

**DETERMINATION AND FINDINGS
FOR
SOLE SOURCE CONTRACT EXTENSION**

Program Agency: Department Of Corrections
Contract No: DCFL-2006-D-0011
Caption: Food Services
Proposed Contractor: ARAMARK Correctional Services, LLC

FINDINGS

1. AUTHORIZATION:

D.C. Official Code §2-354.04, 27 DCMR 1304 and 1702

2. MINIMUM NEED:

The Government of the District of Columbia, Department of Corrections (DOC) has an immediate need to extend the period of performance for the current food service contract DCFL-2006-D-0011. DOC needs the current contractor to provide daily well-balanced nutritious meals to an average population of 3,100 inmates (ranging from 2,800 to 3,300) housed at the Central Detention Facility (CDF) and the Correctional Treatment Facility (CTF).

The inmate food service will be required for ten (10) months beyond the current expiration date of the current contract, July 1, 2012 through December 31, 2012, or until a new contract can be competitively awarded.

3. ESTIMATED REASONABLE PRICE:

The estimated reasonable cost is \$1,927,970.00.

4. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT:

- A.** The current contract expired on December 31, 2011.
- B.** On October 28, 2011, the contract extension letter was sent to the Contractor for one month of continued service under the current contract rates listed in Section B.4 Price Schedule, contract terms and conditions. The contractor concurred to the extension

letter on November 28, 2011. Modification 10 was issued to extend the services from January 1, 2012 to February 28, 2012.

- C.** On January 12, 2012, another contract extension letter was sent to contractor for continuation of services through June 30, 2012. The contractor agreed to provide the same services at a proposed price indicated in the price proposal submitted on January 20, 2012. Modification 11 and 12 were issued to extend the services from February 29, 2012 to March 31, 2012 and post the negotiated unit price rate. Modification 13 reduced the estimated quantity based on recalculation of the average daily inmate population for the month of March 2012. Modification 14 was issued to extend the services from April 1, 2012 to April 30, 2012. Modification 15 will be issued to extend the current services for the period of performance from May 1, 2012 through June 30, 2012. The contractor was sent another extension letter to further extend the services to December 31, 2012.
- D.** DOC has a need for continuing services without interruption with current contractor until a new contract is awarded. The District is in the acquisition planning stage of consolidating requirements to develop a new solicitation for a multi-year correctional food services contract. Aramark offered to provide the same services at the negotiated meal price of \$1.318 which became in effect on February 29, 2012.
- E.** Aramark has been providing the service since 2007. The extension of this food service contract is the only sure way to ensure that the continuity of operations is provided without interruption. The District requires continuity of operations in order to ensure that DOC continues to manage and operate the inmate food service program at CDF and CTF until award of a new food service contract.
- F.** DOC officials are satisfied with the services rendered by the current contractor. This contractor has satisfactorily provided these services to the District since 2007.
- G.** Public Notice of OCP's intent to award a sole source contract was posted to our website for 10 calendar days pursuant to the requirements of OCP Policy 3000. The first and second public notices were posted to OCP's website on December 9, 2011 and February 10, 2012. The new posting was submitted to OCP's website on April 20, 2012.

5. CERTIFICATION BY AGENCY HEAD:

I hereby certify that the above findings are true, correct and complete.

Date

Thomas Faust
Acting Director, Department of Corrections

6. CERTIFICATION BY CONTRACTING OFFICER:

Public Notice of OCP's intent to award a sole source contract was posted to our website for 10 calendar days pursuant to the requirements of OCP Policy 3000. The posting was submitted to OCP's website on February 10, 2012.

I have reviewed the above findings and certify that they are sufficient to justify the renewal or extension of this sole source contract under the cited authority. I recommend that the Chief Procurement Officer approve the renewal or extension of this sole source contract.

Date

Shafiq Choudhary
Contracting Officer

DETERMINATION

In accordance with D.C. Official Code § 2-303.05(b) and based on the above findings, I hereby determine that it is not feasible or practical to invoke as a prerequisite to renewing or extending Contract No. DCFA-2006-D-0012, the competitive bidding process under Section 303 of the District of Columbia Procurement Practices Act of 1985 (D.C. Law 6-85; D.C. Official Code § 2-303.03). Accordingly, I determine that the District is justified in renewing this sole source contract.

Date

James D. Staton, Jr.
Chief Procurement Officer