

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: June 23, 2022
RE: Requests for the Additional Legislative Meeting on June 28, 2022



I request that the following measures be placed on the consent agenda for the additional Legislative Meeting on June 28, 2022:

Emergency Contract Legislation at the Request of the Mayor

I request that the following emergency measures be placed on the consent agenda:

- **Modification Nos. 1 and 2 to Contract No. DCAM-20-CS-RFQ-0001I with Bennett Group, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2022**
- **Modification Nos. 1 and 2 to Contract No. DCAM-20-CS-RFQ-0001I with Bennett Group, Inc. Approval and Payment Authorization Emergency Act of 2022**
- **Modification Nos. 1 and 2 to Contract No. DCAM-20-CS-RFQ-0001T with Atmos Solutions, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2022**
- **Modification Nos. 1 and 2 to Contract No. DCAM-20-CS-RFQ-0001T with Atmos Solutions, Inc. Approval and Payment Authorization Emergency Act of 2022**

These measures are part of a series of indefinite delivery, indefinite quantity (IDIQ) contract option year renewals that the Department of General Services (DGS) should have submitted for ordinary passive approval. Members and staff will recall that at the May 3, 2022 Legislative Meeting, I moved 11 emergency legislation packages to allow DGS to continue ordering on-call construction, repair, and replacement services as needed from 11 certified business enterprises (CBEs). The Council unanimously approved those measures after raising serious concerns over the failure to seek timely passive approval.

The contracts summarized in the attached materials from DGS similarly extend 2 more CBEs' IDIQ contracts for construction, repair, and replacement services as needed. In each case, the Council initially approved an IDIQ contract in 2020 and the contract expired in 2021. DGS initially exercised a partial option year modification for up to \$990,000, and now seeks Council approval to exercise the remainder of the option year at a value not to exceed \$5,000,000, commensurate with the base year. To be clear, these IDIQ contract vehicles do not mean that DGS has actually spent up to the \$1 million threshold for passive approval; rather, the proposed modifications would authorize DGS to issue task orders with aggregate value not to exceed \$5,000,000 during the option year period.

DGS has indicated that they do not intend to seek additional emergency IDIQ contract approvals before the Council's summer recess and that their Contracting and Procurement Division is aware of the need to avoid future lapses in contract approval management going forward.

- **Modification Nos. 3 and 4 to Contract No. DCAM-20-CS-RFQ-0002A with AAA Complete Building Services, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2022**
- **Modification Nos. 3 and 4 to Contract No. DCAM-20-CS-RFQ-0002A with AAA Complete Building Services, Inc. Approval and Payment Authorization Emergency Act of 2022**

- **Modification Nos. 3 and 4 to Contract No. DCAM-20-CS-RFQ-0002B with GCS, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2022**
- **Modification Nos. 3 and 4 to Contract No. DCAM-20-CS-RFQ-0002B with GCS, Inc. Approval and Payment Authorization Emergency Act of 2022**

- **Modification Nos. 3 and 4 to Contract No. DCAM-20-CS-RFQ-0002D with Harvey W. Hottel, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2022**
- **Modification Nos. 3 and 4 to Contract No. DCAM-20-CS-RFQ-0002D with Harvey W. Hottel, Inc. Approval and Payment Authorization Emergency Act of 2022**

- **Modification Nos. 4 and 5 to Contract No. DCAM-20-CS-RFQ-0002F with American Combustion Industries, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2022**
- **Modification Nos. 4 and 5 to Contract No. DCAM-20-CS-RFQ-0002F with American Combustion Industries, Inc. Approval and Payment Authorization Emergency Act of 2022**

Similarly, these 4 emergency contracts would authorize DGS to fully exercise option years with 4 vendors (2 CBEs and 2 non-CBEs) that provide maintenance, repair, and installation services for heating, ventilation, and air conditioning systems in public buildings on an IDIQ basis, that is, pursuant to separate competitively issued task orders as needed. In each case, DGS has already partly exercised option year 2 with the vendor by setting the not-to-exceed value below the \$1 million Council approval threshold, but now seeks to fully exercise option year 2 and raise the not-to-exceed value for the year to \$10 million, matching the cap for the base year and option year 1. Emergency approval is necessary to ensure continuity of service.