

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to amend the Public Emergency Act of 1980 to authorize certain emergency procurements deemed necessary to respond to changing public health conditions and to protect the health and safety of District residents.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Limited Coronavirus Procurement Second Extension Emergency Declaration Resolution of 2021”.

Sec. 2. (a) The Council acted to return the District to normal procurement operations as of November 5, 2021, in order to ensure adequate transparency, accountability, and competition in the District procurement system after approximately 20 months of expedited procurement authority pursuant to the earlier declared public emergency.

(b) Concluded and ongoing audits related to the use of emergency procurement authority have heightened concerns about its continued use without limitations in time and scope.

(c) Since November 5, 2021, the introduction of the Omicron variant further endangered the District’s public health and safety and necessitated a government response.

34 (d) To respond to these concerns, the Council passed the Limited Coronavirus
35 Procurement Extension Emergency Amendment Act of 2021, on December 21, 2021,
36 which authorized specific categories of emergency procurements for a limited time to
37 meet the greatest identified needs when prior notice is given to the Council of each
38 procurement.

39 (e) During the term of that emergency legislation, the administration conducted
40 emergency procurements through other means and without prior notice to the Council or
41 the public.

42 (f) That prior emergency legislation operated as an amendment to the Coronavirus
43 Support Temporary Amendment Act of 2021, which will expire on February 4th, 2021.

44 (g) Despite concerns and some recently improving trends in coronavirus cases
45 since the passage of the Limited Coronavirus Procurement Extension Emergency
46 Amendment Act of 2021, the rapidly evolving situation may require additional
47 emergency procurement authority for a limited time to address public health needs.

48 (h) New emergency legislation is needed to authorize the legal and responsible
49 use of emergency procurement authority within the framework previously approved by
50 the Council to meet ongoing needs.

51 Sec. 3. Emergency declaration.

52 The Council of the District of Columbia determines that the circumstances
53 enumerated in section 2 constitute emergency circumstances making it necessary that the
54 Limited Coronavirus Procurement Second Extension Emergency Amendment Act of
55 2022 be adopted on an emergency basis.

56 Sec. 4. Effective date.

This resolution shall take effect immediately.