize, you know, what we've done at H and H, the surveys that we've done has helped to inform, you know, our city partners about being able to take this sort of approach and even inform specific meals that people could also -- that we could share across our sites. And I also just wanted to emphasize the one thing we talk a lot about with DHS is that we all have certain standards that cut across like our New York City Healthy Food Standards which we implement the same way the DHS does as well. So, it enables, you know, me as a primary care doctor to know that we are all thinking about what's best for our children.

CHAIRPERSON JULIE WON: Can you help me understand why there are so many different price caps for food spending across all the agencies and then for example in DHS why there is such a wide range of food caps per day or for the per diem for three meals per day ranging anywhere from \$3 up to \$15? Can you help me understand that difference and all the prices?

UNIDENTIFIED MALE 1: From MOCS perspective of course, when it comes to the negotiated terms the quality of the kind of business

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2 decisions that the agencies are making, those are all
3 going to be dependent on the negotiating stance that
4 those agencies face. So, the procurement rules are
5 not going to speak to the issue that you raise, it's
6 going to be a question of what the agencies need and
7 how to get it. When it comes to specifically to
8 emergencies, I would note we often when an agency
9 comes up with an emergency need, one of the first
10 things that they are recommended to do is go to speak
11 to any other agency that is procuring something
12 similar and try and find out what their prices are
13 and to try and match them and use those terms if you
14 can. It's not always possible. So, the procurement
15 rules and the procurement process will not speak to
16 that process. It will be dependent on what the
17 agency needs at that time what they negotiate for.
18 So, it's not specifically.

19 CHAIRPERSON JULIE WON: So can you help
20 me understand why for sample, a provider in my
21 district, ICL has three shelters and at all three
22 shelters they have been in service a few years and
23 this is separate from the one that I got this food
24 from. Why does ICL have three separate food
25 contracts with Regina's Caterers where one is a

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different price point from the next and the price point fluctuates for all three meals per day, why is that?

JIM: So, I really can't speak to that Chair Won. I would have to defer to the contracting agency as to what contracts you are referring to.

UNIDENTIFIED MALE 3: So, yeah. Sorry. So, the primary contract as you know are with service providers. They then undergo a competitive bidding process. We from the MWBE team side per the Executive Order 34, they are required to secure at least one bid from the MWBEs part of that solicitation and so we resource those human service providers with less MWBEs extensive lists particularly in the food area for MWBE participation. I will note that we are at 35 percent MWBE utilization in food for this emergency and we think it comes out of some of the efforts that we've made to try to bridge that relationship between MWBEs and those contracting providers. That being said, each one has their own solicitation process so we're basically trying to inform that process. First of all, there is the PPB that they need to abide by and then there is the food standards that they need to

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2 abide by. And then beyond that there is a minimum of
3 three bids that they need to get of who they choose
4 to invite to bid, I don't want to over speak, but I
5 don't know that we have the ability to tell them who
6 to invite so they may have a relationship with them.

7 CHAIRPERSON JULIE WON: I'm not concerned
8 with who is bidding. What I'm asking is why does DHS
9 have a different price cap at different shelters even
10 though you are administering three meals a day. Why
11 are you ranging anywhere from \$6 or less up to \$15
12 even if it's from the same caterer or vendor for the
13 same exact quality of food. So, I literally have
14 photos from all three ICL sites where I took photos
15 of Regina's Caterers food where they are giving you
16 the same exact breakfast, lunch and dinner yet you
17 are charged, you are being charged more than \$6 at
18 one, \$15 at another and \$9 at another, why is that?

19 JIM: Again, as was mentioned earlier
20 everything is done through competitive bidding, you
21 know so the finders go out and solicit their three
22 bids, you know it's based on competitive bidding
23 process. Why they'll be different prices from the
24 same caterer I would have to get back to you. I
25 don't have the answer for that.

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CHAIRPERSON JULIE WON: So, this question then brings me back to MOCS of help us understand why there is no quality assurance for the food being sold or being provided for us. And secondly why is there no standard relation or oversight or accountability for one caterer that clearly is not a good actor but has multiple complaints throughout the city about the quality food yet they are also charging you a very vast different amounts for the same exact meal that they are administering across the city. Help me understand why that has not been addressed?

UNIDENTIFIED MALE 1: So, Chair Won, I would say certainly you were speaking about Contract Management. You were talking about once something is procured how is it being delivered. So, with that aspect agencies are certainly required to perform their performance evaluations before they engage with the vendor, they are required to find a responsible but when it comes to ensuring that product, I needed to say that the procurement rules do not speak to that affect. So MOCs' role is certainly going o be ensuring we maintain the vendor antennary database and we maintained the database where people share performance evaluations. But it is be that feedback

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of something is not working, a vendor is not responsible if that is the case, I can't speak to that. That is going to be a determination made at an agency level.

CHAIRPERSON JULIE WON: So, or MOCS there is nothing that exists that ensures on every single agency that if they are procuring the same food from a same vendor that we should not have 15 different price points from them.

UNIDENTIFIED MALE 1: I would say that we certainly whenever anything like that is pointed out would want to encourage the agencies to get the most competitive prices possible, the best prices possible. I guess I would say that certainly the procurements rules do not prevent such. I think whenever something like would come up, not just MOCS but I would imagine OMB and the various other oversights who are involved in an operational capacity beyond just the procurement rules capacity beyond just the procurement rules capacity like MOCS would have concerns over that so when we do see that and I've seen it in my work I have raised to the agency of noting that there is a difference but and certainly when it comes to poor performance that's an

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2 incredibly important task that agencies ensure that
3 any poor performance is noted. So again, I can't
4 speak to the specific vendor or that contact but if
5 there is poor performance that should be and needs to
6 be noted in line with the procurement rules so that
7 agencies are able to make responsible decisions.

8 CHAIRPERSON JULIE WON: Can you help me
9 understand, again, I still don't feel like I'm
10 getting the answer, why are there different price
11 caps per contract for food?

12 KATE MCKENZIE: Chair Won, if I may
13 because I think you raised an important point and I
14 will also share that in the myriad of understandings
15 about food procurements we have come to learn let's
16 use this example of a prime vendor. Then we have
17 some of the shelters that are managed through
18 nonprofits that select subcontractors to provide
19 their food services. So as where the price for what
20 we get is a prime contract is one thing with a kind
21 of a scale and everything else if a non-profit or
22 another entity is then leveraging its subcontract,
23 they don't quite have the economies of scale. That
24 might provide some insight into the differences in
25 price point which we are I think in aggregate and

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2 service to the work of MMWBE getting more clarity
3 and line of sight the hard to find which are the
4 subcontractors. Right, we have clear line of sight
5 into the prime vendors that we have for food service
6 and food contracts but then in the myriad of things
7 that primes identified as subcontractors for all
8 types of services that's where we're pressing to know
9 more and more so that we can achieve all of our
10 goals certainly across MMWBE and small business
11 spans but of course around things like meal quality
12 and adherence to standards and understanding and
13 supporting our other food policy goals as well.

14 CHAIRPERSON JULIE WON: For DHS what is
15 the highest cap that you have for food spending for a
16 per diem per day?

17 JIM: I don't have that information.

18 CHAIRPERSON JULIE WON: What is your
19 lowest price plan for food per day?

20 JIM: I don't have the information on the
21 price range.

22 CHAIRPERSON JULIE WON: Okay. We will
23 follow up and what is the price point for the price
24 for the cap for meals for H and H?

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TED LONG: So, the price point for the meals they went through the RFP process that they are currently going through but we are about to on Thursday present a resolution to the Health Board to do the contract with new contracts with up to four vendors. There is a cap in the RFD and that is per diem meaning three meals, a total amount of \$14.40.

CHAIRPERSON JULIE WON: Okay. Thank you. And we will follow up with HPD for their HERCs for their per diem per day. And we will also follow up with OEM and we will follow up with the welcome centers and the respite centers as well depending on who is administering them. It is great to hear about your MWBE stats, can you tell us how many small businesses are engaged in the shelter food procurement process currently?

UNIDENTIFIED MALE 3: I'll go ahead and answer for DHS and that is out of 78 contracts 37 are with MWBEs. And my preliminary numbers here look like 51 million, a little over 51 million in total value.

CHAIRPERSON JULIE WON: Okay. So, for 37 MWBEs you are saying that they are small businesses?

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UNIDENTIFIED MALE 3: 37 MWBE contacts,
correct.

CHAIRPERSON JULIE WON: With small
businesses, not just large caterers?

UNIDENTIFIED MALE 3: I can't speak to
the character of the businesses. I don't have that
data in terms of how large the organizations are but
they are certified MWBEs on the online director.

CHAIRPERSON JULIE WON: Okay. I'm going
to pass it over to Julie Menin. Councilwoman Menin
to continue questioning.

CHAIRPERSON JULIE MENIN: Thank you so
much Chair Won, I really want to build upon what
Chair Won was asking you. It's kind of incredible
testimony today to hear that there are these
desperate price points across various agencies.
Right now, the administration is asking us to accept
cuts to education, sanitation and critical services
and yet the administration has a system where you
have various agencies using different price points.
Why isn't the City of New York harnessing its
purchasing power on these contracts to drive the
price down?

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2 UNIDENTIFIED MALE 1: Chairman, I'll
3 start if I may just holistically. I think as I
4 testified before in the emergency setting, I think
5 when you talk about the system, agencies have various
6 options of what they can use as we've said in this
7 emergency, we've encouraged them to use every tool in
8 the tool box and the various different things. So,
9 for example, leveraging existing contracts will allow
10 you to get a price that you likely negotiated and led
11 a less stressful environment or an environment that
12 was better for you. So sometimes being average to
13 leverage those will give you one price and then on
14 the other side leveraging intergovernmental contacts
15 as happened with Gardner for example. That was a
16 contract that was leveraging not just the City's
17 purchasing power but really the purchasing power that
18 the Federal Government was able to negotiate with
19 that company and then we are able to better pay you
20 off of. So, in other instances the agencies have
21 determined that they have to make one off
22 procurements for whatever operational needs they may.
23 So, I would say that there are different tools that
24 have been used that will reflect different prices. I
25 can say that holistically encouraging agencies to be

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2 constantly reevaluating the prices that they got
3 especially during emergency situation is acting the
4 policy --

5 CHAIRPERSON JULIE MENIN: Let me just
6 interrupt you. Has the administration had and can
7 you provide to our committees any correspondence, any
8 email, any directive from the administration to City
9 agencies to harness their purchasing power to drive
10 down the price of these contracts?

11 UNIDENTIFIED MALE 1: Well, I certainly
12 can't speak for all aspects of the administration. I
13 can only tell you that for myself, I mean even as
14 recently as August 17th, I personally hosted a
15 training for agency personnel in which that was on
16 the slides of saying utilize other agency contracts
17 intergovernmental master contracts. Over 300 agency
18 personnel attended that training. So, I can speak
19 from the office there I work for, but that is
20 something that we have actively provided guidance to
21 an agency as recently as August 17th.

22 TED LONG: I can give an example of how
23 we've worked to harness our purchasing power to drive
24 down costs too. So, when we started with our
25 humanitarian centers, we had two. There was DeRail

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2 (phonetic) hotel and there was Randall's Island. The
3 first time we set up there. At that time we had to
4 move at emergency speed so we really did not have
5 time to go through the formal RFD process which is
6 the best way to competitively lower costs so when you
7 are moving at emergency speed, we have a standard
8 operating procedure for emergency contracts but often
9 times of course if you are moving that fast, you
10 aren't able to get the possible rate and we've over
11 time been able to dramatically reduce the amounts
12 that we're spending per diem or for three meals a day
13 per person in our humanitarian centers and now we're
14 spending the lowest amount that we spent today driven
15 by RFP process that we are just completing now. In
16 terms of purchasing power at my H and H sites we
17 provide more than 430,000 meals a week. That's a
18 pretty big number. So, leveraging that purchasing
19 power and RFP process where people had to bid up to a
20 cap, meaning a maximum at \$14.40 has enabled us to I
21 think, you know, from the humanitarian center
22 standpoint to see how much lower we could bring down
23 costs with the magnitude of meals we're offering each
24 day or each week rather.

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CHAIRPERSON JULIE MENIN: You mentioned the \$14.40 per diem. How does that compare to other agencies? I know, you need to be able to answer. I mean this is a hearing on this issue so, you all need to be able to answer this very rudimentary question.

KATE MCKENZIE: I am not familiar with the DHF numbers but what I will just add some additional color to is that \$14.40 or any of the cot per meal are the cost fully loaded. So, what that means is the cost of the food, the preparation of that food, the packaging and the distribution. So just to be clear, it's all of those items.

CHAIRPERSON JULIE MENIN: Uh-huh.

KATE MCKENZIE: And I defer to DHS to speak to the cost of meals.

TED LONG: Let me. If I could jump in quickly before just to clarify. So, the \$14.40 which is in the RFP is the cap. Right now, we don't have the new contract from the RFP yet. It still has to go to my board on Thursday. So, we're under contract negotiation stage right now with the vendors that we would have contracts with if the resolution is approved by our board on Thursday but \$14.40 is not necessarily the amount that we will pay, that's the

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maximum per day per person for three meals that we put in the RFP that people bid for. I just wanted to clarify.

CHAIRPERSON JULIE MENIN: So, the information that we would like to get is for every agency that is dealing with food contracts in the shelter system, what is the amount of the per diem? That, like the first piece of information we want to get. Secondly, I want to go back to the beginning of the asylum seeker crisis and understand did the administration across any agency and I guess it is probably best directed to you. What were the food contracts that the administration entered in to? Were they all no bid if you could specify and where were these businesses located? I.e. were they out of state?

KATE MCKENZIE: Sure. Well like what I recall from those times are that once again, recalling on the COVID contracts that actually H and H was managing, we were able to leverage contract with LIC Commissary as an example. And once again leveraging the contracts, there was no procurement until September when H and H issued its RFP for HERRC, Humanitarian Emergency Respite and Response

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Center Meals. So, we were issuing procurement specifically by leveraging the DHS Service provisions.

CHAIRPERSON JULIE MENIN: So did any City funds, but let me ask it a different way then, did any City funds through the beginning of the asylum seeker crisis to today go to any company located out of state for food?

KATE MCKENZIE: I am not familiar with the details of the addresses of the vendors that but that is certainly something we can come back to.

CHAIRPERSON JULIE MENIN: This is a really important question. Because as you know, I have been very vocal. I wrote to the mayor a year ago urging that instead of utilizing these large scale catering companies which I believe some were located out of state, that instead, yeah, we heard that they were located in Texas and other states, instead to utilize our small businesses here in the city to provide the food. So again, the question is were -- do the Administration or any of these contracts negotiated with companies and implemented that were out of state. That's what we're really trying to get at.

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2 UNIDENTIFIED MALE 3: So, thank you so
3 much for the question, and I appreciate the focus.
4 We will certainly get back to you in numbers,
5 certainly get back to you on out of state vendors.
6 Those are two questions that I just heard from you.
7 I will say for us local spending is incredibly
8 important so the list of MWBEs that we are providing
9 to our human service providers are actually sorted by
10 the codes that they can find by the restaurants or
11 handyman or security or whatever other businesses
12 they were looking for to support their work that are
13 near them so that we can promote that local spent.
14 And then to the question about competition, I just
15 wanted to after confirming with my colleague, my
16 understanding is that any number of emergency nature
17 of a procurement the number of respondents to a bid
18 solicitation or RFP and whether it is an existing
19 contract or a human service provider contract all of
20 those things can influence what the end price is.
21 And to the degree that they're solicited by the human
22 service providers, we're providing guidance and we're
23 providing oversight but we are not involved in their
24 bid processes, so the numbers can vary depending upon
25 their bid process and their internal bids.

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CHAIRPERSON JULIE MENIN: It's confounding. You must have a list of contracts that have been entered into since the beginning of this crisis. I mean this has to exist, this list.

TED LONG: I can just to jump in. So, speaking of course from the H and H point of view, so in terms of food contract since the beginning of the crisis, when we opened our first humanitarian enter on October of 2022. We've had two food contracts. The first with LIC Commissary which is of course to be precise to your question in Long Island City and that contract is based on in terms of our diligence for it. An RFP that we conducted around COVID for similar services in 2021 where LIC Commissary was selected through that RFP process. And again, I just want to emphasize October of 2022 thing were moving incredibly fast, we were working as hard as we could as a city to keep up with the volume of asylum seekers coming in so we had to act at emergency speed with emergency contracts and that's why at H and H where we operate without emergency rooms, we have the standard emergency operating procedure for acquiring contracts like this. Throughout the last year though as you noted earlier, we entered into a second

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2 contract with Rethink Food, again supporting the
3 local businesses and they actually were one of the
4 winners of our evaluation process for our RFP for
5 food contracts moving forward. So, 100 percent of
6 the contract that we've had for our H and H
7 Humanitarian right now are from local vendors because
8 it is those two and then going forward, we have four
9 we will be proposing on Thursday.

10 CHAIRPERSON JULIE MENIN: And are there
11 any impediments, why couldn't the administration take
12 all of these food contracts, which, well first of all
13 let me ask is it correct that we are talking about a
14 sum along the lines of \$500 million? What is the
15 actual amount that the administration is spending on
16 food procurement in the shelter system?

17 TED LONG: I again can speak just on
18 behalf of H and H you know, defer to my colleagues.
19 So, the data I'm about to share with you is from our
20 public health and hospitals boards finance committee
21 meeting from last week. So, to date for LIC
22 Commissary we have paid out \$42.5 million through
23 October of 2023. For Rethink Food \$18.3 million
24 through October of 2023. That is our spending that's
25 been paid out to date for this --

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CHAIRPERSON JULIE MENIN: But across every agency, what is the overall spend? What is the total net?

KATE MCKENZIE: What I mentioned, well the spending, I can't speak to the spend to date but we have a like for instance each of those contracts has a ceiling, right, a do not go over. And the total value for prime food contracts for asylum seeker operations is roughly \$463 million. The do not exceed, and so what my colleague Ted has explained is that is a number that has been expense to date.

CHAIRPERSON JULIE MENIN: And that is across all city agencies?

KATE MCKENZIE: Across the agencies that are serving and providing support through the asylum seeker crisis. DHS, H and H, HPD.

CHAIRPERSON JULIE MENIN: So again, I guess this goes back to the initial line of questioning, is why can't and given this -- and this is an enormous sum of money that the City of New York is spending. And so, on the one hand the mayor is saying cut education, cut sanitation, do all of these decimating cuts which the council has clearly pushed

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back on. This is an enormous amount to bring the price down, why can't you harness the purchasing power, cross these agencies, you don't have agencies at different per diem price points and you could drive the price down.

KATE MCKENZIE: I love the question. I also know from my -- those meetings that I explained that we attended the opportunity centers, the meetings that we have had at City Hall particularly with MMWBE vendors, driving down cost is not possible for all to play. We've got a lot, you know, I think I mentioned 63 percent utilization in MMWBEs not all of them can hit the lowest price point. So where as I think Ted's language, right of the do not exceed number is important but driving the race to the bottom is perhaps not the only way to reach those the cheapest prices for all to participate in contracts.

CHAIRPERSON JULIE MENIN: Of all the food contracts that the administration entered in to since the beginning of the asylum seeker crisis what percentage and what is the dollar amount that were no bid as opposed to three competitive bids?

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KATE MCKENZIE: I don't have that information right now.

JIM: We utilized our existing contracts that were in place prior to the crisis. So --

CHAIRPERSON JULIE MENIN: I'm sorry. I can't hear you. Could you repeat.

JIM: I'm sorry. My voice is a little hoarse. No. We utilized all three contracts that we utilized were in place prior to the crisis. That's what we continue to use.

CHAIRPERSON JULIE MENIN: So, they were three competitive bids? These were pre-existing?

JIM: Correct. Pre-existing competitive bid through an RFP process and prior to the crisis.

KATE MCKENZIE: And I will add to that that we are also looking again with our support from MMW Mayor's Office of the MMWBEs at pressing on those prime vendors to maximize new subcontractors in those agreements. And so, for instance, Witsons is one that I believe has just entered into some new and exciting small business MMWBE subcontracts with that prime that was awarded competitively several years ago.

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CHAIRPERSON JULIE MENIN: Okay. I have actually many more questions but I want to turn it over to our co-Chair, Chair Farías.

CHAIRPERSON JULIE WON: Before we turn it over, I just want to acknowledge Council Member Avilés, Council Members Brooks-Powers and Council Member Vernikov has also joined us.

CHAIRPERSON AMANDA FARIAS: Thank you Chair. I'm kind of at a loss right now, I feel incredibly frustrated with some of the responses that we're getting or some of the lack of information that has been brought to the hearing. I just want to go back just so I can get some clarity and hopefully maybe ask if you understand that we do not have these things. Do we have a list of set mandatory food quality standards?

KATE MCKENZIE: Yes.

CHAIRPERSON AMANDA FARÍAS: Okay. Do we have that list available right now for us to see that over every contract the list of a quality food standards are x and has to be included in every single one of the contracts despite the differences of length or type of food varying times a day?

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2 KATE MCKENZIE: We are happy to provide
3 you that right after the hearing. It is also, the
4 City's food standards are available on the Mayor's
5 Office of Food Policy Website, on the Health
6 Department website, and across all City contracts.

7 CHAIRPERSON AMANDA FARÍAS: Okay. And
8 then in terms of and I have not looked up the, do the
9 quality food standards explicitly say what
10 contractors like chicken has to be cooked at x
11 degree?

12 KATE MCKENZIE: Yes.

13 CHAIRPERSON AMANDA FARÍAS: Yes. Okay.
14 What happens when, I know we mentioned like there is
15 analysis of the food quality of the contracts of the
16 types of services provided, when does the analysis
17 and the review of complaints happen and how do we
18 move forward?

19 KATE MCKENZIE: So, I'm going to answer
20 that in two parts, one annually in partnership with
21 the Health Department my office releases a report on
22 adherence to City food standards. That will be
23 coming out later this month on the previous fiscal
24 year.

25 CHAIRPERSON AMANDA FARÍAS: Okay.

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KATE MCKENZIE: So, adherence to City's food standards. I do want to recall that the new requirement specifically to require client feedback went into place this fiscal year.

CHAIRPERSON AMANDA FARÍAS: Okay.

KATE MCKENZIE: So next year we'll be raising and elevating that feedback but it just went into requirement we're almost at the -- so for six months it has been a requirement and then we will report on that feedback annually. So, we don't have a report to issue that feedback because the requirement is brand new, effective in July.

CHAIRPERSON AMANDA FARÍAS: And contracts are annual?

KATE MCKENZIE: That varies. In some cases, just to recall we've got food contracts which are in short like a grocery list, the Department of Education will say we need to buy these items, right? My colleagues here are describing meals, so they need meals that meet specific requirements including temperature controls, time, including cultural relevance and the nutritional quality and value of that meal. So those are the meal contracts and some of them, you know, I can't speak, I think what is

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your term, right now. One year, because hopefully we won't be doing this a year from now but the asylum seeker contracts are entered in for one year. In some cases, agencies have three year contracts. In some cases, they are one year, competitive bids. So that is the facts of the food procurement.

CHAIRPERSON AMANDA FARÍAS: Okay. So how do we then take the analysis, this report, on contracts that are mid-contract or have longer periods of times, do we reevaluate those contracts?

KATE MCKENZIE: Annually.

CHAIRPERSON AMANDA FARÍAS: I understand annually but I'm saying if I was a vendor and I have a three year contract and a report came out and said my quality standard is not meeting, is not up to par, everyone hates my food. Do I then -- does the City then go back into that contract and say we are revoking this contract or do they get to continue presenting poor quality food for the next two years?

JIM: Yeah. With DHS we have a team that goes out and constantly looks at the food. Looks at, makes sure --

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CHAIRPERSON AMANDA FARÍAS: We understand. We have four things in front of us that people do not like that is still being served.

JIM: So, in the event, you know, it's raised to our attention about the quality, we will investigate you know the items or issues that are going on. We will put -- we will call the vendor in we will express our concerns. And if necessary, we will put them on a corrective action plan that they are required to meet. Ultimately, you want to them to prove and give the best quality of service. In the event that they can't meet that standard, yes, there are clauses in the contract that they can be terminated.

CHAIRPERSON AMANDA FARÍAS: How many providers have we put on?

JIM: We only have the three vendors and we had not been able to put them on that. The providers you know they have various vendors.

CHAIRPERSON AMANDA FARÍAS: Can you share the names of the three providers?

JIM: I believe it's in previous testimony, Wixtons, Regina and Dahl. The three --

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CHAIRPERSON AMANDA FARÍAS: What was the last one?

JIM: It's Regina, what?

KATE MCKENZIE: I believe the three primes are Wixtons, Regina and Dahl.

CHAIRPERSON AMANDA FARÍAS: For DHS, can you tell me how many people are on this investigation team?

JIM: There is a few people, primarily it's our nutritionist that works through the agency and the people that help administrate the contacts.

CHAIRPERSON AMANDA FARÍAS: So how many people in total in the agency do this work?

JIM: I don't have the exact number.

CHAIRPERSON AMANDA FARÍAS: Okay. So, we'll follow up with the exact number of how many people do this work. And how often do they go out to these the investigation?

JIM: I would have to get back to you on that as well.

CHAIRPERSON AMANDA FARÍAS: Okay. So, you don't have --

JIM: It is, they do have, you know, often but I don't have the exact number.

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CHAIRPERSON AMANDA FARÍAS: Since you currently don't have a survey system, so how have you found out where to investigate and when?

JIM: Again, I would have to get back to on that.

CHAIRPERSON AMANDA FARÍAS: So, we will have to follow up on all of these questions. Just for the DHS, has no system or no avenue of getting feedback or reporting the food quality and it is unclear how often these investigations are carried out. I'm going to --

UNIDENTIFIED MALE 2: One thing, if I may before you move on. Just regarding the prior question of local sourcing, of the MWBEs awarded contracts which represented roughly \$284 million that represented roughly 161 unique vendors and all of those vendors are New York City based.

CHAIRPERSON AMANDA FARÍAS: Great. Thank you. And just a couple of more. In terms of compared contrasting the bids versus the highest point where they can't go over versus the lower lids that we have. You folks were saying that we are using some of our contracts as leverage to get lower bids or to meet standards. I would like to know how

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are we compare contrasting the bids that out there at least from the same companies maybe in a different agency or within the same agency but giving us different price points for the same food standards.

UNIDENTIFIED MALE 1: First, I'll start Chair Farías. In terms of the leverage just to be clear, when I mentioned leveraging it was regarding leveraging existing contracts.

CHAIRPERSON AMANDA FARÍAS: Right.

UNIDENTIFIED MALE 1: As opposed to entering into a brand new.

CHAIRPERSON AMANDA FARÍAS: That's what I'm saying. If we have an existing contract that they are giving -- that we are paying \$8 for each meal, three times a day and then they give us another bid for another contract at \$15 where is the leverage point saying well you actually are only getting paid \$8 on this other contract for the same length of time, why are you then now charging us \$15? We are not willing to pay that, you are not giving us the lowest bid as you did before. And less as a company who has worked in a non-profit before this who tried to level on multiple points to get the lowest cost per participant on a lot of my trainings. I

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2 understand what you are trying to leverage but what
3 I'm asking is how often are we doing that and looking
4 at these contracts that have the lowest point that
5 are giving us good quality, poor quality, mediocre
6 quality food with the same vendor and then saying how
7 dare you have the audacity to give us a contract bid
8 of \$15 which is almost double the amount if you're
9 not showing us that packaging has increased, delivery
10 has increased, local logistics has changed the impact
11 of how your packaging or sourcing this food or
12 delivering this food.

13 UNIDENTIFIED MALE 1: So yeah, I'll turn
14 to DSS in terms of how they analyze that because it's
15 going to be a process of what are they currently
16 paying and then what are the conditions upon which
17 they are negotiating again. As we have touched upon
18 a few times, especially when it comes to an emergency
19 contract, you might want to say, okay, here's what
20 you're paying me now for x amount, I need three times
21 as much, can I get it at the same price, and if I say
22 no of course for understandable reasons. So, I'll
23 turn to DSS if they have any specific insight in to
24 how they analyze that. But that exact question
25 Chair, is a very important aspect of emergency

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2 contracting and make sure that you are analyzing that
3 always.

4 CHAIRPERSON AMANDA FARÍAS: Okay. The
5 last question I have since there is no additional
6 information on there. How will the comptroller's
7 revocation of prior approvals for emergency
8 procurements impact future food contracts at city
9 shelters?

10 UNIDENTIFIED MALE 1: So, Chair Farías,
11 in terms of the Chief Council Zornberg said last week
12 and what OMB Director Jihad said yesterday, the hope
13 is that the disruption will be minimal, prior
14 approval in standard so to speak if it ever could be
15 standard, circumstances could take one to two days
16 and we are hopeful that it will not impede with the
17 way we go forward. We are hopeful that the
18 comptroller can continue to be a partner and improve
19 this quickly and efficiently.

20 CHAIRPERSON AMANDA FARÍAS: Okay. Thank
21 you.

22 CHAIRPERSON JULIE WON: Just to be clear,
23 we currently don't have emergency food contracts any
24 longer in any of our migrant shelters. That's what I
25 was under the impression of.

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TED LONG: Well at our H and H Humanitarian Centers we currently do as we are transitioning now to select and go in to contracting assuming the Health and Hospital Board approves our ability to go in to contracting with the new vendors that were selected through the RFP. I just wanted to drop that distinction.

CHAIRPERSON JULIE WON: Okay. Thank you I am going to turn it to over to Council Member Brewer for questions.

GAIL BREWER: Thank you. I have three questions starting. Thank you Dr. Won for calling this morning. Thank you. More to be discussed, I guess. Number one is, I understand that Health and Hospitals doesn't have to be as transparent. Do these two food conducts that you see at emergency do they go through People Soft? And the reason I ask, is it is very hard to get those receipts. We've been trying through the Committee of Oversight and Investigations. And my question is, do you get any federal reimbursement through H and H, maybe through others also for any of the food, because the transparency on all contracts is poor so how does it

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2 work for the food, you've got I would say two here
3 but how does that work?

4 TED LONG: Yeah. And Council Member
5 Brewer.

6 GALE BREWER: Yes, Dr. Long.

7 TED LONG: So, you are going for actually
8 the most important thing I'll say. And then I will
9 precisely answer your two questions there. If there
10 are ways that we could be more transparent we would
11 love to know how?

12 GALE BREWER: Do you use People Soft?

13 TED LONG: We use People Soft as one of
14 our -- we use it for HR, things like that.

15 GALE BREWER: But not for food?

16 TED LONG: Let me double check the extent
17 of which if we use People Soft for food.

18 GALE BREWER: I think you do.

19 TED LONG: Okay. The way that our
20 contracts currently are orchestrated is to the LIC
21 Commissary the due diligence for that was based on
22 our 2021 RFP that we administered during COVID and
23 then Rethink Food, we have that as an emergency
24 contract as well. As we transition to the new RFP
25 selected vendors, we are going to be entering in to

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2 new contracts with them. For your question around,
3 will there be federal reimbursement to us
4 specifically for that, not as far as I know but I
5 think there should be. So --

6 GALE BREWER: The reason I ask is it is
7 very hard through People Soft if food goes through
8 People Soft to get the receipts that would then
9 enable not only oversight from us, DOI, Comptroller
10 but also for the feds. Nobody can get the receipts
11 from People Soft.

12 CHAIRPERSON JULIE WON: Dr. Long, if I
13 could just add, People Soft is a human capital
14 management software that your team has shared that is
15 now being used currently to process invoices which is
16 not what it's used for on a common sense. So that's
17 why she's asking if you, for your food contracts so
18 now you're embarking on to new contracts, will you be
19 purchasing, invoicing and making payments through
20 People Soft, and if you don't know the answer now, we
21 will follow up for that information.

22 TED LONG: So, two things, one, in terms
23 of the contracts, both the existing and new
24 contracts. For the existing ones, I know that we
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have shared them with Council and we are of course committed to continuing to share.

GALE BREWER: We need the receipts.

TED LONG: Correct. Any new contractors as well we would have throughout. In terms of the receipts, just to make sure that I give you Council Member Won a perfectly accurate answer. We will need to talk to our finance colleagues to make sure that I understand well enough to give you that answer there.

GALE BREWER: Okay. I got two other quick questions.

TED LONG: Yeah.

GALE BREWER: This is DHS, 320 West 88th Street, they have not been very helpful. But just so you know, all the neighbors complain because so much food has been thrown out on a regular basis. Brand new food, et cetera, spilled into the neighborhood, rats existed. The Department of Sanitation complained to me. So, my question is, we're dealing, I know how to deal, so I know how to deal with 320 West 88th Street. My question is, are you monitoring other sites where food could be thrown out, not H and H the DHS. What's going on? I mean a lot of food was thrown out?

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2 JIM: Yes. We've implemented a food
3 discovery report that is self-reporting. We will try
4 to evaluate that information to determine, you know,
5 the needs of food, especially if there is waste, we
6 don't want to deal with waste.

7 GALE BREWER: I deal with it all the
8 time. So how are you really monitoring it? People
9 don't want to tell you, we had to -- we saw it
10 ourselves, the neighbors complained, nobody from DHS
11 complained, how are you doing undercover monitoring
12 if that's the word to be used.

13 JIM: The other thing that I think was
14 mentioned earlier is there were no satisfaction
15 surveys, you know, to see if the food that is being
16 provided is being, are people actually eating the
17 food. I think that is part of maybe part of the
18 issue there that might be perceived waste. We are
19 trying to do satisfaction surveys to help guide us in
20 the future.

21 GALE BREWER: Okay. That's not the
22 answer I wanted to hear. I want undercover, I want
23 people to know more specifically. It just you could
24 do all the satisfaction, people aren't going to spill
25 those out so but you do seem to be much more

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2 cognizant of food being wasted. Okay? Number three,
3 local sourcing, everybody knows, that's my thing. I
4 want the City of New York to be local sourced. So do
5 any of these contracts, I guess they are five if you
6 add up DHS, H and H. What are we doing, and maybe
7 you will answer this, to do local sourcing. It's not
8 easy, I'm not going to say it's easy but what are you
9 doing for local sourcing for these contracts?

10 UNIDENTIFIED MALE 2: Well, I will repeat
11 again that I on the MWBE front of the \$284 million
12 that has been awarded, in that area, which represents
13 161 unique vendors, all of them were local to NYC.

14 GALE BREWER: I don't care about local.
15 I'm talking about the farm in, you know, Ulster
16 County. I'm not interested in local. I want
17 migrant, black dirt farms to be purchased, the
18 radishes, et cetera, that's what I mean local
19 sourcing.

20 TED LONG: I can jump in.

21 UNIDENTIFIED MALE 2: Okay.

22 TED LONG: So just to be precise so two
23 of the contracts of the forementioned, five are mine.
24 So, for LIC Commissary they do source from local
25 farms, specifically Maynard Farm and Orchard, Toy

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2 Hill Orchards, Williams Fruit Farm, Acebato Farm,
3 Intel Family Farm, Clinical Farm and Guizenski Ore
4 Farm. They source seasonal products.

5 GALE BREWER: Okay.

6 TED LONG: From these farms. And then
7 for Rethink Food, that's a different model as you
8 know, so we source locally from local restaurants for
9 that.

10 GALE BREWER: Okay. And how about the
11 other three contracts?

12 UNIDENTIFIED MALE 3: So, speaking to
13 those three contracts, I couldn't tell you what their
14 sources are. I don't have that information
15 currently. I can say that we have reached out to
16 local, in particular there are MWBE suppliers in the
17 world, small, everybody.

18 GALE BREWER: There are black farmers,
19 you can take it from the black farmers, that's fine.

20 UNIDENTIFIED MALE 3: Exactly. And so,
21 we've had matchmaking events where we've invited
22 those farms and then put them in one on ones with the
23 providers to try to create that relationship.

24 GALE BREWER: Do you know if it got
25 created or you are still trying to create it?

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UNIDENTIFIED MALE 3: Well, I can't speak to the outcome of the matchmaking in terms of the contracts for those specific suppliers but I am happy to look in to it and let you know.

GALE BREWER: Can you get back to the committee with what, it has been successful or not?

UNIDENTIFIED MALE 3: Absolutely.

GALE BREWER: I have a feeling it has not so I would love to hear about it. Thank you everyone. Thank you.

CHAIRPERSON JULIE WON: We're going to turn it over to Council Member Brooks-Powers.

SELVENA BROOKS-POWERS: Thank you Chairs and going back to where you were, Council Member Brewer was. I do want to go there on the MWBE conversation. Particularly, what initiative is it to provide technical assistance or streamline contracting requirements that might better enable small businesses, especially MWBE businesses to participate in food procurement and also, I am interested in knowing what outreach efforts exist to make food procurement opportunities accessible to small businesses, particularly MWBEs and is technical

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assistance offered to small business vendors to help navigate the solicitation process?

UNIDENTIFIED MALE 2: The general answer is yes. And now more specifically, as you all know, among the things you learned over the -- the COVID crisis and so on is to create matchmaking and create relationships between vendors and prime -- subs and primes so that when these opportunities come up, they area primed and ready for that. We at the Mayor's Office of MWBE we currently not only have weekly meetings with agency stakeholders regarding this particular crisis on what their actual contracts are and I'll get to the technical part on the actual upcoming contracts are and what if any challenges they are having in reaching MWBEs as potential partners in trying to provide services to this population. But then, you know not just the agency but SBS and our other partner at MOCs, we provide information in terms of technical documentation and training for MWBEs on how to navigate the City's term system so that they have as good as an opportunity as any other vendor to be successful on getting on these contracts. But again, and I say this from a couple of decades of doing this if the creation of the

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relationship that matter in the long run regarding creating successful MWBE engagement in any, in there whether there is a non-emergency or an emergency and in this case that's an ongoing activity.

KATE MCKENZIE: Okay. If I could also add on to that, I just want to draw attention to the first time, not the only time that we will be doing this. The Mayor's Office of Food Policy joined SBS and MMWBE office at the annual citywide procurement fair for MMWBEs at the Barclay center and these are seemingly small things but providing the significance in that was a calendar of when city food procurements are with those food and meal requirements, the food standards, how to achieve them and again those requirements as we always strive for more and better data collection of if you want to do business with us, we know this trade's ability in to where your food is coming from. So in addition to that, you know, we for years been having DCAS host an annual food expo but we are changing the timing of it to adhere to actually win like DCAS starts doing procurements for correction and for administration for children services in the summer, so we want to have that expo like in June so that it's like we know

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2 what we are going to buy in here, people that could
3 be entering into business with the City and tasting
4 their foods and things like that. And then I'm sure
5 Chair Menin is familiar with this, but the NYC small
6 business services team had launched NYC business
7 express service team or BEST. The initiative to
8 provide small businesses with one, one expert support
9 and streamline the interactions with city agencies.
10 So, these are all you know chipping away at that
11 effort to help make sure that, I think the success of
12 the work that we have done over the asylum seeker
13 crisis permeates into traditional food services
14 across the city.

15 SELVENA BROOKS-POWERS: Just a follow up
16 question and what triggered it is when you started to
17 talk about the prime vendors. How is the City
18 working to scale up the, particularly MBEs, right, to
19 be able to access and tap into these opportunities
20 better. How are you creating an environment where
21 MBEs could then become prime contracts as well? And
22 how do you feel like you are doing along that line
23 because the City for it to be one of the most diverse
24 Cities in the world quite honestly like we're not
25 seeing that correlation in terms of who is getting

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the contracts. Who is being the primed in New York City in terms of what the participation numbers are. They should not be as low as they are for New York City. So, I'm interested in understanding how are you working to scale up MBEs and how are you looking to ensure that they look up the prime vendors and create that environment to cultivate that?

UNIDENTIFIED MALE 3: Thank you so much for that question, Council Member. So, I'll say, we are doing a couple of things. One is sort of building on what you just heard; we're working with each provider to identify a MWBE liaison. That's a procurement specific or a procurement adjacent person in each human service provider organization who can walk MWBEs through the procurement process and that is key for the technical assistance part as well as the relationship building part. In terms of MBEs specifically, we per the list that I mentioned that we are searching and providing to the human service providers. I mentioned they were sorted by Zip Code. They are also sorted by S Gen group. And so, we're - and when we send that out to them, we're pointing to the City's overall numbers as you've -- as you've illustrated. Pointing out where this City's

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2 contracting is falling and asking for their help in
3 addressing that disparity. So that messaging comes
4 through and the resources we're giving them in kick
5 off meetings where we meet with them and
6 subcontractor approval processes when they give us
7 their list of subcontractors that go into, we're
8 looking at that with an eye towards the distribution
9 of the City's wealth through communities, through
10 MWBEs or MBEs as you say.

11 SELVENA BROOKS-POWERS: And I encourage
12 you to put together like a street team that can go
13 out and engage with the merchants and the businesses.
14 When I worked on the JFK Redevelopment Program, I
15 found that we would put out solicitation but
16 businesses would not be responding to it, one,
17 because it is overwhelming for them and they don't
18 really have the technical support they need to apply
19 to even really understand what the opportunity is in
20 front of them and especially as an MBE or getting
21 certified to be designated as one but we found that
22 when we had those individual conversations we were
23 able to one by one pull them in and I think that the
24 City may need to look at it in a more granular level
25 which I know Michael Garner is well aware because he

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2 did an amazing job at the MTA. But I really would
3 love to see greater participation and also see
4 greater primes that aren't minority businesses that
5 are engaged in these contractual opportunities.

6 Thank you Chair.

7 UNIDENTIFIED MALE 3: And forgive me for
8 not address this, your question about prime
9 contractors. We have talked to the human service
10 providers to ask for their help in identifying a
11 range of contracts so that they are not necessarily
12 trying to procure huge contracts from small vendors
13 where they are not going to be able to step in to
14 that opportunity, so there is unbundling happening at
15 the human service provider level as well and that
16 provides opportunities for MBEs or MWBEs to come in
17 at the ground level and then scale up using
18 subcontracting as a platform hopefully moving in to
19 City contracting and then moving into priming in both
20 context.

21 SELVENA BROOKS-POWERS: Okay.

22 UNIDENTIFIED MALE 2: Generally, if I
23 may, generally the idea of closing the disparity
24 within the disparity is a key initiative for this
25 administration. You know from Michael Gardner all

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2 the way up to the mayor and everyone across and in
3 between. So, we are gathering information as it
4 comes in where those disparities are, we're isolating
5 contracts that fall within that space. And we're
6 reaching out to those communities to -- to encourage
7 them to participate in the opportunities that not
8 just in front of us now but those that are upcoming.
9 And finally Council Member, I'm sorry. I did want to
10 highlight you mentioned the technical assistance and
11 an initiative has started just in the last year is
12 piggybacking off of the SBS projects of going out
13 there and being in the street one on one technical
14 assistance. MOCs role about MOC in your neighborhood
15 where that is exactly what we do. We stand there
16 with the whistle and wants to learn more, wants to
17 get filed a passport, wants to say where do I go
18 look. That's exactly what we're doing where we've
19 done, was it 11 events, almost 300 attendees 4,500
20 online which is different, not as person but that is
21 exactly what we want to do I think under the
22 leadership of Dr. Flores, Chief Garner and the Mayor
23 is status quo when it comes to engaging with our
24 MWBEs is not good enough and we're doing exactly as
25 you say trying to get that right personal one to one

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touch to make sure that they know, this is where you go, this is what you press, this is how you do it.

SELVENA BROOKS-POWERS: I would love to have that in my district so let's connect offline, thank you.

CHAIRPERSON JULIE WON: We are going to hear from Briefing Foods and Queens together at a later testimony where these non-profits help small businesses like small local mom and pop shops actually partake and they help with the assistance of all the administrative duties of going through Passport, et cetera, and allow them to be subcontractors if they don't want to do that, but I just want to point out that it's great that we are partnering with MWBEs and we want to continue to increase that but we need quality assurance. It is not acceptable, for example, the food that's in front of us, I, if anybody wants to eat it for lunch, be my guest. And if you read it, the label says like there is a shelf life of one month. So clearly Regina's caterers are producing the food, freezing it and it is edible for one month and the shelter providers are leaving it out on the table like this all day long, all three meals for people to just take without

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refrigeration. That is a real problem. So, from your perspective is that part of the Fresh Local Produce provided by the provider that's acceptable for it to be served to human beings?

KATE MCKENZIE: I can promise you that we will look in to this, it is unacceptable to have food staying out tablets that is required to be refrigerated.

CHAIRPERSON JULIE WON: Okay. Thank you because this has been raised to DHS by multiple people, multiple times, over the span of multiple years even before the mining crisis, so can y'all understand how these three primes were chosen by DHS? So is Winston, Dahl and Regina Caterers, why were they chosen and how? And which ones are MWBEs and other than Regina's Caterers?

UNIDENTIFIED MALE 3: So, I do want to just make a quick correction. In fact, the three primes are Dahl, Stillwell (R.C. Stillwell).

KATE MCKENZIE: That's Regina.

UNIDENTIFIED MALE 3: Is that? Okay. That's a DBA.

KATE MCKENZIE: That's Regina.

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UNIDENTIFIED MALE 3: Okay, understood.
All right. Thank you, and then Winston, sorry so
there's obviously a nomenclature issue here.

CHAIRPERSON JULIE WON: Okay. Got it.

UNIDENTIFIED MALE 3: I'll let my
colleague talk to the competitive process and the
standards that were used to decide the contract.

UNIDENTIFIED MALE 2: Thank you. As
mentioned earlier we use a competitive process, the
RP process. We closely with our Echo team, our legal
team for the solicitation. Once the solicitations
are received, we have an internal committee that will
evaluate the proposals. We usually take a range of
people throughout the agency, program, administration
and areas within the agency to help evaluate based on
the evaluation scores. We will then take the one
that scored the highest and bring the contractor in.
Make sure they understand the terms and provisions of
the contract and what the requirements are within the
contracts. As mentioned earlier, we spell out the
City Food Policy, make it very clear to them what the
-- you know what's expected of them. You know as
long as we feel that they can meet those requirements

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then we will go ahead and recommend that they be awarded so that's what happened with these.

CHAIRPERSON JULIE WON: How are you tracking the complaints that you get for these primes, like Regina's Caterers that has been happening for multiple years now?

JIM: As we get complaints, we investigate it to try to determine what the actual complaint that has been founded.

CHAIRPERSON JULIE WON: Have you had disciplinary action for Regina's Caterers for the years of complaints that we've received?

JIM: I don't have that information in front of me right now.

CHAIRPERSON JULIE WON: Because we've -- they also have two lawsuits. They have two lawsuits from 2021 and 2023 so Garrett versus Regina's Caterers as well as Polonco versus Regina Caterers June 2023 as well. So, I'm just trying to understand, I would like to see your evaluation sheet on how you evaluate your primes. A not good faith actor continues to be here doing business with the City for millions of dollars and the same way that H and H was able to share with us what LIC Commissary

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2 is receiving and Rethink Foods is receiving for their
3 contracts, we would like to see that for your all
4 three primes. And I know that your team is here with
5 you right now, could you please make sure that you
6 are able to get the information hopefully right now
7 on what your caps are for your contracts and why
8 there is such a wide range of your food caps per
9 shelter? And I just want to put on the record as
10 well LIC Commissary for the HPD provider as a
11 subcontractor for food has also received complaints.
12 One of the biggest complaints that we get across the
13 board is, and that was transitioned to Rethink Foods.
14 What we get across the board that we can get the
15 largest complaints about is cold food. So can you
16 help you me understand why the requirement is one hot
17 meal per day and two cold meals for the rest because
18 what we are seeing in a lot of the shelters, I get
19 large complaints is cold cereal for breakfast. It's
20 like a little container that you see in the grocery
21 store. It's a little plastic container with cereal
22 in it and then milk, sometimes refrigerated,
23 sometimes not. They are just being laid out and for
24 lunch it is usually a small PB&J sandwich or bologna

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or ham sandwich with a piece of cheese. So why is it only one hot meal per day?

KATE MCKENZIE: What I call tell you is that has been the pattern and the norm particularly in the homeless shelters for decades. That is also the case, lets remove the asylum seeker crisis for a moment. The, in homeless shelters the intention is to also encourage the individuals to go out and whether it is to look for jobs and do other things that's one aspect of it but what we wanted to do when we were standing up asylum seeker operations is to ensure a standardization of service across the board. And so, we wanted to do that again whether it is, you know, a cereal, a bagel, many different things, there are many different menus that are ways to reach that cold meal and then the one hot meal a day. And also, just noting, you know, with efforts to align all of our food costs into make sure that we get healthy, delicious, culturally appropriate foods at a low price point that is the one hot meal, particularly people need that hot meal to have it feel like a meal but that was an effort to maintain calories and nutritional needs but also the hot meals are typically the higher price point meals.

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CHAIRPERSON JULIE WON: It is difficult for me to agree with the lowest price point because the lowest price point seems to vary so widely even within one agency. So that's the difficulty that I'm having understanding. So, could you please just issue is Winston and Dahl are they also MWBEs or no?

UNIDENTIFIED MALE 3: So, Dahl is an MWBE. Winstons is not an MWBE but they have a 30 percent MWBE goal and to my understanding subcontractors have been identified in that contract.

CHAIRPERSON JULIE WON: Okay. I'm going to pass it over to Council Member Lee and then Council Member Menin for questions.

LINDA LEE: Hi every. Good afternoon. Just a couple of quick questions because there was something that you had mentioned I think in one of your answers that made me think of this question and actually it's very similar to what Council Member Brooks-Powers just mentioned about the subcontractors and making sure, because you know, this is a very obviously somewhat different comparison but when I was running our non-profit we did the Meals on Wheels Program and because we provided Korean and Chinese food we were oftentimes the subcontractors and even

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the rates we got as subcontractors per non-profit was different. And so, we actually did hot meals for like I don't know, it's not too bad. It cost us like \$10-\$11 a unit but we only got reimbursed about \$5.25 which is below the minimum of the \$6 here. So just out of curiosity, how are you ensuring or keeping track rather of the subcontractors? Do you know how many there are? Do you know, because what Council Member Brooks-Powers is mentioning it's the -- the MOCs and Passport and HHS and Vendex and all of that is very complicated and I know oftentimes a lot of them even if they want to do the work, they end up dropping out because it's so cumbersome with the system. So, it's good to hear that there are trainings that you guys are doing which is very, very helpful. But in terms of the subcontractors how are you keeping track of that and is there something in the actual RFP for example that encourages them partnering with various different MWBE subcontractors and sorry, my last part of the question is how many meals or units is usually the minimum requirement to be a main contractor versus a sub if there is any sort of differentiation there.

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2 UNIDENTIFIED MALE 3: So, speaking for
3 DHS I can answer some of your questions and then I'll
4 pass to my colleague for the last questions regarding
5 the percentage of meals that make them a prime I
6 think was your question. So, in terms of
7 subcontracting the prime contract will have a
8 subcontracting cap that's to ensure that the prime
9 contractor is controlling the contract and not
10 subbing everything out which can cause its own
11 problems of course. In terms of encouragement
12 language, yes. There is encouragement language
13 pointing to MWBEs. We also reinforce that at kick
14 off meetings with human service providers to let them
15 know MWBE is a priority for the agency. I appreciate
16 our Commissioner for messaging that down throughout
17 the agency so all of our kick off meetings now
18 includes some element of MWBE encouragement language
19 and direction if it is a goals contract. I think you
20 also asked, sorry, I think I lost track of your
21 question.

22 LINDA LEE: It's okay. I lost track of
23 my question too.

24 UNIDENTIFIED MALE 3: Yes. Sorry and
25 then in terms of the percentage of contracts that

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2 would go to that are required for some of the prime,
3 can you talk to that Jim?

4 JIM: Yeah, we don't, we don't look at
5 percentage of meals, we look at percentage of the
6 contract. So, in particular with Winstons, they have
7 a 30 percent goal for MWBEs so 30 percent of the
8 contract, the value has to be, you know, geared
9 towards these subcontractors, the MWBE contracts.

10 LINDA LEE: And is it that the
11 subcontractors across the board, also, how do those
12 rates get decided? Is it left up to the primes and
13 then also is it up to the primes to monitor the
14 quality of the food or how does that work?

15 JIM: The rates in with respect, can you
16 clarify that please?

17 LINDA LEE: So, in terms of how much they
18 get reimbursed by meal. How does that work with the
19 subs and like who controls that price, is it left up
20 to?

21 JIM: Again, when we put out the
22 contracts, are bid out per meal by the prime. The
23 prime has to stay within those boundaries. So, when
24 the contracts, the meal price will stay the same
25 about 30 percent of the value would have been

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2 provided by the subcontractors, in this case, MWBEs.
3 In the cast of Winston, it is 30 percent of the value
4 of the contract would be.

5 LINDA LEE: Okay. So, the rate is not
6 slightly higher for primes because of administrative
7 costs or anything like that, it is straight across
8 the board whether you are prime or sub?

9 JIM: Correct.

10 LINDA LEE: Okay. And then also if you,
11 any of you can jump in sorry, but if you could also
12 answer the question of who's in control of the
13 quality control of the foods when it comes to prime
14 versus subs?

15 MIKE GARNER: Hi. I'm Mike Garner.

16 CHAIRPERSON JULIE WON: Sorry. Really
17 quickly you have to be sworn in by the Committee
18 Counsel.

19 MIKE GARNER: Sorry. I need to be sworn
20 in?

21 ALEX, COMMITTEE COUNSEL: Yes. All
22 right. Right raise your right hand. Do to swear or
23 affirm to tell the truth, the whole truth and nothing
24 but the truth in your responses to Council Member
25 questions?

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MIKE GARNER: Yes. I do.

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ALEX, COMMITTEE COUNSEL: Thanks. Go

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ahead.

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MIKE GARNER: Hi. I'm Mike Garner, I'm

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the City of New York's Chief Business Diversity

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Officer. And I wanted to expound on your question as

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to how we're ensuring that there is a diversity in

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how we are enforcing MWBE compliance and I will tell

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you from a City Hall perspective we are having weekly

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meetings here at City Hall with all agencies who are

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buying goods and services for the asylum seekers. We

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want to know what contract has been awarded the

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previous week to now. How many of those contracts

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have been awarded to MWBEs at the prime level and to

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sub level and what's in the pipeline. And so, under

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Winston's contracts, I will tell you that has been a

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great success. The Winston's contract, the overall

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contract was expiring. We agreed to extend the

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contract, they agreed to have 30 percent MWBE goals

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and the most recent information that I saw that they

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are three certified MWBEs under Winston contracts

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totaling about \$17.5 million. These are neighborhood

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restaurants that Winston has taken under their wing

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and they are assisting them. And so, one firm on

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Diclan Avenue started their meals last week and that's 4,000 meals per day. And so, we are ensuring that the quality of the meals is diverse and it is reflecting the epidemiography of the asylum seekers who we are in fact feeding.

TED LONG: Can I jump in?

MIKE GARNER: Yes.

TED LONG: And I just want to dovetail off of what Chief Garner was saying from out point of view at Health and Hospitals. So, four quick points I want to make Council Member. Number one is that with our, the results of our selections through the RFP process that we are going to be brining to our board this week. 100 percent of the four vendors are either MWBE or non-profit. So, all of them are either MWBE or non-profit. What we're doing now, is we're at the contract negotiation stage because we haven't been approved for the ability to sign contracts yet and as part of that we're putting together at Chief Garner was saying a subcontracting plan to focus on MWBE subcontractors with especially a focus on diversity and addressing the difference in difference going forward. Number three is we will be monitoring our subcontracted entities as part of our

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2 contract monitoring process at H and H. And number
3 four, I just want to draw this point out because I
4 think it is a really important one. You ask who
5 controls quality. The answer at our H and H
6 Humanitarian centers is we have a staff member on
7 site 24/7 at every one of our sites without
8 exception. They are managing all the vendors at each
9 site so they are the ones that are ensuring quality
10 of food or other services like security, laundry, you
11 name it, my staff is responsible for ensuring quality
12 at all of our sites.

13 LINDA LEE: Great thank you.

14 UNIDENTIFIED MALE 3: And just if I may,
15 Council Member Won, I did want to make a correction.
16 So, I've been typing away under the table right now
17 and I do want to correct that RC Stillwell does not
18 stand for Regina Caterers. It stands for Riveria
19 Caterers so they are one of the top three and that's
20 apologies for that.

21 CHAIRPERSON JULIE WON: So, Regina's
22 Caterers are not one of the --

23 UNIDENTIFIED MALE 3: Not one of the
24 prime contracts. They are subcontracts I believe on
25 several of the provider contracts.

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CHAIRPERSON JULIE WON: Can you give us a list of all the shelters that Regina's Caterers is providing and all the subcontracts as follow up so that we can understand? And I would also like to know if any disciplinary measures were ever taken against Regina Caterers after the endless of complaints that have taken place over the years?

UNIDENTIFIED MALE 3: Thank you. I've got that noted and we will follow up.

CHAIRPERSON AMANDA FARIAS: Just a real quick follow up. I may have already asked this, I don't remember. I was just looking at our food quality standards that we have on our city website and I'm just looking at some of the standards for children versus adult meals. But in just off of what my colleagues have been stating about some of the foods that are prepared for breakfast like a box of Cheerios with a 1% milk as an option and a yogurt that's definitely not up to the standards that we have as examples for meals for young people. We have hummus and a sweet potato as a breakfast option which I also love that breakfast. So, I'm just wondering what is in our analysis in the standard of termination looking at what we're getting contracted

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2 for the price per point knowing that we are aiming
3 for the lowest bid. How are we then issuing people
4 or appointing people to our City Food Standards and
5 then looking at our contracting and making the
6 analysis on this is the quality product that we are
7 giving to folks in our city?

8 KATE MCKENZIE: Thank you looking that up
9 and I will also perhaps refer to Ted. But I will say
10 that in the shelters, you know, some are serving
11 families and children and some are adults. And I
12 will be happy to provide you with some of the menus
13 that are specifically tailored to the children and
14 families. It is particularly important for me
15 personally. And Ted, I don't know if you want to
16 speak to anything else. But I think a general menu
17 and general standards certainly. I'm glad you see
18 that again because it is important in what we're
19 serving adults versus young people. There are
20 differences there.

21 CHAIRPERSON AMANDA FARIAS: Yeah. I mean
22 because I looked up a box of Cheerios and the fiber
23 in that box of Cheerios is 2 grams and the minimum
24 that we have here is 7 grams, shared with a low
25 percentile milk that probably adds another gram of

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2 fiber but still not up to the par of the minimum of 7
3 that we have on our City Standard. So.

4 TED LONG: The only thing I would add is
5 just to give you a especially precise follow up is we
6 would be happy to share some sample menus from our
7 sites with you and I think what I would just
8 emphasizes what Kate said. And then as we're
9 crafting the menus with my staff with our vendors.
10 When my staff are there in terms of quality, in
11 charge of everything 24/7, we do, we talk about the
12 NYC Food Standards and we craft the menus together so
13 if it would be helpful, we'd be happy to share those
14 with you after the meeting.

15 CHAIRPERSON AMANDA FARÍAS: Yeah. I
16 would love that. I mean additionally and I keep
17 staring at these four compartments that I'm glad only
18 one is open to. Like, I don't know anyone in this
19 room and you know is the call to action if anyone
20 would like to take a bite out of it but I certainly
21 wouldn't. Based off of just the smell that it made
22 and you know I really -- I do understand again price
23 per point, a hot meal obviously costs more and it
24 takes more to maintain. You know do we actually know
25 if folks like how many of these areas like we don't

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2 have refrigeration or enough refrigeration. How are
3 our vendors or maybe the locations themselves asking
4 for additional refrigeration or additional heating
5 equipment or anything like that. Like I know when I
6 go to some of my shelters one of the main things, we
7 looked at is where the main communal spaces and how
8 many refrigerators can they actually keep or
9 maintain, how many needed to be purchased. How
10 frequently are we looking at that and addressing some
11 of these issues so food doesn't spoil and go bad.

12 CHAIRPERSON JULIE WON: I also want to
13 point out is because the majority of the DHS shelters
14 in my district and I know about all throughout the
15 city continue to remain without a provider because
16 they have not staffed up. Therefore, the only people
17 that you see inside are national guards. The
18 national guards are volunteers and they do not
19 service the shelter residents in that way.

20 Therefore, one person from DHS or someone from the
21 hotel is laying out all three meals per day outside
22 at the crack of dawn for anyone who wants to grab a
23 meal for all three days and that's one of the
24 problems that we have right now where the meals are

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2 just being laid out because there is no one working
3 at the shelters.

4 KATE MCKENZIE: Thank you for pointing
5 that out. I'm sure that we will follow up on that
6 but its not acceptable.

7 SELVENA BROOKS-POWERS: Sorry. I'm going
8 to just dovetail a little bit on the topic since we
9 have Mr. Garner here and you brought up the contracts
10 and the migrants. I did have a question in terms of
11 the contracts as it pertains to the commuter vans.
12 So, I've gotten a lot of calls from our commuter van
13 owners that are based out of southeast Queens and
14 Brooklyn. People of color and they shared that a lot
15 of the contracts have been going to non-MBEs and they
16 have not been granted access. I know I have reached
17 out to the admin and have been told that some of
18 these contracts were existing contracts that they,
19 you know, are using for this. But I'm interested to
20 see how are we working to ensure that these commuter
21 vans that they are just as engrained in the New York
22 City as iconic yellow taxi cabs. How are we
23 investing in that industry and ensuring that they are
24 being able to be included in these contract
25 opportunities?

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MIKE GARNER: Yes, for transportation I would certainly circle back around. I understand that there are conversations going on with DCAS and some of the van owners from southeast Queens but I would definitely circle back around with an answer this week for you.

SELVENA BROOKS-POWERS: Thank you.

MIKE GARNER: And so, we are in more broadly speaking, we are recruiting MWBE firms across the spectrum for opportunities and selling their goods and services to the asylum seekers. It is my understanding as data that we ran as recent as this morning that there has been more than \$520 million in contracts awarded to City-certified MWBE firms in various areas. And so, the traffic is a key area and we will be sure to get back in contact with you this week with a response and an answer.

SELVENA BROOKS-POWERS: We want to make sure the city taxpayer dollars are being spent in Brooklyn and southeast Queens as well for I look forward to reengaging on this.

MIKE GARNER: Yes.

SELVENA BROOKS-POWERS: Thank you Chair.

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CHAIRPERSON JULIE MENIN: Okay. Great.

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Thank you. A couple of more questions. What are for

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the Mayor's Office of Food Policy, I'm very

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interested in the audit and review processes that you

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have in place over these food contracts to make sure

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that standards are being met and if they are not,

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what happens?

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KATE MCKENZIE: Thank you for that

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question. We actually do not have jurisdiction for

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auditing or review of the contracts. We are helpful

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and advisors at the point of developing scope to

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ensure that the scopes for various procurements

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including RFPs and bids called for the best and the

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right foods but we do not at the Mayor's Office have

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jurisdiction over auditing.

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CHAIRPERSON JULIE MENIN: So, who does?

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KATE MCKENZIE: I trust that every agency

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that is managing their contracts is looking to ensure

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that again like we, as I mentioned we do a compliance

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report annually to food standards but that is

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different than a broader contract management piece.

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TED LONG: And I can speak from the point

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of view of H and H.

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CHAIRPERSON JULIE MENIN: Sure.

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2 TED LONG: So, we have a couple of levels
3 of auditing and oversights within H and H. So one is
4 that we have our H and H board. We are a public
5 benefit corporation. On our board and their
6 oversight function completes oversight and can revoke
7 any contract at any time if there are quality
8 concerns or other concerns that they would deem
9 worthy of revoking a contract. Day to day one thing
10 that is very important that we do is I have teams
11 onsite that not only are monitoring the quality of
12 the food that's provided but also making sure, that
13 for example each ingredient of each of the food items
14 is labeled in multiple languages so if you have an
15 allergy to peanuts you would know in English and
16 Spanish for example if peanuts that are one of the
17 ingredients in each meal. So, each meal is broken
18 down by ingredients and we make sure that those are
19 posted every day. That they are reliable to people
20 who have questions. Another thing that we audit very
21 closely or my team does at H and H is consumption
22 levels. So, we worked very hard to achieve across
23 our 430,000 meals provided each week a 95 percent
24 rate of consumption which minimizes left overs
25 significantly and then for the 5 percent that would

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be considered leftovers we donate those to City Harvest or dot organizations including Coalition for Homeless.

CHAIRPERSON JULIE MENIN: And in terms of the payment structure for H and H for these contracts what amount is paid upon contract execution?

TED LONG: So, the contracts are based on again as Council Member Brewer was talking about earlier based on the bills that we receive and then we pay, we have a standard process for doing that which I would be happy to have our contracts team share more about after the meeting. I can share with you the exact number, what's been paid to date though if that will be helpful. It's the same numbers I shared earlier but to recapitulate, so these are numbers that we shared at the finance meeting which is the public meeting that our board had last week. So, to date, Health and Hospitals has paid \$42.5 million dollars through October of 2023 based on receipts received to LIC Commissary and to date for Rethink Food, Health and Hospitals has paid \$18.3 million through October of 2023 based on receipts received and that have been processed and resulted in those payments.

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CHAIRPERSON JULIE MENIN: So, I guess my question is about, do you and it's not really just a question for H and H but its for all of the agency. Is there claw back provisions? So, when there are instances like we see with Regina's Caterers when there are serious quality assurance issues. What type of claw back provisions do agency have if any.

JIM: As I said earlier if we do have an issue with a particular vendor, we do put them on a corrective action plan that they have to adhere to and attend to. In the event that they don't meet the correction action plan that was put forth then we have provisions in the contract where we would, you know, terminate the contract and bring it.

CHAIRPERSON JULIE MENIN: Is Regina's Caterers on corrective action plan right now?

JIM: We don't contract with Regina directly.

CHAIRPERSON JULIE MENIN: Who does?

JIM: It's the not for profits.

CHAIRPERSON JULIE MENIN: So, there's really no. So, when you have a situation like Regina's Caterers where we've got clear quality

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2 assurance, quality control issues, you are saying
3 that there is no recourse that the City has?

4 JIM: As was mentioned earlier, it is
5 noted and we are going to follow up and look further
6 into a review.

7 CHAIRPERSON JULIE WON: Yeah. Can you
8 help us understand, for subcontractors because what
9 you just stated to Council Member Menin it sounds
10 like there is no accountability for subcontracts?

11 CHAIRPERSON AMANDA FARÍAS: Right. Is
12 corrective course of action only for prime contracts?

13 JIM: No. It's for the not for profits I
14 hold accountable. So, if Regina Caterers we look at
15 the prime contract. So, if Regina Caterers is sub to
16 the prime, we look at the prime. It's if that helps,
17 set of rules. We look at the not for profit with
18 the corrective action plan for Regina Caterers?

19 CHAIRPERSON AMANDA FARÍAS: Okay. And as
20 of we know right now, do we know who subcontracts
21 with Regina and if her has been any corrective action
22 for that prime?

23 JIM: I know there is a corrective action
24 plans out there, I don't know if they are specific of
25 Regina Caterers.

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CHAIRPERSON AMANDA FARÍAS: I mean can we get a list of all the correctives. Okay. Great.

CHAIRPERSON JULIE MENIN: So, are going to get a list of all the companies that are currently on corrective action plan, correct? And can we -- I just want to make sure that that's what we're going to get because that's certainly what we need to get and then secondly how much, for those that are on corrective action plan, has any money been clawed back by the respective agencies or not?

UNIDENTIFIED MALE 3: So, we're noting your request, absolutely. We will follow up and to clarify you're talking about relative to food shelter procurements, corrects?

CHAIRPERSON JULIE MENIN: Correct.

UNIDENTIFIED MALE 3: Okay. Thank you.

CHAIRPERSON JULIE MENIN: Yes. Thank you.

CHAIRPERSON JULIE WON: I just also want to put on the record, since I couldn't get any DHS data, I had to look it up myself. And according to the three-year agency action plana for the Department of Homeless Services from 2021 to 2023 for New York City Good Purchasing Program. I have a question.

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2 So, for data collection and procurement processes, it
3 says a four-year fiscal year in '19 assessment state
4 only 8 percent of your data was completed and 21
5 percent was partial data, could you help you me
6 understand what is being done currently to have data,
7 especially from your own vendors to increase data
8 completion like vendors and subcontractors like
9 Regina's Caterers who clearly have quality assurance
10 and integrity issues?

11 KATE MCKENZIE: I'll speak to that
12 because that is a requirement that was put in when I
13 came into office and why we signed this executive
14 order in 2022 with the result of vendors that would
15 now share their data about where food was coming
16 from. So, part of the goal of that transparency is
17 increasing vendor compliance year over year. I
18 believe that we have seen some strides within DHS and
19 we know that we are working very closely with them as
20 well as with, you know, again the, split, but it's
21 something like 60 percent of their food is coming
22 from primes and something like 40 percent is coming
23 from subs. So, working with all of the
24 subcontractors too that are predominantly though
25 human service providers which makes it more

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complicated because we don't have a requirement to get -- we don't want to overtax and burden non-profit providers who are utilizing subcontracts with food providers but I will be more than happy to meet with you and further outline that with my colleagues from DHS.

CHAIRPERSON JULIE WON: Okay. So, subcontractors don't have the requirement to report to?

KATE MCKENZIE: When they are subcontracted through a human service provider, AKA nonprofit.

CHAIRPERSON JULIE WON: Then they don't have to report directly to the city agency on.

KATE MCKENZIE: The history of the traceability of the food that they buy. Because for a non-profit provider its exorbitantly taxing on them as opposed to a food business as an example.

CHAIRPERSON JULIE WON: Okay. And I have a question for MOCS, with all the quality assurance and vendor integrity issues that we are having with especially as we are seeing through the migrant crisis, how is you \$1.16 million and \$618,000 or peg

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to your agency going to impact this work of oversight.

UNIDENTIFIED MALE 1: Thank you, Chair Won, so in terms of specific budget cuts, I know there are ongoing discussions with OMB and I have to defer to Director Flores and her future testimony regarding any specific budget cuts. However, I can say in terms of oversight of the contracting process, the procurement process, as we say, all of the, there are issues with quality, there is issues with contract performance then MOCS has maintained the databases such as where you have your duty to responsibility of termination, where the vendors are going to do their integrity disclosures and where the agencies are evaluating performance for other agencies to see. So that functionality exists and it is there for agencies to use. So, if there are performance issues and I would say if there are specific performance issues with specific vendors we also always here because it is critically important that agencies know about performance issues that may have occurred in other contracts to inform their decisions. So, I would say I can't speak to any specific impact it would have although I would say

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the vendor integrity, performance evaluation, vendor disclosures. That functionality exists currently.

CHAIRPERSON JULIE WON: I have concerns for those pegs but I will move on. And I just want to put on the record since we couldn't get a figure from DHS directly that according to the New York City Good Purchasing Food Purchase Metric from aversion that was released in February 22, 2023, as of Fiscal Year 2021 the total food spend from DHS was \$73,101,228 and that is probably going to an increased number with the migrant crisis the last two years. And for the overall spending citywide, the total food spends in 2021 was \$296,152,385 with New York Food Spend for local economies being at \$92,130,269 and for MWBE spend it was \$7,405,726 so those numbers in comparison to that larger spend. I want to make sure that is on record. I think we're going to move on. No more questions and I will hand it back to the General Counsel.

CHAIRPERSON AMANDA FARÍAS: I'm just going to switch it up on us and ask about the winterization bill because why not, right? Let's end on something a little more light I suppose. Eventhough you guys, you folks don't like this bill.

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So just really quickly, Intro 964 would require MLFPs to develop and implement a plan to prepare New York City Farmer's Markets for winter weather conditions and year round accessibility. What challenges do you foresee in executing a winterization plan?

KATE MCKENZIE: We would like, thank you.

We also have been supporting farmer's market operators for years. And it has never come up to specifically the need for or the detail around a winterization plan. So before offering support, we would just like to understand the need so that we can actually speak to that. You know, grow NYC which is one of several supporters of the farmer's market operators across the city is very actively vocal with us, in fact, you know, we support them with Commissioner Bason on the health box program. Getting payments processed in time. Getting PPEs during COVID and many, many things, so it seems that if there was a need. We just want to hear about it so that we can be particularly responsive because again, you know, we've got farmer's market, the 20 of grow NYC 50 markets operate year round and the nature particularly in this region, farmer's markets is we have less available and part of the beauty of

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farmer's markets is connecting people with food and with seasonality so understanding that you know we're going to have less in December than we are going to have in August is part of understanding our food system and we want to support that.

CHAIRPERSON AMANDA FARÍAS: Sure. I'd love to be a part of the conversations on that going forward with Council Member Joseph. For me particularly, I spent about, but out of my district office we did \$25,000 in health books that the entire Parkchester Market length of time it went to three or four sessions before that we were depleted with the amount of need that is coming out of my district. And it's great because that goes right to farmer's pockets, New York farmer's pockets along with answering for a food desert need of getting fresh produce into people's households and on to their tablets but I would love to continue those conversations. And the last question that I have quickly is how is MLFP going to be affected by the PEGs and if at all. Would this PEG affect the oversight of MLFP on food procurement contracts and if it is part of the decision on you know furthering on the bill itself on 964.

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KATE MCKENZIE: Thank you for raising that. Like every City agency, we are subject to the PEG. I do not foresee at this point any implications on our reporting and oversight of those pieces.

CHAIRPERSON AMANDA FARÍAS: And I did see it was about \$165,000 peg from what I saw in the November plan. Is that personnel? Is that --

KATE MCKENZIE: It's our other than personnel services.

CHAIRPERSON AMANDA FARÍAS: Okay. Thank you so much for answering my winterization questions. And I will now pass it over to Committee Counsel.

ALEX, COMMITTEE COUNSEL: Okay. Thank you, Chairs. This concludes the administrations portion of our testimony. We will now move to public testimony.

CHAIRPERSON JULIE WON: Thank you.

ALEX, COMMITTEE COUNSEL: For in person panelists please come up to the dais once your name has been called. And for virtual panelists we will be calling on individuals one by one to testify. We will be limiting public testimony today to three minutes each. Council Members who have questions for a particular panelist should raise their hands

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2 and Council Members who are here virtually please use
3 the Zoom Raise Hand function and the chair will call
4 on you after the panelist has completed their
5 testimony. For virtual panelists once your name is
6 called, a member of our staff will unmute you and a
7 Sergeant at Arms will set the timer and give you the
8 go ahead and to begin. Please wait for the Sergeant
9 to announce that you may begin before delivering your
10 testimony. I will now turn it to my colleague to
11 call the first panel.

12 COMMITTEE COUNSEL: Thank you, Alex. All
13 right. I would like to now welcome up to the panel
14 to speak Matthew Jozwiak, from Rethink Foods,
15 Zakaraya Khan, Elena Ristovski, LaToya Meaders, Ali
16 Ahmed and Angel Sanchez. All right. Again, I'm not
17 sure if we have everything but that would be Matthew
18 Jozwiak, Zakaraya Khan, Elena Ristovski, LaToya
19 Meaders, Ali Ahmed and Angel Sanchez. All right
20 thank you everyone. All right Mr. Jozwiak. Would
21 you like to start?

22 MATTHEW JOZWIAK: Good afternoon and
23 thank you for the opportunity to testify today about
24 Rethinks Food contracting work with the City
25 providing culturally competent meals to asylum

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2 seekers through our network of small business food
3 partners. My name is Matt Jozwiak, I am a CEO and
4 founder of Rethink Food an NYC based non-profit. We
5 currently work in partnership with health and
6 hospitals the Office of Emergency Management and DOT
7 Go via Housing and Preservation Development. I want
8 to thank the entire city council and speaker Adams
9 for their leadership on the asylum seeker response.
10 Specifically Council Member Menin for continuously
11 advocating for small business community who's
12 leadership has been a bright light for so many
13 entrepreneurs in every borough. To Chair Won for
14 your meticulous and thoughtful oversight and to
15 better contracting processes and Chair Farías,
16 Council Member Powers and Council Member Brewer for
17 their commitment to improving the lives of our newest
18 neighbors. I would also like to thank H and H, Dr.
19 Ted Long and Chris Keiler for their leadership,
20 constant and candid feedback and attention to food
21 quality and cultural sensitivity. I would also like
22 to thank the Office of Emergency Management,
23 Commission Zac Haskell and Kate McKenzie for
24 upholding the commitment to the 10-year food policy
25 plan and seeing small business and cultural policy

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2 upheld in our City's Food Procurement. Additionally,
3 I would like to thank LIC Commissary for their
4 commitment to quality when it comes to serving our
5 new neighbors. Rethink's mission is to create a more
6 equitable and sustainable food system. During the
7 pandemic, we learned that the small businesses and
8 local restaurants were well equipped to provide
9 culturally celebrated healthy food that accommodates
10 the religious sensitivities to their community. It
11 doubles jobs in local communities, it increases tax
12 revenue by 25 percent and it increases spending in
13 local communities by 33 percent and as I'll hear from
14 partners today it brings a thoughtfulness, passion
15 and hospitality to the food service that we provide
16 which has historically been left out of emergency and
17 supplemental food programs. It has been rewarding to
18 see the impact of our model on newly arrived New
19 Yorkers. For example, at the quality and in Queens
20 with partners Brain Food and Chefscape and our
21 partners for the Dot Go. We have been able to bring
22 New York City restaurants to serve meals that
23 celebrate the culture of our nearest neighbors. We
24 have learned a lot and we are committed to having an
25 open dialogue of the city and our partners on the

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ground to continuously improve the way that we serve our new neighbors. To close, Rethink has invested over \$32 million of philanthropy dollars in to small minority women owned businesses a few of which you will hear from today. I have the honor of representing a diverse network of small business food partners, you will hear next about the impact of our collaborative work. Thank you so much.

ALI AHMED: Good afternoon and thank you to the New York City Council for the opportunity to testify today. My name is Ali Ahmed and I am the owner, operator of Brain Food the Smart Kitchen. We proudly operate in Brooklyn and specialize in crafting affordable healthy food that isn't just kale and quinoa. I have had the privilege to work with Rethink since March of 2020. They saved my business from closing by allowing me an opportunity to cook meals for numerous needy then and now have helped me grow my business by doing the same for asylum seekers. Through this partnership we've made over 500,000 meals in this program. We have been able to expand our team hiring over 25 individuals from the very communities we serve. This not only strengthens our business but also uplifts local residents by

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2 providing employment opportunities. Our employees
3 receive competitive hourly rates ranging from \$18 to
4 \$25 per hour. Working with Rethink has not only
5 allowed us to grow our business but has also made a
6 huge difference in our lives as business owners.
7 Yes, it has given us financial stability enabling us
8 to pay back all the loans from the COVID era. But
9 more importantly it has pushed us to be better and
10 more responsible with how we give back to our
11 communities. We would like to thank Rethink for
12 planting the seed of philanthropy in us and showing
13 us how we can make a difference in our own way. I am
14 proud to say that seed has grown into a beautiful
15 tree with many branches now. For instance, every
16 Wednesday for the past three years on 34th Street we
17 feed 200 to 400 homeless and now migrant families hot
18 meals fully funded by our business and PCNY partners.
19 Mayor Adams himself comes to volunteer almost every
20 week and has helped take this project to the next
21 level. Collaborating with Rethink has taken away the
22 biggest barriers of entry for small business to be
23 able to get involved in this kind of contracting
24 work. The paperwork, the administrative tasks and
25 the lawyer fees. By taking care of that, Rethink

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2 empowers us to do what we do best, cooking food that
3 the community would love. I would like to end by
4 saying simply this program works. The method of
5 using small restaurants for large contracts is no
6 longer a theory but a proven model that works.
7 Rethink has hand picked the most resilient,
8 resourceful, reliable group of small business
9 partners that will not let you down. Allowing small
10 businesses like ours to participate not only keeps
11 the funds hyperlocal but it helps us get through
12 unsure times with guaranteed work. This model can be
13 applied and expanded to DHS and Health and Hospital
14 initiatives. The approaches of win, win, keeping the
15 money at NYC and addressing the needs of anyone in
16 need of food. Thank you for your time today.

17 ELENA RISTOVSKI: Good afternoon esteem
18 members of the New York City Council. And thank you
19 for the opportunity to address you here today. My
20 name is Elena Ristovski. I am the Director of
21 Operations and Programs at Marlow Bistro and
22 Catering. We are located in Manhattan but also
23 operate family matter in Brooklyn. I stand by you
24 today not just as an individual but as a small
25 business who believes in the power of collective

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2 action and civic engagement to affect positive
3 change. This is maybe the most important reason for
4 our partnership with Rethink. The belief of
5 rebuilding our community through collective work and
6 support. We first started contracting with the City
7 when the pandemic happened in 2020 and it was only
8 because of one email which was sent to us from
9 Rethink bringing our attention to this opportunity.
10 I remember thinking how can we compete for such a big
11 contract. We are such a small business, where would
12 we begin, but the culture of compassion, empowerment
13 and fully dilated, the office we share reminded us of
14 everything we have and everything we are and how we
15 are providing our food for the people in need can
16 have a significant impact on their well-being. That
17 led to a few City contracts, one after another,
18 building confidence, agility, retaining staff, new
19 staff hiring, all the improvements that are necessary
20 to fulfill and a serve our city contracts. In the
21 same time grow in our very competitive industry
22 including I want to express my sincere gratitude for
23 the chance to testify before you today and share how
24 much contracts of this scale are important to small
25 businesses like ourselves in providing a sense of

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long-term stability, planning for the future,
investing in growth and ultimately contributing to
economic stability within the local community. Thank
you again.

LATOYA MEADERS: Good afternoon. Thank
you for providing me and the many other dedicated
food service professionals this platform to share our
passion and experience towards these endeavors. My
name is LaToya Meaders. And I am the co-founder of
Collective Fare and Hospitality Services Company with
two eateries in Brooklyn. And the founder of
Collective Food Works a non-profit organization with
a focus on sustainable culturally relevant local food
systems, nutrition access for families and the
development of Green Workforce Pathways. From April
of 2020 to present, alongside partners such as
Rethink my company has provide well over 3 million
healthy, nutritious meals and counting for New
Yorkers in need and those seeking asylum in our City.
We have also created over 250 jobs and training
opportunities through these efforts. My partnership
with Rethink has a lot of my company and organization
the space and resources to provide these services and
opportunities. But more importantly the time to

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focus on delivering high quality culturally relevant food, delivery services as well as provide the ability for those in our employee to grow, thrive in skills training, certification and quality compensation at a minimum of \$17 per hour. It is no secret that New York City has been overwhelmed by the influx of migrants seeking asylum and in need of crucial resources, opening 210 emergency shelters, 17 which are large scale humanitarian relief centers as well as launching initiatives such as project open arms to get children enrolled in our public school systems and the asylum application help center in the City of New York which assists in getting many of the documentation needed to begin work so that they too may provide for their families and contribute to our great city. However, this story is not new to our City. It is the foundation on which it was built. The continued benefit of empowering partnerships into an organization such as Rethink and small businesses like Collective Fare is crucial to ensuring that New York City residents and those seeking asylum would be fed, employed, educated and trained which can ease the demands on its current institutions like the many who have come before, they can ultimately create a

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powerful cycle of prosperity for those who have decided to make New York City their home. Once again, thank you for letting me speak to you all today. Thank you for giving New York City Businesses a voice.

ANGEL SANCHEZ: Good afternoon, New York City Council. My name is Angel Sanchez and I am the Executive of Chefscape Kitchen, a small WMBE business. We have had the honor of working to provide meals for migrant shelters over the last 10 months. This work has allowed us to hire many employees during times of economic difficulties as well as provide thousands of meals to those in need. While in the short phase, this has been an amazing experience, I feel it is especially important to tell my story so you can understand how much this goes for myself and many of my colleagues at Chefscape and Rethink. I came to New York from Mexico over 20 years ago. This journey was an incredibly difficult one. There were many nights I did not know where my next meal would come from. This is a feeling that is hard for anyone to understand who has not experienced it firsthand. During my younger days, I have been able to not only establish myself in America but to

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20 immigrant Americans and experience the wealth of opportunity this country offers. For me, this is including hoping one day I will be able to give back for all the blessings I have received as a New Yorker. Since making my way in New York I have worked in a successful New York restaurant, been and worked hand and hand with world famous mentioned chefs. However, this opportunity to help thousands of individuals and families situations. It has not only been the highlight of my career but has helped me fulfill my yearning of embracing the medical dream and maybe even more the New Year to its fullest. I want to thank the New York City Council, Rethink and the other food providers and my co-workers for the work we have done to support migrants arriving in this city with nothing in their pockets but big dreams in their heart. I know with the city support they can go on to do great things as New Yorkers and hopefully one day Americans. I know they can because I was once them and hopefully that will be me standing here giving back for the next generation of migrants. Thank you for the opportunity to testify today.

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2 ZAKARAYA KHAN: Hi, to everyone. My name
3 is Zakaraya Khan. I am the owner of a small
4 business, Vision Brooklyn, New York, on Avenue. My
5 partners have signed with Rethink in the pandemic of
6 2020 when it was really hard to come out and you know
7 even buy your own grocery and it was those days. But
8 we were able to provide hot meals and especially
9 allow hot meals to so many residents in the area.
10 You know there was a time when we were about three of
11 my employees out of six because the sales went down
12 especially in the pandemic. This was a time when the
13 Rethink actually came along and we were able to keep
14 all of those employees at work and we were even able
15 to hire more employees because of the contract that
16 was given to us. So, over this whole period of time
17 like in our small business only benefited from the
18 whole partnership with Rethink and now coming to this
19 asylum seeker spot, you know, my whole team we are
20 immigrants and my whole chef and everybody they are
21 all immigrants. We know, you know, what immigrants
22 would like to eat and especially you know the jollof
23 food because we are certified jollof food providers
24 in the area. So, we know how to prepare the jollof
25 meals. So, we know this whole requirements in how to

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2 make jollof and also which would be culturally
3 appropriate for the people who want to eat the
4 jollof. So like we normally on an average we serve
5 8,000 meals a week and all these meals are prepared
6 by all these immigrant workers and especially I have
7 hired three asylum seekers who came to this country,
8 through these waters, they got their papers and now
9 they are working with me. So, asylum seekers are
10 actually preparing meals for the asylum seekers, you
11 know, and all of these meals are prepared by these
12 workers and the quality that we normally maintain is
13 that you know, we serve many that we serve on the
14 restaurant menu. I mean this is a menu that we
15 actually seven days menu that we serve is the menu
16 that we serve to our regular customers. So, it is
17 not really a low quality meal that we prepare for
18 them. You know we don't really come from either the
19 quality or the quantity of the food and I'm pretty
20 much sure like the food that has been served is 100
21 percent being used by the asylum seekers because it
22 is made to your test. And also, you know we mostly
23 we serve the hot meals which is also like by these
24 asylum seekers. So, from this point, from this whole
25 partnership what I get is that you know what, a

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partnership with Rethink would actually enhance and improve more small businesses and they will improve more small business owners to be able, you know, and get more business, to do more business for the City. Thank you.

CHAIRPERSON JULIE MENIN: Wonderful.

Thank you all so much for your testimony. And I particularly appreciate as a former small business owner myself that you all are taking the time to come here, I know how hard that is. I really appreciate you being here. So, a couple of different comments and questions. As the Chair of the Small Business Committee, I am thrilled that small businesses are getting this important work. I wrote to the mayor over a year ago urging him to not utilize out of state catering contracts to be fulfilling this work and instead to utilize small businesses so I am really happy to see that happen. Can you talk a little bit about how these contracts are allowing you to retain your employees, potentially to hire new employees given this volume of work.

MATTHEW JOZWIAK: Would it be helpful just to go down the line and we can all talk about

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the number of employees that we have hired down the line. Would that be helpful?

CHAIRPERSON JULIE MENIN: Sure.

ZAKARAYA KHAN: So originally, we had about 10 employees that ran the whole shop but since we started making the meals, we make about 2000 meals and we have a total of about 25 employees and of them I would say more than 50 percent are asylum seekers looking for the opportunity to work.

ELENA RISTOVSKI: We first had our own 14 to 15 employees. Now we have 32 and still employing every week. And they are full time employees. And we also I wanted to say that we because of the opportunities and chances we got we were able to become part of high road restaurants and one wage fair which allows us to you know pay a fair wage to our new employees.

LATOYA MEADERS: So, to date we've hired over 300 different people through Workforce Development and Training. So, what we do is we do culinary training program and sign on to serve communities, training the students how to prepare food through the culinary way because our team is a bunch of dedicated chefs. Then what they do we also

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2 do; we work along with farms and get the kids trained
3 to learn how to do growing food. We work along with
4 a few farms, hydroponic and aquaponic farms in New
5 York City. So being able to build an entire career
6 pathway for many different students. So, this is how
7 thus also maintain jobs, also we have students that
8 go off to college and then they come back to us
9 during the summertime.

10 ALI AHMED: I just came before. We used
11 to be like 10 employees now we are over 40 employees
12 and we thanks to this program we rehired some of the
13 employees that we lost during the pandemic times so
14 this will really help us to keep employees at least
15 40 hours a week paying over the minimum wage.

16 ANGEL SANCHEZ: Yeah. I had 10
17 employees, right now I have 16. So basically, I was
18 able to hire six new employees and most of these
19 employees they were asylum seekers by themselves. So
20 now that is the beauty of this whole thing that
21 asylum seekers are making meals for asylum seekers.

22 CHAIRPERSON JULIE MENIN: And are you all
23 making the food on site or are you utilizing other
24 kitchens?

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2 ZAKARAYA KHAN: No. We are I think we
3 are all making it on site.

4 LATOY MEADERS: Onsite.

5 ZAKARAYA KHAN: In between our services.
6 So, while we're still running the full-time
7 restaurant, we find a way to do it in between our
8 service rushes. So --

9 ELENA RISTOVSKI: Early in the morning,
10 very late in the night. But it is a collected work
11 and it's amazing how our staff are like thankful.
12 They understand why they have their job because its
13 super unpredictable right now. The sales change,
14 especially, you know, now coming wintertime. So,
15 they are very, very thankful and there is a humility
16 in the process and gratitude in the process of making
17 this meal which is very important especially because
18 we all come from hospitality.

19 MATTHEW JOZWIAK: I'll share.

20 LATOYA MEADERS: As far as us, yes, we've
21 been able to -- so we have two restaurants and then
22 now we have just launched a space in east New York
23 which is a 60,000 square foot space. We partnered
24 with another local nonprofit and two other community
25 based organizations and are building out a workforce

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2 development training program around agriculture, food
3 development, move toward emergency food hubs to help
4 galvanize communities. So, looking at how to create
5 equitable food systems inside communities.

6 CHAIRPERSON JULIE MENIN: All right. Do
7 you have questions?

8 CHAIRPERSON JULIE WON: Yes.

9 CHAIRPERSON JULIE MENIN: Okay.

10 CHAIRPERSON JULIE WON: Thank you so much
11 for being here. I really appreciate you taking the
12 time and listening through a very technical
13 conversation with the agencies to advocate for more
14 small businesses being involved in our food
15 contracting.

16 MATTHEW JOZWIAK: We appreciate the
17 scrutiny on them.

18 CHAIRPERSON JULIE WON: Thank you.

19 MATTHEW JOZWIAK: I was rooting for you
20 the whole time.

21 CHAIRPERSON JULIE WON: One of the main
22 questions I get asked when we suggest the small
23 business involvement and food procurement is the
24 ability to scale. So, it is really great to hear
25 that you are able to do that in addition to your food

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2 services and that when we talk about now competitive
3 bidding because we are moving away from emergency
4 contracts, one of the concerns that you heard from
5 the agency directly as well is that you would not be
6 able to participate. So, do you agree with that or
7 do you believe that now we are able to do bulk
8 purchasing and do catering but you are able to
9 compete with these other large caterers that are
10 providing that kind of food?

11 ZAKARAYA KHAN: So, at the current price
12 point that we're at now, we can definitely compete
13 and we've been executing it very well with amazing
14 quality food. We are collectively as a group working
15 on creating a buying club for us so we can all just
16 buy under a certain like price point since we are
17 collected now with a decent amount of volume between
18 all 10 partners. So, I think that's not the problem
19 at all 10 partners. So, I think that's not the
20 problem at all. Like leave it to us to figure it
21 out. You know we are the resilient and most reliable
22 and problem solving like contractors you can hire.

23 CHAIRPERSON JULIE WON: Okay. Great.

24 ELENA RISTOVSKI: And I'm so sorry. I
25 just want to point out that everything with the

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platform that enabled. So, the way we are all thinking is I'm not one anymore. We are together. So, we share all of our know how so we can compete. And we really do care.

LATOYA MEADERS: First off, we wouldn't be providing meals like that. Most of us are trained professionals and we take a lot of pride in the type of food that we put out. But also understanding that serving food with dignity is of the utmost importance. It was the Council Member that was speaking earlier about procurement from New York State Farms. I personally feel that that is one of the most important things that we can do to create a local food economy by buying food from upstate. There was the nourish New York program that we were working on that was happening during 2020 and 2021, that program sort of -- not quite sure what happened to it but I thought it would be a very viable program and I actually even wrote some menus based off of food procurement from New York State farmers and how that could be used inside of organizations such as Rethink and other restaurants.

ANGEL SANCHEZ: You know as a small business owner you know with the immigrants; we are

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2 hardworking, our workers are hard working. You know,
3 I think we are pretty much competitive. I mean these
4 large companies; I don't think they can compete with
5 us when it comes to competition you know and being
6 resilient and especially like you know cutting the
7 price down. Because we have you know these
8 immigrants working, hardworking, I don't think they
9 will be able to. Because they have to pay a higher
10 rate, you know and their expenses re more overhead
11 than ours. So, we can actually deliver more for
12 less.

13 CHAIRPERSON JULIE WON: Thank you. I
14 have a few questions specifically for the CEO of
15 Rethink Foods. We are glad to see you here. I know
16 that you were first invited to the September 21st
17 hearing and we just wanted to ask how you were able
18 to come to this hearing but you were not able to come
19 the September hearing?

20 MATTHEW JOZWIAK: You know we're, to be
21 candid, we are new at this as a nonprofit
22 organization and we have learned to go through the
23 right channels and we appreciate the invitation and
24 the thoughtfulness that you put forward with it and
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2 going through the correct avenues which we just
3 didn't have before unfortunately.

4 CHAIRPERSON JULIE WON: Okay. So, you
5 were -- you couldn't attend previously because you
6 had to go through a channel of approvals internally
7 or with the city partner?

8 MATTHEW JOZWIAK: With the city and with
9 the Mayor's Office. And so, we were invited about
10 two weeks ago to this we got the final approval 72
11 hours ago so.

12 CHAIRPERSON JULIE WON: Got it. From the
13 Mayor's Office.

14 MATTHEW JOZWIAK: Yeah.

15 CHAIRPERSON JULIE WON: Okay. I want to
16 clarify when Dr. Ted Long was here from H and H, he
17 said that his cap for the contract is \$14.40 for his
18 meals per diem for three meals per day and then
19 according to what the OID team found is for the
20 contracts for your per diem it's three meals plus
21 unlimited snacks throughout the day to feed
22 individuals at the City H and H, HERCs, and per H and
23 H contact agreement it seems to pay Rethink \$17 per
24 person for the day of the food, is that correct?
25 Because we are calculating that according to the

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2 contact payments made to the city to Rethink it is
3 supposed to not exceed \$87,800,000 and that's for one
4 year. So, we are trying to understand the
5 discrepancy between what he just testified \$14.40 and
6 \$17 of what we're calculating.

7 MATTHEW JOZWIAK: Sure. In the beginning
8 of the contract, it was in an emergency situation and
9 then over time H and H was extremely thoughtful in
10 bringing it down percentage point by percentage point
11 to where we are today. We, it's hard to bring the
12 price down to start at \$17 and then go to \$14.40 but
13 they did it in an incredibly respectful way by
14 bringing it down little by little kind of month over
15 month and our partners managed to make it all work
16 and happen that way.

17 CHAIRPERSON JULIE WON: Okay. Perfect.
18 So now you started on the team with the emergency
19 contracts and now you are able to meet the \$14.40
20 that he stated on the record.

21 MATTHEW JOZWIAK: Yep.

22 CHAIRPERSON JULIE WON: Great. And for
23 the new contract were you just renewed for your
24 existing contract under the emergency or did you have
25 to go through a competitive bidding process?

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MATTHEW JOZWIAK: We went through a competitive bidding process for the first time as an organization.

CHAIRPERSON JULIE WON: Okay. And you don't -- you wouldn't, do you happen to know if there were other vendors? Who the other vendors were that were competing or did they not disclose that for you?

MATTHEW JOZWIAK: Nobody disclosed other vendors that we know. I heard of some people that were applying but that's it.

CHAIRPERSON JULIE WON: Okay. And how much have you been paid by the city to date? And how much is still owed to you because we are seeing a lot of complaints of money owed that has yet to be paid?

MATTHEW JOZWIAK: I can't speak to the exact amounts. I think our Chief Financial Officer is here but the City has been timely and communicative in their payment process.

CHAIRPERSON JULIE WON: Okay.

MATTHEW JOZWIAK: I think that they understand that we are a network of small businesses and that payment terms of very difficult. Yeah. So, they've been communicative and timely in their response.

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CHAIRPERSON JULIE WON: Okay. I'm glad to hear that because we do not hear that from all of our vendors, especially for DHS. And for H and H in particular because it doesn't go through the same oversight through the Comptroller's office as well as with the city. You heard both Council Member Brewer and I talk to H and H about how they are currently processing their invoices through a Human Capital Management system which is for HR not for invoicing or payments. So, would you be willing to share the receipts and invoices or proofs of payments related to your City Contract with the City Council's Department of Investigations?

MATTHEW JOZWIAK: Could I get back to you on that?

CHAIRPERSON JULIE WON: Okay

MATTHEW JOZWIAK: Thank you.

CHAIRPERSON JULIE WON: And have you encountered, and this is a broad question for all you, are you encountering any other issues on site in regards to food or anything else that you want us to be aware of for the migrants that wasn't already discussed today?

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MATTHEW JOZWIAK: I'll leave it to the partners.

CHAIRPERSON JULIE WON: Because I also know that for you in particular you have more than H and H, you have an HPD contract now and we want to expand that so that you are getting an exposure to a wide variety of migrants who are facing a lot of difficulties and challenges.

ZAKARAYA KHAN: So some of the sites don't have proper refrigeration but in the case when you have like real restaurant people running the show, like we take the extra step of bringing in thermal bags with ice packs and for the hot food, we deliver the hot food in these hard thermoses and let them keep it overnight and then the next day pick them up and you don't even know how many we've lost in the process, but we do it just to make sure that the food stays at safety temperatures and it is not just spread out on the tablet like that. So, they open up just one bag at a time and take out as they need while the rest of the food will sit in the food safety zone until its ready to serve. We also gave them temperature monitoring probes so they don't even have to open the basket over and over to check the

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2 temperature. It's a probe. You put it in there and
3 on the outside, it will tell you how safe the food
4 is, so, that's what you get when you have, you know
5 resourceful small businesses doing the job, you know.
6 We don't take no for an answer, we'll figure it out.

7 CHAIRPERSON JULIE WON: How many across
8 the board are you seeing personally of sites without
9 refrigeration? Is it almost all the sites that you
10 provide for or is it rare? Emergency ones?

11 MATTHEW JOZWIAK: It's a lot of just the
12 emergency ones where they had to turn kind of like
13 gyms into shelters. Those were really, really
14 challenging. For the most part, all of the HERC
15 sites that we work with have proper refrigeration
16 through H and H. Really it is just the -- the
17 emergency sites in which we provide refrigeration or
18 shipped refrigeration over there.

19 CHAIRPERSON JULIE WON: Got it. Thank
20 you. And lastly, do you have any recommendations for
21 us from everything that you've heard today on how we
22 can improve the current contracting or procurement
23 process to involve more local small businesses into
24 the fold?

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MATTHEW JOZWIAK: I have a very strong opinion on this. I think that what Dr. Ted Long said is actually the most important comments. Consumption needs to be measured. It needs to be documented. We've seen sites and I've heard stories of nonprofits across the country where they are finding consumption rates of 10, 20, 30 percent of the food, which means even if you are saving \$4 and bringing it down to \$11, you are paying for it three times. Because what happens is that these individuals, everybody has to eat, so they walk across, you know, the street and they go to a local church or they go to some of the nonprofits that Rethink funds and they eat there and so if we could have a conscious measure of consumption which I think would have a better sense of where cost should be because at a certain level of price point even though it is better for the taxpayer the consumption rate plummets and it's really the kind of key metric that I have only heard of H and H measuring.

CHAIRPERSON JULIE WON: Thank you, anybody else with any recommendations? Council Member Menin?

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ZAKARAYA KHAN: I think we need more partners like Rethink who can help us get through all the paperwork and let them do the bidding process of the restaurant partners. During COVID they went through hundreds of restaurants to see who can actually produce and keep up with the production like, they have the A list of the New York City restaurants that can produce meals on demand. Like they've done the hard work, they have done the research and development to get where we are now. Like final partners like this who can deal with the logistical paperwork, lawyer part and just let us do what we're good at, making food.

CHAIRPERSON JULIE MENIN: So, another question I had, you talked very persuasively about how you can consolidate purchasing. You all are working on doing that and that will obviously drive down the price. As you probably heard from the testimony today and one of our biggest frustrations with this hearing is the fact that these various city agencies do not seem to be talking to each other, do not seem to be standardizing their processes, are not harnessing the City's purchasing power to drive down cost. So, I guess more of a question for Rethink.

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In your dealings with these agencies, have you seen any efforts on the part of the agencies to try to standardize, to try to drive the cost down, to try to work collectively on one single process that will lower the price ultimately?

MATTHEW JOZWIAK: You know we just started working with HPD but I would say in H and H you know we've had open dialogue with LIC Commissary to focus on that and it's been encouraged. They made the intro, you know, so it's been encouraged that we focus on this. There's been no direct like come together and try to drive prices down through group purchasing but encouraged collaboration between other food procurements, other food providers.

CHAIRPERSON JULIE MENIN: Okay. Thank you so much for this panel. We really appreciate you all being here and taking time out of your day. Thank you.

MATTHEW JOZWIAK: Thank you.

ZAKARAYA KHAN: Thank you very much. Thank you.

COMMITTEE COUNSEL: Thank you very much for our panelists and for the next panel I would like to invite Jonathan Forgash and Sandra Jacquez up.

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Hello and thank you. Ms. Jacquez if you want to start.

SANDRA JACQUEZ: Good afternoon, all.

Thank you, Council Committee, Chairs Menin, Won and Fariás and the entire committee for the opportunity to share testimony today on the role of small businesses in shelter food procurement. I am Sandra Jacquez. I am the President of the New York State Latino Restaurant, Bar and Lounge Association which is a nonprofit organization representing the interest of hundreds of Hispanic minority and immigrant owned restaurants and night life venues throughout the city of New York. As an organization deeply rooted in the community our members want to participate in the shelter food procurement process in the city. Especially giving our expertise and providing culturally competent food. However, the shelter food procurement system is flawed and oftentimes cuts us out of the process. While there is an effort to involve small businesses in the shelter food procurement, more needs to be done to ensure those businesses willing and able to provide for the community have access to city contracts. The current system for this type of procurement is incredibly

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2 bureaucratic and complex which prohibits many of our
3 members from participating. There needs to be great
4 education and transparency into the procurement
5 process to prevent wasted resources like our members
6 from being cut out of the process. For every dollar
7 spent at a small business in New York City, 70 cents
8 remain in the community. The same cannot be said for
9 large chain stores. By having small businesses
10 provide the food to shelters not only would most of
11 our vulnerable receive better and more appropriate
12 food but it would provide an opportunity for
13 significant economic impact to our local communities.
14 As a small business myself, 20 years having a
15 restaurant I'm just saying that it is extremely
16 difficult to try to get into these contracts. I'm an
17 MWBE myself and so for the last year it has been
18 impossible and difficult to try to get these
19 contracts. Just the whole process as to trying to go
20 after these contracts has been completely difficult,
21 every shelter, every city agency that I can just to
22 learn the process and it has been impossible to do
23 so. So that's on my personal level and on top of all
24 of our members that we have as well. The same
25 situation has been with them it's just very hard.

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2 And once you do try to get these contracts then you
3 are outbidder by these other sources that had been in
4 this environment for many years and it just seems to
5 be going to same people. These contracts just keep
6 going to the same two or three entities and you know
7 it, we just want to have, the same that it is going
8 to have an opportunity as well because our businesses
9 are really hurting. On my way down here, you know,
10 driving through my neighborhood I just saw that in
11 the last two weeks five of our restaurants shut down.
12 And I was in shock when I actually passed by one that
13 has been in our neighborhood, a stable for over 25
14 years and it has a closed down sale sign. So just
15 wanted to say that. I also want to thank the
16 Committee and the entire City Council for their
17 attention on this matter. Our members are eager to
18 assist and provide food to those in the shelter
19 system and we look forward to continued partnership
20 with the Council and relevant agencies to ensure this
21 procurement process is accessible for small
22 businesses. Thank you so much for your time.

23 JONATHN FORGASH: Good afternoon,
24 everyone. Thank you for allowing me to speak today.
25 I am Jonathan Forgash, Founder and Executive Director

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2 of Queens Together, a restaurant driven food
3 organization. We started our work in March 2020 just
4 as COVID 19 was shutting down New York City.
5 Restaurants were closing, people were losing jobs,
6 getting sick and going hungry. We built a system to
7 raise money and pay restaurants to do what they are
8 licensed to do, provide culturally freshly made meals
9 to the public. We utilize the system to build a
10 boots on the ground, emergency response food relief
11 operation and restaurant empowerment program. Today,
12 Queens Together has helped feed over 400,000 people
13 and supported hundreds of restaurants. Today our
14 business model supports multi-cultural mom and pop
15 restaurants on the road to success and partners with
16 them to provide meals to neighbors facing food and
17 economic insecurity. The small business restaurants
18 of Queens are perfectly situated to provide these
19 culturally appropriate freshly made meals to shelters
20 across the city. Not only can we match restaurants
21 based on cultures and dietary needs but our model
22 directs the flow of funding to local restaurants
23 which will then uplift the economy but we have jobs,
24 goods and services. We see this work as community
25 building, successful small business entrepreneurship

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2 is a pathway to the middle class for families across
3 the city. These businesses are also a source of job
4 creation and prosperity in their neighborhoods. With
5 every dollar that spend on food relief, meals are
6 provided to people in need, small business
7 restaurants benefit, jobs are supported, the local
8 economy grows and tax revenues increase. As a former
9 chef and caterer, I know the power of providing
10 people with compassionate culinary care. Working
11 hand and hand with restaurants and community groups
12 across our borough I see the value of familiar
13 culturally rich meals to people struggling for
14 normalcy and a sense o home. Thank you for your
15 time.

16 CHAIRPERSON JULIE MENIN: Okay. I do
17 have a couple of questions. First of all, thank you
18 so much for being here. You mentioned how much the
19 restaurants are hurting. Has the City reached out to
20 you at all about trying to involve the association
21 and your restaurant members in some of these food
22 contracts.

23 SANDRA JAQUEZ: Unfortunately, they have
24 not.

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CHAIRPERSON JULIE MENIN: Thank you.
That's my question.

COMMITTEE COUNSEL: All right. If there are no more questions, thank you to both of you and I will call the next panelists which are going to be online on our Zoom. I believe we have Akrim Nasir, Michael Lopez, Anna Cabrera, and Shatawat Shintun.

MODERATOR: You may begin.

COMMITTEE COUNSEL: All right. I'm not seeing any of those panelists online. In that case I will call Elena Barcenes and Daniel Derrato (phonetic).

ELENA BARCENES: Yes. This is Elena Barcenes and can you all hear me? Can you hear me?

ALEX COMMITTEE COUNSEL: Yes. We can. Yes, we hear you.

ELENA BARCENES: Okay. Thank you. I would like to thank all of you for allowing me to speak. My name is like I said Elena Barcenes. I am the owner of a restaurant in Jamaica, Queens. I have been serving the community for the past 43 years. I am a member also for the First Latino Task Force that the mayor established this year. I have asked many officials to assist me in trying to get a contract.

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2 I am currently certified with the MWBE and I have
3 endlessly worked this whole year to try to get
4 assistance to have an opportunity. I am located in
5 149 Jamaica. I am surrounded by hotels which have
6 now housed migrants as myself and I have also had the
7 opportunity working with Mr. Jonathan and he gave me
8 the opportunity. We actually fed 200 migrants next
9 to my restaurant and it was the first that they were
10 able to sit down and have a family meal. And I have
11 endlessly heard how many people have received the
12 food from these big corporations and the quality of
13 food is terrible. I have always asked for the
14 opportunity. I know what I do, I'm good at what I do
15 and as of now I have not heard from anybody back. I
16 have written numerous emails and asking pretty much
17 begging for the opportunity to keep my doors open and
18 I do what I can for the community. I belong to
19 different organizations and I just need assistance
20 and I would appreciate if someone here with small
21 business like myself, we are struggling and it's very
22 hard. It is very hard to compete. I was actually
23 asked for a bid from one of these companies but they
24 wanted me to feed three meals for \$8 and it's
25 impossible. Even though I needed the money, I did

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2 the best I could to count down the numbers and it's
3 impossible for anyone to feed and to give what people
4 deserve or only being offered \$8 for three meals
5 including delivery and so forth. So, I would like to
6 thank you for this opportunity and I hope my voice an
7 be heard as a representative of minority women
8 business owners. Thank you so much.

9 COMMITTEE COUNSEL: And do we have Daniel
10 Derrato online?

11 JACLINN TANNAY: Yes, hi. My name is
12 Jaclin Tannay and I am the President of The Migrant
13 Kitchen initiative and today I'm going to represent
14 our organization including our founder, Dan Derrato.
15 Thank you so much for having me here today and a
16 special thank you to Council person Julie Menin for
17 sending for sending the invitation for us to
18 participate and to Chain Won, and Farías and member
19 Lee, Ariola, Nurse and Genarro. It is so
20 appreciated. The Migrant Kitchen initiative is
21 dedicated to ending the hunger crisis in New York
22 City by reducing food insecurity at the community
23 level. We provide free meals to New Yorkers in need
24 working with small businesses across the city and
25 ensuring that all meals are culturally relevant and

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2 served with dignity and with respect. Our menus are
3 composed with the recipient in mind and they meet the
4 culinary interest of those communities that we're
5 serving. We started because we were birthed out of a
6 need to feed the most vulnerable among our community
7 during the COVID 19 pandemic. And we started as a
8 small group of restaurant industry friends wanting to
9 make the most out of our time and our food reserve
10 when the city shuts down. And so, it began as small
11 meals for friends and family and we quickly grew to
12 New York's largest restaurant quality cooking
13 operation during the pandemic, serving 10,000 meals a
14 day to food insecure communities across the city.
15 And as the hunger crisis continues to worsen it
16 became really clear to us those services like ours as
17 a 501(c)3 nonprofit was needed now more than ever.
18 And the food access has really evolved since the
19 pandemic. We have donated 3.7 million meals to date
20 but we see that food insecurity is hitting
21 particularly hard as you've been talking about today
22 to migrant communities. So, we partner with
23 organizations to provide daily quality meals. The
24 meals are crafted. They are made from scratch using
25 fresh seasonal ingredients and we approach every menu

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2 the same way that our colleagues just spoke today in
3 the restaurant industry that they do through taste,
4 presentation, quality sourcing and we really
5 understand as a nonprofit that hunger across migrant
6 communities often goes unnoticed. Those people are
7 suffering. They are often feeling unseen, unspoken
8 for and that isolation and fear have really been a
9 reality for our migrant neighbors. Especially among
10 the asylum seekers here. We want to be here today to
11 testify that nourishing, delicious meals have never
12 been more important but they also need to be
13 representative. Migrants face difficulties with
14 access and affordability and with the isolation they
15 don't often know where their next meal will come from
16 and that's inclusive of those asylum seekers in the
17 shelter but also migrants that are in the communities
18 across the five boroughs not in the shelter system as
19 well. And so, we want to be sure to together tackle
20 food insecurity and reduce the number of both
21 physical and mental health catastrophes that are a
22 result of the hunger crisis there. We really believe
23 there is an equitable way to do this and by not only
24 incorporating the fresh seasonal ingredients but more
25 specifically culturally relevant flavors in our meal

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2 design, that is very possible. And we'd love to do
3 that by partnering with the small businesses,
4 reinvesting in a local economy and really working
5 with the small businesses that identify with the
6 cultural representation of the communities that we're
7 serving. And we do this also while following good
8 food purchasing standards and Executive 8.

9 MODERATOR: Your time has expired.

10 CHAIRPERSON JULIE MENIN: Thank you very
11 much. Thank you so much for your testimony.

12 COMMITTEE COUNSEL: All right. If there
13 are no other questions, I will call up our next
14 panelists. All right. Thank you very much. And I
15 now have Andrew Rigie on the Zoom.

16 MODERATOR: You may begin.

17 ANDREW RIGIE: Thank you, fellow Chair,
18 Council Members, sorry I can't be there in person. I
19 actually just ran out of a meeting to log in to speak
20 because this is very important to us. My name is
21 Andrew Rigie. I am the Executive Director of the New
22 York City hospitality lines. We are a trade
23 association that represents restaurants, bars, and
24 night clubs across the five boroughs. I wanted to
25 speak on the importance of prioritizing small

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2 businesses and the City's procurement process. You
3 know we always knew this was important pre-pandemic.
4 I think we really saw the importance of the city
5 working with local restaurants during the pandemic
6 and we see it today feeding asylum seekers and others
7 seeking food relief. Certainly, the city can work
8 with larger organizations to provide these meals but
9 there is something that is so critically important
10 when the city works directly with local restaurants
11 or intermediary non-profit organizations to provide
12 those meals to restaurants or to those that yield
13 from restaurants to those that are in need. I'm sure
14 you've heard it over and over again today that it not
15 only brings food to the folks who are in need but it
16 also supports these small businesses, supports jobs
17 and also provides culturally relevant meals to these
18 folks so it has such a greater impact in this whole
19 ecosystem than just feeding the folks that need the
20 food. We've been fortunate to work with great non-
21 profits like Rethink food that does just that. It
22 really has worked with local restaurants, many of
23 them are members on providing these culturally
24 sensitive meals to folks in need when there is an
25 emergency or just on an ongoing basis. So, we wanted

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2 to come and commit our support to this process and
3 like members of council know how important it is for
4 these organizations at our local restaurants to be
5 part of the procurement process in so much of the
6 work that you do. We are so committed to this we
7 actually established the hospitality alliance impact
8 foundation a charitable organization to help amplify
9 the great work that folks are doing. I think I just
10 saw The Migrant Kitchen speak. They are another
11 example of great work that is happening there, you
12 know, on the ground that we are trying to support
13 through our impact foundation. We have worked with
14 organizations like Queens Together, who may have
15 spoken earlier today by providing grants so they can
16 purchase food from the restaurants to have them
17 delivered to those in need. And I think in today's
18 world where people are always yelling at each other
19 and fighting about different things. I have seen the
20 unity that occurs amongst all different types of
21 people in local restaurants, community groups and
22 folks in need come together and put aside any
23 differences to meet this item. So, this is really a
24 win win for all of us.

25 MODERATOR: Your time has expired.

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2 ANDREW RIGIE: Oh, I don't know if I'm
3 muted but. Am I muted?

4 CHAIRPERSON JULIE MENIN: No, you're not.
5 We can still hear you.

6 ANDREW RIGIE: Oh, great. The last thing
7 I would just say is that we originally worked at
8 partnership with the Fund for Public Housing.
9 Dedicated credit cards that can only be used at local
10 restaurants to people living in NYCHA that did not
11 have cooking gas during the holidays and this is
12 another creative way we empower people, we support
13 their local businesses, well partaking the meals that
14 they want that are appropriate for that and again
15 helps social and economic system in food relief. So
16 yeah. Thank you. So, everything the Council is
17 doing and trying to do along here and we are happy to
18 support in any way possible. Thank you.

19 CHAIRPERSON JULIE MENIN: Okay. Great.
20 Thank you so much for your testimony.

21 COMMITTEE COUNSEL: Thank you very much
22 and I have one other person who signed up virtually.
23 I'm not sure if she's available online, Susan
24 Marciona? All right. And then one additional
25 panelist in person, Frank Garcia.

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MODERATOR: All right. You can begin when ready.

FRANK GARCIA: Okay. First, I want to thank you for allowing me to testify on behalf of the New York State Coalition of Hispanic Chambers, 100,000 members, 26 chambers. And Chairman of the National Association of Latino State Chambers. I saw this on TV and I ran from 14th Street to come here because I did not know about this and this has been something that you know Council woman have been very vocal with Commissioner Kim and we did a big event thanks to the councilwoman and LaGuardia College, the first minority international event done at LaGuardia College to bring suppliers from Latin American, women that were victims for the first time Mayors and Governors from Columbia came to LaGuardia college to help deal with tis immigration crisis. And we were able to get members like the Latino Restaurant Association that just spoke to who I represent to be able to get them to be able to buy together to bring down the cost. I heard people were saying on the other panel with the restaurants the issue is that they can't come together to buy. We created thanks to Coca-Cola a buying organization to help eliminate

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2 the cost to our members and most importantly create
3 jobs for people not to come from Latin America and to
4 stay. Right now, we have a commitment from the Vice
5 President of Columbia who is here today in the UN to
6 work with is with Commissioner King to create a task
7 force to be able to create jobs or people not to come
8 here but we need our members to qualify more for the
9 contracts with the city of food. It's like to me our
10 members, the President of the Latino Restaurant
11 Association. I saw her outside. She is very
12 frustrated because her members get certified and they
13 are not getting opportunities to bid. I think
14 especially in the areas like Jackson Heights areas we
15 have Columbian restaurants that's in the Council
16 woman's district in Long Island City that are not
17 certified. What is the City of New York doing to
18 reach out more to my members to get certified and why
19 we as chambers of congress, Hispanic are a minority
20 counterpart are not being known when these hearings
21 are going on because it is important for us to have a
22 voice that's why I saw it on TV and I ran in here.
23 Because we need to make sure my members are part of
24 these 10 \$30 million contracts that all these big
25 companies like US Foods are involved and our members

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don't. And these programs sitting in my -- to me it's like certification. It's not a privilege it's our right. And when we're having issues with people getting certified. I did an event in LaGuardia College and the city didn't want to send anybody to help with certification. I had 300 Latino businesses, Asians, Hispanics, ready to get certified and no one showed up. So those are the frustration that we have as advocates and I look forward to the City Council working with my Chamber Presidents to really help get more contracts especially with this immigration issue and we will be releasing a white paper that the Mayor's or Commissioner Kings' Office and solutions for the immigration crisis. Thank you.

CHAIRPERSON JULIE MENIN: Thank you very much for your testimony. And that concludes the hearing today so we will close the hearing. (gavel pounding).

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date January 4, 2024