

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. 2, 3, 4, 5 and 8 to Contract No. DCAM-17-CS-0088, between the Department of General Services and Blue Skye/Coakley Williams Edgewood Recreation Center JV, LLC, increasing the Contract amount to \$19,775,883.94, and authorizing payment to Blue Skye/Coakley Williams Edgewood Recreation Center JV, LLC for goods and services received and to be received under these modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the “Modification Nos. 2, 3, 4, 5 and 8 to Contract No. DCAM-17-CS-0088 with Blue Skye/Coakley Williams Edgewood Recreation Center JV, LLC Approval and Payment Authorization Emergency Declaration Resolution of 2020”.

Sec. 2.(a) There exists an immediate need to approve Modification Nos. 2, 3, 4, 5 and 8 to Contract No. DCAM-17-CS-0088 (the “Contract”) between the Department of General Services and Blue Skye/Coakley Williams Edgewood Recreation Center JV, LLC (the “Contractor”) to increase the Contract amount to \$19,775,883.94, and to authorize payment to the Contractor for goods and services received and to be received under these modifications.

1 (b)(1) On January 12, 2018, the Department executed Modification No. 1, a zero
2 dollar modification that accepted certain value engineering options, but did not increase
3 the total Contract value.

4 (2) On August 9, 2018, the Department executed Modification No. 2, in
5 the amount of \$101,695.53, which authorized changes to the scope of work of the
6 Contract.

7 (3) On June 26, 2019, the Department executed Modification No. 3, in the
8 amount of \$276,980.73, which authorized changes to the scope of work of the Contract.

9 (4) On August 1, 2019, the Department executed Modification No. 4, in
10 the amount of \$226,916.82, which authorized changes to the scope of work of the
11 Contract.

12 (5) On September 12, 2019, the Department executed Modification No. 5,
13 in the amount of \$392,724.59, which authorized changes to the scope of work of the
14 Contract.

15 (6) On December 24, 2019, the Department executed Modification No. 6,
16 a zero dollar modification, which extended the substantial completion and administrative
17 term dates of the Contract.

18 (7) On February 28, 2010, the Department executed Modification No. 7, a
19 zero dollar modification, which extended the substantial completion and administrative
20 term dates of the Contract.

21 (8) The aggregate value of Modification Nos. 1 through 7 is \$997,917.67,
22 less than \$1 million; thus, Modification Nos. 1 through 7 did not require Council

1 approval. In addition, Modification Nos. 2, 3, 4 and 5 increased the amount of the
2 Contract from \$16,872,161.00 to \$17,870,478.67.

3 (c) Proposed Modification No. 8, in the amount of \$1,905,405.27, provides for
4 further changes to the scope of work and increases the amount of the Contract from
5 \$17,870,478.67 to \$19,775,883.94 for goods and services to be received. The proposed
6 aggregate increase to the amount of the Contract, via Modification Nos. 2, 3, 4, 5 and 8,
7 is \$2,903,322.94, an amount in excess of \$1 million during a 12-month period; therefore,
8 Council approval of Modification No. 8 is required pursuant to section 451 of the District
9 of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official
10 Code § 1-204.51).

11 (d) Council approval of Modification Nos. 2, 3, 4, 5 and 8 is necessary to allow
12 the continuation of essential construction services for Edgewood Recreation Center, and
13 to compensate the Contractor for services provided and to be provided pursuant to these
14 modifications.

15 Sec. 3. The Council of the District of Columbia determines that the
16 circumstances enumerated in Section 2 constitute emergency circumstances making it
17 necessary that the “Modification Nos. 2, 3, 4, 5 and 8 to Contract No. DCAM-17-CS-
18 0088 with Blue Skye/Coakley Williams Edgewood Recreation Center JV, LLC Approval
19 and Payment Authorization Emergency Act of 2020” be adopted after a single reading.

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