

GOVERNMENT OF THE DISTRICT OF COLUMBIA
District of Columbia Public Schools (DCPS)



Public Hearing on

DC Public Schools Food Services Contracts

Testimony of
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Chief, Fiscal Strategy
DC Public Schools

Before the
Committee of the Whole
The Honorable Phil Mendelson, Chairperson

Hearing Room 412 (Track B)
John A. Wilson Building
1350 Pennsylvania Avenue, NW
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1:00pm

Good afternoon, Chairman Mendelson, members of the Council, and staff. I am Patrick Ashley, Chief of Fiscal Strategy for the District of Columbia Public Schools (DCPS), and I am thankful for the opportunity to testify before you today on DCPS' food services contracts.

The food services contracts are some of DCPS' most complex, forward facing, and critical contracts. The solicitation, evaluation process, and awards for this service provide a level of complexity which has required additional time by all parties than originally anticipated. In addition, because of some of our contract findings earlier this year, DCPS and our partners have been laser focused on ensuring that our contracts meet all requirements as we continue to build a better and more robust contracting process. While I recognize that this has meant delaying the start of these contracts, we believe that it is critically important to get them right, while balancing service delivery to our students.

DCPS has been working in partnership with the DC Office of Contracts and Procurement (OCP) and the DC Office of the Attorney General (OAG) to be able to source the next vendors who will continue to provide high quality food services to our students. DCPS has also worked to provide our students with high quality food services both through our vendor operated programs and self-operated programs and takes this responsibility seriously.

Current contracted food services are provided through two vendors, Sodexo Magic and DC Central Kitchen. This contract was originally awarded to these vendors in 2016 and covered services through a series of option years ending in 2021. Coming out of the COVID-19 pandemic, the decision was made to extend these services while a new multi-year solicitation was contemplated and issued. These services have been extended through September 30 and DCPS will present two additional contract actions for Council approval, which will extend services for a final period through December 31, 2023.

Contract Timeline

To provide more context, I will share some background information on the timing of our contract activities:

In late 2021, DCPS began planning for recompeting the DCPS food services management contract. In the Spring of 2022, DCPS issued a solicitation, but this solicitation was cancelled to allow for additional time to consider requirements as we transitioned out of the pandemic.

In late 2022, DCPS issued a new solicitation for food services, with responses due in January 2023, to allow vendors more time to provide a comprehensive response to our request for proposal. The solicitation was subsequently amended, and vendors were provided the opportunity to respond in March 2023. Best and final offers were requested from the vendors, due in April 2023.

After consulting with the food services program and the OCP, the decision was made to issue an additional modification to the solicitation, in May 2023, which required DCPS to engage all respondents to update their proposal by late May. Once responses were received, the technical evaluation panel, which consisted of DCPS subject matter experts, met to score the vendors, and initial contract negotiations began in late May.

Proposed contract packages were then submitted to OAG, and we have worked closely with OAG staff to obtain legal sufficiency for our contract packages. The assigned contracting officer, a detailed employee from the OCP, has been engaging regularly with our vendor community to obtain necessary

compliance documents. During the legal sufficiency review process, however, it has been determined that the proposals DCPS received require additional evaluation.

As a result of this delay, we believe the best path forward is to delay the start date of the new contract until January 1, 2024. This start date would allow DCPS to ensure continued services and an orderly transition between vendors if a vendor change is required. We have provided communication to our vending community that we must revisit the evaluation process and will soon be following up with them regarding next steps.

Moving forward

DCPS will continue to ensure that we are engaging in procurements that are efficient, cost-effective, and provide our students with the quality services that they need. DCPS has received extensive support from the OCP, and we regularly consult with OCP Leadership including Ms. Nancy Hapeman, Interim Director and Chief Procurement Officer, and Mr. Wil Giles, Interim Deputy Chief Procurement Officer. They have provided training and technical assistance as DCPS continues to strengthen its contracting process as well as detailed three OCP contracting officers to assist with DCPS procurements.

Additionally, as we have been working with OAG to obtain legal sufficiency, we are meeting twice a week with OAG Counsel to ensure that we are moving the food services packages as quickly as possible, and OAG's leadership has assured DCPS that the food services contracts are a priority for them and are currently being reviewed.

As we look at bringing this contract to an award, we continue to work with our vendor community and OAG on key milestones. Our goal is to have these contracts awarded by the first week of December. In early September, we will solicit information from our vendors to complete our final evaluation process. The vendors will have 5 business days to return information back to DCPS, at which time the final evaluation process will occur. We anticipate submitting all documents formally to OAG by early October and we will work with the OAG to obtain legal sufficiency by the end of October. At that time the final contract package will be immediately submitted to the Mayor's Office for final review and transmission to the Council for consideration by mid-November. This will allow the contract to be approved by the Council by early December, pending any additional follow-up from the Council.

As we look forward to a successful contract award, DCPS has confidence in its implementation plan and anticipated monitoring of the new contract through the RFP requirements and the evaluation process. The subject matter experts on the panel have taken a thoughtful approach in reviewing the proposals and have evaluated the responses accordingly. We want to be clear that students are and always will be at the heart of the DCPS food & nutrition program. By policy, all new menu items, including those presented as part of this procurement, are required to be taste tested with students, like we did this past March, and must be scored with an evaluation rubric. This approach is helpful in selecting meals that students approve conceptually.

To that end, ongoing monitoring is critical to ensuring that we meet the high standards set in every contract and especially the Food Services contracts. There will be an increase in regular visits, planned and unplanned, throughout this school year by all members of FNS. This year, DCPS is adding an additional 5 FNS temporary Operations Field Specialists to ensure that satisfaction in food and service quality are maintained to the highest levels of food and service satisfaction as we implement a new

contract. The temporary staff will duplicate the efforts of the current 5 Contract Field Specialists. This additional staffing structure allows the FNS Operations Team to have a higher level of visibility across the District to ensure that results are tangible, and shortcomings are minimized and addressed right away.

DCPS recognizes the need for reliance on its stakeholders to provide the valuable feedback needed to continually improve the food and nutrition program, and we look forward to meeting with our families and vendors throughout this school year to understand how we can best serve our students in this new chapter of DCPS' Food Services Contracts.

Thank you for the opportunity to testify. I am joined today by Deputy Chief of Food and Nutrition Services, Robert Jaber, and we are available to answer your questions at this time.