

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. 2, 3, 4, 5, 6, 7, and 8 to Contract No. GAGA-2022-C-0260 with D.C. Central Kitchen, Inc. for food service management at District of Columbia Public Schools, and to authorize payment for the goods and services received and to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modifications to Contract No. GAGA-2022-C-0260 with D.C. Central Kitchen, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2023”.

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 2, 3, 4, 5, 6, 7, and 8 to Contract No. GAGA-2022-C-0260 with D.C. Central Kitchen, Inc. to provide food service management at District of Columbia Public Schools (“DCPS”) and to authorize payment for the goods and services received and to be received under the contract.

(b) The contract term is from July 1, 2022, through June 30, 2023, in the total not-to-exceed amount of \$5,517,905.30.

34 (c) DCPS executed a letter contract on June 28, 2022, with an effective date of  
35 July 1, 2022, in the amount of \$999,998.65.

36 (d) Modification Nos. 2, 3, 4, 5, 6, 7, and 8 extended the letter contract seven  
37 times, through May 31, 2023, in the not-to-exceed amount of \$2,539,748.19.

38 (e) It is now necessary to definitize the letter contract to receive goods and  
39 services and authorize payment through June 30, 2023, in the not-to-exceed amount of  
40 \$5,517,905.30.

41 (f) Under section 451(b)(1) of the District of Columbia Home Rule Act, approved  
42 December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(b)(1)), Council  
43 approval is necessary since the modifications will increase the value if the contract to  
44 more than \$1 million dollars during a 12-month period. and to retroactively authorize  
45 payment for goods and services already received and to be provided.

46 (g) Approval is necessary to allow the continuation of these vital services.  
47 Without this approval, D.C. Central Kitchen, Inc. cannot be paid for goods and services  
48 provided in excess of \$1 million for the period July 1, 2022, through June 30, 2023.

49 Sec. 3. The Council of the District of Columbia determines that the  
50 circumstances enumerated in section 2 constitute emergency circumstances making it  
51 necessary that the Modifications to Contract No. GAGA-2022-C-0260 with D.C. Central  
52 Kitchen, Inc. Approval and Payment Authorization Emergency Act of 2023 be adopted  
53 after a single reading.

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