

GOVERNMENT OF THE DISTRICT OF COLUMBIA
District of Columbia Public Schools



Pursuant to section 202(c-1) of the Procurement Practices Reform Act of 2010, as amended, D.C. Official Code § 2-352.02(c-1), the following contract summary is provided:

COUNCIL CONTRACT SUMMARY

(Tipping)

(A) Contract Number: GAGA-2023-C-0248

Proposed Contractor: DC Central Kitchen

Contract Amount: \$2,120,152.35

Unit and Method of Compensation: Fixed Unit Price

Term of Contract: July 1, 2023, through December 31, 2023

Type of Contract: Firm Fixed Price

Source Selection Method: Sole Source

(B) For a contract containing option periods, the contract amount for the base period and for each option period. If the contract amount for one or more of the option periods differs from the amount for the base period, provide an explanation of the reason for the difference:

Base Period Amount: \$ 2,120,152.35

(C) The goods or services to be provided, the methods of delivering goods or services, and any significant program changes reflected in the proposed contract:

Under the proposed contract, DC Central Kitchen shall provide food management services to 12 schools classified as school cluster ten. The Contractor shall prepare, serve, and account for meals. The services shall include management of the Schools Breakfast Program, including Breakfast In the Classroom, the National School Lunch Program, the Summer Food Service Program, the Afterschool Supper Program, the Afternoon Snack program, the Fresh Fruit and Vegetable Program, a la carte meals and items, adult meals and any other food service programs as required per the contract.

(D) The selection process, including the number of offerors, the evaluation criteria, and the evaluation results, including price, technical or quality, and past performance components:

Sole Source

- (E) A description of any bid protest related to the award of the contract, including whether the protest was resolved through litigation, withdrawal of the protest by the protestor, or voluntary corrective action by the District. Include the identity of the protestor, the grounds alleged in the protest, and any deficiencies identified by the District as a result of the protest:**

There are no protests pending.

- (F) The background and qualifications of the proposed contractor, including its organization, financial stability, personnel, and performance on past or current government or private sector contracts with requirements similar to those of the proposed contract:**

DC Central Kitchen has a satisfactory record of integrity and business ethics. Based upon the DC Excluded Parties List dated September 1, 2023, and the Federal government's System of Award Management report dated September 1, 2023, the contractor is not excluded from doing business with the District or Federal governments. DC Central Kitchen also has the ability to comply with the required or proposed delivery or performance schedule, taking into consideration all existing commercial and governmental business commitments.

- (G) The period of performance associated with the proposed change, including the date as of which the proposed change is to be made effective:**

Modification 01 October 1, 2023, through December 31, 2023

- (H) The value of any work or services performed pursuant to a proposed change for which the Council has not provided approval, disaggregated by each proposed change if more than one proposed change has been aggregated for Council review:**

\$740,319.45

- (I) The aggregate dollar value of the proposed changes as compared with the amount of the contract as awarded:**

\$1,379,832.90

- (J) The date on which the contracting officer was notified of the proposed change:**

August 28, 2023

- (K) The reason why the proposed change was sent to Council for approval after it is intended to take effect:**

n/a. The proposed change is not intended to take effect before the Council's approval.

- (L) The reason for the proposed change:**

While the new DCPS food service solicitation goes through the final steps in the procurement process, DCPS executed a sole source contract with this existing contractor to allow the existing contractor to continue providing food management services.

(M) The legal, regulatory, or contractual authority for the proposed change:

27 DCMR Chapter 15, Section 1541.4.

(N) A summary of the subcontracting plan required under section 2346 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, as amended, D.C. Official Code § 2-218.01 *et seq.* (“Act”), including a certification that the subcontracting plan meets the minimum requirements of the Act and the dollar volume of the portion of the contract to be subcontracted, expressed both in total dollars and as a percentage of the total contract amount:

Pursuant to the USDA Special Provisions and Federal Procurement Standards, a subcontracting plan is not authorized for this contract. Under 2 CFR 416.1(b), procurements by states under USDA entitlement programs specified in [2 CFR 200.101\(f\)\(4\)](#) through (6), including entitlement awards for school breakfast and lunch programs, shall be conducted in a manner that prohibits the use of statutorily or administratively imposed in-state or local geographic preferences except, as provided for in [2 CFR 200.319\(c\)](#), where applicable federal statutes expressly mandate or encourage geographic preference or, in certain circumstances when contracting for architectural and engineering services. Since none of the exceptions apply to this contract, a subcontracting plan is not allowed under federal law.

(O) Performance standards and the expected outcome of the proposed contract:

DC Central Kitchen is expected to work closely with DCPS’s Office of Food and Nutrition Services to prepare, furnish, and provide meals and services to 12 school sites. DC Central Kitchen is expected to comply with the Code of Federal Regulations and the DC Healthy Schools Act and comply with the contract terms and the District’s Standard Contract Provisions.

(P) The amount and date of any expenditure of funds by the District pursuant to the contract prior to its submission to the Council for approval:

\$740,319.45

(Q) A certification that the proposed contract is within the appropriated budget authority for the agency for the fiscal year and is consistent with the financial plan and budget adopted in accordance with D.C. Official Code §§ 47-392.01 and 47-392.02:

The Agency Fiscal Officer for DCPS has provided a funding certificate certifying that funds are available to proceed with the contract award.

(R) A certification that the contract is legally sufficient, including whether the proposed contractor has any pending legal claims against the District:

The Office of the Attorney General reviewed the proposed contract and deemed it legally sufficient.

(S) A certification that Citywide Clean Hands database indicates that the proposed contractor is current with its District taxes. If the Citywide Clean Hands Database indicates that the proposed contractor is not current with its District taxes, either: (1) a certification that the

contractor has worked out and is current with a payment schedule approved by the District; or (2) a certification that the contractor will be current with its District taxes after the District recovers any outstanding debt as provided under D.C. Official Code § 2-353.01(b):

The Citywide Clean Hands database indicates DC Central Kitchen is compliant and current with its District taxes as of September 5, 2023.

(T) A certification from the proposed contractor that it is current with its federal taxes, or has worked out and is current with a payment schedule approved by the federal government:

DC Central Kitchen Inc. has self-certified via the Bidder Offeror form that they are current with their federal taxes.

(U) The status of the proposed contractor as a certified local, small, or disadvantaged business enterprise as defined in the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, as amended, D.C. Official Code § 2-218.01 *et seq.*:

DC Central Kitchen is not a certified local, small, or disadvantaged business enterprise.

(V) Other aspects of the proposed contract that the Chief Procurement Officer considers significant:

There are no other aspects of the proposed contract that the Chief Procurement Officer considers significant.

(W) A statement indicating whether the proposed contractor is currently debarred from providing services or goods to the District or federal government, the dates of the debarment, and the reasons for debarment:

The lists of parties excluded from District of Columbia procurement and federal procurements shows that DC Central Kitchen is not debarred or suspended from District or federal procurements as of September 1, 2023.

(X) Any determination and findings issued relating to the contract's formation, including any determination and findings made under D.C. Official Code § 2-352.05 (privatization contracts):

- Determination and Findings for use of Sole Source dated 6/5/2023
- Determination and Findings for Responsibility, dated 9/5/2023
- Determination and Findings for Price Reasonableness, dated 9/5/2023

(Y) Where the contract and any amendments or modifications, if executed, will be made available online:

Awarded Contracts Database via DCPS website at www.DCPS.dc.gov/OCA