

**DETERMINATION AND FINDINGS
FOR A SOLE SOURCE PROCUREMENT**

AGENCY: District of Columbia Public Schools (DCPS), Chief Operating Office, Food and Nutrition Services (FNS)
CAPTION: Grocery Distribution to Excel Academy and Bard High School
CONTRACT NO.: GAGA-2019-C-0072A
CONTRACTOR: Gordon Food Service

FINDINGS

1. AUTHORIZATION:

D.C. Official Code §2-354.04, and 27 DCMR 1304, 1701.

2. MINIMUM NEED:

FNS requires a grocery provider to procure food with a United States Department of Agriculture (USDA) Child Nutrition Programs compliant grocery vendor in the DC-metro region, Gordon Food Service, to operate self-preparation meal service at two schools: Excel Academy and Bard HS Early College DC.

3. ESTIMATED REASONABLE PRICE:

The estimated reasonable price for this limited time sole source contract is \$110,00.00 from October 01, thru February 03, 2020.

4. BACKGROUND AND HISTORY TO JUSTIFY SOLE SOURCE AWARD:

FNS has been identified as part of the USDA food service programs improvement to become more compliant with Child Nutrition Programs conducted within DC Public Schools. The points below outline why this contract is being awarded sole source to this Contractor which is not all inclusive:

a. Compliant Procurement is Required to Secure USDA Federal Funding

FNS operates 2 USDA Child Nutrition meal programs in DC Public Schools. To remain compliant with USDA and state regulations, FNS must procure grocery items with a vendor who is able to provide appropriate documentation to demonstrate that products are compliant with federal and local regulations. The documentation required includes nutrition facts labels, child nutrition labels and

product formulation statements, when applicable. All documentation must be provided in a systematic, organized method to FNS. The vendor must also be able to provide items that are compliant with strict federal and local nutrition requirements for K-12 meals, such as availability of whole grain rich products and low-fat products and following Buy American standards.

b. Request for Proposal (RFP) Process

There was a material change to the original grocery vendor contract, which necessitated that FNS issue a new grocery contract RFP on June 4, 2019. A core requirement in this RFP was for bidders to include appropriate documentation to confirm federal and local compliance with nutrition standards for all items on the product order guide. None of the bidders provided this information in their bids. FNS canceled the RFP due to lack of complete responses.

c. Vendor Ability to Provide Services

Gordon Food Service (GFS) has over 100 years of foodservice experience servicing restaurants, schools, universities, healthcare facilities, hotels, stadiums, etc. They operate grocery distribution in the Eastern region and are appropriately equipped to distribute to DC Public Schools.

This vendor operates in 19 states and has a K-12 Education division that specializes in providing necessary supports for K-12 customers, comparable to DC Public Schools. Gordon Food Service has an online platform that provides access to nutrition fact labels, child nutrition labels (when applicable), and product formulation statements (when applicable). GFS also provides USDA commodity assistance and Buy American Provision assistance.

Gordon Food Service can match our preferred product list with comparable manufacturers. GFS has also demonstrated that they are able to supply necessary documentation for USDA Child Nutrition programs; this will ensure the transition to GFS is compliant and supports the success of the Child Nutrition meal programs in DC Public Schools.

d. Partnership will meet the Needs

GFS is prepared to begin the work immediately to ensure that programming is in place for successful implementation.

5. THE DECISION FOR AWARDING THIS CONTRACT

The final decision for awarding the Sole Source Contract is the result of the continuous collaboration and communication between United States Department of Agriculture (USDA), Office of the State Superintendent of Education (OSSE), and the District of Columbia Public Schools (DCPS) on implementing the USDA initiatives on improvement of the food service programs for the DCPS. After market research to identify an organization that could meet the aforementioned points, GFS was the sole entity available.

6. CERTIFICATION BY DCPS PROGRAM:

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

Date

Director, Food and Nutrition Services

DETERMINATION

Based on the above certified findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive bidding process under Section 27 DCMR 1304 and 1701.

Date

Chief Contracting Officer