

**DETERMINATION AND FINDING
FOR A SOURCE PROCUREMENT**

AGENCY, OFFICE: Food and Nutrition Services
CAPTION: Food Services Management Company
PROPOSED CONTRACTOR: SodexoMagic, LLC
CONTRACT NO. GAGA-2023-C-0295

FINDINGS

1. AUTHORIZATION:

D.C. Code 2-354.04 and 27 DCMR, Section 1304 and 1700.

2. MINIMUM NEED:

The District of Columbia Public Schools (DCPS), Office of Resource Strategy (ORS), Contracts and Acquisitions Division (OCA), on behalf of the Office of the Chief Operating Officer (OCOO), Food & Nutrition Services (FNS), is awarding this sole source contract to SodexoMagic LLC, Food Service Management Company (FSMC) to prepare, furnish and deliver high-quality service products and services to 108 DCPS School Sites which are divided into ten (10) clusters.

The Contractor must conduct all program operations in accordance with all applicable Federal regulations, including, but not limited to, United States Department of Agriculture (USDA) 2 CFR Part 180, 2 CFR Part 200, and 7 CFR Parts 210, 220, 225, 226, 240, 245, 250, 3016.36, 3018.110(d), 3019.4, and Summer Food Service Program (SFSP) and Child Adult Care Food Program (CACFP) requirements, and Food and Nutrition Service (FNS) instructions, policies and memorandum, as applicable, in addition to all applicable state and local regulations, policies and procedures, including but not limited to the DC Healthy Schools Act (HSA) of 2010, as amended, the Healthy Hunger-Free Kids Act (HHFKA) of 2010, as amended, and all State Agency memorandums and requirements. It is the duty of the Contractor to apprise itself of the requirements of DCPS Food Services and the District of Columbia Municipal Regulations 27 (DCMR 27).

3. ESTIMATED COST:

DCPS' estimated cost is **\$4,963,141.06** for a period of performance from August 18, 2023 through September 30, 2023.

4. FACTS WHICH JUSTIFY A SOLE SOURCE PROCUREMENT:

PLEASE REFERENCE 27 DCMR 1700 TO ENSURE YOU ARE MEETING THE MINIMUM QUALIFICATIONS.

5. BACKGROUND AND HISTORY:

The District of Columbia Public Schools (DCPS), Office of Food and Nutrition Services (FNS), in the District of Columbia is seeking a Food Service Management Company (FSMC) to prepare, furnish, and provide meals and services to 109 school sites (divided into ten clusters) participating in the Child Nutrition Programs including but not limited to the National School Lunch Program (NSLP), School Breakfast (SBP), Afterschool Snack (ASSP), Fresh Fruit and Vegetable Program (FFVP), Child and Adult Care Food (CACFP), and the Summer Food Service Program (SFSP) established by the United States Department of Agriculture (USDA). The Code

of Federal Regulations and the DC Healthy Schools Act and its subsequent amendments set forth the terms and conditions applicable to the proposed procurement. The successful bidder shall deliver in accordance with the menu requirements for each applicable program.

5. **CERTIFICATION BY THE OFFICE OF SCHOOL IMPROVEMENTS AND SUPPORTS:**

I hereby certify that the above findings are correct and the anticipated cost to DCPS is fair and reasonable.

Date

Ely Ross
Manager of Finance, Strategy & Technology

6. **CERTIFICATION AND DETERMINATION**

Based on the above certified findings in accordance cited authority, I hereby determine that it is not feasible or practical to invoke the competitive bidding process under Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; DC Code 2-354.04 and 27 DCMR 1304 and 1702.

Date

LaVeta Hilton
Contracting Officer