

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to approve Modification Nos. 7, 8, 9, 10, 11, and 12 to Contract No. CW36154 with WM Recycle America, LLC to transport, process, and market recyclables from the District’s residential recycling drop-off facilities and to authorize payment for the goods and services received and to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Exercise Option Year Three (3) of Contract No. CW36154 with WM Recycle America, LLC Approval and Payment Authorization Emergency Declaration Resolution of 2019”.

Sec. 2. (a) There exists a need to approve Modification Nos. Nos. 7, 8, 9, 10, 11, and 12 to Contract No. CW36154 with WM Recycle America, LLC to transport, process, and market recyclables from the District’s residential recycling drop-off facilities and to authorize payment for the goods and services received and to be received under Modification Nos. 7, 8, 9, 10, 11, and 12.

(b) By Modification No. 7, dated August 2, 2018, the Office of Contracting and Procurement, on behalf of the Department of Public Works, exercised a partial Option

34 Year Three (3) of Contract No. CW36154 for the period from September 1, 2018 through
35 November 31, 2018 in the amount of \$622,500.00.

36 (c) Modification No. 8 was an administrative modification that added no money.

37 (d) By Modification No. 9, dated November 7, 2018, the Office of Contracting
38 and Procurement, on behalf of the Department of Public Works, exercised a partial
39 Option Year Three (3) of Contract No. CW36154 for the period from December 1, 2018
40 through January 20, 2019 in the amount of \$345,840.00.

41 (e) By Modification No. 10, dated December 20, 2018, the Office of Contracting
42 and Procurement, on behalf of the Department of Public Works, exercised a partial
43 Option Year Three (3) of Contract No. CW36154 for the period from January 21, 2019
44 through February 7, 2019 at no cost to the District.

45 (f) Modification 11 was an administrative modification that added no money.

46 (g) Modification No. 12 is now necessary to exercise the remainder of Option
47 Year Three (3) of Contract No. CW36154 for the period from February 8, 2019 through
48 September 1, 2019 in the amount of \$1,531,660.00, which will set the total contract
49 amount for Option Year Three (3) at \$2,500,000.00.

50 (e) Council approval is required by section 451(b) of the District of Columbia
51 Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1–
52 204.51(b)) since these modifications increase the contract to more than \$1,000,000 during
53 a 12-month period.

54 (f) Approval is necessary to allow the continuation of these vital services.
55 Without this approval, WM Recycle America, LLC cannot be paid for goods and services

56 provided in excess of \$1,000,000 for the contract period beginning September 1, 2018
57 through August 31, 2019.

58 Sec. 3. The Council of the District of Columbia determines that the
59 circumstances enumerated in section 2 constitute emergency circumstances making it
60 necessary that the “Modifications to Exercise Option Year Three (3) of Contract No.
61 CW36154 with WM Recycle America, LLC Approval and Payment Authorization
62 Emergency Act of 2019” be adopted after a single reading.

63 Sec. 4. This resolution shall take effect immediately.