

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. 3 and 4 to Contract No. DCAM-20-CS-RFQ-0002B, between the Department of General Services and GCS, Inc., increasing the aggregate not-to-exceed amount of the Contract for Option Year 2 to \$10,000,000, and authorizing payment to GCS, Inc. for services received and to be received under the contract and these modifications.

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

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 3 and 4 to the Agreement for IDIQ for HVAC systems maintenance, replacement, and installation services (DCAM-20-CS-RFQ-0002B) (the “Contract”) between the District’s Department of General Services (the “Department”) and GCS, Inc. (the “Contractor”), which would increase the aggregate not-to-exceed (“NTE”) amount of Option Year 2 of the Contract to \$10,000,000, and to authorize payment to the Contractor for services received and to be received under these modifications.

1 (b) On June 3, 2022, via Modification No. 3, the Department partially exercised
2 Option Year 2 of the Contract with a guaranteed minimum amount of \$50 and an
3 aggregate NTE amount of \$990,000 through September 30, 2022. The aggregate NTE
4 amount of Modification No. 3 was less than \$1 million; thus, Council’s approval was not
5 required.

6 (c) Proposed Modification No. 4 would fully exercise Option Year 2 through June
7 4, 2023 and increase the aggregate NTE amount by \$9,010,000, from \$990,000 to
8 \$10,000,000. The aggregate NTE amount of Modification No. 3 and proposed
9 Modification No. 4 is an amount in excess of \$1 million during a 12-month period;
10 therefore, Council approval of the modifications is required pursuant to section 451 of the
11 District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C.
12 Official Code § 1-204.51).

13 (d) Council approval of the modifications is necessary to authorize the
14 continuation of services provided and to be provided pursuant to the modifications.

15 Sec. 3. The Council of the District of Columbia determines that the
16 circumstances enumerated in Section 2 constitute emergency circumstances making it
17 necessary that the “Modification Nos. 3 and 4 to Contract No. DCAM-20-CS-RFQ-
18 0002B with GCS, Inc. Approval and Payment Authorization Emergency Act of 2022” be
19 adopted after a single reading.

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