

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON GOVERNMENT OPERATIONS AND FACILITIES
ROBERT C. WHITE, JR., CHAIR

MEMORANDUM

TO: Chairman Phil Mendelson
FROM: Councilmember Robert C. White Jr.
Chair, Committee on Government Operations and Facilities
DATE: January 27, 2022
RE: Requests for the Legislative Meeting on February 1, 2022



I request that the following measures be placed on the agenda for the Legislative Meeting on February 1, 2022:

Emergency and Temporary Legislation

- **Limited Coronavirus Procurement Second Extension Emergency Declaration Resolution of 2022**
- **Limited Coronavirus Procurement Second Extension Emergency Amendment Act of 2022**
- **Limited Coronavirus Procurement Second Extension Temporary Amendment Act of 2022**

On November 5th, pursuant to legislation passed by the Council, the additional authority to exercise emergency procurements associated with the previously declared public emergency terminated due to significant concerns about the use of that authority reflected in multiple audits.

Upon request of the administration and after negotiation, the Council authorized an extension of emergency procurement authority, limited in time and scope, through the Limited Coronavirus Procurement Extension Emergency Amendment Act of 2021. Under that legislation, specific categories of procurements were permitted under the declared public emergency after prior notice to the Council of each procurement. Due to delays in the process, enactment of that legislation did not occur until January 13th, 2022. That legislation operated as an amendment to the Coronavirus Support Temporary Amendment Act and thus will expire along with the temporary on February 4th, 2022.

The Committee on Government Operations and Facilities has not received any notices of procurements conducted pursuant to the negotiated emergency procurement framework. Instead, the administration utilized other means to engage in substantial emergency procurement activity without prior notice to the Council or the public as anticipated.

While the Committee continues to await additional responses regarding the extension of this authority, we are requesting that this legislation be added to the agenda for the upcoming legislative meeting for now so that a legal path exists to respond to the ongoing pandemic conditions under the framework previously approved by the Council.

This legislation makes two substantive adjustments to the prior emergency legislation. First, it authorizes the use of emergency procurement authority for masks and personal protective

equipment. Second, it makes changes to ensure that the included limitations apply to all uses of emergency procurement authority associated with a declared public emergency or public health emergency in 2022.

Emergency Contract Legislation at the Request of the Executive

- **Modification No. 01, 02 and 03 to Contract No. DCAM-20-NC-RFP-0001C with G-Sida General Services, LLC Approval and Payment Authorization Emergency Declaration Resolution of 2022**
- **Modification No. 01, 02 and 03 to Contract No. DCAM-20-NC-RFP-0001C with G-Sida General Services, LLC Approval and Payment Authorization Emergency Act of 2022**

These measures would approve existing modifications 01 and 02 and proposed modification 03 to contract DCAM-20-NC-RFP-0001C with G-Sida General Services, LLC (the “Contractor”). The three modifications together constitute a full exercise of option year 1, from June 1, 2021 through May 31, 2022, with an aggregate value not to exceed (NTE) \$1,857,712.42.

The underlying contract was part of a procurement of comprehensive city-wide landscaping maintenance and supplemental landscaping services, including mowing, mulching, pruning, leaf removal, and weeding at District properties including schools, municipal buildings, parks, and recreation centers. The Department of General Services (DGS) engaged the Contractor to perform these services at properties in “Group C,” located in Wards 5 and 6, at a value NTE \$1,645,435.60. The base year contract received passive Council approval on November 29, 2020, as CA23-747.

Modifications 01 and 02 constituted partial exercises of option year 1 and were executed without Council approval because their aggregate value was less than \$1 million. Modification 01 was a partial exercise of option year 1, from June 1, 2021, through November 30, 2021, with a value NTE \$920,951.34. Modification 02 extended the partial exercise of option year 1 through February 28, 2022 and raised the NTE amount to \$982,348.10. Proposed modification No. 03, if approved, will exercise the remaining fraction of option year one, through May 31, 2022. As modifications 01 and 02 and proposed modification 03 will fully exercise option year one and increase the total NTE amount by an amount that exceeds \$1 million, Council approval is required on an emergency basis to timely continue contracted services.

Drafts of the measures are attached, along with a contract summary prepared by DGS. Please contact Shawn Hilgendorf, Committee Director, at (202) 724-8077 or shilgendorf@dccouncil.us if you have any questions.