

**DETERMINATION & FINDINGS
FOR A
SINGLE AVAILABLE SOURCE PROCUREMENT**

Agency: Office on Aging (OoA)
Solicitation No: DCPO-2012-B-0052
Caption: Elderly Meals Services
Contractor: Top Spanish Café

FINDINGS

1. AUTHORIZATION:

Sec. 305(a)(1), D.C. Official Code 2-303.5(a)(1), and 27 DCMR 1702.2

2. MINIMUM NEED:

The Government of the District of Columbia, Office on Aging (OoA) has an immediate need for the current qualified food service contractor, Top Spanish Cafe, to continue to provide preparation and delivery of a portion of all daily nutritious meals consisting of hot and cold foods, condiments and general supplies, for eligible participants at congregate nutritional sites and homebound elderly program participants that resides near congregate sites.

The elderly meals food service program in Ward 1 shall be required for the performance period, November 1, 2011 through May 31, 2012, until a new contract(s) can be competitively awarded.

3. ESTIMATED FAIR AND REASONABLE PRICE:

\$82,592.00

4. EXPIRATION DATE

This Single Available Source Class Determination and Findings will expire on May 31, 2012.

5. FACTS WHICH JUSTIFY A SINGLE AVAILABLE SOURCE PROCUREMENT:

- a. The Top Spanish Cafe will expire on October 31, 2011. There are no remaining options available on the initial contracts. These multiple contractors were originally awarded as emergency contracts totaling up-to- four months. The goal of the District is to solicit and award a long term contract in approximate six months. Due the transition of the agency's administration and procurement directions, there is a need to

incorporate major requirement changes and revisions of the statement of work, terms and conditions.

- b. The Top Spanish Café offers the same meals rates as the initial emergency contracts or negotiated rates listed in Section B.4 Price Schedule of the sole source solicitation. (See Attachment A). The proposed performance period specified in the short term contract(s) will allow sufficient procurement LEAD time to complete the planning phase, solicitation process, and other related pre-award activities required to award the new long term contract(s).
- c. The Top Spanish Café has been performing the services in separate portions by District Wards since there is no one supplier that can fulfill all requirements to all eight district wards since the bankruptcy of previous contractor, Nutrition Inc., in July 2011. Breaking down the food service requirement by numbered Wards and delivery sites is the only way to ensure that this vital service is provided to the elderly program participants without interruption. To ensure continuity of service, achievement of food quality, and to control costs, these contractors shall remain in place until May 31, 2012.
- d. OoA officials are satisfied with the services performed by the current contractor. The District requires of Office of Aging to daily nutritious meals to eligible elderly participants. (See Attachment B).
- e. Public Notice of OCP's intent to award a single available source/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 October 19, 2011.

6. CERTIFICATION BY AGENCY DIRECTOR

I hereby certify that the above findings are correct and complete, to the best of my knowledge.

John M. Thompson, Ph.D.
Executive Director

Date

7. CERTIFICATION BY THE 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 October 19, 2011.

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

Courtney Lattimore
Contracting Officer

Date

DETERMINATION

Based on the above findings and in accordance with Sec. 305(a)(1), D.C. Official Code 2-303.5(a)(1), and 27 DCMR 1702.2, I hereby determine that the subject contract may be procured using the single available source method of procurement. . It is further determined that the awards are in the best interest of the Government of the District of Columbia.

James D. Staton, Jr.
Chief Procurement Officer

Date

Attachment

- A. Contractors' Price Schedule
- B. OoA Sole Source Justification