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3 Chairman Phil Mendelson
4 at the request of the Mayor
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8 A PROPOSED RESOLUTION
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12 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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17 To declare the existence of an emergency with respect to the need to approve
18 Modifications 10 and 11 to Contract No. CW34843 with Covanta Fairfax, Inc. to
19 provide solid waste disposal services at an existing licensed and permitted waste-
20 to-energy facility, and to authorize payment for the goods and services received
21 and to be received under that contract.
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23 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That
24 this resolution may be cited as the “Modifications to Contract No. CW34843 with
25 Covanta Fairfax, Inc. Approval and Payment Authorization Emergency Declaration
26 Resolution of 2021”.

27 Sec. 2. (a) There exists a need to approve Modifications 10 and 11 to Contract
28 No. CW34843 with Covanta Fairfax, Inc. to provide solid waste disposal services at an
29 existing licensed and permitted waste-to-energy facility, and to authorize payment for the
30 goods and services received and to be received under the contract.

31 (b) By Modification No. 10, dated December 7, 2020, the Office of Contracting
32 and Procurement, on behalf of the Department of Public Works, exercised a partial
33 Option Year 1 of Contract No. CW34843 with Covanta Fairfax, Inc. for the period from
34 January 1, 2021 through January 31, 2021 in the amount of \$784,979.16.

1 (c) By Modification No. 11, dated January 31, 2021, the Office of Contracting
2 and Procurement, on behalf of the Department of Public Works, exercised the remainder
3 of Option Year 1 of contract No. CW34843 with Covanta Fairfax, Inc. for the period
4 from February 1, 2021 through December 31, 2021 in the amount of \$8,634,770.84,
5 bringing the total value of Option Year 1 to \$9,419,750.00.

6 (d) Council approval is required by section 451(b) of the District of Columbia
7 Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-
8 204.51(b)) since the unapproved value of the contract is more than \$1,000,000 during a
9 12-month period.

10 (e) Approval is necessary to allow the continuation of these vital services.
11 Without this approval, Covanta Fairfax, Inc. cannot be paid for services provided in
12 excess of \$1,000,000 for the period of January 1, 2021 through December 31, 2021.

13 Sec. 3. The Council of the District of Columbia determines that the
14 circumstances enumerated in section 2 constitute emergency circumstances making it
15 necessary that the Contract No. CW34843 with Covanta Fairfax, Inc. Approval and
16 Payment Authorization Emergency Act of 2021 be adopted after a single reading.

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