

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

CONTRACT NO: Doc267767

CAPTION: Food and Food Related Grocery Supplies

PROPOSED CONTRACTOR: Performance Food Services Group Company (PFGC)

PROGRAM AGENCY: Department of Youth Rehabilitation Services

FINDINGS

1. AUTHORIZATION:

D.C. Official Code §2-354.04, 27 DCMR §1304, §1700 and §1701

2. MINIMUM NEED:

The District of Columbia (District), Office of Contracting and Procurement (OCP) on behalf of the Department of Youth Rehabilitation Services (DYRS), requires company to supply and deliver food and food related supplies to its New Beginnings located on River Road, Laurel, Maryland and its Youth Services Center located on Mount Olivet Road, N.E., Washington, D. C. The contractor shall make deliveries twice a week at each location.

3. ESTIMATED REASONABLE PRICE:

Total Estimated Reasonable Price is \$781,000.00 for the period of one year from date of award. The Contractor's price shall be inclusive of food, all food related grocery supplies, and delivery services as well as any other direct and indirect cost related to the requirement.

4. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT:

The Office of Contracting and Procurement issued two solicitations on the open market for food and food related supplies for DYRS. The first solicitation was issued on March 16, 2016 with bids due on March 31, 2016. Due to no bids received on March 31, 2016, OCP conducted a market survey of potential bidders and randomly reached out to those bidders to determine why they did not submit a bid. As a result of the random survey, OCP revised its scope of work and re-issued the solicitation again on the open market on May 16, 2016. On the date for receipt of bids, July 7, 2016 no bids were received. Again OCP reached out to potential bidders to determine why they did not submit a bid.

Performance Foodservice Group Company (PFGC) could not meet the delivery schedule required due to the company's lack of sufficient delivery trucks in the area that could accommodate the District's delivery schedule. SYSCO Food Distributors requested that OCP remove the company from its bidders list and did not provided an explanation as to why.

Due to the lack of response to the two solicitations issued and based on the comments provided by PFGC regarding the solicitation and after consultation with DYRS and the OCP General Counsel, OCP determine that it is the best interest of the District to conduct discussions and negotiations with PFGC. PFGC currently provides the food and food related grocery products to DYRS under a small purchase issued by OCP's Simplified Acquisitions Unit. The Company has agreed to negotiate the terms and conditions of the proposed contract with the District. Upon conclusion of the negotiations, OCP will award a contract to PGGC with a base period and four (4) one year option periods. Should the District intend to exercise any option after the base period of the contract, the District will negotiate the unit prices for the option period with the Contractor prior to award of the option.

5. CERTIFICATION BY AGENCY HEAD:

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

Date

Clinton Lacey
Director
Department of Youth Rehabilitation Services

6. CERTIFICATION BY CONTRACTING OFFICER:

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the notice of intent to award a sole source contract was published in accordance with 27 DCMR 1304 and. Also, I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

Date

Yvette Henry, CPPB
Contracting Officer,
Office of Contracting and Procurement

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354.02 or 2-354.03). Accordingly, I determine that the District is justified in using the sole source method of procurement.

Date

George A. Schutter III
Chief Procurement Officer
Office of Contracting and Procurement