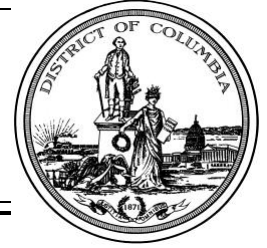

COMMITTEE ON FACILITIES AND PROCUREMENT

ROBERT C. WHITE, JR., CHAIRPERSON
FISCAL YEAR 2021 COMMITTEE BUDGET REPORT



TO: Members of the Council of the District of Columbia

FROM: Councilmember Robert C. White, Jr.
Chairperson, Committee on Facilities and Procurement

DATE: June 23, 2020

SUBJECT: Report and Recommendations of the Committee on Facilities and Procurement on the Fiscal Year 2021 Budget for Agencies Under Its Purview

The Committee on Facilities and Procurement (“Committee”), having conducted hearings and received testimony on the Mayor’s proposed operating and capital budgets for Fiscal Year 2021 (“FY 2021”) for the agencies under its purview, reports its recommendations for review and consideration by the Committee of the Whole. The Committee also comments on the Fiscal Year 2021 Budget Support Act of 2020, as proposed by the Mayor.

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I. SUMMARY

A. EXECUTIVE SUMMARY

Preface

The Committee wishes to recognize that it presents this budget proposal in an extraordinary time, in a city faced by twin pandemics – one that has confronted this city since it was built by the labor of the enslaved and one that has arisen over the last four months. These pandemics – systemic racism and the coronavirus – are not unrelated to one another, as 74% of all the lives lost in the city to coronavirus have been Black lives. The impact of the coronavirus pandemic reflects the continuing discrimination that Black and Brown residents face every day – through deeply inequitable access to healthcare and adequate nutrition, through our broken criminal justice system, and through lack of access to employment, education, and housing. We have joined the voices of our neighbors who have assembled in the thousands to both affirm and demand that Black Lives Matter. And we have joined our neighbors in outrage at the attempt to silence our voices through military force.

In many ways, the challenges we face today are unprecedented. The pain and loss that our community has suffered defy comparison. But we take courage from the fundamental resilience of our city. This is a city that has seen slavery, segregation, invading armies, depressions, and plagues. Without fail, our residents have persevered and overcome the barriers placed in front of them. They will do so again – and our community will be stronger and more just for their efforts.

The Committee recognizes that resilience today. It has been seen in the brave protestors whose bodies and fundamental liberties were trampled alike by violent and unprovoked assault. It has been seen in the work of those who continued to offer aid and shelter to their neighbors in the face of bayonets and chemical weapons. It has been seen in the emergency rooms where doctors and nurses have worked around the clock to save lives and comfort the afflicted by deadly disease. And, perhaps less obviously, it has been seen, in the day-to-day work of public servants in the agencies overseen by the Committee.

We appreciate our Advisory Neighborhood Commissioners, who used new authorities granted to them by the Council to continue bringing people together in trying times and to approve new funding for mutual aid and community assistance. We recognize our contracting professionals, who quickly transitioned into emergency procurement procedures, working incredible hours to fill numerous new warehouses with personal protective equipment, medical supplies, and cleaning materials. We celebrate our custodial, security, maintenance, and construction teams for continuing to come to work – keeping the District government going through the scariest days and nights. And we honor the Washington Metropolitan Area Transit Association employees who stayed in the driver's seat, making sure that essential travel can continue in the safest way possible.

Extraordinary leadership reveals itself in extraordinary times. Over the last few months, the District has borne witness to the extraordinary leadership of thousands of its residents and employees. That collective action breeds hope in a brighter tomorrow. The Committee hopes this report reflects, in some small way, our contribution to that effort.

Summary of Investments

This Report of the Committee on Facilities and Procurement on the Fiscal Year 2021 Proposed Budget for the agencies under its purview was developed with the benefit of feedback from residents over the last year through numerous hearings and roundtables, held both in person and remotely, as well as testimony submitted in writing and by voicemail. The Committee's recommended budget:

Expands Opportunities for Returning Citizens

- **Subsidizes the Employment of Returning Citizens** through a new program at the Office on Returning Citizens Affairs that connects returning citizens and interested employers who can offer a long-term career
- Transfers to the Office of Victim Services and Justice Grants **\$300,000 to Support More Organizations Offering Reentry Services**
- Continues housing support with **20 Housing Vouchers for Returning Citizens**
- **Restores the Paralegal Fellowship Initiative at the Office on Returning Citizens Affairs** to place returning residents into stable legal careers

Strengthens Our Advisory Neighborhood Commissions

- Identifies funding for **Implicit Bias Training for Advisory Neighborhood Commissions**
- Creates a new funding source to support Advisory Neighborhood Commissions with **Audio-Visual Technology, Printing, Website Support, and Remote Meetings**
- Expands the Office of Advisory Neighborhood Commissions by adding a **Technical Support Director to Offer Enhanced Assistance to Commissioners**

Ensures Seniors May Age with Dignity

- Funds **10 Housing Vouchers Targeted for Low-Income Seniors** to ensure our residents have stable housing as they age
- **Allocates \$100,000 for Community Dining Supports for LGBTQ Seniors** to combat social isolation as seniors age

Enhances Public Safety and Racial Equity

- **Expands Violence Prevention with \$200,000** for the Cure the Streets Initiative at the Office of the Attorney General
- Amends the Washington Metropolitan Area Transit Authority Compact to **Establish an Independent Police Complaints Board** to ensure police accountability
- Spends \$600,000 to **Improve Lighting at District Recreational Facilities**

Supports the LGBTQ Community

- Directs \$229,671 in funding for **10 Housing Vouchers Targeted for LGBTQ Seniors** due to the discrimination they have faced and continue to face as they try to maintain stable housing in the District
- **Supports the DC Center for the LGBT Community** while the organization seeks a new, expanded home to better serve the community

Combats the Plague of Homelessness with Stable Housing

- Offers a helping hand to renters facing evictions with an additional **\$200,000 to support the Emergency Rental Assistance Program**
- Enhances the budget with an additional **\$100,000 for Outreach to the Homeless** to connect those in need with support services
- Maintains our public housing stock with an additional **\$376,438 for Public Housing Repairs**

Advances Educational Equity

- **Contributes \$300,000 to Increase the At-Risk Weight for Public Schools** providing greater support to our children in need

Confronts the Challenge of Climate Change

- **Funds the Renewable Energy Future Amendment Act**, putting the District on the path to expanding renewable energy generation at government properties across the city
- **Retrofits District Government Buildings to Reduce Energy Usage** with an additional \$1,400,000 investment

Invests in District Facilities and Removes Lead Dangers

- **Increases funding for Lead Abatement by \$2,000,000** in Fiscal Year 2021 to address the sources of lead recently identified at parks and playgrounds across the District of Columbia

- Restores \$1,641,000 to the capital budget to **Replace Failing Building Systems, like Roofs, Windows, and HVACs**
- Transfers \$800,000 to the Department of Parks and Recreation to provide **Recreational Facilities for the Children of Ivy City**
- Funds the **Replacement of the HVAC System at the Deanwood Public Library**

Maintains Eastern Market as a Neighborhood Institution

- Provides a one-time **\$200,000 Operating Subsidy to Eastern Market** to continue operations through the pandemic
- Accelerates \$1,141,000 in the capital budget for Eastern Market to **Improve the Operations, Safety, and Appearance of the Eastern Market Building**

B. FISCAL YEAR 2021 AGENCY OPERATING BUDGET SUMMARY

<i>Fund Type</i>	<i>FY 2019 Actual</i>	<i>FY 2020 Approved</i>	<i>FY 2021 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
<i>Office on Returning Citizen Affairs</i>					
Local	774,859	1,129,418	1,067,814		
Intra-District	168,806	0	0		
Gross Funds	943,665	1,129,418	1,067,814		
<i>Advisory Neighborhood Commissions</i>					
Local	976,000	1,500,000	1,492,000		
Gross Funds	976,000	1,500,000	1,492,000		
<i>Contract Appeals Board</i>					
Local	1,550,000	1,824,000	1,762,000		
Gross Funds	1,550,000	1,824,000	1,762,000		
<i>Office of Contracting and Procurement</i>					
Local	23,252,000	24,187,000	24,340,000		
Special Purpose Revenue	1,533,000	1,566,000	1,881,000		
Private Dona.	5	0	0		
Intra-District	3,002,000	3,137,000	3,763,000		
Gross Funds	27,792,000	28,890,000	29,984,000		
<i>Department of General Services</i>					
Local	349,760,000	326,254,000	326,183,000		
Dedicated Taxes	173,000	260,000	1,514,000	0	0
Special Purpose Revenue	7,355,000	9,271,000	5,167,000		
Intra-District	145,989,000	140,368,000	180,360,000		
Gross Funds	503,276,000	476,153,000	513,224,000		
<i>Washington Metropolitan Area Transit Authority</i>					
Local	123,014,000	335,152,000	342,124,000	0	342,124,000
Dedicated Taxes	258,489,000	84,470,000	77,295,000	0	77,295,000
Special Purpose Revenue	44,250,000	48,000,000	38,400,000	0	38,400,000
Gross Funds	425,753,000	467,622,000	457,819,000	0	457,819,000

C. FISCAL YEAR 2021 AGENCY FULL-TIME EQUIVALENT

<i>Fund Type</i>	<i>FY 2019 Actual</i>	<i>FY 2020 Approved</i>	<i>FY 2021 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
<i>Office on Returning Citizen Affairs</i>					
Local	7.9	12	11	2	13
Total	7.9	12	11	2	13
<i>Advisory Neighborhood Commissions</i>					
Local	3.5	4.5	4.5	1	5.5
Total	3.5	4.5	4.5	1	5.5
<i>Contract Appeals Board</i>					
Local	10	10	11	0	11
Total	10	10	11	0	11
<i>Office of Contracting and Procurement</i>					
Local	178.1	194	195		
Special Purpose Revenue	8.3	8	10		
Private Dona.	0	0	0	0	0
Intra-District	31.8	24	28		
Total	218.2	226	233		
<i>Department of General Services</i>					
Local	564.5	641.5	644.2		
Dedicated Taxes	0	0	0	0	0
Special Purpose Revenue	12	12	3		
Intra-District	15	18	22		
Total	591.5	671.5	669.2		
<i>Washington Metropolitan Area Transit Authority</i>					
Local	0	0	0	0	0
Dedicated Taxes	0	0	0	0	0
Special Purpose Revenue	0	0	0	0	0
Total	0	0	0	0	0

D. FISCAL YEAR 2021 - 2026 AGENCY CAPITAL BUDGET SUMMARY

Project No	Project Title	Allotment Scenario	Available Allotments (5-16-2020)	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	6-yr Total
OFFICE OF CONTRACTING AND PROCUREMENT (PO0)										
IPO1C	Ariba Refresh	Approved FY20 CIP	0	7,929,420	2,275,000	0	0	0	0	10,204,420
		Mayor's Proposed	0	(7,929,420)	(2,275,000)	0	0	0	0	(10,204,420)
		Available Balances	1,565,636	0	0	0	0	0	0	0
Total			1,565,636	0	0	0	0	0	0	0
IPO2C	Content Management	Available Balances	257,312	0	0	0	0	0	0	0
Total			257,312	0	0	0	0	0	0	0
IPO3C	Process Automation	Available Balances	144,300	0	0	0	0	0	0	0
Total			144,300	0	0	0	0	0	0	0
IPO4C	Supplier Enablement	Available Balances	51,261	0	0	0	0	0	0	0
Total			51,261	0	0	0	0	0	0	0
IPO5C	Transparency	Available Balances	287,500	0	0	0	0	0	0	0
Total			287,500	0	0	0	0	0	0	0
IPO6C	Security	Available Balances	174,800	0	0	0	0	0	0	0
Total			174,800	0	0	0	0	0	0	0
DWB03C	Procurement Systems	Available Balances	25,067	0	0	0	0	0	0	0
Total			25,067	0	0	0	0	0	0	0
MMS04C	PMIS Enhancement	Available Balances	(1,400,000)	0	0	0	0	0	0	0
Total			(1,400,000)	0	0	0	0	0	0	0
YA140C	IT Initiative	Available Balances	0	0	0	0	0	0	0	0
Total			0	0	0	0	0	0	0	0
PO0 Total			1,105,877	0	0	0	0	0	0	0
Department of General Services (AM0)										
BC101C	Facility Con. Asses.	Approved FY20 CIP	0	1,500,000	1,000,000	1,000,000	1,000,000	1,000,000	0	5,500,000
		Mayor's Proposed	0	0	0	0	0	0	1,000,000	1,000,000
		Available Balances	2,067,438	0	0	0	0	0	0	0
		Committee Change	(567,438)	0	0	0	0	0	0	0
Total			1,500,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	6,500,000
BRM04C	OJS Infrastructure Upgrade	Available Balances	42,993	0	0	0	0	0	0	0
Total			42,993	0	0	0	0	0	0	0
BRM05C	Daly Bui. Crit. Syst.	Available Balances	0	0	0	0	0	0	0	0
		Committee Change	0	3,890,000	0	0	0	0	0	3,890,000

Total			0	3,890,000	0	0	0	0	0	3,890,000
BRM08C	Oak Hill Campus	Mayor's Proposed	0	1,700,000	1,500,000	0	0	0	0	3,200,000
		Committee Change	0	1,500,000	(1,500,000)	0	0	0	0	0
Total			0	3,200,000	0	0	0	0	0	3,200,000
BRM18C	Daly/MPD Building Swing	Available Balances	14,900,000	0	0	0	0	0	0	0
Total			14,900,000	0	0	0	0	0	0	14,900,000
BRM28C	Reeves Center Renovation	Available Balances	5,226,648	0	0	0	0	0	0	0
Total			5,226,648	0	0	0	0	0	0	0
BRM30C	Non Struct. Renov.	Approved FY20 CIP	0	6,293,000	0	0	0	0	0	6,293,000
		Mayor's Proposed	0	(6,293,000)	0	0	0	0	0	(6,293,000)
		Available Balances	1,573,000	0	0	0	0	0	0	0
Total			1,573,000	0	0	0	0	0	0	0
DCHSEC	New Hospital Project Public Parking Stru.	Available Balances	24,050,000	0	0	0	0	0	0	0
Total			24,050,000	0	0	0	0	0	0	0
DLY19C	Daly Build. Rehab.	Mayor's Proposed	0	10,000,000	0	0	0	0	0	10,000,000
		Available Balances	1,000,000	0	0	0	0	0	0	0
		Committee Change	0	(10,000,000)	0	0	0	0	0	(10,000,000)
Total			1,000,000	0	0	0	0	0	0	0
EA710B	Eastern Market	Mayor's Proposed	0	0	1,141,000	0	0	0	0	1,141,000
		Available Balances	256,132	0	0	0	0	0	0	0
		Committee Change	0	1,141,000	(1,141,000)	0	0	0	0	0
Total			256,132	1,141,000	0	0	0	0	0	1,141,000
EST01C	East. Mark. Metro Par.	Approved FY20 CIP	0	7,000,000	0	0	0	0	0	7,000,000
		Available Balances	495,948	0	0	0	0	0	0	0
Total			495,948	7,000,000	0	0	0	0	0	7,000,000
HC103C	DC Animal Shelter	Available Balances	0	0	0	0	0	0	0	0
Total			0	0	0	0	0	0	0	0
N1401B	Government Centers	Available Balances	0	0	0	0	0	0	0	0
Total			0	0	0	0	0	0	0	0
N1403C	One Judiciary Square	Available Balances	0	0	0	0	0	0	0	0
Total			0	0	0	0	0	0	0	0
N1405C	Improve Property Management ITS	Available Balances	0	0	0	0	0	0	0	0
Total			0	0	0	0	0	0	0	0
PL101C	Shelter and Transitional Housing Pool	Available Balances	234,415	0	0	0	0	0	0	0
Total			243,415	0	0	0	0	0	0	0
PL102C	Elevator Pool	Available Balances	0	0	0	0	0	0	0	0

Total			0	0	0	0	0	0	0	0
PL103C	Hazardous Mat. Abat.	Approved FY20 CIP	0	100,000	100,000	100,000	100,000	100,000	0	500,000
		Mayor's Proposed	0	(100,000)	(100,000)	(100,000)	0	0	100,000	(200,000)
		Available Balances	723,234	0	0	0	0	0	0	0
		Committee Change	0	2,000,000	0	0	0	0	0	2,000,000
Total			723,234	2,000,000	0	0	100,000	100,000	100,000	2,300,000
PL104C	ADA Comp. Pool	Approved FY20 CIP	0	500,000	500,000	500,000	500,000	500,000	0	2,500,000
		Mayor's Proposed	0	0	0	0	0	0	500,000	500,000
		Available Balances	934,287	0	0	0	0	0	0	0
		Committee Change	(200,000)	0	0	0	0	0	0	0
Total			734,287	500,000	500,000	500,000	500,000	500,000	500,000	3,000,000
PL105C	Archives Recorder of Deeds	Available Balances	24,562	0	0	0	0	0	0	0
Total			24,562	0	0	0	0	0	0	0
PL106C	Government Centers Pool	Available Balances	0	0	0	0	0	0	0	0
Total			0	0	0	0	0	0	0	0
PL107C	Miscellaneous Buildings Pool	Available Balances	0	0	0	0	0	0	0	0
Total			0	0	0	0	0	0	0	0
PL108C	Big 3 Buildings Pool	Available Balances	131,759	0	0	0	0	0	0	0
Total			131,759	0	0	0	0	0	0	0
PL1SWC	EPA Storm Water Compliance Initiative	Mayor's Proposed	0	2,884,467	0	0	0	0	0	2,884,467
Total			0	2,884,467	0	0	0	0	0	2,884,467
PL402C	Enhanc. Comm. Infra.	Approved FY20 CIP	0	250,000	250,000	250,000	250,000	250,000	0	1,250,000
		Mayor's Proposed	0	0	0	0	0	0	250,000	250,000
		Available Balances	798,903	0	0	0	0	0	0	0
		Committee Changes	(150,000)	0	0	0	0	0	0	0
Total			648,903	250,000	250,000	250,000	250,000	250,000	250,000	1,500,000
PL601C	HVAC Repair Ren.	Available Balances	0	0	0	0	0	0	0	0
		Committee Changes	210,000	0	0	0	0	0	0	210,000
Total			210,000	0	0	0	0	0	0	210,000
PL602C	Roof Replac. Pool	Approved FY20 CIP	0	4,708,567	1,977,401	1,346,157	2,080,397	1,078,881	0	11,191,403
		Mayor's Proposed	0	(1,500,000)	(727,401)	(96,157)	(830,397)	171,119	1,250,000	(1,732,836)
		Available Balances	3,155,889	0	0	0	0	0	0	0
		Committee Changes	0	0	1,141,000	0	0	0	0	1,141,000
Total			3,155,889	3,208,567	2,391,000	1,250,000	1,250,000	1,250,000	1,250,000	10,599,567
PL901C	Energy Retrofitting	Approved FY20 CIP	0	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	0	10,000,000
		Mayor's Proposed	0	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	0	2,000,000	(2,000,000)
		Available Balances	869,696	0	0	0	0	0	0	0
		Committee Changes	0	400,000	1,000,000	0	0	0	0	1,400,000

Total			869,696	1,400,000	2,000,000	1,000,000	1,000,000	2,000,000	2,000,000	9,400,000
PL902C	Critical System Rep.	Approved FY20 CIP	0	2,503,500	1,295,910	7,064,504	3,132,810	1,092,730	0	15,089,454
		Mayor's Proposed	0	0	(295,910)	(6,064,504)	(2,132,810)	(92,730)	1,000,000	(7,585,954)
		Available Balances	3,340,981	0	0	0	0	0	0	0
		Committee Changes	0	0	500,000	0	0	0	0	500,000
Total			3,340,981	2,503,500	1,500,000	1,000,000	1,000,000	1,000,000	1,000,000	8,003,500
PL905C	Mun. Lab. Prog. Man.	Mayor's Proposed	0	6,210,000	0	0	0	0	0	6,210,000
		Available Balances	1,927,455	0	0	0	0	0	0	0
Total			1,927,455	6,210,000	0	0	0	0	0	6,210,000
PL9PRC	Public Restrooms	Mayor's Proposed	0	0	270,000	270,000	270,000	270,000	0	1,080,000
		Available Balances	270,000	0	0	0	0	0	0	0
Total			270,000	0	270,000	270,000	270,000	270,000	0	1,080,000
PUT14C	Property Tracking System	Available Balances	0	0	0	0	0	0	0	0
Total			0	0	0	0	0	0	0	0
SPC01C	DC United Soccer Stadium	Available Balances	1,118,607	0	0	0	0	0	0	0
Total			1,118,607	0	0	0	0	0	0	0
WIL02C	Wilson Bldg	Approved FY20 CIP	0	2,637,500	791,250	3,165,000	3,165,000	1,318,750	0	11,077,500
		Mayor's Proposed	0	0	0	(500,000)	(500,000)	(250,000)	250,000	(1,000,000)
		Available Balances	2,801,280	0	0	0	0	0	0	0
Total			2,801,280	2,637,500	791,250	2,665,000	2,665,000	1,068,750	250,000	10,077,500
WSTFRC	W Street Transfer Station	Available Balances	13,490,000	0	0	0	0	0	0	0
Total			13,490,000	0	0	0	0	0	0	0
AM0 Total			78,515,789	38,535,034	8,702,250	7,935,000	8,035,000	7,438,750	6,350,000	76,996,034
Washington Metropolitan Area Transit Authority (KE0)										
SA311C	WMATA Fund PRIIA	Mayor's Proposed	0	49,500,000	0	0	0	0	0	49,500,000
		Available Balances	21,606,564	0	0	0	0	0	0	0
Total			21,606,564	49,500,000	0	0	0	0	0	49,500,000
SA501C	WMATA CIP Cont.	Approved FY20 CIP	0	273,000,000	276,000,000	278,000,000	280,000,000	282,000,001	0	1,389,000,001
		Mayor's Proposed	0	0	0	1	0	(1)	290,460,000	290,460,000
		Available Balances	11,981,647	0	0	0	0	0	0	0
Total			11,981,647	273,000,000	276,000,000	278,000,001	280,000,000	282,000,000	290,460,000	1,679,460,001
SA503C	NOMA Ped. Tunnel	Approved FY20 CIP	0	0	0	0	3,349,000	19,700,000	0	23,049,000
		Mayor's Proposed	0	0	0	0	(3,349,000)	(19,700,000)	0	(23,049,000)
Total			0	0	0	0	0	0	0	0
TOP02C	Project Development	Approved FY20 CIP	0	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	0	5,000,000
		Mayor's Proposed	0	0	0	0	0	0	1,000,000	1,000,000
		Available Balance	251,000	0	0	0	0	0	0	0
Total			251,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	6,000,000

KE0 Total	33,839,211	323,500,000	277,000,000	289,000,001	281,000,000	283,000,000	291,460,000	1,734,960,001
Grand Total	113,460,877	362,035,034	647,737,284	296,935,001	289,035,000	290,438,750	297,810,000	1,741,310,001

E. TRANSFERS IN FROM OTHER COMMITTEES

<i>Sending Committee</i>	<i>Amount</i>	<i>FTEs</i>	<i>Receiving agency</i>	<i>Program</i>	<i>Purpose</i>	<i>Recurring or One-Time</i>
Judiciary and Public Safety	\$150,000	-	Office on Returning Citizens Affairs	5000	Funding the continuation of the Paralegal Fellowship Initiative as Established in the Budget Support Act Subtitle "Returning Citizen Paralegal Fellowship Initiative Pilot Program Amendment Act of 2020"	Recurring
Total	\$150,000					

F. TRANSFERS OUT TO OTHER COMMITTEES

<i>Receiving Committee</i>	<i>Amount</i>	<i>FTEs</i>	<i>Receiving agency</i>	<i>Program</i>	<i>Purpose</i>	<i>Recurring or One-Time</i>
Human Services	\$100,000	-	Department of Human Services	5000	Funding for Homeless Outreach – Activity 5038; Service Code HC45	One-Time – Fiscal Year 2020
	\$200,000	-	Department of Human Services	5000	Funding for the Emergency Rental Assistance Program	One-Time
Housing and Neighborhood Revitalization	\$468,009	-	Housing Authority Subsidy	6000	Funding for 20 Housing Vouchers for Returning Citizens Identified by the Office on Returning Citizens Affairs	Recurring
	\$234,004	-	Housing Authority Subsidy	6000	Funding for 10 Housing Vouchers for Seniors	Recurring
	\$234,004	-	Housing Authority Subsidy	6000	Funding for 10 Housing Vouchers for LGBTQ Seniors	Recurring
	\$100,000	-	Department of Aging and Community Living	9400	Funding for Community Dining Support for LGBTQ Seniors	One-Time
Judiciary and Public Safety	\$300,000	-	Office of Victim Services and Justice Grants	2000	Funding for Grants for Reentry Organizations – Focused on Expanding the Number of Organizations Receiving Support	One-Time
	\$200,000	-	Office of the Attorney General	6100	Funding for the Cure the Streets Violence Prevention Program	Recurring
Education	\$300,000	-	DC Public Schools & DC Public Charter Schools	-	Funding to Increase the At-Risk Weight in the UPSFF	Recurring
Total	\$2,136,017					

G. REVENUE ADJUSTMENT

The Committee recommends no adjustments to revenue.

H. FUNDING OF BUDGET SUPPORT ACT SUBTITLES

<i>Subtitle</i>	<i>Agency</i>	<i>Program</i>	<i>Amount</i>	<i>FTEs</i>
Advisory Neighborhood Commissions Technical Support and Assistance	Office of Advisory Neighborhood Commissions	1000	No Cost Associated with Special Fund	-
Metro Transit Police Department Oversight and Accountability	Washington Metropolitan Area Transit Authority	OP00	No Cost – Included in Existing Subsidy	-
Renewable Energy Future	Department of General Services	7000	\$106,508	1
Support for the DC Center for the LGBT Community	Department of General Services	1000	\$67,243	-
Access to Jobs	Office on Returning Citizens Affairs	5000	\$379,201	
Paralegal Program Establishment	Office on Returning Citizens Affairs	5000	\$150,000	-
Non-Profit Fairness Analysis	Office of Contracting and Procurement	8000	\$200,000	-

I. FUNDING OF PENDING BILLS OR LAWS PASSED SUBJECT TO APPROPRIATION

The Committee recommends no funding for pending bills or laws passed subject to appropriation.

II. AGENCY FISCAL YEAR 2020 REVISED BUDGET RECOMMENDATIONS

Along with the Fiscal Year 2021 Local Budget Act of 2020, the Mayor simultaneously submitted the Fiscal Year 2020 Revised Local Budget Emergency Declaration Resolution of 2020, the Fiscal Year 2020 Revised Local Budget Emergency Act of 2020, and the Fiscal Year 2020 Revised Local Budget Temporary Act of 2020.

While those pieces of legislation were not referred to this Committee, the Committee makes the following recommendations to the Committee of the Whole when it considers the Fiscal Year 2020 Revised Budget:

DEPARTMENT OF GENERAL SERVICES

- *Decrease* FTEs by 1 and remove custodial position (00101822) in Program 3000 (Facility Operations), Activity 3008 (Janitorial Services): *decrease* CSG 11 (Regular Pay – Continuing Full Time) by \$43,410 in Fiscal Year 2020 one-time

funds and CSG 14 (Fringe Benefits – Current Personnel) by \$11,633 in Fiscal Year 2020 one-time funds: *total PS decrease = \$55,043*, to be restored in Fiscal Year 2021, as the associated public restroom initiative is delayed in implementation and the position will not be required until Fiscal Year 2021.

III. AGENCY FISCAL YEAR 2021 BUDGET RECOMMENDATIONS

A. INTRODUCTION

The Committee on Facilities and Procurement is responsible for government procurement; maintenance of public buildings and property management, including the declaration of government property as no longer required for public purposes; matters regarding Advisory Neighborhood Commissions; and matters regarding returning citizens; and the Washington Metropolitan Area Transit Authority.

The District agencies, boards, and commissions that come under the Committee’s purview are as follows:

- Advisory Neighborhood Commissions
- Contract Appeals Board
- Commission on Re-Entry and Returning Citizen Affairs
- Department of General Services
- Office of Contracting and Procurement
- Office on Returning Citizen Affairs
- Washington Metropolitan Area Transit Authority
- Washington Metrorail Safety Commission

The Committee is chaired by at-large Councilmember Robert C. White, Jr. The other members of the Committee are Ward 3 Councilmember Mary M. Cheh, at-large Councilmember Elissa Silverman, and Ward 7 Councilmember Vincent C. Gray.

The Committee held performance and budget oversight hearings on the following dates:

<i>Performance Oversight Hearings</i>	
January 30, 2020	Office of Advisory Neighborhood Commissions
February 6, 2020	Office on Returning Citizens Affairs
February 13, 2020	Office of Contracting and Procurement Contract Appeals Board
February 19, 2020	Washington Metropolitan Area Transit Authority
February 27, 2020	Department of General Services

<i>Budget Oversight Hearings</i>	
May 21, 2020	Public Witnesses
May 26, 2020	Office of Advisory Neighborhood Commissions Contract Appeals Board Office of Contracting and Procurement
May 28, 2020	Office on Returning Citizens Affairs Department of General Services

The Committee received critical feedback from members of the public during these hearings. The hearing records for each performance and budget oversight hearing have been filed with the Office of the Secretary. A video recording of the hearings can be obtained through the Office of Cable Television or at *oct.dc.gov*. The Committee continues to welcome public input on the agencies and activities within its purview.

B. OFFICE ON RETURNING CITIZEN AFFAIRS

1. AGENCY MISSION AND OVERVIEW

In 2007, the Office on Returning Citizen Affairs, also known as ORCA, was created to be a voice, an advocate, and the central hub of services for the nearly 70,000 returning citizens in the District. Prior to ORCA’s establishment, residents returning home from incarceration had no dedicated government agency to advocate for their interests and to provide resources to help ease their transition back into the community. They primarily depended on loved ones or nonprofit organizations, if they could identify them, to get back on their feet. To better address their needs, the late Marion Barry, who at that time represented Ward 8 on the Council, introduced legislation to establish ORCA to ensure that returning citizens are connected to a coordinated network of services and resources.

Today, the agency serves as the primary resource for returning citizens and has a strong footprint in the reentry community. ORCA provides access to job readiness programs, connects residents to employment opportunities, offers comprehensive case management services, manages a transportation subsidy program, connects incarcerated residents to their families, and has operated a pilot paralegal fellowship program. Also, the agency’s staffing and budget levels have significantly increased over recent years. In 2013, the agency had three staff members and a \$371,000 budget. Now, due to the continued investment of the Council, there are 12 employees and a \$1,129,000 budget.

Commission on Re-Entry and Returning Citizen Affairs

The Commission on Re-Entry and Returning Citizen Affairs (‘Commission’) was established in 2007. It was created by the same statute that established ORCA. The Commission was formed to serve as an independent body that advocates for returning citizens, recommends policy to the Council and Mayor, and advises the Director of ORCA. It is comprised of 15 public voting members who are appointed by the Mayor and

confirmed by the Council. Candidates nominated to be a commissioner who are returning citizens or has experience within the reentry community are given high consideration.

It also comprises 13 ex-officio non-voting members who represent a variety of District government agencies. These members are supposed to engage the Commission and use their agency resources to assist the Commission achieve its goals. Unfortunately, agency Directors who are members of the Commission have rarely, if ever, attended meetings in the past two years. A list of the agencies that have ex-officio members on the Commission are listed below:

- Attorney General
- Director of the Department of Human Services
- Director of the Department of Health
- Director of the Department of Housing and Community Development
- Director of the Department of Consumer and Regulatory Affairs
- Superintendent of Education of the District of Columbia
- President of the University of the District of Columbia
- Chief of the Metropolitan Police Department
- Director of the Department of Youth Rehabilitation Services
- Director of the Department of Employment Services
- Director of the Office of Human Rights
- Director of the Department of Behavioral Health
- Director of the Addiction Prevention and Recovery Administration

The Committee also received several nominations to the Commission on February 26, 2020, which were approved on. Below is a chart that shows all the public voting members of the Commission.

<i>Name</i>	<i>Occupation</i>	<i>Date of Confirmation</i>	<i>Expiration of Term</i>	<i>Ward</i>
Corwin Knight, Chairman	President, Hope Foundation	4/7/2020	8/4/2022	8
James Berry, Jr.	Associate Director, CSOSA	10/17/2017	8/4/2020	4
Leon Fields	Owner & CEO, Black Passion Art Studios	6/28/2018	8/4/2020	4
Larry Moon	Outreach Coordinator, Hope Foundation	2/19/2019	8/4/2020	7
John Matthews	Owner, Peter Bug's Shoe Repair Academy	2/19/2019	8/4/2021	6

*Richard Jarvis	Family Engagement Specialist, Martha's Table	3/3/2020	8/4/2022	5
Clarence Johnson	Warehouse Manager, Spectrum LTD	4/7/2020	8/4/2022	8
*Olivia Elder	Associate, FWD.us	4/7/2020	8/4/2022	6
*Taurus Philips	Owner, Fred Phillips 2 Barbershop	4/7/2020	8/4/2022	8
* Dominic Henry	Deliver Service Provider, UPS	4/7/2020	8/4/2022	7
Vacant				
Vacant				
Vacant				
Vacant				
Vacant				

Asterisk = New Commissioner

2. FISCAL YEAR 2021 OPERATING BUDGET

Operating Budget					
<i>Fund Type</i>	<i>FY 2019 Actual</i>	<i>FY 2020 Approved</i>	<i>FY 2021 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
Local	774,859	1,129,418	1,067,814		
Intra-District	168,806	0	0		
Gross Funds	943,665	1,129,418	1,067,814		

Full-Time Employee Equivalents					
<i>Fund Type</i>	<i>FY 2019 Actual</i>	<i>FY 2020 Approved</i>	<i>FY 2021 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
Local	7.9	12	11	2	13
Total	7.9	12	11	2	13

Committee Analysis and Comments

ORCA's Services and Programs

For FY 2021, the Administration is proposing to reduce ORCA's budget by \$62,000. The Committee learned that those funds would come from the agency's travel stipends and workforce development activities. However, the Committee has been informed by ORCA that the reduction will be offset by a memorandum of understating with the Department of Human Services that would provide client management and connection services, totaling \$142,000. The services and programs offered by ORCA include:

Transportation Stipends: In 2017, the Council passed the Returning Citizens Opportunity to Succeed Act of 2017. The bill created a transportation subsidy program to provide returning citizens with transportation options so they can seek employment and housing. It is partially administered by ORCA, though, despite the repeated objections of the Committee, returning citizens are asked to meet unnecessary administrative and procedural barriers by the Department of Employment Services. 53 residents have received a travel stipend in FY20 to date. ORCA has confirmed the continued demand for transportation funding, though the pandemic has significantly impacted the service. The Committee requests that ORCA reassume full administrative control over the transportation stipend program, as funded by the Council in ORCA's budget and move to ensure all available stipends are distributed to returning citizens in need.

Housing: ORCA reports that housing is the most pressing need for returning citizens. 57 percent of the District's homeless population have been incarcerated, and 55 percent claim that homelessness caused their incarceration.¹ In the FY20 budget, the Committee appropriated funding for 20 vouchers for returning citizens experiencing homelessness. ORCA is responsible for identifying residents in need of housing and recommending people to the DC Housing Authority (DCHA) to receive a voucher. In FY20 to date, the agency has submitted 12 applications to DCHA for consideration and is processing eight additional applications. Unfortunately, vouchers have not been awarded. It is worth noting that during the budget oversight hearing, ORCA Director Lamont Carey stated that 20 additional housing vouchers would be needed for FY 2021. **The Committee expects ORCA to ensure every available voucher in FY 2020 is used to house returning citizens. The Committee also requests that ORCA develops a more efficient procedure for working with the DC Housing Authority to ensure that the 20 housing vouchers funded for returning citizens in FY 2021 are promptly utilized.**

Also, the Committee met with several reentry advocates over the past year, and they all agree that housing remains critically important for a successful reentry. In fact, the Reentry Action Network (RAN), which comprises advocacy groups and service providers, has made housing its top policy priority for 2020. The Committee shares the concerns of the reentry community and ORCA and is recommending funding for an additional 20 housing vouchers for returning citizens identified by ORCA in the FY21 budget. The Committee recognizes that this does not meet the overwhelming demand for housing among returning citizens and continues to fight for systemic solutions to the District's housing crisis.

¹ DC Fiscal Policy Institute, Coming Home to Homelessness (February 2020)

Employment: Returning citizens continue to face profound discrimination in employment. They often deal with the stigma of serving time in prison, and many of them lack the educational background required for certain career fields.² In 2018, the D.C. Policy Center published an article noting that 43 percent of the Court Services and Offender Supervision Agency’s clients are unemployed, and that 15 percent of its clients’ employment status is unknown.³ That is why ORCA has been focused on identifying job opportunities for its clients. In FY 2020, the agency held six job fairs. As a result, residents received jobs in census tracking, sanitation, hospitality.

That said, the Committee is disappointed that the Paralegal Fellowship Initiative was not continued during FY 2020. This program was designed to help returning citizens build careers in the legal field. Its first cohort of students graduated in 2019. Nine students successfully completed the program and are working in government, at law firms, and in other organizations. During the performance oversight hearing, Damani Roberts, a graduate of the program, testified that the program was critical to his career and that he would recommend the fellowship. At the budget oversight hearing, ORCA Director Lamont Carey cited budget constraints, caused by the coronavirus outbreak, as the reason why the program was not offered this fiscal year. Therefore, the Committee recommends \$150,000 in FY 2021 to support the fellowship program. **ORCA is strongly encouraged to quickly begin working with the appropriate agencies and organizations to implement the paralegal fellowship program in FY 2021, with the same support services as were previously provided to the successful 2019 class.**

In addition, the Committee is funding and establishing in the Budget Support Act a new Access to Jobs two-year pilot program for returning citizens hiring. This subtitle incentivizes the hiring of returning citizens by District employers and reflects one of the key policy recommendations of the Commission on Re-Entry and Returning Citizen Affairs. There are roughly 2,000 residents who return home from incarceration every year, and they make up 10 percent of the city’s population.

The subtitle seeks to help put returning citizens on the path to success by creating a pilot program to offer grants to District employers that hire returning citizens, for a portion of the wage they pay returning citizens in a system that encourages retention and career growth.

The Committee recommends that ORCA immediately identify partner employers for the Access to Jobs pilot program and swiftly prepare the necessary application procedures. The Committee further notes its intent as established in law in the Budget Support Act that the Access to Jobs pilot program be operated by ORCA to ensure that ORCA continues to serve as a hub for returning citizens and the employers and organizations that wish to support them.

² Council for Court Excellence, *Beyond Second Chances, Returning Citizens’ Re-Entry Struggles & Success in DC* (December 2016)

³ DC Policy Center, *Obstacles to employment for returning citizens in D.C.* (August 2018)

Case Management: Providing case management is one of the agency’s primary responsibilities. After recent investments by the Council, the agency now has one Supervisory Case Manager and four Case Managers. Each Case Manager handles between 50-60 cases per month. They work with residents to obtain the following:

- Housing
- Employment & Job Readiness
- Behavioral Health Services
- Educational & Vocational Training
- Clothing
- Food
- Legal Services

ID & Birth Certificate Fee Waiver Program: In 2017, the Council created a program to waive fees for identification and birth certificates for returning citizens help break down these barriers to reentry. Identification documents are critical to obtaining housing, employment, and meeting other needs. In the FY 2020 budget, the Committee appropriated \$87,000 to fund the program. In FY 2020 to date, ORCA has provided 129 fee waivers for birth certificates and 115 fee waivers for ID cards and driver’s licenses.

Commercial Driver's License Program: ORCA partners with the Department of Public Works to facilitate a monthly CDL Class B course to help returning citizens receive the credentials they need to enter a commercial driving career. 82 residents have completed the program in FY20 to date.

Impacts of the Pandemic

Since the public health crisis began, the agency has been working remotely and continues to provide critical services. It has been a challenge to coordinate services for residents due to the impacts of the pandemic on government operations. Yet, ORCA has managed to continue case management and referral services virtually.

Despite these efforts, the pandemic has impacted residents’ ability to access services. Prior to the outbreak, ORCA would service between 30 - 40 clients a day. Now, the agency provides services to about 10 - 16 clients daily. This is despite an increase in residents returning from confinement as facilities reduce occupancy to slow the spread of the coronavirus. **The Committee strongly urges ORCA to finalize and provide to the Committee its transition plans on how it will improve service to residents through the remaining phases of reopening and the transition back to normal operations.**

ORCA’s Strategic Plan

In March 2019, the agency released its strategic plan. The plan was recommended in a 2015 report issued by the Office of the Inspector General and its completion was funded through an investment directed by the Council. The strategic plan detailed the deficiencies of ORCA and provided a road map that would help ORCA better serve its

clients. During the FY 2020 budget hearing, the Committee expressed its pleasure with the agency taking steps to quickly implement the strategic plan's recommendations. ORCA developed measurable goals, reevaluated its program offerings, and realigned staff responsibilities to better meet the agency's needs.

Since the FY 2020 budget process, the agency has had a leadership change, onboarding a new Director and Director of Operations. As a result, the Committee followed up on ORCA's progress during the FY 2021 budget oversight hearing and learned that the Office has built on its earlier progress by improving its case management tracking system, engaging with other government agencies, and working with service organizations to identify resources for its clients.

Also, the strategic plan recommended that the agency needed 12 employees, and the Committee is pleased that ORCA now has reached that number, despite a repeated error in the budget book that suggests a small number of employees. **The Committee recommends that ORCA work with the Office of the Chief Financial Officer to ensure the budget reflects the correct number of employees, as funded by the Committee, in all future budget documents and reports.**

ORCA is also applauded for collaborating with the Department of Small and Local Business Development to create an entrepreneurship program and for working with the Capital Area Asset Builders to teach its clients about financial responsibility. The Committee looks forward to seeing the progress of these new initiatives but is disappointed that ORCA did not follow its FY 2020 recommendation to collaborate with the reentry community as it implements the final stages of its strategic plan. It has valuable expertise, and the agency needs to quickly leverage that resource. **The Committee recommends that ORCA develop a more robust outreach program focused on bringing together the entire reentry community around a coordinated strategy for improving reentry.**

Additionally, the strategic plan proposed transferring the agency from the Executive Office of the Mayor to instead be an independent agency in the cluster overseen by the Office of the Deputy Mayor for Public Safety and Justice. In doing so, ORCA would be better positioned among agencies with similar goals and could access critical information more easily. The Committee agrees with this recommendation and introduced the Moving the Office on Returning Citizens Affairs Amendment Act of 2019 to transfer ORCA to the Office of the Deputy Mayor for Public Safety and Justice. The bill was referred to the Committee on the Judiciary and Public Safety, and the Committee on Facilities & Procurement thanks the Committee on the Judiciary and Public Safety for advancing the bill expeditiously.

Policy Initiatives Commission on Reentry and Returning Citizens Affairs

The Commission set an ambitious policy agenda for FY 2020. It included working to provide services for children with incarcerated parents, identifying ways to find employment opportunities for returning citizens, and giving voting rights to incarcerated residents with felony convictions. The Committee has been working closely with the

Commission to ensure the agency's policy goals are met. Below are a list of bills that reflect the recommendations of the Commission.

Restore the Vote Amendment Act of 2019: District law prohibits incarcerated residents with felony convictions from voting. The Commission strongly felt that residents who are serving time in prison for committing a felony should be allowed to vote and express themselves in the democratic process. It argued that voting would connect residents with the community and could help them better reintegrate back into society, while ensuring continuing accountability for the criminal justice system. The Committee agreed with the Commission's position on the issue and introduced the Restore the Vote Amendment Act of 2019, which will make the District the first jurisdiction in the country to re-enfranchise all its incarcerated residents.

The Commission spearheaded an effort to create the Restore the Vote Coalition, which has over 70 organizations in support of reform. There were two public hearings on the bill and more than 100 witnesses testified in support of the legislation, with no significant opposition. The effort gained national attention, and leaders like U.S. Senator Bernie Sanders (I-VT) praised the District for moving forward with legislation that would put an end to disenfranchisement in the criminal justice system. The Judiciary Committee, where the legislation was referred, planned to advance it in March 2020, but the coronavirus outbreak impacted the Committee's ability to move the bill forward. However, as part of its recent emergency bill to reform the city's policing policies, the Committee on Judiciary and Public Safety included a provision from the Restore the Vote bill that would allow incarcerated residents with felony convictions at the Department of Corrections to vote in the 2020 general election. The Committee appreciates this positive progress by the Committee on Judiciary and Public Safety and looks forward to the swift passage of the remainder of the bill.

Access to Jobs Amendment Act of 2020: The Commission recognizes that, despite the "Ban the Box" policy restricting the use of criminal records in hiring, returning citizens still face severe barriers to employment. The Commission therefore recommended that employers needed a financial incentive to hire returning citizens. The Committee worked with the Commission to research this idea and is advancing and funding a proposal in this budget as described previously.

Recruitment of New Commissioners

For the past year, the Commission has been working with ORCA to aggressively recruit new members with a strong focus on bringing more women into the organization. These efforts resulted in additional candidates being nominated to serve on the Commission. To that end the Committee welcomes Richard Jarvis, Olivia Elder, Taurus Philips, and Dominic Henry to the Commission. **The Committee points to the success of the Commission on Re-Entry and Returning Citizens Affairs in driving reentry policy and recommends that the Commission redouble its efforts to hold regular meetings, to engage non-voting members of the Commission, and to issue its statutorily required annual report.**

Commission Engagement with the Returning Citizen Community

In the FY 2020 budget, the Committee provided ORCA with \$10,000 to support the Commission with its outreach, communication, and engagement with the returning citizen community. The Committee notes that the funding in Fiscal Year 2020 has not yet been spent due to impacts of the pandemic. The Commission has historically struggled to maintain engagement with its members, and the Committee hopes the renewal of this funding will help strengthen the Commission. **The Committee recommends that the Commission on Re-Entry and Returning Citizens Affairs develop a budget for the use of this \$10,000 for outreach and engagement in Fiscal Year 2021.**

Since the public health crisis began, the Commission has been providing returning citizens with food and personal protective equipment. The Committee commends commissioners for providing these services and supports while the city deals with unprecedented challenges.

4. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2021 Operating Budget Recommendations

1. *Increase* CSG 40 (Other Services and Charges) Program 5000 (Office of Community Affairs), Activity 5008 (Office on Returning Citizens Affairs) by \$150,000 to implement the Returning Citizen Paralegal Fellowship Initiative Pilot Program Amendment Act of 2020, as incorporated into the Fiscal Year 2021 Budget Support Act of 2020.
2. *Increase* CSG 40 (Other Services and Charges) Program 5000 (Office of Community Affairs), Activity 5008 (Office on Returning Citizens Affairs) by \$30,000 in recurring dollars to implement the Access to Jobs Amendment Act of 2020, as incorporated into the Fiscal Year 2021 Budget Support Act of 2020.
3. *Increase* CSG 50 (Subsidies and Transfer) Program 5000 (Office of Community Affairs), Activity 5008 (Office on Returning Citizens Affairs) by \$249,600 in recurring dollars to implement the Access to Jobs Amendment Act of 2020, as incorporated into the Fiscal Year 2021 Budget Support Act of 2020.
4. *Increase* CSG 20 (Supplies and Materials) Program 5000 (Office of Community Affairs), Activity 5008 (Office on Returning Citizens Affairs) by \$10,000 in one-time funds to provide communication, engagement, and outreach assistance for, and in coordination with, the Commission on Re-Entry and Returning Citizen Affairs.

5. *Increase* FTEs by 1 as a technical correction to reflect an error in presenting the current staffing of ORCA in the budget book.
6. *Increase* FTEs by 1 and create 1 new position with the accompanying local funds as follows:
 - a. Program Manager: create a new position in Program 5000 (Office of Community Affairs), Activity 5008 (Office on Returning Citizens Affairs): *increase* CSG 11 (Regular Pay – Continuing Full Time) by \$83,209 and CSG 14 (Fringe Benefits – Current Personnel) by \$16,392: *total PS increase = \$99,601*
7. *Decrease* CSG 20 (Supplies and Materials) Program 5000 (Office of Community Affairs), Activity 5008 (Office on Returning Citizens Affairs) by \$10,000 in one-time funds to rededicate specifically to the support of the Commission on Re-Entry and Returning Citizens Affairs.

b. Policy Recommendations

The Committee recommends that the Office on Returning Citizen Affairs and the Commission on Re-Entry and Returning Citizens Affairs implement the following policy recommendations:

1. The Committee requests that ORCA reassume full administrative control over the transportation stipend program, as funded by the Council in ORCA’s budget and move to ensure all available stipends are distributed to returning citizens in need.
2. The Committee expects ORCA to ensure every available voucher in FY 2020 is used to house returning citizens. The Committee also requests that ORCA develops a more efficient procedure for working with the DC Housing Authority to ensure that the 20 housing vouchers funded for returning citizens in FY 2021 are promptly utilized.
3. ORCA is strongly encouraged to quickly begin working with the appropriate agencies and organizations to implement the paralegal fellowship program in FY 2021, with the same support services as were previously provided to the successful 2019 class.
4. The Committee recommends that ORCA immediately identify partner employers for the Access to Jobs pilot program and swiftly prepare the necessary application procedures.
5. The Committee further notes its intent, as established by law in the Budgets Support Act, that the Access to Jobs pilot program be operated by ORCA to ensure that

ORCA continues to serve as a hub for returning citizens and the employers and organizations that wish to support them.

6. The Committee strongly urges ORCA to finalize and provide to the Committee its transition plans on how it will improve service to residents through the remaining phases of reopening and the transition back to normal operations.
7. The Committee recommends that ORCA work with the Office of the Chief Financial Officer to ensure the budget reflects the correct number of employees, as funded by the Committee, in all future budget documents and reports.
8. The Committee recommends that ORCA develop a more robust outreach program focused on bringing together the entire reentry community around a coordinated strategy for improving reentry.
9. The Committee points to the success of the Commission on Re-Entry and Returning Citizens Affairs in driving reentry policy and recommends that the Commission redouble its efforts to hold regular meetings, to engage non-voting members of the Commission, and to issue its statutorily required annual report.
10. The Committee recommends that the Commission on Re-Entry and Returning Citizens Affairs develop a budget for the use of this \$10,000 for outreach and engagement in Fiscal Year 2021

C. ADVISORY NEIGHBORHOOD COMMISSIONS

1. AGENCY MISSION AND OVERVIEW

The mission of the Advisory Neighborhood Commissions is to advise the District government on matters of public policy, including decisions regarding planning, streets, recreation, social service programs, health, safety, and sanitation in their respective neighborhood areas. This mission includes reviewing and making recommendations on zoning changes, variances, public improvements, licenses, and permits of significance for neighborhood planning and development. The Commissions are also empowered to expend funds allotted to each Commission for the public good within each neighborhood area.

The Advisory Neighborhood Commissions are supported by the Office of Advisory Neighborhood Commissions, a legislative branch office tasked with providing technical, administrative, and financial reporting assistance to the Commissions.

2. FISCAL YEAR 2021 OPERATING BUDGET

Operating Budget					
<i>Fund Type</i>	<i>FY 2019 Actual</i>	<i>FY 2020 Approved</i>	<i>FY 2021 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
Local	976,000	1,500,000	1,492,000		
Gross Funds	976,000	1,500,000	1,492,000		

Full-Time Employee Equivalents					
<i>Fund Type</i>	<i>FY 2019 Actual</i>	<i>FY 2020 Approved</i>	<i>FY 2021 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
Local	3.5	4.5	4.5	1	5.5
Total	3.5	4.5	4.5	1	5.5

Committee Analysis and Comments

Advisory Neighborhood Commissions

Advisory Neighborhood Commissions are a unique and vital element of the District’s government. Initially created in 1974 as an experiment in grass roots democracy complimenting home rule, Advisory Neighborhood Commissions are where many residents first turn when they have questions or concerns about their government. With 40 Commissions made up of 296 individual Commissioners, our Commissions are undoubtedly the elected officials closest to the residents and most familiar with the needs and priorities of each neighborhood. In addition, the two-year term for Advisory Neighborhood Commissioners ensure they continue to be responsive to the communities they serve.

To take advantage of the knowledge, experience, and understanding of Commissioners, the law permits Commissions to advise the Council, the Mayor, and all agencies of government on issues and policies that affect the Commission area. The executive branch and independent agencies are required to provide Commissions with notice of a wide range of policy decisions – including real property transactions, revenue bond issuances, grant applications, comprehensive plans zoning changes, variances, public improvements, licenses or permits, the budget, service delivery, opening of facilities, liquor licenses, construction and demolition permits, and other proposed government actions. For each of these issues, any recommendations by a Commission must be given great weight during deliberations by the government.

Office of Advisory Neighborhood Commissions

The Office of Advisory Neighborhood Commissions, led by an Executive Director appointed by the Council, is tasked with providing technical, administrative, and financial reporting assistance to the Advisory Neighborhood Commissions. The duties of the Office include developing new programming and services to assist Commissioners, responding to Commissioner requests, updating the ANC Handbook, coordinating with the Office of Open Government to assist Commissions with fulfilling Freedom of Information Act requests, developing training sessions and briefings for Commissioners, providing

technical assistance and templates, serving as an advocate for Commissioners, reviewing and approving quarterly financial reports, and advising Commissioners on relevant administrative decisions and legislation.

Feedback from Advisory Neighborhood Commissions

Over the last year, the Committee has prioritized hearing from Advisory Neighborhood Commissioners about how the District can better support them in their important role. Advisory Neighborhood Commissioners testified with detailed recommendations across a series of four oversight hearings in the fall, held in locations across the District and in the evening to maximize Commissioner input. Earlier this year, Commissioners provided additional feedback at the Committee’s performance and budget oversight hearings. The Committee carefully reviewed that testimony prior to identifying investments and reforms to recommend through the Fiscal Year 2021 budget.

Advisory Neighborhood Commission Allocations

Equity and Forfeiting Allocations: Advisory Neighborhood Commissions receive annual allocations on a quarterly basis out of the general revenues of the District apportioned to each Advisory Neighborhood Commission at the same ratio as the population of their Commission area bears to the population of the District. Unfortunately, this equal distribution does not result in an equal expenditure of resources for residents across the city because ANCs forfeit funds due to failure to file timely quarterly reports or due to irregularities in financial reporting or Commission spending. The amount forfeited by fiscal year has been:

Year	FY 2016	FY 2017	FY 2018	FY 2019
Amount Forfeited	\$123,688	\$68,277	\$50,891	\$81,575

When this funding is forfeited, it current reverts to the General Fund, resulting in a significant loss of resources for neighborhoods across the city, but the loss is not equally distributed. The loss of these funds results from several root causes. Among them, is a lack of transparency in the community around forfeited funds. Without transparency about these forfeitures, the community cannot hold their elected officials accountable. In addition, forfeiture of funds is often the result of over-burdened Advisory Neighborhood Commissioners, who are asked to complete wide-ranging administrative tasks, and according to their consistent testimony, without adequate training or resources. Commissioners are elected to serve, but they do so without pay and often in addition to a full-time job and family responsibilities. That said, **the Committee recommends that the Office of Advisory Neighborhood Commissions identify the causes of forfeiture of funds by Commissions and identify a strategy for assisting Commissions in avoiding this outcome.**

In addition, to address this underlying equity concern, the Committee recommends the passage of the Advisory Neighborhood Commissions Technical Support and

Assistance Amendment Act of 2020 to recapture forfeited funds to be utilized for centralized support services to benefit all Advisory Neighborhood Commissions. **The Committee recommends that the Office on Advisory Neighborhood Commissions identify procedures for utilizing the funding provided through the Advisory Neighborhood Commission Technical Support and Assistance Fund.**

Online Financial Reporting: Elected officials cannot be held accountable to their constituents for damages that are not transparently reported. Residents of the District, unless they are paying particularly close attention to their Advisory Neighborhood Commission meetings, are typically unaware of the financial conditions of their Commissions, or the forfeiture of available resources for their neighborhoods. These issues could be partially addressed with greater transparency. Therefore, **the Committee recommends that the Office of Advisory Neighborhood Commissions publish all quarterly financial reports for Advisory Neighborhood Commissions and records related to any forfeiture of funds by an Advisory Neighborhood Commission, on the Office's website.**

Grant-Making by Commissions

One of the benefits that residents may receive from a well-resourced and well-functioning Commission are grants from the Commission to community-serving organizations. Unfortunately, one of the unintended impacts of the recent hand-over of Commission financial management from the Office of the DC Auditor to the Office of Advisory Neighborhood Commissions and recent legislative reforms has been a tightening of restrictions on the ability of Commissions to issue grants. As a result of these new standards, Commissions have been barred from issuing grants that had been regularly approved previously and that were beneficial to the community. In recent months, as part of the Council's emergency response to the coronavirus pandemic, the Committee expanded the ability of Commissions to issue grants to help support the city during this difficult time. As a result, Commissions have moved forward on issuing thousands of dollars in grants for face masks, grocery gift cards, public hand sanitizer stations, emergency food bags, grocery deliveries, and health and cleaning kits. This reflects the benefit that District residents can receive from dedicated locally elected official who are empowered and well-resourced to meet the gaps in our safety net programs.

Going forward, **the Committee requests that the Office of Advisory Neighborhood Commission submit to the Committee on a quarterly basis, all grant requests by Commissions that have been rejected and the basis for the rejection.** This information will be utilized to target reforms to address unnecessary grant restrictions.

Office of Advisory Neighborhood Commission Staffing

Impacts of Recent Reforms: Numerous Advisory Neighborhood Commissioners have testified to their appreciation for the work of the Office of the Advisory Neighborhood Commissions. However, many Commissioners noted their observation that the Office appeared over-burdened and understaffed given its existing duties. Director Gottlieb Simon

similarly testified in advance of this year’s performance oversight hearing that the Office was experiencing “work pressures” and, in particular that the “staffing provided to the Office to carry out the responsibility of reviewing quarterly financial reports was less than the task demands”. To address concerns with understaffing, the Committee’s budget funds a new Technical Support Director to support the Office, while expanding services to Commissions.

Vacancy: Given the clear staff needs, the Committee is concerned that an existing vacancy in the Office of Advisory Neighborhood Commissions has gone unfilled since the position was funded in FY 2019. While Director Simon committed to completing the necessary interviews in June and to select a candidate by July 1st, the Committee requests that the Office move swiftly to fill the existing vacancy and take the lessons learned from this process to swiftly fill the newly funded Technical Support Director position.

Translation and Communication Supports

In the Fiscal Year 2020 budget, the Committee provided unprecedented resources for communications access and language translation for Advisory Neighborhood Commissions. These resources help ensure that Commissions can meet their legal requirements while ensuring that deaf and hard-of-hearing residents, residents with disabilities, or residents who are not fluent in English can participate fully in our Advisory Neighborhood Commissions. However, the Office of Advisory Neighborhood Commissions provided testimony that the use of these resources has been limited thus far – with only \$8,413.46 spent on communications access and \$133.92 spent on language translation. **The Committee recommends that the Office develop a communications strategy to ensure both residents and Commissioners are fully aware of the availability of these services.** To reflect the low, but variable, use of these funds, the Committee recommends a modest reduction in available resources in FY 2021, while also recommending Communications Access as an allowable use of the new Advisory Neighborhood Commissions Technical Support and Assistance Fund. This will allow sufficient funding to meet the need in any given year, without risking as much funding going unspent.

Advisory Neighborhood Commission Training

One of the consistent requests from Advisory Neighborhood Commissioners has been for additional training. In response to the Committee’s questions, Director Gottlieb Simon provided details on his planned upcoming training schedule. This schedule includes new commissioner training sessions, returning commissioner review trainings, specific trainings for Chairpersons and Treasurers, and workshops on parliamentary procedure. The Office also noted that it had, for the first time, provided recorded, on-demand training on the use of Webex for remote meetings. The most consistent additional training request heard by the Committee in recent months has been for implicit bias training for Commissioners. This training has been requested by Commissioners themselves to confront the potential for bias in Commission proceedings. To meet this request from Commissioners, the Committee has identified funding for implicit bias training for

Commissioners. **The Committee recommends that the Office swiftly identify a provider for implicit bias training for Commissioners, schedule a training session, and make all future trainings available to all Commissioners remotely and on-demand.**

Technical Support for Advisory Neighborhood Commissions

Outreach and Engagement Technology: In Fiscal Year 2020, the Committee responded to an unprecedented advocacy effort by Commissioners by providing funding for the planning, development, or procurement of a mobile or computer application to assist Advisory Neighborhood Commissioners with outreach and engagement with their constituents. The Committee is deeply concerned that very little progress has been made toward using this funding as directed by the Committee and requested by a number of Commissioners. Recognizing that the funding estimated for this purpose maybe inaccurate, in Fiscal Year 2021, the Committee budget proposes placing this funding in the newly created Advisory Neighborhood Commissions Technical Support and Assistance Fund. **The Committee recommends that the Office use what was learned over the last eight months to swiftly procure a mobile or computer application to assist Commissions with outreach and engagement and to provide updates to the Committee monthly until the task is complete.**

Meeting Technology, Printing Services, and Website Support: Advisory Neighborhood Commissioners have consistently and nearly unanimously testified to the Committee, in person and in writing, that additional administrative support is needed for them to complete their work. Commissioners have noted that certain core administrative functions could be completed more efficiently, at a lower cost, and with greater expertise if they were provided centrally.

Commissioners have noted specifically, the need for assistance with remote meeting technology, audio-visual technology, printing services, and website support. Remote meeting technology has recently become critically important in response to the pandemic. The Council acted swiftly to authorize Commissions who wished to continue their important work to meet remotely and almost all Commissions have utilized this new authority. However, Commissioners have noted that this shift in procedures is not without cost or complexity. Commissioners have also noted that the use of remote meeting technology may be necessary for some time and may be beneficial in the future as an adjunct to in-person meetings. As such, the Committee recommends that remote meeting technology be an authorized use of the newly funded Advisory Neighborhood Commissions Technical Support and Assistance Fund.

In addition, Commissioners have noted their concerns that Commission printing is currently done by individual Commissions or by Commissioners themselves, often through small commercial contracts that have high, and inconsistent costs. Other Commissions have purchased large printers and pay for ink and support contracts. Commissioners have noted the inefficiencies of this approach and have requested access to a larger, centralized printing solution. The Committee therefore has also made the procurement or provision of

printing services an authorized use of the Advisory Neighborhood Commissions Technical Support and Assistance Fund.

Finally, Commissioners have testified to their lack of expertise with audio-visual technology and website development. The existing templates for websites provided by the Office of Advisory Neighborhood Commissions have repeatedly been described as inadequate to meet current needs. The Committee therefore has also made these services authorized uses of the new special fund. **The Committee recommends that the Office swiftly set a budget for the Advisory Neighborhood Commissions Technical Support and Assistance Fund and procure or purchase authorized services and supports. The Committee recommends that the Office develop procedures for accessing the services and supports newly available to Commissioners and communicate those procedures to Commissioners and the Committee.**

4. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2021 Operating Budget Recommendations

8. *Increase* FTEs by 1 and create 1 new position with the accompanying local funds as follows:
 - b. Technical Support Director: create a new position in Program 1000 (Agency Management), Activity 1085 (Customer Services): *increase* CSG 11 (Regular Pay – Continuing Full Time) by \$72,176 and CSG 14 (Fringe Benefits – Current Personnel) by \$11,043: *total PS increase = \$83,219*
9. *Increase* CSG 40 (Other Services and Charges) Program 1000 (Agency Management), Activity 1085 (Customer Services) by \$160,000 in recurring funds to be allocated to the Advisory Neighborhood Commissions Technical Support and Assistance Fund created by the Advisory Neighborhood Commissions Technical Support and Assistance Amendment Act of 2020 in the Fiscal Year 2021 Budget Support Amendment Act of 2020.
10. *Increase* CSG 40 (Other Services and Charges) Program 1000 (Agency Management), Activity 1085 (Customer Services) by \$5,000 in recurring funds to fund implicit bias training for Advisory Neighborhood Commissions.
11. *Decrease* CSG 40 (Other Services and Charges) Program 1000 (Agency Management), Activity 1085 (Customer Services) by \$100,000 in recurring funds in order that they may be allocated to the Advisory Neighborhood Commissions Technical Support and Assistance Fund.

12. *Decrease* CSG 40 (Other Services and Charges) Program 1000 (Agency Management), Activity 1085 (Customer Services) by \$10,000 in one-time funds due to recent underspending on communications access

b. Policy Recommendations

The Committee makes the following policy recommendations for the Office of Advisory Neighborhood Commissions:

1. The Committee recommends that the Office of Advisory Neighborhood Commissions identify the causes of forfeiture of funds by Commissions and identify a strategy for assisting Commissions in avoiding this outcome.
2. The Committee recommends that the Office on Advisory Neighborhood Commissions identify procedures for utilizing the funding provided through the Advisory Neighborhood Commission Technical Support and Assistance Fund.
3. The Committee recommends that the Office of Advisory Neighborhood Commissions publish all quarterly financial reports for Advisory Neighborhood Commissions and records related to any forfeiture of funds by an Advisory Neighborhood Commission, on the Office's website.
4. The Committee requests that the Office of Advisory Neighborhood Commission submit to the Committee on a quarterly basis, all grant requests by Commissions that have been rejected and the basis for the rejection.
5. The Committee requests that the Office move swiftly to fill the existing vacancy and take the lessons learned from this process to swiftly fill the newly funded Technical Support Director position.
6. The Committee recommends that the Office develop a communications strategy to ensure both residents and Commissioners are fully aware of the availability of these services.
7. The Committee recommends that the Office swiftly identify a provider for implicit bias training for Commissioners, schedule a training session, and make all future trainings available to all Commissioners remotely and on-demand.
8. The Committee recommends that the Office use what was learned over the last eight months to swiftly procure a mobile or computer application to assist

Commissions with outreach and engagement and to provide updates to the Committee monthly until the task is complete.

9. The Committee recommends that the Office swiftly set a budget for the Advisory Neighborhood Commissions Technical Support and Assistance Fund and procure or purchase authorized services and supports.

10. The Committee recommends that the Office develop procedures for accessing the services and supports newly available to Commissioners and communicate those procedures to Commissioners and the Committee.

D. CONTRACT APPEALS BOARD

1. AGENCY MISSION AND OVERVIEW

The mission of the Contract Appeals Board (CAB) is to provides an impartial, expeditious, inexpensive, and knowledgeable forum for the hearing and resolving of contractual disputes, protests, debarments, and suspensions involving the District and its contracting communities.

The CAB reviews and determines protests of District contract solicitations and/or awards; appeals by contractors of the District Contracting Officer’s final decision; claims by the District against a contractor; appeals by contractors of suspension and/or debarments; and contractor appeals of interest payment claims under the Quick Payment Act.

2. FISCAL YEAR 2021 OPERATING BUDGET

<i>Operating Budget</i>					
<i>Fund Type</i>	<i>FY 2019 Actual</i>	<i>FY 2020 Approved</i>	<i>FY 2021 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
Local	1,550,000	1,824,000	1,762,000		
Gross Funds	1,550,000	1,824,000	1,762,000		

<i>Full-Time Employee Equivalents</i>					
<i>Fund Type</i>	<i>FY 2019 Actual</i>	<i>FY 2020 Approved</i>	<i>FY 2021 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
Local	10	10	11	0	11
Total	10	10	11	0	11

Committee Analysis and Comments

Goals for the New IT Director and the IT Specialist

In the Fiscal Year 2020 budget, the Committee funded a new Information Technology Director at the Contract Appeals Board. The Board made a strong case for a position, with the ability to manage the agency's website and database, which is currently based on software from an outside vendor. This investment anticipated that the Board would be able to reduce reliance on contractors for some projects, while offering the Board strategic IT decision making and planning. The Committee is pleased to learn the new IT Director role has been filled.

The Committee recommends that the new Director meet with the IT Director in the Office of Zoning, a comparable agency in size and function, to gain perspective on how to support an adjudicatory agency's needs. The Committee also suggests that the new IT Director create an action plan consisting of short- and long-term goals, including the need for the Board to operate remotely.

Establishing a Virtual Hearing Process

During the Committee's very first tour of the Contract Appeals Board office, at the beginning of Council Period 23, Chief Judge Loud shared that one of CAB's long-term goals was to establish a virtual hearing process. What was once an aspiration within a five-year plan, has now become an immediate need. The pandemic has heightened the District's reliance on technology, particularly virtual meeting capabilities. With health experts recommending continued social distancing, especially as the threat of a second wave looms over the upcoming fall and winter seasons, the need for a virtual hearing process becomes that much more immediate. The Contract Appeals Board has been able to reschedule trials during the current public health emergency to the new calendar year, however, rescheduling cannot be the long-term solution. Those rescheduled dates might not be accommodated without a virtual process in place if the pandemic's threat continues without treatment or vaccine into calendar year 2021.

While agencies across the District have been forced to adjust to a new way of functioning and completing their day to day tasks from home, some processes cannot be performed with a standard video conferencing tool. The Contract Appeals Board coincidentally laid the regulatory groundwork to allow for virtual hearings in its recent update of the Board's regulations. The Contract Appeals Board has expedited the establishment of a virtual process, with the new IT Director and the CAB General Counsel collaborating on this project with the Board's federal counterpart, the United States Civilian Board of Contract Appeals. The Board aims to have a process in place by January 2021. ***The Committee recommends that the Board also collaborate with other administrative tribunals in the District to lend and seek support and recommendations for remote proceedings. The Committee asks that CAB update the Committee on its progress with virtual hearings on a quarterly basis until virtual hearings have begun.***

Completing the Archiving and Digitization of Paper Case Files

In the Fiscal Year 2020 budget, the Committee invested \$100,000 in one-time funding in CAB's effort to digitize and archive its old case files, from cases dating back to

1953. The Board had 500 boxes full of approximately 863 case files, filling space in their offices. The Board's piecemeal effort at digitizing and archiving these files would have taken years to accomplish. The Board used the Committee's investment to expedite their process and contracted with a local Certified Business Enterprise to complete the work. The contract was based on an estimate of the number of pages contained in the many boxes the contractor retrieved from CAB's offices. However, there were more pages in these boxes than originally anticipated and thus, while the bulk of the project has been completed with the funds provided in the last fiscal year, 168 boxes remain to be digitized and archived. CAB will require additional one-time funding to complete the remainder of the process. Given the revenue shortfalls and budgetary constraints facing the District as a result of the coronavirus pandemic, the Committee will not be able to provide a second investment in this process in Fiscal Year 2021. In the interim, ***the Committee recommends that CAB estimate the number of pages that remain in the final 168 boxes of files in CAB's office and from there estimate the funding needed to complete the digitization and archiving project. The Committee also recommends that CAB, to the extent possible, make progress on digitizing the remaining boxes with any savings the agency uncovers in the next fiscal year or through the in-house IT staff. The CAB should provide the Committee with an update on any progress made next year on the digitizing and archiving project.***

Enhancing Alternative Dispute Resolution Use

The Committee was encouraged to hear that the Board had taken the recommendation from the Fiscal Year 2020 Budget to research Alternative Dispute Resolution (ADR) techniques and practices. The Board provided an update that an intern has been assigned the task of conducting this research. CAB should consider, as recommended previously, discussing the topic with other administrative adjudicatory agencies or tribunals in the District to identify best practices utilized elsewhere. ***CAB should also consider collaborating with the United States Civilian Board of Contract Appeals, CAB's federal counterpart, in developing CAB's ADR framework.*** The Civilian Board of Contract Appeals has a guide to ADR in government procurement, developed by the Interagency Alternative Dispute Resolution Working Group's Contracts and Procurement section, which may provide a baseline from which CAB can develop its own guide.

Efficient Case Management & Avoiding Backlogs

In Fiscal Year 2018, CAB closed 91% of protest cases within 60 days of filing. CAB improved this already impressive metric and closed 100% of its protest cases in Fiscal Year 2019 within 60 days. The Board also improved its key performance indicator measuring the percent of pending appeals cases that are three years old or less from 86.7% in FY 18 to 100% in FY 19. The Committee is pleased to see that the Board was able to improve despite the transition from Judge McBean to Judge Majett that took place in 2019. The Board's use of case accountability meetings to remain on schedule clearly has yielded the desired results. The Committee recommends that the Board document the process used so that the effective process can be shared and replicated by future CAB judges and other

similar Boards. The current fiscal year's metrics may see decline due to the interference of the coronavirus pandemic, particularly as trials for appeals cases are being rescheduled, and thus further aged. This is an unfortunate, but uncontrollable circumstance. The Committee is hopeful that CAB will initiate a virtual hearing process to put the Board back on track, despite the pandemic. *The Board should use rescheduled hearings as an opportunity to encourage alternative dispute resolution among appeal case parties and employ some of the best practices the Board is currently researching.*

Remote Work Capabilities & COOP

The Contract Appeals Board is regionally recognized for its exemplary level of transparency in the Board's website and publicly searchable database. CAB's ability to keep pace is particularly important as the Board works through these unprecedented times. *The Committee recommends that the Board revisit its Continuation of Operations Plan (COOP) for any necessary updates or revisions prior to the potential autumn and winter resurgence of the virus, which may elongate the Board's need to work remotely. The Committee requests a copy of the Board's COOP after any necessary updates have been made, including any new virtual hearing process.*

Maintaining Equitable Access to Adjudication

Transparency is one of the tools the District can use to drive equity. A transparent government is an accessible and fair government. The transparency with which CAB conducts itself is regionally recognized and one of its greatest achievements. CAB also has no fees for initiating an appeals or protest case. Despite these positive aspects, the three year time frame for a typical appeals case is still a barrier to equitable adjudication, particularly for small businesses, who may not be able to maintain to litigate a case for multiple years.

The Committee recommends that CAB supplement the resources page of its website with resources for small businesses who may need to represent themselves or secure pro-bono representation to effectively raise a claim .

4. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2021 Operating Budget Recommendations

1. *Increase* CSG 11 (Regular Pay – Continuing Full-Time) Program 2000 (Adjudication), Activity 2001 (Adjudication) by \$18,000 in recurring funds to correct a budget error.

b. Policy Recommendations

1. The Committee recommends that the new Director meet with the IT Director in the Office of Zoning, a comparable agency in size and function, to gain perspective on how to support an adjudicatory agency's needs.

2. The Committee also suggests that the new IT Director create an action plan consisting of short- and long-term goals, including the need for the Board to operate remotely.
3. The Committee recommends that the Board also collaborate with other administrative tribunals in the District to lend and seek support and recommendations for remote proceedings.
4. The Committee asks that CAB update the Committee on its progress with virtual hearings on a monthly basis until virtual hearings have begun.
5. The Committee recommends that CAB estimate the number of pages that remain in the final 168 boxes of files in CAB's office and from there estimate the funding needed to complete the digitization and archiving project.
6. The Committee also recommends that CAB, to the extent possible, make progress on digitizing the remaining boxes with any savings the agency uncovers in the next fiscal year or through the in-house IT staff.
7. The CAB should provide the Committee with an update on any progress made next year on the digitizing and archiving project.
8. CAB should also consider collaborating with the United States Civilian Board of Contract Appeals, CAB's federal counterpart, in developing CAB's Alternative Dispute Resolution framework.
9. The Board should use the rescheduled hearings as an opportunity to encourage alternative dispute resolution among appeal case parties and employ some of the best practices the Board is currently researching.
10. The Committee recommends that the Board revisit its Continuation of Operations Plan (COOP) for any necessary updates or revisions prior to the potential autumn and winter resurgence of the virus, which may elongate the Board's need to work remotely.
11. The Committee requests a copy of the Board's COOP after any necessary updates have been made, including any new virtual hearing process.

12. The Committee recommends that CAB supplement the resources page of its website with resources for small businesses who may need to represent themselves or secure pro-bono representation to effectively raise a claim.

E. OFFICE OF CONTRACTING AND PROCUREMENT

1. AGENCY MISSION AND OVERVIEW

The Office of Contracting and Procurement (OCP) procures over \$5.2 billion in goods, services, and construction annually, on behalf of 76 District agencies and itself. The Procurement Practices Reform Act of 2010 (PPRA) authorizes OCP to establish procurement standards in line with regulations and to monitor the effectiveness of procurement service delivery. The agency manages District procurement through procurement specialists assigned to client agencies and their worksites throughout the process.

The Office of Contracting and Procurement also offers core services including DC Supply Schedule, the Purchase Card (P-Card) Program, and the surplus property disposition and re-utilization program. DC Supply Schedule is a program that awards hundreds of contracts to vendors that provide commercial goods and services to meet District agency recurring needs. The P-Card Program allows agencies to quickly purchase small dollar value goods and services, which are not subject to formal procurement processes. Through the surplus property disposition and re-utilizations program, OCP facilitates the reuse, sale, or disposal of excess and surplus DC government personal property. OCP also acquires excess personal property from the federal government for reuse by the District.

2. FISCAL YEAR 2021 OPERATING BUDGET

<i>Operating Budget</i>					
<i>Fund Type</i>	<i>FY 2019 Actual</i>	<i>FY 2020 Approved</i>	<i>FY 2021 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
Local	23,252,000	24,187,000	24,340,000		
Special Purpose Revenue	1,533,000	1,566,000	1,881,000		
Private Dona.	5	0	0		
Intra-District	3,002,000	3,137,000	3,763,000		
Gross Funds	27,792,000	28,890,000	29,984,000		

<i>Full-Time Employee Equivalents</i>					
<i>Fund Type</i>	<i>FY 2019 Actual</i>	<i>FY 2020 Approved</i>	<i>FY 2021 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
Local	178.1	194	195		
Special Purpose Revenue	8.3	8	10		

Private Dona.	0	0	0	0	0
Intra-District	31.8	24	28		
Total	218.2	226	233		

Committee Analysis and Comments

Council Review and Approval of Contracts

Timeliness of Council Contract Approval Requests: In January 2020, the Committee on Facilities and Procurement and the Committee of the Whole held a joint public oversight roundtable of on the Timeliness of Council Contract Submissions by the Executive and Retroactive Contracts. The administration has had a practice of presenting Councilmembers with last minute, emergency contract approval requests for contracts that are retroactive or “tipping”. Often these requests are presented alongside dire predictions of harm to our residents should the Council not immediately approve the contracts. These emergency measures often occur either due to poor planning in the procurement process or due to intentional manipulation of the process. Council Legislative agendas are frequently littered with these emergency contract approvals, moved by Councilmembers who often feel they have little choice but to support them.

The Council has a process for the passive review of contracts over a ten-day period as outlined in the Procurement Practices Reform Act (PPRA), which allows agencies to seek approval without the last-minute pressure and administrative work of passing emergency legislation. Emergency legislation should only be used for truly unplanned emergencies, certainly not to retroactively approve spending that has already occurred, to exercise easily anticipated contract option years, or to potentially try to force Council approval of contracts at politically advantageous times.

As the Committee recommended in the Fiscal Year 2020 budget, ***OCP is urged to reform its practices to ensure the timeliness of submitting contract approval requests to the Council in order ensure continuity of services and sufficient time for the Council to diligently review all approval requests.*** The Council will not rubber stamp approvals and OCP must account for the time Council needs for review.

Circumventing Council Review Through Use of Letter Contracts

Another troubling practice the Committee monitored over the past year is the use of Letter Contracts to commit the District to multimillion-dollar projects. For instance, OCP contracted with a company for an unemployment insurance tax IT system on behalf of the Department of Employment Services (DOES), a \$13 million project, with a letter contract consisting of only a single page of information and no specifics about the terms or expectations of the project, or any other pertinent details one would expect to accompany an agreement to build an important piece of information technology infrastructure. While the letter contract limited spending to \$1 million, the amount the agency can contract for without Council approval, the use of the letter contract still contradicts the spirit of that authority.

OCP and other agencies are authorized to contract for goods and services up to \$1 million without Council approval. The spirit of this authority is that agencies can legally and monetarily bind the District within that limit on a single project. However, when it is known ahead of time that a project will cost above and beyond \$1 million dollars, as it was in this case, the agency's use of a letter contract does not merely bind the District to \$1 million dollars of spending, it practically binds the District to the full \$13 million dollar project, at the risk of irretrievably losing the first \$1 million of spending. In the case of this unemployment insurance tax system contract, OCP bound the District and the Council to either a \$13 million expenditure without review, or a \$1 million loss, plus the cost incurred from re-issuing the RFP for the project. OCP proceeded to extend the letter contract for six months, continuing to keep the Council in the dark and without pertinent information about the contract's details. This process is a manipulation of the agency's authority and a circumvention of Council's oversight. Letter contracts are meant to be used for circumstances in which the procurement process needs some flexibility to iron out details, not as means to hide procurements Council review for half a year. ***OCP should review its policies to ensure that letter contracts are not issued in a way that impedes Council review or effectively commits the District to more than \$1 million in spending.***

Procurement Integrity and Compliance

The Committee received some complaints over the past year alleging bias amongst contracting officers within OCP. The Committee has also heard allegations of close business or familial relationships between contracting officers and businesses that contract with the District. These allegations are concerning, especially when brought against a profession reliant on public trust. ***OCP should ensure that contracting officers receive yearly training on the proper use of their discretion. OCP should also require contracting officers to file business relationship disclosure forms and require recusals by contracting officers on procurements where their ability to act without bias is in question.***

Transparency

Awarded Contracts: Transparency in government procurement is essential for public oversight. In fact, the National Institute for Public Procurement recommends that "public procurement should to the greatest extent practicable, be transparent in its practices, processes, and relationships with all stakeholders, while ensuring protection of confidential information."

The Procurement Practices Reform Act (PPRA) requires, among other things, that the Chief Procurement Officer (CPO) maintain a website with a database in which "information regarding each contract executed by the District for an amount equal to or greater than \$100,000." For each contract, the database must include a copy of the executed contract; all determinations and findings related to the contract; all contract modifications, change orders, or amendments associated with the contract; all solicitation documents for the contract, including all requests for proposals and invitations for bids, and any amendments of such documents; and finally, the contract summary documents for the contract that are submitted to the Council for its review.

Between Fiscal Year 2018 and 2019, OCP made an improvement in its compliance with this requirement. The agency went from having 52.3% to 75.6% of contracts above \$100,000 posted online. However, OCP is still far from compliance with a requirement that has been in statute for years. Since the Committee on Facilities and Procurement's inception, the CPO has assured the Committee that this violation of law will be remedied with the completion of a long-planned capital project to refresh the agency's IT infrastructure by updating Ariba. OCP has testified on numerous occasions that this refresh is necessary to ensure that software used by the District continues to be supported by its manufacturer. The CPO has also testified that the update was necessary to automate much of the contracting work that is currently done through Microsoft Word documents, which apparently prevent the agency from complying with the statutory transparency requirements.

The Mayor's proposed budget eliminates OCP's IT project. Whatever impending functionality the agency was relying on to bring itself into compliance with statute is no longer available. This does not eliminate the legal requirement though. ***The Committee asks OCP to create an action plan to bring the agency into compliance with the PPRA's contract transparency requirements. OCP must implement manual procedures and internal controls to ensure that all contracts valued at \$100,000 or more are posted publicly in the OCP Transparency Portal. OCP should track this metric and provide the Committee with quarterly updates until the agency has established a process to maintain 100% compliance with the law.***

Procurement Methods: In the Fiscal Year 2020 budget, the Committee recommended that OCP publish a summary comparison between the different types of procurements and the associated requirements, with an explanation of when and why each type is used, to the agency's website. ***The Committee also recommended that OCP should enhance transparency when issuing solicitations by clearly marking them as the type of procurement they are, with minimum time required to be publicized, in addition to the issuance and closing dates already provided.***

In OCP's February 2020 Performance Oversight Hearing with the Committee, upon being asked about the progress of implementing these recommendations, the Chief Procurement Officer committed to adding these new features to the website. ***OCP should provide the Committee an update with the agency's completion of these changes, to be completed by the end of the calendar year in December.***

Public Health Emergency Procurements: With the Mayor's declaration of a public health emergency on March 11, 2020, the Office of Contracting and Procurement was authorized to procure goods and services to respond to the emergency without approval from the Council. The purpose of allowing OCP to procure without having to seek Council approval for each contract is to make the process as efficient as possible. The initiation of the public health emergency also discontinued the requirements to post Requests for Proposals and Invitations for Bids for a minimum number of days.

OCP needs to ensure that it has the internal controls in place to prevent abuse of this less rigorous procurement process. OCP should be as transparent as possible about each procurement completed in response to the novel coronavirus public health emergency.

Public awareness of these purchases safeguards the District from abusive practices by vendors. Public disclosure allows for competing vendors to alert the District when the District may be subject to price gouging or quality control concerns with selected vendors.

As discussed in the Budget Oversight Hearing with OCP, the agency must ensure that despite the need for swift procurement, OCP must have processes in place to ensure the quality of the products received and confirm vendors are certified by the federal Food and Drug Administration (FDA) and the Center for Disease Control (CDC) before procuring items. While the Committee appreciated the Chief Procurement Officer's reassurances that a quality control process is in place at each warehouse where procured goods are received, recent press highlighted the lack of proper FDA and CDC approved PPE for public facing employees at the Child and Family Services Agency.

The Committee urges OCP to enhance transparency around the public health emergency procurement process, by implementing public disclosure of procurements, publishing of the agency's quality control process, by providing public updates on the District's upcoming procurement needs related to the pandemic response and how procured goods have been distributed.

Employee Training Institute: The Committee is concerned with the proposed budget reduction of \$149,000 in the Learning and Development division. Training and certifications are imperative for an equitable, unbiased, efficient, and effective procurement process. The Committee expects that OCP is able to maintain the necessary level of training for OCP and client agency employees that engage in the procurement process. The reduced investment is particularly concerning since the Committee held a hearing in June 2019 to discuss ways in which OCP and the Department of General Services (DGS) can align their procurement practices to create a more uniform end user experience for contractors, particularly small businesses. In that hearing, the Committee recommended that the two agencies work toward ensuring that DGS employees take advantage of OCP's Procurement Training Institute. Despite the funding reduction, the Committee, hopes that OCP and DGS continue to align their practices.

In responses to follow-up questions from that June 2019 hearing, OCP provided analysis that it would take three iterations of classes of the 3-tier contract officer certification training to get contracting officers from agencies with independent procurement authority through the certification requirements. The agency then estimated that this could be accomplished by Spring 2020. With the proliferation of the current public health emergency and the need for OCP to shift gears and focus on emergency procurement related to the District's response to the novel coronavirus, the Committee understands that this goal has not been at the forefront of OCP's operations. ***OCP should update the Committee on whether contractor certification trainings are being offered remotely and***

if so, whether that provides for increased capacity to cycle contracting officers through the training.

The Committee recommends that OCP use the current public health emergency and their continued online training coursework as an opportunity to create a library of recorded sessions that contracting officers and agency employees can refer back to when they need to refresh their memory on an aspect of their training. The Committee also recommends posting a pre-recorded training online for employees to understand the process for procurement in response to the public health emergency.

CBE/SBE Engagement

Virtual Workshops and Community Engagement: Even in the midst of a global pandemic, we must continue to communicate with the small business community, foster growth, and support the local economy. Normally, OCP hosts regular events in its offices, which are well attended, and helpful for businesses looking to work with the District. The need for social distancing does not allow for these types of events to continue in person. However, meetings and presentations with the District's small business community may be able to occur remotely.

The Committee recommends that OCP work with the Office of the Chief Technology Officer to provide virtual workshops for CBEs, including how to access emergency procurements. OCP should ensure that any virtual workshops are featured on the agency's website and are well communicated with the assistance of the Department of Small and Local Business Development (DSLBD), ANCs, and this Committee.

Last year, *the Committee recommended that OCP create a weekly email newsletter that CBEs can subscribe to, listing all open solicitations and OCP's workshop schedule.* The Committee renews this recommendation and strongly advises the agency to heed this advice. The District's greatest tool to successfully navigating this pandemic, as a community and as an economy, is to communicate every opportunity as widely as possible. *OCP should attempt to partner with other agencies with procurement authority on this effort, so the newsletter is a comprehensive list of contracting opportunities with the District.*

District Contracts with District Small Businesses: The Office of Contracting and Procurement has made some positive strides toward providing Small Business Enterprises (SBE) more opportunities. OCP's spending with SBEs more than doubled between Fiscal Years 2018 and 2019, from \$640,000 to over \$1.5 million. This is certainly a step in the right direction. Government contracting dollars spent with small and local businesses bolster the local economy. However, data the Committee received from the Committee on Business and Economic Development indicates that much of this increased spending is concentrated amongst only a few SBEs. Most of the spending, in fact, is dispersed among only 10 small businesses, which raises concern. The Committee would like to receive more data from OCP about the number of SBEs being awarded District contracts and the cumulative value of awards each SBE receives.

The absence of proper tracking of this data made it impossible for a mandated disparity study to be completed. ***The Committee ask that OCP work with DSLBD and other major contracting agencies, like DGS, to identify a set of metrics to track the District’s contracting efforts with small and local businesses. These data should, at a minimum, track the number of certified small businesses the District contracts with each quarter and each fiscal year, the cumulative value of contracts each business is awarded, and the percentage of the cumulative value of District contracts awarded to certified business enterprises by sub-category (Resident Owned Businesses, Development Enterprise Zone, Disadvantaged Business Enterprise, etc.).***

Quick Payment Act Enforcement and Payment Mediation: The Committee continues to have concerns about prime contractors honoring the requirements of the Quick Payment Act. The Committee understands that the Office of the OCP Ombudsman has taken the initiative to mediate some Quick Payment Act conflicts between prime and subcontractors. ***The Committee recommends that the Ombudsman’s Office be included in the contractor evaluation process so that Quick Payment Act issues are encompassed in the District’s review of contractors for future projects.*** In 2019, OCP indicated that the Ombudsman’s Office planned to create a reference guide to increase awareness of the issues. However, the Committee has not seen this reference guide published to the OCP website yet. ***The Committee encourages OCP’s Ombudsman to follow through on the creation of a reference guide and ensure that it is published to the OCP website and is easily accessible for the contractor community. The Ombudsman should also work to publish the guide to DSLBD’s website.***

Surplus Property Disposition and Re-Utilization Program: In early January 2020, the Committee held a public oversight roundtable on the Office of Inspector General (OIG) Report entitled “District-Wide Participation in the Surplus Property Program Could be Improved.” The Committee was pleased to learn in that hearing that OCP had already begun work on implementing some of the OIG’s recommendations. ***The Committee urges OCP to re-evaluate OIG recommendations regarding the surplus property program, particularly OIG recommendations to make OCP’s sole authority in the District over surplus property disposition.*** Some agencies, like the DC Housing Authority, have conducted their auctions as recently as 2019 instead of coordinating with OCP to dispose of their surplus property through OCP’s Gov Deals auction platform.

Remote Work Capabilities & COOP: The end of the District’s public health emergency is still not clearly in sight yet and a second resurgence of the virus threatens the first quarter of Fiscal Year 2021. To that end, and with new information and experience under our belts, the Committee recommends that OCP review its Continuation of Operations Plan (COOP) and make any needed revisions before that start of the new fiscal year.

3. FY 2021-2026 CAPITAL BUDGET

OFFICE OF CONTRACTING AND PROCUREMENT (PO0)										
Project No	Project Title	Allotment Scenario	Available Allotments (5-16-20)	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	6-yr Total
IPO1C	Ariba Refresh	Approved FY20 CIP	0	7,929,420	2,275,000	0	0	0	0	10,204,420
		Mayor's Proposed	0	(7,929,420)	(2,275,000)	0	0	0	0	(10,204,420)
		Available Balances	1,565,636	0	0	0	0	0	0	0
Total			1,565,636	0	0	0	0	0	0	0
IPO02C	Content Management	Available Balances	257,312	0	0	0	0	0	0	0
Total			257,312	0	0	0	0	0	0	0
IPO03C	Process Automation	Available Balances	144,300	0	0	0	0	0	0	0
Total			144,300	0	0	0	0	0	0	0
IPO04C	Supplier Enablement	Available Balances	51,261	0	0	0	0	0	0	0
Total			51,261	0	0	0	0	0	0	0
IPO05C	Transparency	Available Balances	287,500	0	0	0	0	0	0	0
Total			287,500	0	0	0	0	0	0	0
IPO06C	Security	Available Balances	174,800	0	0	0	0	0	0	0
Total			174,800	0	0	0	0	0	0	0
DWB03C	Procurement Systems	Available Balances	25,067	0	0	0	0	0	0	0
Total			25,067	0	0	0	0	0	0	0
MMS04C	PMIS Enhancement	Available Balances	(1,400,000)	0	0	0	0	0	0	0
Total			(1,400,000)	0	0	0	0	0	0	0
YA140C	IT Initiative	Available Balances	0	0	0	0	0	0	0	0
Total			0	0	0	0	0	0	0	0
PO0 Total			1,105,877	0	0	0	0	0	0	0

Committee Analysis and Comments

Ariba Refresh Elimination

The Mayor's proposed budget eliminates the budget for OCP's Ariba refresh capital improvement project. The complete elimination of the project that the agency deemed essential to its ongoing success is highly concerning for the Committee. However, the CPO testified that the remaining balances from the current fiscal year's capital budget allocation will be used to make piecemeal updates to the current software and that OCP will try to integrate as much of the planned functionality as possible. *OCP will need to provide the Committee with periodic updates between now and the planned completion date of these lesser upgrades, December 2020, so the Committee can understand the status of the existing software and which functionalities were salvaged.*

4. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2021 Operating Budget Recommendations

1. *Increase* CSG 40 (Other Services and Charges) Program 8000 (Operations), Activity 8010 (Procurement Integrity and Compliance) by \$200,000 in one-time funds to implement the Non-Profit Reimbursement Fairness Analysis Amendment Act of 2020 as incorporated in the Fiscal Year 2021 Budget Support Act of 2020.
2. *Decrease* CSG 70 (Equipment and Equipment Rental) Program 1000 (Agency Management), Activity 1040 (Information Technology) by \$100,000 in recurring funds to recognize available efficiencies.
3. *Decrease* CSG 20 (Supplies and Materials) Program 1000 (Agency Management), Activity 1020 (Contracting and Procurement) by \$20,000 in recurring funds to recognize available efficiencies.

b. Fiscal Year 2021 Capital Budget Recommendations

The Committee recommends approval of the Fiscal Year 2021 to Fiscal Year 2026 capital budget for the Office of Contracting and Procurement as proposed by the Mayor.

c. Policy Recommendations

1. OCP is urged to reform its practices to ensure the timeliness of submitting contract approval requests to the Council in order ensure continuity of services and sufficient time for the Council to diligently review all approval requests.

2. OCP should review its policies to ensure that letter contracts are not issued in a way that impedes Council review or effectively commits the District to more than \$1 million in spending.
3. OCP should ensure that contracting officers receive yearly training on the proper use of their discretion.
4. OCP should also require contracting officers to file business relationship disclosure forms and require recusals by contracting officers on procurements where their ability to act without bias is in question.
5. The Committee asks OCP to create an action plan to bring the agency into compliance with the PPRA's contract transparency requirements. OCP must implement manual procedures and internal controls to ensure that all contracts valued at \$100,000 or more are posted publicly in the OCP Transparency Portal. OCP should track this metric and provide the Committee with quarterly updates until the agency has established a process to maintain 100% compliance with the law.
6. OCP should enhance transparency when issuing solicitations by clearly marking them as the type of procurement they are, with minimum time required to be publicized, in addition to the issuance and closing dates already provided. OCP committed to following this recommendation in the February 2020 Performance Oversight Hearing. OCP should provide the Committee an update with the agency's completion of these changes, to be completed by the end of the calendar year in December.
7. The Committee urges OCP to enhance transparency around the public health emergency procurement process, by implementing public disclosure of procurements, publishing of the agency's quality control process, providing public updates on the District's upcoming procurement needs related to the pandemic response and how procured goods have been distributed.
8. OCP should update the Committee on whether contractor certification trainings are being offered remotely and if so, whether that provides for increased capacity to cycle contracting officers through the training.
9. The Committee recommends that OCP use the current public health emergency and their continued online training coursework as an opportunity to create a library of recorded sessions that contracting officers and agency employees can refer back to when they need to refresh their memory on an aspect of their training.

10. The Committee also recommends posting a pre-recorded training online for employees to understand the process for procurement in response to the public health emergency.
11. The Committee recommends that OCP work with the Office of the Chief Technology Officer to provide virtual workshops for CBEs, including how to access emergency procurements.
12. The Committee recommends that OCP create a weekly email newsletter that CBEs can self-subscribe to, listing all open solicitations and OCP's workshop schedule. OCP should attempt to partner with other agencies with procurement authority on this effort, so the newsletter is a comprehensive list of contracting opportunities with the District.
13. The Committee ask that OCP work with DSLBD and other major contracting agencies, like DGS, to identify a set of metrics to track the District's contracting efforts with small and local businesses. These data should, at a minimum, track the number of certified small businesses the District contracts with each quarter and each fiscal year, the cumulative value of contracts each business is awarded, and the percentage of the cumulative value of District contracts awarded to certified business enterprises by sub-category (Resident Owned Businesses, Development Enterprise Zone, Disadvantaged Business Enterprise, etc.).
14. The Committee recommends that the Ombudsman's Office be included in the contractor evaluation process so that Quick Payment Act issues are encompassed in the District's review of contractors for future projects.
15. The Committee encourages OCP's Ombudsman to follow through on the creation of a reference guide and ensure that it is published to the OCP website and is easily accessible for the contractor community. The Ombudsman should also work to publish the guide to DSLBD's website.
16. The Committee urges OCP to re-evaluate OIG recommendations regarding the surplus property program, particularly OIG recommendations to make OCP's sole authority in the District over surplus property disposition.
17. The Committee recommends that OCP review its Continuation of Operations Plan (COOP) and make any needed revisions before that start of the new fiscal year.
18. OCP will need to provide the Committee with periodic updates between now and the planned completion of the upgrades to the procurement IT system, December 2020, so the Committee can understand the status of the existing software and which functionalities were salvaged after the elimination of the Ariba Refresh capital improvement project.

F. DEPARTMENT OF GENERAL SERVICES

1. AGENCY MISSION AND OVERVIEW

The mission of the Department of General Services is to build, maintain, and sustain the District of Columbia's real estate portfolio, which includes more than 191 million square feet of buildings in Washington, DC. The agency is comprised of 700 employees across seven divisions which are as follows:

1. Capital Construction Division/Project Delivery - Ensures the effective and efficient management, planning, modernization, construction and renovation of public safety, municipal and recreation facilities for the District.
2. Facilities Management Division - Provides a clean, safe, and operational work, living, learning and play environments for District agencies, emergency responders, residents and visitors through effective and efficient facilities management and maintenance.
3. Protective Services Division - Coordinates, manages and provides security service for District Government facilities using Special Police Officers and Security Officers, Civilian Employees and Contractors.
4. Sustainability and Energy Division - Makes existing and new DGS buildings the most environmentally sustainable, comfortable, and resource efficient of any city in the US. DGS-SE will use sustainability to positively impact the District's occupants, students, visitors, and reduce the environmental burden of District owned buildings.
5. Office of the Director - Provides overall leadership for the department, including policy development, planning, performance measures, accountability, service integration and customer service. The director's office also administers day-to-day operations of the department, including operating and capital budget preparation and administration, training, contract management logistics, facilities support, and human resources.
6. Contracting and Procurement Division - Provides service and support to DGS in procuring goods and services that fall into the following categories: construction, architecture and engineering; facilities maintenance and operation; real estate asset management (including leasing and auditing); and utility contracts and security.
7. Portfolio Management Division - Manages and secures contracted Lease space for the District, and identifies and develops plans for short, medium, and long-term real estate needs.

2. FISCAL YEAR 2021 OPERATING BUDGET

Operating Budget

<i>Fund Type</i>	<i>FY 2019 Actual</i>	<i>FY 2020 Approved</i>	<i>FY 2021 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
Local	349,760,000	326,254,000	326,183,000		
Dedicated Taxes	173,000	260,000	1,514,000	0	0
Special Purpose Revenue	7,355,000	9,271,000	5,167,000		
Intra-District	145,989,000	140,368,000	180,360,000		
Gross Funds	503,276,000	476,153,000	513,224,000		

<i>Full-Time Employee Equivalents</i>					
<i>Fund Type</i>	<i>FY 2019 Actual</i>	<i>FY 2020 Approved</i>	<i>FY 2021 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
Local	564.5	641.5	644.2		
Dedicated Taxes	0	0	0	0	0
Special Purpose Revenue	12	12	3		
Intra-District	15	18	22		
Total	591.5	671.5	669.2		

Committee Analysis and Comments

Contracts and Procurement

Consistent Contracting and Procurement Practices

Enforcement Coordination

Contracting Challenges Identified by the Office of the Inspector General

Council Review of Contracts

Sustainability and Energy Management

Renewable Energy Future

Maintenance of Green Energy Technology

Facilities Management

Lead Abatement

Maintenance of Vacant Properties

Facility Conditions Assessments

Portfolio Management

Growth of Lease Costs

Eastern Market Sustainability

Protective Services

Leadership Changes and Staff Morale

Increasing Size of the Protective Services Division

Capital Construction

Decline in Funding for Small Capital Projects and Impact on Maintenance Costs

801 East Capital

Public Restrooms

DC Archives

The committee has heard numerous complaints from constituents on the lack of transparency regarding the agency's selection of a new archives building. At our last hearing on May 28, 2020, Director Anderson said the agency was in discussions with UDC on determining a location. Moving forward, we urge that the agency does not keep interested groups in the dark on the construction plans. These groups are interested mainly in the preservation of history that the Archives will one day hold and working with them can ensure that goal. ***The committee recommends that the Department engage the public regarding the future DC Archives and that the Department work closely with interested members of the community on the future of the Archives.***

3. FY 2021-2026 CAPITAL BUDGET

Department of General Services (AM0)										
Project No	Project Title	Allotment Scenario	Available Balances (5-16-20)	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	6-yr Total
BC101C	Facility Con. Asses.	Approved FY20 CIP	0	1,500,000	1,000,000	1,000,000	1,000,000	1,000,000	0	5,500,000
		Mayor's Proposed	0	0	0	0	0	1,000,000	1,000,000	
		Available Balances	2,067,438	0	0	0	0	0	0	0
		Committee Change	(567,438)	0	0	0	0	0	0	0
Total			1,500,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	6,500,000
BRM04C	OJS Infrastructure Upgrade	Available Balances	42,993	0	0	0	0	0	0	0
Total			42,993	0	0	0	0	0	0	0
BRM05C	Daly Bui. Crit. Syst.	Available Balances	0	0	0	0	0	0	0	0
		Committee Change	0	3,890,000	0	0	0	0	0	3,890,000
Total			0	3,890,000	0	0	0	0	0	3,890,000
BRM08C	Oak Hill Campus	Mayor's Proposed	0	1,700,000	1,500,000	0	0	0	0	3,200,000
		Committee Change	0	1,500,000	(1,500,000)	0	0	0	0	0
Total			0	3,200,000	0	0	0	0	0	3,200,000
BRM18C	Daly/MPD Building Swing	Available Balances	14,900,000	0	0	0	0	0	0	0
Total			14,900,000	0	0	0	0	0	0	14,900,000
BRM28C	Reeves Center Renovation	Available Balances	5,226,648	0	0	0	0	0	0	0
Total			5,226,648	0	0	0	0	0	0	0
BRM30C	Non Struct. Renov.	Approved FY20 CIP	0	6,293,000	0	0	0	0	0	6,293,000
		Mayor's Proposed	0	(6,293,000)	0	0	0	0	0	(6,293,000)
		Available Balances	1,573,000	0	0	0	0	0	0	0
Total			1,573,000	0	0	0	0	0	0	0
DCHSEC	New Hospital Project Public Parking Stru.	Available Balances	24,050,000	0	0	0	0	0	0	0
Total			24,050,000	0	0	0	0	0	0	0
DLY19C	Daly Build. Rehab.	Mayor's Proposed	0	10,000,000	0	0	0	0	0	10,000,000
		Available Balances	1,000,000	0	0	0	0	0	0	0
		Committee Change	0	(10,000,000)	0	0	0	0	0	(10,000,000)
Total			1,000,000	0	0	0	0	0	0	
EA710B	Eastern Market	Mayor's Proposed	0	0	1,141,000	0	0	0	0	1,141,000
		Available Balances	256,132	0	0	0	0	0	0	0
		Committee Change	0	1,141,000	(1,141,000)	0	0	0	0	0

Total			256,132	1,141,000	0	0	0	0	0	1,141,000
EST01C	East. Mark. Metro Par.	Approved FY20 CIP	0	7,000,000	0	0	0	0	0	7,000,000
		Available Balances	495,948	0	0	0	0	0	0	0
Total			495,948	7,000,000	0	0	0	0	0	7,000,000
HC103C	DC Animal Shelter	Available Balances	0	0	0	0	0	0	0	0
Total			0	0	0	0	0	0	0	0
N1401B	Government Centers	Available Balances	0	0	0	0	0	0	0	0
Total			0	0	0	0	0	0	0	0
N1403C	One Judiciary Square	Available Balances	0	0	0	0	0	0	0	0
Total			0	0	0	0	0	0	0	0
N1405C	Improve Property Management ITS	Available Balances	0	0	0	0	0	0	0	0
Total			0	0	0	0	0	0	0	0
PL101C	Shelter and Transitional Housing Pool	Available Balances	234,415	0	0	0	0	0	0	0
Total			243,415	0	0	0	0	0	0	0
PL102C	Elevator Pool	Available Balances	0	0	0	0	0	0	0	0
Total			0	0	0	0	0	0	0	0
PL103C	Hazardous Mat. Abat.	Approved FY20 CIP	0	100,000	100,000	100,000	100,000	100,000	0	500,000
		Mayor's Proposed	0	(100,000)	(100,000)	(100,000)	0	0	100,000	(200,000)
		Available Balances	723,234	0	0	0	0	0	0	0
		Committee Change	0	2,000,000	0	0	0	0	0	2,000,000
Total			723,234	2,000,000	0	0	100,000	100,000	100,000	2,300,000
PL104C	ADA Comp. Pool	Approved FY20 CIP	0	500,000	500,000	500,000	500,000	500,000	0	2,500,000
		Mayor's Proposed	0	0	0	0	0	0	500,000	500,000
		Available Balances	934,287	0	0	0	0	0	0	0
		Committee Change	(200,000)	0	0	0	0	0	0	0
Total			734,287	500,000	500,000	500,000	500,000	500,000	500,000	3,000,000
PL105C	Archives Recorder of Deeds	Available Balances	24,562	0	0	0	0	0	0	0
Total			24,562	0	0	0	0	0	0	0
PL106C	Government Centers Pool	Available Balances	0	0	0	0	0	0	0	0
Total			0	0	0	0	0	0	0	0
PL107C	Miscellaneous Buildings Pool	Available Balances	0	0	0	0	0	0	0	0
Total			0	0	0	0	0	0	0	0
PL108C	Big 3 Buildings Pool	Available Balances	131,759	0	0	0	0	0	0	0
Total			131,759	0	0	0	0	0	0	0
PLISWC	EPA Storm Water Compliance Initiative	Mayor's Proposed	0	2,884,467	0	0	0	0	0	2,884,467

Total			0	2,884,467	0	0	0	0	0	2,884,467
PL402C	Enhanc. Comm. Infra.	Approved FY20 CIP	0	250,000	250,000	250,000	250,000	250,000	0	1,250,000
		Mayor's Proposed	0	0	0	0	0	0	250,000	250,000
		Available Balances	798,903	0	0	0	0	0	0	0
		Committee Changes	(150,000)	0	0	0	0	0	0	0
Total			648,903	250,000	250,000	250,000	250,000	250,000	250,000	1,500,000
PL601C	HVAC Repair Ren.	Available Balances	0	0	0	0	0	0	0	0
		Committee Changes	210,000	0	0	0	0	0	0	210,000
Total			210,000	0	0	0	0	0	0	210,000
PL602C	Roof Replac. Pool	Approved FY20 CIP	0	4,708,567	1,977,401	1,346,157	2,080,397	1,078,881	0	11,191,403
		Mayor's Proposed	0	(1,500,000)	(727,401)	(96,157)	(830,397)	171,119	1,250,000	(1,732,836)
		Available Balances	3,155,889	0	0	0	0	0	0	0
		Committee Changes	0	0	1,141,000	0	0	0	0	1,141,000
Total			3,155,889	3,208,567	2,391,000	1,250,000	1,250,000	1,250,000	1,250,000	10,599,567
PL901C	Energy Retrofitting	Approved FY20 CIP	0	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	0	10,000,000
		Mayor's Proposed	0	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	0	2,000,000	(2,000,000)
		Available Balances	869,696	0	0	0	0	0	0	0
		Committee Changes	0	400,000	1,000,000	0	0	0	0	1,400,000
Total			869,696	1,400,000	2,000,000	1,000,000	1,000,000	2,000,000	2,000,000	9,400,000
PL902C	Critical System Rep.	Approved FY20 CIP	0	2,503,500	1,295,910	7,064,504	3,132,810	1,092,730	0	15,089,454
		Mayor's Proposed	0	0	(295,910)	(6,064,504)	(2,132,810)	(92,730)	1,000,000	(7,585,954)
		Available Balances	3,340,981	0	0	0	0	0	0	0
		Committee Changes	0	0	500,000	0	0	0	0	500,000
Total			3,340,981	2,503,500	1,500,000	1,000,000	1,000,000	1,000,000	1,000,000	8,003,500
PL905C	Mun. Lab. Prog. Man.	Mayor's Proposed	0	6,210,000	0	0	0	0	0	6,210,000
		Available Balances	1,927,455	0	0	0	0	0	0	0
Total			1,927,455	6,210,000	0	0	0	0	0	6,210,000
PL9PRC	Public Restrooms	Mayor's Proposed	0	0	270,000	270,000	270,000	270,000	0	1,080,000
		Available Balances	270,000	0	0	0	0	0	0	0
Total			270,000	0	270,000	270,000	270,000	270,000	0	1,080,000
PUT14C	Property Tracking System	Available Balances	0	0	0	0	0	0	0	0
Total			0	0	0	0	0	0	0	0
SPC01C	DC United Soccer Stadium	Available Balances	1,118,607	0	0	0	0	0	0	0
Total			1,118,607	0	0	0	0	0	0	0
WIL02C	Wilson Bldg	Approved FY20 CIP	0	2,637,500	791,250	3,165,000	3,165,000	1,318,750	0	11,077,500
		Mayor's Proposed	0	0	0	(500,000)	(500,000)	(250,000)	250,000	(1,000,000)
		Available Balances	2,801,280	0	0	0	0	0	0	0
Total			2,801,280	2,637,500	791,250	2,665,000	2,665,000	1,068,750	250,000	10,077,500

WSTFRC	W Street Transfer Station	Available Balances	13,490,000	0	0	0	0	0	0	0
Total			13,490,000	0	0	0	0	0	0	0
AM0 Total			78,515,789	38,535,034	8,702,250	7,935,000	8,035,000	7,438,750	6,350,000	76,996,034

Committee Analysis and Comments

Small Capital Improvements

Hazardous Material Abatement

Recreational Space Improvements

Daly Building Planning

4. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2021 Operating Budget Recommendations

1. *Increase* FTEs by 1 and add 1 new position to implement the Renewable Energy Future Amendment Act of 2020 with the accompanying local funds as follows:
 - a. Program Analyst: create a new position in Program 7000 (Energy – Centrally Managed), Activity 7007 (Sustainable DC): *increase* CSG 11 (Regular Pay – Continuing Full Time) by \$60,909 and CSG 14 (Fringe Benefits – Current Personnel) by \$22,300: *total PS increase = \$83,209*
2. *Increase* CSG 70 (Equipment and Equipment Rental) Program 1000 (Agency Management); Activity 1030 (Property Management) by \$70,000 in one-time funds to implement the DC Center for the LGBT Community Support Amendment Act of 2020.
3. *Increase* CSG 40 (Other Services and Charges) Program 2000 (Asset Management), Activity 2006 (Eastern Market), by \$200,000 in one-time funds to provide an operating subsidy for Eastern Market.
4. *Increase* CSG 13 (Fringe Benefits – Current Personnel) Program 3000 (Facilities), Activity 3009 (Facilities – Public Education) by \$313,238 in recurring funds to make a technical correction at the request of the Department to eliminate Activity 3002.
5. *Increase* CSG 13 (Fringe Benefits – Current Personnel) Program 3000 (Facilities), Activity 3010 (Facilities – Parks and Recreation) by \$104,413 in recurring funds to make a technical correction at the request of the Department to eliminate Activity 3002.

6. *Increase* CSG 15 (Overtime Pay) Program 3000 (Facilities), Activity 3009 (Facilities – Public Education) by \$1,241,106 in recurring funds to make a technical correction at the request of the Department to eliminate Activity 3002.
7. *Increase* CSG 15 (Overtime Pay) Program 3000 (Facilities), Activity 3010 (Facilities – Parks and Recreation) by \$413,702 in recurring funds to make a technical correction at the request of the Department to eliminate Activity 3002.
8. *Increase* CSG 30 (Energy, Communication and Building Rentals) Program 7000 (Energy-Centrally Managed), Activity 7004 (Electricity) by \$69,210 in recurring dollars to make a technical correction at the request of the Department to move electricity funding.
9. *Increase* CSG 30 (Energy, Communication and Building Rentals) Program 7000 (Energy-Centrally Managed), Activity 7006 (Water) by \$49,968 in recurring dollars to make a technical correction at the request of the Department to move water funding.
10. *Increase* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3016 (Facilities – Government Operations) by \$7,479 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319AC.
11. *Increase* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3002 (Facilities – Government Operations) by \$1,235,341 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319CF.
12. *Increase* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3016 (Facilities – Government Operations) by \$40,847 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319CI.
13. *Increase* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3015 (Facilities – Human Support Services) by \$62,313 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319DB.
14. *Increase* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3016 (Facilities – Government Operations) by \$52,813 in recurring dollars

to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319DC.

15. *Increase* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3016 (Facilities – Government Operations) by \$21,394 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319DH.
16. *Increase* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3016 (Facilities – Government Operations) by \$13,301 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319DJ.
17. *Increase* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3009 (Facilities – Public Education) by \$275,450 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319GD.
18. *Increase* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3009 (Facilities – Public Education) by \$224,395 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319GO.
19. *Increase* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3015 (Facilities – Human Support Services) by \$549,525 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319HT.
20. *Increase* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3015 (Facilities – Human Support Services) by \$7,044,262 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319JA.
21. *Increase* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3015 (Facilities – Human Support Services) by \$73,544 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319JM.
22. *Increase* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3016 (Facilities – Government Operations) by \$1,002,318 in recurring

dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319KV.

23. *Increase* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3015 (Facilities – Human Support Services) by \$493,858 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319RL.
24. *Increase* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3016 (Facilities – Government Operations) by \$27,761 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319SR.
25. *Increase* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3016 (Facilities – Government Operations) by \$2,150,281 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319ZZ.
26. *Increase* CSG 20 (Supplies and Materials) Program 4000 (Protective Services) Activity 4001 (Protective Services) by \$78,444 in recurring funds to eliminate Fund detail 101 and transfer to Fund detail 100.
27. *Increase* FTEs by 1 and remove 1 position with the accompanying local funds as follows:
 - a. Custodial Staff (100101288), remove position in Program 3000 (Facilities) Activity 3008 (Janitorial Services): *decrease* CSG 11 (Regular – Continuing Full Time) by \$39,734.79; CSG 14 (Fringe Benefits – Current Personnel) by \$10,832.29; and CSG 15 (Overtime Pay) by \$9,491.15: *total PS decrease = \$60,058.23*
28. *Decrease* CSG 41 (Contractual Services – Other) Program 1000 (Agency Management), Activity 1090 (Performance Management) by \$500,000 in recurring funds to reflect available efficiencies.
29. *Decrease* CSG 41 (Contractual Services – Other) Program 2000 (Asset Management) Activity 2001 (Lease Management) by \$800,000 in recurring funds to reflect available efficiencies.
30. *Decrease* CSG 11 (Regular Pay – Continuing Full Time) by \$73,200 to reflect available vacancy savings agency-wide.

31. *Decrease* CSG 14 (Fringe Benefits – Current Personnel) by \$26,800 to reflect available vacancy savings agency-wide.
32. *Decrease* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations) Activity 3016 (Facilities – Government Operations) by \$980,157 in one-time funds to reflect available efficiencies.
33. *Decrease* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations) Activity 3010 (Facilities – Parks and Recreation) by \$324,314 in recurring funds to reflect available efficiencies.
34. *Decrease* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations) Activity 3016 (Facilities – Government Operations) by \$240,630 in recurring funds to reflect available efficiencies.
35. *Reduce* FTEs by 1 and remove 1 position with the accompanying local funds as follows:
 - a. Custodial Staff (100101288), remove position in Program 3000 (Facilities) Activity 3002 (Facilities): *decrease* CSG 11 (Regular – Continuing Full Time) by \$39,734.79; CSG 14 (Fringe Benefits – Current Personnel) by \$10,832.29; and CSG 15 (Overtime Pay) by \$9,491.15: *total PS decrease = \$60,058.23*
36. *Reduce* FTEs by 1, one-time in Fiscal Year 2020, and remove 1 vacant position with the accompanying local funds as follows:
 - a. Custodial Staff, remove position in Program 3000 (Facility Operations) Activity 3008 (Janitorial Services): *decrease* CSG 11 (Regular Pay – Continuing Full Time) by \$43,410 and CSG 14 (Fringe Benefits – Current Personnel) by \$11,633: *total one-time PS decrease = \$55,043*
37. *Reduce* FTEs by 0.6 in Program 3000 (Facility Operations), Activity 3002 (Facilities) to make a technical correction at the request of the Department.
38. *Decrease* CSG 13 (Additional Gross Pay) Program 3000 (Facility Operations), Activity 3002 (Facilities) by \$417,651 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002.

39. *Decrease* CSG 15 (Overtime Pay) Program 3000 (Facility Operations), Activity 3002 (Facilities) by \$1,654,808 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002.
40. *Decrease* CSG 30 (Energy, Communication and Building Rentals) Program 7000 (Energy-Centrally Managed), Activity 7007 (Sustainable DC) by \$69,210 in recurring dollars to make a technical correction at the request of the Department to move electricity funding.
41. *Decrease* CSG 30 (Energy, Communication and Building Rentals) Program 7000 (Energy-Centrally Managed), Activity 7007 (Sustainable DC) by \$49,968 in recurring dollars to make a technical correction at the request of the Department to move water funding.
42. *Decrease* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3002 (Facilities) by \$7,479 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319AC.
43. *Decrease* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3002 (Facilities) by \$1,235,341 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319CF.
44. *Decrease* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3002 (Facilities) by \$40,847 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319CI.
45. *Decrease* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3002 (Facilities) by \$62,313 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319DB.
46. *Decrease* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3002 (Facilities) by \$52,813 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319DC.

47. *Decrease* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3002 (Facilities) by \$21,394 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319DH.
48. *Decrease* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3002 (Facilities) by \$13,301 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319DJ.
49. *Decrease* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3002 (Facilities) by \$275,450 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319GD.
50. *Decrease* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3002 (Facilities) by \$224,395 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319GO.
51. *Decrease* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3002 (Facilities) by \$549,525 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319HT.
52. *Decrease* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3002 (Facilities) by \$7,044,262 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319JA.
53. *Decrease* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3002 (Facilities) by \$73,544 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319JM.
54. *Decrease* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3002 (Facilities) by \$1,002,318 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319KV.

55. *Decrease* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3002 (Facilities) by \$493,858 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319RL.
56. *Decrease* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3002 (Facilities) by \$27,761 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319SR.
57. *Decrease* CSG 35 (Occupancy Fixed Costs) Program 3000 (Facility Operations), Activity 3002 (Facilities) by \$2,150,281 in recurring dollars to make a technical correction at the request of the Department to eliminate Activity 3002 and move funding related to Project No. L319ZZ.
58. *Decrease* CSG 20 (Supplies and Materials) Program 4000 (Protective Services) Activity 4001 (Protective Services) by \$78,444 in recurring dollars to eliminate Fund detail 101 and transfer to Fund detail 100.

b. Fiscal Year 2021 Capital Budget Recommendations

1. *Increase* Project PL103C (Hazardous Material Abatement Pool) by \$2,000,000 in Fiscal Year 2021 and direct the funding to abating and removing the sources of lead impacting parks and playgrounds across the city, as identified in recent tests.
2. *Increase* Project PL601C (HVAC Repair Renovation Pool) by \$210,000 in Fiscal Year 2021 and direct the allocation for the replacement of the HVAC system at the Deanwood Library.
3. *Increase* Project PL602C (Roof Replacement Pool) by \$1,141,000 in Fiscal Year 2022 to repair roofs of District city-wide, as recent high-profile failures have demonstrated a lack of attention and resources to maintenance.
4. *Increase* Project PL901C (Energy Retrofitting of District Buildings) by \$400,000 in Fiscal Year 2021 and \$1,000,000 in Fiscal Year 2022 to ensure adequate funding is available to confront the challenge of climate change through building efficiency improvements, while also reducing utility usage.
5. *Increase* Project PL902C (Critical System Replacement) by \$500,000 in Fiscal Year 2022 to ensure adequate funding to replace failing building systems and reduce the maintenance costs associated with frequent repair.

6. *Increase* Project BRM05C (Daly Building Critical Systems) by \$3,890,000 in Fiscal Year 2021 to refocus on meeting critical building needs while a viable plan is developed to finance the disposal or reuse of the building.
7. *Increase* Project BRM08C (Oak Hill Campus) in Fiscal Year 2021 by \$1,500,000, while decreasing the project allocation by \$1,500,000 in Fiscal Year 2022 to allow the acceleration of the project.
8. *Reduce* the available allotment balance for Project BC101C (Facility Condition Assessment) by \$567,438 due to the likely impact of the failure of the contractor conducting the assessments on progress in the next few months.
9. *Decrease* the allocation for Project DLY19C (Daly Building Rehabilitation – Phase One) by \$10,000,000 in Fiscal Year 2021 to refocus on critical repairs to the building while a viable plan for financing its reuse or disposition is developed.
10. *Reduce* the available allotment balance for Project PL104C (ADA Compliance Pool) by \$200,000 as available funding far exceeds annual expenditures.
11. *Reduce* the available allotment balance for Project PL402C (Enhancement Communications Infrastructure) by \$150,000 as available funding exceeds that which can be spent in the next fiscal year.

c. Policy Recommendations

1. The committee recommends that the Department engage the public regarding the future DC Archives and that the Department work closely with interested members of the community on the future of the Archives.

G. WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

1. AGENCY MISSION AND OVERVIEW

The Washington Metropolitan Area Transit Authority’s (WMATA) mission is to provide safe, reliable, and affordable transportation to the national capital region. WMATA is a multi-jurisdictional public transportation system, which manages busses and trains in the District, Maryland, and Virginia. The agency is funded by the three states and by the federal government. The responsibilities of the regional jurisdictions and WMATA are laid out in the WMATA Compact.

2. FISCAL YEAR 2021 OPERATING BUDGET

Operating Budget

<i>Fund Type</i>	<i>FY 2019 Actual</i>	<i>FY 2020 Approved</i>	<i>FY 2021 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
Local	123,014,000	335,152,000	342,124,000	0	342,124,000
Dedicated Taxes	258,489,000	84,470,000	77,295,000	0	77,295,000
Special Purpose Revenue	44,250,000	48,000,000	38,400,000	0	38,400,000
Gross Funds	425,753,000	467,622,000	457,819,000	0	457,819,000

<i>Full-Time Employee Equivalents</i>					
<i>Fund Type</i>	<i>FY 2019 Actual</i>	<i>FY 2020 Approved</i>	<i>FY 2021 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
Local	0	0	0	0	0
Dedicated Taxes	0	0	0	0	0
Special Purpose Revenue	0	0	0	0	0
Total	0	0	0	0	0

Committee Analysis and Comments

Coronavirus Response Operations

This Committee, along with the entire District, is grateful for the leadership and staff of WMATA for their swift action to continue transit service for essential healthcare and grocery workers throughout the public health emergency. The Committee appreciates the difficulty of safely operating a public transit system while attempting to maintain social distance.

The Committee agrees with some of the actions WMATA has taken to reduce exposure for bus and rail operators, including implementing rear door bus boarding and closing rail cars nearest the train operators. The Committee also agrees that the requirement for riders to wear a face covering while using Metro was a necessary step. However, the Committee has received concerning reports from elderly and disabled riders, that the new rear door boarding bus policy has resulted in bus operators not stopping to pick up passengers that need to board through the front door, where busses have hydraulic systems to lower the bus for easier boarding. **WMATA must take steps to ensure that its employees continue to serve elderly riders and riders with disabilities.**

The Committee was pleased to attend the Facebook Live sessions WMATA leadership held to communicate important coronavirus operation information with employees and reassure them that they will be supported throughout the pandemic. From these sessions, the Committee heard first-hand that WMATA was actively encouraging employees to practice social distancing, hand washing, and to stay home when sick. We

were pleased to learn that WMATA ensured employees would be able to take time off from work if they were sick, even if they did not have enough sick leave to do so.

Mass workforce shortages due to illness, particularly during the earlier days of the pandemic, resulted in frequent changes in service levels. While this was an inevitable result of the situation, the Committee recommends that WMATA work on its communication efforts to ensure the public is aware of these kinds of changes. *The Committee suggests that WMATA advertise its phone and email notification system and strive to get as many riders to subscribe as possible, to make communication about unanticipated service changes easier to disseminate. WMATA should work with Advisory Neighborhood Commissions, this Committee, nonprofit organizations, and other community-based organizations to get the word out as widely as possible.*

Federal Government Relief Package

As part of the federal government's CARES Act, WMATA received financial aid to help the agency with its pandemic response efforts. *The Committee asks that WMATA provide the Committee with a briefing to discuss the use of this funding and the impacts on the District's subsidy to WMATA in the coming months. The Committee suggests that WMATA create a publicly available report that details this information for the sake of transparency and accountability.*

Fare and Service Changes Approved in the Fiscal Year 2021 WMATA Budget

The WMATA budget process is conducted outside of the District's budget process and on a different timetable. WMATA's fiscal year begins in July, as opposed to the District's fiscal year, which begins in October. Thus, by the time District considers budget related policies for the city in whole, the proposed WMATA budget is already considered and approved by the WMATA Board of Directors.

On March 30, 2020, the WMATA Board of Directors approved a Fiscal Year 2021 budget which addressed the needs of many of its riders. The approved budget included the restoration of late-night hours on Metrorail, with service until midnight Monday through Thursday, until 2 AM on Fridays and Saturdays, and until 11 PM on Sundays. The approved budget package also establishes a \$2 weekend flat fare for Metrorail, a price reduction for the 7-day regional bus pass, increased Sunday rail frequencies, and a \$1 bus to rail transfer discount.

The District's interests were well represented in the budget negotiations. Stephanie Gidigbi, the District's new representative on the WMATA Board of Directors, worked in consultation with the Council and the District Department of Transportation to understand the impact on District residents of WMATA's initial proposals. The District was able to eliminate aspects of the WMATA General Manager's original budget proposal that were not advantageous for the District, including a surcharge for bus riders paying cash and the elimination and reconfiguration of key bus routes that would have impacted bus dependent communities in the District.

Fiscal Year 2021 Budget Implementation Delay Due to COVID-19

Despite the hard work that led to the proposed Fiscal Year 2021 budget for WMATA, the implementation of these new service changes has been delayed until January 2021, instead of the start of WMATA's fiscal year on July 1st. With stay at home orders and business closures throughout the region, rail ridership fell by 90% and bus ridership fell by 70%. The WMATA Board of Directors voted to delay implementation of the new budget until a time when the use of transit in the region is restored.

The Budget Public Hearing and Feedback Process

WMATA strived to include input from the public in the Fiscal Year 2021 budget process. WMATA created an online survey where riders from the District, Maryland, and Virginia could share their input on the proposals raised by WMATA's General Manager. In addition to feedback through the survey, WMATA held three public hearings, where riders could testify in person about service changes in the agency's proposed budget.

That said, the time frame for providing feedback to WMATA prevented some Advisory Neighborhood Commissions (ANC) from being able to provide feedback due to the limited time for review. This was a matter of great concern for the Committee. Ensuring ANCs can exercise great weight in policy considerations that impact their communities is critical. *The Committee recommends that in WMATA's next budget cycle, the agency work with the Office of Advisory Neighborhood Commissions to understand the schedule of upcoming ANC meetings and ensure adequate time for feedback from Commissions on budget proposals.*

The Committee also noted that the General Manager's proposed budget included a number of changes to bus routes, which were initially framed as bus route eliminations, spurring a panic for bus riders throughout the city. Detailed information about the changes to the bus routes was not communicated with the public until weeks later. *The Committee suggests that budget proposals be communicated with the public with full details from the beginning, so communities can better understand the changes in question well before they are asked to provide feedback to the agency.*

Summer Track Work and Station Closures

WMATA is using the reduced traffic on public transit to make significant progress on construction and other capital improvement projects. WMATA has announced significant station platform and track work for summer 2020, resulting in a number of station closures in Virginia along the Silver and Orange lines and the Yellow line. Much of this trackwork is a continuation of major work done last summer in Virginia, and commuters had ample notice of the impending disruptions to their transit plans.

WMATA recently announced a series of additional station closures in the region, including within the District, due to reduced ridership. These closures include weekend

and week-long disruptions of service. While the desire to make progress on these projects makes sense, the amount of notice communities surrounding these new projects was limited. *The Committee recommends that WMATA create a standard communication plan and minimum notice requirements for neighborhoods impacted by any service changes.*

Metro Transit Police Department

The District of Columbia Fiscal Year 2021 budget is being contemplated in the midst of public outcry for reform of racist policies, particularly those used by police departments, which have resulted in great bodily harm and death for Black and Brown Americans throughout the United States. It is incumbent on all leaders to examine opportunities for reform to respond to the just demands of our constituents.

The Committee on Facilities and Procurement and the Committee on the Judiciary and Public Safety held a joint public oversight hearing on November 12, 2019 to discuss the impact of the Metro Transit Police Department's (MTPD) policies on Black and Brown communities. The impetus for that hearing was a series of confrontations between MTPD officers and Black teenagers and bystanders on Metro station platforms. In one of those incidents, in June 2019, Metro Transit Police officers allegedly handcuffed and pinned down a 13-year old child, and used significant force against an adult advocating on behalf of the student, leading to injuries that should never have happened. These interactions have raised understandable concern about Metro Transit Police officer training and policies on use of force, strategies for de-escalation, and policies on interacting with children. The hearing made clear that we still have a long way to go to ensure that District residents do not experience unequal and aggressive treatment by law enforcement, discrimination, or racial profiling in our city.

Public safety is a function of shared trust and confidence between law enforcement and the communities they serve. That trust has been weakened here and across the country and must be restored through policy reform, oversight, transparency, and honest communication between WMATA leadership and the riders the agency serves.

Unfortunately, the Committee received very troubling written testimony last year indicating that MTPD had contests to reward officers for arrests and citations. According to the photos of flyers posted in MTPD facilities, officers received 20 points per arrest and lesser points for other enforcement actions, including citations and stops. Later, the Committee was made aware of MTPD performance evaluation policies that included minimum requirements for the number arrests, citations, and other actions required to receive a satisfactory evaluation. Reports of command level officers receiving bonus pay based on the number of arrests and citations issued by his or her reporting officers have also made their way to the Committee. We have heard from retired officers that discriminatory practices at MTPD are not only reserved for the public, but also plague employees in the Department, who have disclosed unequal treatment by command level officers. Such policies encourage arrests and incentivize confrontation between officers and the community. *The Committee strongly recommends that, in addition to swiftly*

establishing a Police Complaints Board and banning the use of enforcement quotas, as proposed by the Committee in the Fiscal Year 2021 Budget Support Act of 2020, WMATA should carefully review and update all Metro Transit Police policies.

Public testimony at last November's hearing also highlighted the need for transparency on MTPD uses of force, stops, and arrests. Police departments around the country regularly report such information. It provides valuable insight into policing practices and areas that need improvement. *Publishing officer policies and procedures will create a basic and necessary tool for public accountability, particularly regarding fare enforcement, interactions with minors, complaint procedures, and officer evaluation criteria. It will ensure that both riders and officers understand the MTPD standards of professionalism.*

3. FY 2021-2026 CAPITAL BUDGET

Washington Metropolitan Area Transit Authority (KE0)										
Project No	Project Title	Allotment Scenario	Available Balances	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	6-yr Total
SA311C	WMATA Fund PRIIA	Mayor's Proposed	0	49,500,000	0	0	0	0	0	49,500,000
		Available Balances	21,606,564	0	0	0	0	0	0	0
Total			21,606,564	49,500,000	0	0	0	0	0	49,500,000
SA501C	WMATA CIP Cont.	Approved FY20 CIP	0	273,000,000	276,000,000	278,000,000	280,000,000	282,000,001	0	1,389,000,001
		Mayor's Proposed	0	0	0	1	0	(1)	290,460,000	290,460,000
		Available Balances	11,981,647	0	0	0	0	0	0	0
Total			11,981,647	273,000,000	276,000,000	278,000,001	280,000,000	282,000,000	290,460,000	1,679,460,001
SA503C	NOMA Ped. Tunnel	Approved FY20 CIP	0	0	0	0	3,349,000	19,700,000	0	23,049,000
		Mayor's Proposed	0	0	0	0	(3,349,000)	(19,700,000)	0	(23,049,000)
Total			0	0	0	0	0	0	0	0
TOP02C	Project Development	Approved FY20 CIP	0	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	0	5,000,000
		Mayor's Proposed	0	0	0	0	0	0	1,000,000	1,000,000
		Available Balance	251,000	0	0	0	0	0	0	0
Total			251,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	6,000,000
KE0 Total			33,839,211	323,500,000	277,000,000	289,000,001	281,000,000	283,000,000	291,460,000	1,734,960,001

Committee Analysis and Comments

Capital Improvement Plan Contribution

The Capital Funding Agreement defines the District's funding contribution to support the WMATA Capital Improvement Program. The Capital Funding Agreement (CFA) is a multijurisdictional agreement that outlines WMATA's capital improvement plan, which includes acquisition of busses and subway cars, repairs and rehabilitation of currently owned assets, track replacement, power system upgrades, and maintenance of storage facilities.

In July 2010, OCP, on behalf of DDOT, executed a multiyear CFA with WMATA and other participating jurisdictions to provide capital funding for a capital improvement program from July 1, 2010 through June 30, 2016 in the ceiling amount of \$397,314,000.

The CFA was extended three times after the original agreement period of 2010-2016. The agreement was extended one year at a time in 2016, 2017, 2018, and again in 2019.

In 2019, the Council approved the Capital Funding Agreement with only a single year scope, due to an inability by the participating jurisdictions to come to a multi-year agreement in time to renew funding. The goal was to seek approval of a multi-year plan in 2020 while the one-year transitional funding agreement held WMATA's operations over to the following year. However, with the coronavirus upending many carefully laid plans throughout the District, the negotiations around the five-year agreement were also impacted.

The District will instead seek Council approval of another one-year extension of the Capital Funding Agreement, identical to the 2019 extension, with the addition of Loudon County, Virginia, as a contributing jurisdiction.

The agreement will be between the District, the Washington Metropolitan Area Transit Authority, the State of Maryland, Arlington County, Virginia, Fairfax County, Virginia, the City of Alexandria, Virginia, the City of Fairfax, Virginia, the City of Falls Church, Virginia, and Loudon County, Virginia, to provide capital funding for to a capital improvement program for the Washington Metro System.

The approval of the Capital Budget recommendation in the Local Budget Act will not constitute approval of the Capital Funding Agreement extension, which will be independently approved by Council in a separate bill.

4. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2021 Operating Budget Recommendations

The Committee recommends adoption of the Fiscal Year 2021 Operating Budget for the Washington Metropolitan Area Transit Authority as proposed.

b. Fiscal Year 2021 Capital Budget Recommendations

The Committee recommends adoption of the Fiscal Year 2021 Capital Budget for the Washington Metropolitan Area Transit Authority as proposed.

c. Policy Recommendations

1. WMATA must take steps to ensure that its employees continue to serve elderly riders and riders with disabilities.
2. The Committee suggests that WMATA advertise its phone and email notification system and strive to get as many riders to subscribe as possible, to make communication about unanticipated service changes easier to disseminate. WMATA should work with Advisory Neighborhood Commissions, this Committee, nonprofit organizations, and other community-based organizations to get the word out as widely as possible.
3. The Committee asks that WMATA provide the Committee with a briefing to discuss the use of federal CARES Act funding and the impacts on the District's subsidy to WMATA in the coming months. The Committee suggests that WMATA create a publicly available report that details this information for the sake of transparency and accountability.
4. The Committee recommends that in WMATA's next budget cycle, the agency work with the Office of Advisory Neighborhood Commissions to understand the schedule of upcoming ANC meetings and ensure adequate time for feedback from Commissions on budget proposals.
5. The Committee suggests that budget proposals be communicated with the public with full details from the beginning, so communities can better understand the changes in question well before they are asked to provide feedback to the agency.
6. The Committee recommends that WMATA create a standard communication plan and minimum notice requirements for neighborhoods impacted by any service changes.
7. The Committee strongly recommends that, in addition to swiftly establishing a Police Complaints Board and banning the use of enforcement quotas, as proposed by the Committee in the Fiscal Year 2021 Budget Support Act of 2020, WMATA should carefully review and update all Metro Transit Police policies.

8. WMATA should publish officer policies and procedures for public access, as well as reports on MTPD uses of force, stops, and arrests.

IV. BUDGET SUPPORT ACT RECOMMENDATIONS

On Monday, May 18, 2020, Chairman Mendelson introduced, on behalf of the Mayor, the “Fiscal Year 2021 Budget Support Act of 2020” (Bill 23-0760). The bill contains two subtitles which were referred to the Committee for comments. The Committee also wishes to provide comment on an additional subtitle. Finally, the Committee also recommends the addition of seven new subtitles.

A. RECOMMENDATIONS ON MAYOR’S PROPOSED SUBTITLES

The Committee provides comments on the following subtitles of the “Fiscal Year 2021 Budget Support Act of 2020”:

1. Facility Operations Reprogrammings

a. Purpose, Effect, and Impact on Existing Law

The proposed subtitle would permit the Chief Financial Officer to reprogram funds within the Facility Operations program of the Department of General Services upon the request of the Director of the Department of General Services if funds are available for reprogramming, without submitting the request to the Council for review.

The administration states that rolling back Council review authority would permit the Department to budget at a more granular level, purporting to improve the transparency of the budget, while allowing funds to be moved more efficiently within the overall facilities budget.

b. Committee Reasoning

The Committee recommends striking the subtitle. The Council, as the legislative branch of government with the power of the purse, has the authority to approve the budget through legislation. Changes to that budget that cumulatively exceed \$500,000 come back to the Council for review as a reflection of the Council’s critical role in the allocation and oversight of funds. To allow this proposed unprecedented change to the Council’s authority over the budget would set the Council on a slippery slope toward further erosion of the Council’s budget authority. This authority has already been severely compromised by prior federal legislation. Without the remaining budget authority, the Council’s ability to practice effective oversight would also be compromised.

In addition, the purported benefit of this subtitle – increased transparency within the budget book – is purely illusory. Stating the amount budgeted for various budget categories is simply an unenforceable statement of intent if it is paired with the ability to

move money between categories at will. The Department should present a budget that can be effectuated without further erosion of the powers of the legislative branch. If the Department wishes to enhance transparency, it can do so through additional reporting, either with the presentation of the budget, or after the budget year has concluded.

2. Review of Option Year Contracts

a. Purpose, Effect, and Impact on Existing Law

The proposed subtitle would allow the executive to exercise option years of a multiyear contract or contract in excess of \$1,000,000 during a 12-month period without Council approval when the option year presents no material change to the terms of the contract. The executive states that this change to current practice would improve operational efficiency and match practices in other jurisdictions.

b. Committee Reasoning

The Committee recommends striking the subtitle. The abbreviated time for review during this budget process is not sufficient to re-evaluate all the arguments related to the Council review of contracts implicated by the proposed reform.

The Committee understands the administration's desire to make the approval of option year contracts more efficient, however, the process, as it stands, is not burdensome to begin with. As long as OCP submits the approval request to exercise a contract's option year in a timely fashion, as recommended above, and thus prior to the start of the option year in question, the contract will be deemed approved by the Council in a mere ten days, barring any concerns with the contract.

Removing the Council's approval would not be in the best interest of the District, because, even if the terms of the contract are relatively the same as the base period, changes in circumstances, like a public health emergency, or new concerns with a contractor's performance, must be reviewed, and cannot be anticipated in the Council's approval of a base year contract, for an option year up to five years away. Further, taking away this important check on the administration would hurt the District's small business community, who often seek redress from the Council when their concerns are not being addressed by the agency itself.

The Council owes it to the public to continue the current contract review practices to ensure the contract is still needed, that the contractor is still in good standing, and that circumstances are not otherwise concerning.

4. Recreational Space Use Fee Waivers

a. Purpose, Effect, and Impact on Existing Law

This subtitle, like a similar subtitle related to the Public Restroom Facilities Installation and Promotion Act of 2018, defunds a portion of legislation passed by the Council and funded in the last budget cycle. In this case, the subtitle makes section 4 of the Ensuring Community Access to Recreational Spaces Act of 2018 subject to appropriations once more, allowing the removal of funding related to its implementation from the budget.

This practice tends to destabilize the law and allows for the effective repeal of legislation by the Executive in a way that minimizes transparency. It also requires the Council to either fund the same piece of legislation a second time, or to be forced to vote to disapprove its own priorities.

b. Committee Reasoning

The Committee was not referred this subtitle for review, but wishes to restate the importance of both the Public Restroom Facilities Installation and Promotion Act of 2018 and the Ensuring Community Access to Recreational Spaces Act of 2018 and its disapproval of the use of this procedural tactic to delay or halt their implementation.

B. RECOMMENDATIONS FOR NEW SUBTITLES

The Committee on Facilities and Procurement recommends the following new subtitles to be added to the “Fiscal Year 2021 Budget Support Act of 2020”:

1. Advisory Neighborhood Commissions Technical Support and Assistance

a. Purpose, Effect, and Impact on Existing Law

The purpose of this subtitle is to establish a special fund administered by the Office of Advisory Neighborhood Commissions to capture revenue from annual appropriations in addition to any amounts forfeited by Advisory Neighborhood Commissions from their annual allocations. The money in the fund will not revert to the General Fund at the end of a fiscal year. The purpose of the fund is to provide services requested by Advisory Neighborhood Commissions, according to limitations and prioritization established by the Office of Advisory Neighborhood Commissions. The services that can be funded include outreach and engagement technology, communications access services, remote meeting technologies, audio-visual technology and services, printing services, or website assistance.

b. Committee Reasoning

Over the last year, the Committee heard from numerous Advisory Neighborhood Commissioners at a series of oversight hearings and roundtables about the services and supports they needed to better fulfill their critical role. The near unanimous feedback from Commissioners, was that Commissioners lack sufficient support and are being asked to manage administrative tasks that are beyond the expertise or capacity of volunteer public servants. These tasks could be managed more efficiently and at a lower cost if handled

centrally for Commissions that request the assistance, while respecting the autonomy of Commissions who prefer to manage their own affairs. Among the supports that Commissioners have requested include audio-visual services, website assistance, remote meeting technology, communications technology, and printing services.

In addition, Commissioners desire more assistance from the Office of Advisory Neighborhood Commissions, but recognize that the Office was understaffed and under-resourced to meet these needs. At the same time, several Commissions have forfeited funds every year due to the failure to file quarterly reports or due to issues with Commission grants. These forfeitures have ranged from a high of \$123,688 in Fiscal Year 2016, to a low of \$50,891 in Fiscal Year 2018. Last year, \$81,575 was forfeited by Commissions. Under current law, those funds return to the General Fund at the end of the fiscal year and are unavailable for Commission support. Because most funds are not forfeited until the end of a fiscal year and the amount forfeited varies widely, the District budget does not incorporate anticipated forfeitures into future budget estimates. As a result, funding is already available to meet a portion of the outstanding need for administrative services if it is recaptured into a special fund and retained for future use by Commissioners.

Finally, in the prior budget, the Council made unprecedented investments in communications technology for Commissioners and in sign language interpretation, computer-aided real-time transcription, and other similar services. The funding necessary for these services is difficult to predict and may vary widely from year-to-year. Capturing additional resources in a special fund will allow the Office to meet unanticipated funding needs, while still proceeding with the implementation of these projects as directed by the Council in the prior budget.

c. Section-by-Section Analysis

Sec. XXXX. States the short title.

Sec. XXX2. Amends the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.01 *et seq.*) to create the Advisory Neighborhood Commissions Technical Support and Assistance Fund to receive funding forfeited or unclaimed by Advisory Neighborhood Commissions and any funding allocated for this purpose, to be continually available without regard to fiscal year limitation. The funds may be utilized subject to the limitations and prioritization of the Office of Advisory Neighborhood Commissions for services requested by Advisory Neighborhood Commissions, including outreach and engagement technology, communications access services, remote meeting technologies, audio-visual technology and services, printing services, and website assistance.

Sec. XXX3. Sets the applicability of the subtitle for the day before the end of the fiscal year to ensure recapture of the necessary funds.

d. Fiscal Impact

The Office of the Chief Financial Officer estimates that this subtitle will have no financial impact, as the funds forfeited by Advisory Neighborhood Commissions were not incorporated as anticipated revenue in the financial plan.

2. Metro Transit Police Department Oversight and Accountability

a. Purpose, Effect, and Impact on Existing Law

The purpose of this subtitle is to amend the Washington Metropolitan Area Transit Authority Compact to prohibit the use of enforcement quotas by the Metro Transit Police and to establish a Police Complaints Board with the authority to receive, review, conciliate, mediate, investigate, adjudicate, and refer civilian complaints related to the Metro Transit Police.

b. Committee Reasoning

Thousands of residents of the District of Columbia have joined those across the country and around the globe in calls for an end to police brutality. One of the core expectations of those protestors is that police officers should be held accountable for their actions by an independent police complaints board. The Metropolitan Police Department and the Housing Authority Police Department already benefit from the District's Office of Police Complaints, which has recently been strengthened through emergency legislation. Unfortunately, the unique governance structure of the Washington Metropolitan Area Transit Authority has slowed similar reforms with regard to the Metro Transit Police.

These concerns were highlighted in a recent performance oversight hearing jointly held between the Committee on Facilities and Procurement and the Committee on Judiciary and Public Safety, which identified not only problematic uses of force by the Metro Transit Police, but also the existence of a quota system, that had been utilized to incentivize aggressive enforcement measures by Metro Transit Police. While this program has been discontinued, reports indicate that the volume of enforcement actions remains a means for evaluating police officers within the Department. Systems that incentivize or evaluate officers based on aggressive enforcement encourage confrontations between officers and riders and can result in the unnecessary escalation of conflicts. The Committee recommends the prohibition of enforcement quotas by the Metro Transit Police, including regarding arrests, citations, or warnings.

A series of recent high-profile incidents and uses of force by Metro Transit Police have demonstrated the clear need for greater accountability and civilian oversight. The lack of an independent forum for police complaints and the complex governance structure of the Authority have left District residents feeling they have few effective outlets to raise concerns about police behavior on Metro. In order to address this issue, the Committee recommends the creation of a Police Complaints Board, modeled in large part off of the effective system for the District of Columbia, but with a governance structure reflecting the inter-jurisdictional nature of the Authority. This type of reform requires an amendment to the Washington Metropolitan Area Transit Authority Compact. An amendment requires

one jurisdiction to pass a proposed amendment and for the remaining signatory jurisdictions to concur through legislation, which then requires the consent of Congress. By moving this compact amendment, the Committee begins a process that will result in more consistent accountability for police officers both within the District of Columbia and across the Metro system.

c. Section-by-Section Analysis

Sec. XXXX. States the short title.

Sec. XXX2. Amends the Washington Metropolitan Area Transit Authority Compact, approved November 6, 1966 (80 Stat. 1324; D.C. Official Code § 9-1107.01(76)) to prohibit the use of enforcement quotas to evaluate, incentivize, or discipline Metro Transit Police Officers and establish a Police Complaints Board with representatives from all the signatories of the WMATA Compact and the federal government, with the authority to receive, review, dismiss, conciliate, mediate, investigate, adjudicate, or refer citizen complaints related to the Metro Transit Police.

d. Fiscal Impact

The Office of the Chief Financial Officer estimates no cost for implementing this subtitle, as any additional costs associated with its implementation would be incorporated into the existing jurisdictional subsidies for the Washington Metropolitan Area Transit Authority.

3. Renewable Energy Future

a. Purpose, Effect, and Impact on Existing Law

The purpose of this subtitle is to require the Department of General Services to produce and publish an analysis of the feasibility of initiating or expanding renewable energy generation at each District-owned property under the control of the Mayor on a rolling basis every 10 years. The subtitle requires the Department to initiate or expand renewable generation where it is found to be feasible, subject to the availability of funding. Finally, the subtitle includes enhanced certified business enterprise requirements to ensure that small businesses benefit from the implementation of the subtitle.

b. Committee Reasoning

In recent years, the Council and the Mayor have set ambitious goals for confronting the existential threat of climate change. The Department of General Services has played a role in meeting these goals, with the installation of solar panels at government facilities across the District – including through the release of a successful request for proposals for the installation and operation of solar capacity. This progress has been made despite a Sustainability and Energy Management Division that until recently suffered from a lack of consistent leadership and a relatively small staff and low investment by the Department.

Despite the progress made with the existing resources, the law does not ensure the continuing, comprehensive, and transparent re-evaluation of District government facilities to proactively identify opportunities for renewable energy generation across the city. Requiring the completion and publication of an analysis of the capacity for renewable energy generation will ensure that the District continuously expands its renewable energy portfolio, reduces the operating costs for its facilities, and keeps up with the continuing development of renewable energy technology.

In addition, renewable energy generation is a growing industry nationally and an opportunity for the growth of District small businesses and the employment of District residents. As a result, it is critical for the District to ensure that it moves swiftly to partner with District small businesses to expand renewable energy generation.

c. Section-by-Section Analysis

Sec. XXXX. States the short title.

Sec. XXX2. Amends the Department of General Services Establishment Act of 2011 (D.C. Law 19-21; D.C. Official Code § 10-551.01 *et seq.*) to require that the Department of General Services' inventory of real property includes analysis for the potential of capturing renewable energy at each real property, requires that the Department produce and publish on its website an analysis of the feasibility of initiating or expanding renewable energy generation at each District-owned property under the control of the Mayor on a rolling basis, re-analyzing each property no less than once every 10 years, and requires that the Department initiate or expand renewable energy generation where it is feasible to do so and funding is available. The section also requires that absent a waiver, contracts entered into to implement the section shall be awarded to small business enterprises or certified business enterprises, or that at least 50% of the dollar volume of the contract be subcontracted to a small business enterprise or certified business enterprise.

d. Fiscal Impact

The Office of the Chief Financial Officer estimates the cost of implementing this legislation at \$83,209 in recurring dollars to fund one Program Analyst FTE to implement the legislation.

4. Support for the DC Center for the LGBT Community

a. Purpose, Effect, and Impact on Existing Law

This subtitle requires the Department of General Services to issue a grant to the DC Center for the LGBT Community in the amount of \$70,000 to sustain the operations of the Center while the organization anticipates an upcoming move.

b. Committee Reasoning

The DC Center for the LGBT Community educates, empowers, celebrates, and connects the lesbian, gay, bisexual, and transgender communities through health and wellness, arts and culture, social and peer support, and advocacy and community building. The DC Center currently operates out of an office on the first floor of the Reeves Center at 2000 14th Street NW, which it leases from the District government at a cost of approximately \$67,243. The DC Center is contemplating a move out of the Reeves Center to a larger space that is better able to accommodate its partner organizations and the community. A grant from the District government will help sustain the organization's operations while it plans for this relocation.

c. Section-by-Section Analysis

Sec. XXXX. States the short title.

Sec. XXX2. Requires the Department of General Services to award a grant in the amount of \$70,000 to the DC Center for the LGBT Community to sustain its operations while it anticipates an upcoming move.

d. Fiscal Impact

The Office of the Chief Financial Officer estimates the cost of implementing this legislation at \$70,000 in one-time funds to pay for the proposed grant.

5. Access to Jobs

a. Purpose, Effect, and Impact on Existing Law

This subtitle establishes a pilot program to support the employment of 10 returning citizens through a two-year grant to employers beginning in Fiscal Year 2021 to eligible employers who have registered with the Office on Returning Citizens Affairs, demonstrate that participating returning citizens have opportunities for advancement, and agree to pay participating employees for a minimum of 20 hours per week for a minimum of 8 weeks.

To be eligible, employees must have been previously incarcerated, have completed a workforce development and life skills program, and have been unemployed for at least one month. The maximum grant will be 40% of the minimum wage for the first year of the program, increasing to 80% of the minimum wage for the second year to encourage retention of employees in the program.

b. Committee Reasoning

Since assuming jurisdiction over reentry, the Committee has sought to systematically identify and address barriers to successful reentry. As a result, the Committee has substantially increased the size of the Office on Returning Citizens Affairs, identified funding for identification cards, transportation subsidies, and housing vouchers.

However, one of the largest remaining barriers to successful reentry is unemployment. Returning citizens continue to face discrimination in the job market. This subtitle seeks to establish the Office on Returning Citizens Affairs as a hub to connect willing employers with career opportunities and returning citizens in need of work, while subsidizing employment in a way that encourages retention for at least two years. The legislation also encourages participation in workforce development or life skills courses by returning citizens. In conjunction with the dramatically increased capacity of the Office on Returning Citizens Affairs for case management, this pilot program presents a meaningful opportunity for returning citizens to gain and retain stable, good-paying employment.

c. Section-by-Section Analysis

Sec. XXXX. States the short title.

Sec. XXX2. Amends the Office on Ex-Offender Affairs and the Commission on Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law 16-243d; D.C. Official Code § 24-1302(b)(2) to establish a two-year pilot program to support the employment of 10 returning citizens through grants to eligible employers who hire and retain eligible returning citizens after demonstrating they provide opportunities for advancement. Grants in the pilot program accelerate from 40% of the minimum wage in the first year of the program to 80% of the minimum wage in the second year of the program to further encourage retention.

d. Fiscal Impact

The Office of the Chief Financial Officer estimates the cost of implementing this legislation at \$254,401 in Fiscal Year 2021 and \$379,201 in Fiscal Year 2022.

6. Paralegal Program Establishment

a. Purpose, Effect, and Impact on Existing Law

This subtitle requires the Office on Returning Citizens Affairs to continue the Paralegal Fellowship Initiative pilot program in Fiscal Year 2021 by placing a cohort of returning citizen students in an accredited, university-based paralegal certification program located in the District of Columbia, while providing the students with support services necessary for their success.

b. Committee Reasoning

The Office on Returning Citizens Affairs established an innovative pilot program to enroll returning citizens in Georgetown University's Paralegal Studies Certification Course and provided a series of support services and soft skills training during the 13-week program. All successful graduates of the program obtained employment in positions as paralegal at some of the largest law firms and legal organizations in the city. This innovative program demonstrated the ability of the Office to match capable, driven

returning citizens to careers in the legal field after a rigorous course of study. Unfortunately, this program was defunded by the executive in the Fiscal Year 2021 proposed budget. Innovative programs that have shown success in serving the needs of returning citizens should be continued if at all possible, so the Committee recommends adoption of a subtitle and inclusion of funding to continue the program with another cohort of students in Fiscal Year 2021.

c. Section-by-Section Analysis

Sec. XXXX. States the short title.

Sec. XXX2. Amends the Office on Ex-Offender Affairs and the Commission on Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1302) to require the Office on Returning Citizens Affairs to continue the Paralegal Fellowship Initiative pilot program in Fiscal Year 2021 by placing a cohort of returning citizen students in an accredited, university based paralegal certification program located in the District of Columbia, while providing the students with support services necessary for their success.

d. Fiscal Impact

The Office of the Chief Financial Officer estimates the cost of implementing this legislation at \$150,000 in one-time dollars.

7. Non-Profit Fairness Analysis

a. Purpose, Effect, and Impact on Existing Law

This subtitle requires the Office on Contracting and Procurement to issue a report to the Mayor and the Council by April 1, 2021 that includes a review and analysis of the funding of indirect costs in the terms of grant agreements or contracts entered into between non-profit organizations, a table listing the federal funding associated with contracts or grants passed through to nonprofit organizations by the District government in fiscal year 2020 including indirect cost funding retained or passed through, and any recommended amendments to law, regulations, policy, or training in order to ensure the legal, fair, and consistent funding of indirect costs to non-profit organizations by the District.

b. Committee Reasoning

The Non-Profit Reimbursement Fairness Act of 2019 was referred to the Committee for review on October 25, 2019. The purpose of the legislation is to address the inequitable, inconsistent, and potentially illegal reimbursement of indirect costs to nonprofit organizations that either contract with or receive grants from the District government. After an initial analysis, it became clear that the concerns raised by the legislation affected numerous agencies and a more equitable treatment of indirect costs would likely have a substantial cost. A more sophisticated analysis is necessary to

understand the scope of the problem and the best means for addressing it. The Committee recommends approval of this subtitle to ensure that the Office of Contracting and Procurement promptly prepares the necessary analysis.

c. Section-by-Section Analysis

Sec. XXXX. States the short title.

Sec. XXX2. Amends the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.04(b)) to require the Office on Contracting and Procurement to issue a report to the Mayor and the Council by April 1, 2021 that includes a review and analysis of the funding of indirect costs in the terms of grant agreements or contracts entered into between non-profit organizations, a table listing the federal funding associated with contracts or grants passed through to nonprofit organizations by the District government in fiscal year 2020 including indirect cost funding retained or passed through, and any recommended amendments to law, regulations, policy, or training in order to ensure the legal, fair, and consistent funding of indirect costs to non-profit organizations by the District.

d. Fiscal Impact

The Office of the Chief Financial Officer estimates the cost of implementing this legislation at \$200,000 in one-time dollars to fund.

V. ACKNOWLEDGMENTS

The Committee would again this year like to acknowledge several District government employees, without whom this report would not have been possible. These employees worked long hours and late nights in difficult circumstances. Their contributions to advancing equity, accountability, efficiency, and transparency in our government should not go unrecognized by the residents of the District of Columbia:

- Jennifer Budoff, Budget Director
- Anne Phelps, Counsel and Senior Advisor
- Joseph Wolfe, Special Assistant
- Errol Spence, Budget Analyst
- Nicole Streeter, General Counsel
- Valerie Nadal, Assistant General Counsel
- Jamie Lantinen, Fiscal Analyst

VI. COMMITTEE ACTION AND VOTE

On Tuesday, June 23, 2020 the Committee on Facilities and Procurement held a Committee Meeting to consider the Report and Recommendations of the Committee on Facilities and Procurement on the Fiscal Year 2021 Budget for Agencies Under Its Purview. Councilmember Robert C. White, Jr., recognized the presence of a quorum consisting of The Chair then provided the following statement:

The Chair moved the proposed committee report, with leave for staff to make technical and conforming amendments and to accept additional transfers of resources from other Committees.

Dissenting, Separate, and Individual Views of Committee Members

No dissenting, separate, or individual views of Committee Members were provided to the Committee.

Amendments or Other Motions

No amendments to the report or other motions were considered prior to moving the measure and report.

Vote on the Measure and Report

YES: Chairperson Robert C. White and Councilmembers Cheh, Silverman, and Gray

NO: None

PRESENT: None

VII. ATTACHMENTS

- 1. Committee Adjustments**
- 2. Proposed Budget Support Act Subtitles**