

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-0002D between the Department of General Services and Harvey W. Hottel, Inc., increasing the aggregate not-to-exceed amount of the Contract for Option Year 2 to \$10 million, and to authorize payment to Harvey W. Hottel, 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-0002D with Harvey W. Hottel, 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 HVAC Systems Maintenance, Replacement, and Installation Services (DCAM-20-CS-RFQ-0002D) (the “Contract”) between the District’s Department of General Services (the “Department”) and Harvey W. Hottel, Inc. (the “Contractor”) to increase the not-to-exceed (“NTE”) amount of Option Year 2 of the Contract to \$10 million, 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 \$10
8 million. The aggregate NTE amount of Modification No. 3 and proposed Modification
9 No. 4 exceeds \$1 million during a 12-month period; therefore, Council approval of
10 Modification No. 4 is required pursuant to section 451 of the District of Columbia Home
11 Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51),
12 and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011
13 (D.C. Law 18-371; D.C. Official Code § 2-352.02).

14 (d) Council approval of the modifications is necessary to allow the completion of
15 services provided and to be provided pursuant to the modifications, and to authorize
16 payment to the Contractor for those services.

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

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