

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to approve Modification Nos. 1 and 2 to Contract No. DCAM-20-CS-RFQ-0001T, between the Department of General Services and Atmos Solutions, Inc., increasing the aggregate not-to-exceed amount of the Contract for Option Year 1 to \$5 million, and to authorize payment to Atmos Solutions, Inc. for services received and to be received under these modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as “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”.

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 1 and 2 to Contract No. DCAM-20-CS-RFQ-0001T (the “Contract”) between the Department of General Services (the “Department”) and Atmos Solutions, Inc. (the “Contractor”) for on-call construction, repair, and replacement services, which would increase the aggregate not-to-exceed (“NTE”) amount of Option Year 1 of the Contract by \$4,010,000, from \$990,000 to \$5 million, and to authorize payment to the Contractor for services received and to be received under these modifications.

1 (b) On December 2, 2021, via Modification No. 1, the Department partially
2 exercised Option Year 1 of the Contract with a guaranteed minimum value of \$50 and an
3 aggregate NTE amount of \$990,000. The NTE amount of Modification No. 1 was less
4 than \$1 million; thus, Council’s approval was not required.

5 (c) Proposed Modification No. 2 would fully exercise Option Year 1, and increase
6 the aggregate NTE amount by \$4,010,000, from \$990,000 to \$5 million. The aggregate
7 NTE amount of Modification No. 1 and proposed Modification No. 2 is an amount in
8 excess of \$1 million during a 12-month period; therefore, Council approval of
9 Modification No. 2 is required pursuant to section 451 of the District of Columbia Home
10 Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

11 (d) Council approval of Modification No. 2 is necessary to authorize the
12 continuation of on-call construction, repair, and replacement services and to compensate
13 the Contractor for services provided and to be provided pursuant to that modification.

14 Sec. 3. The Council of the District of Columbia determines that the
15 circumstances enumerated in section 2 constitute emergency circumstances making it
16 necessary that the “Modification Nos. 1 and 2 to Contract No. DCAM-20-CS-RFQ-
17 0001T with Atmos Solutions, Inc. Approval and Payment Authorization Emergency Act
18 of 2022” be adopted after a single reading.

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