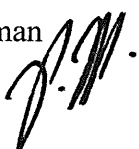


COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
1350 Pennsylvania Avenue, NW
Washington, DC 20004

MEMORANDUM

TO: Nyasha Smith, Secretary to the Council

FROM: Phil Mendelson, Chairman 

DATE: June 1, 2023

RE: **Request to Agendize for the June 6, 2023 Legislative Meeting**

This memorandum is to request that the following measures be placed on the agenda for the June 6, 2023 Legislative Meeting, at the request of the Mayor:

- **PR 25-50, Modification Nos. 2 & 3 to Contract No. GAGA-2021-C-0074 with Curriculum Associates, LLC Approval and Payment Authorization Emergency Declaration Resolution of 2023**
- **Bill 25-8, Modification Nos. 2 & 3 to Contract No. GAGA-2021-C-0074 with Curriculum Associates, LLC Approval and Payment Authorization Emergency Act of 2023**
- **PR 25-208, Contract No. GAGA-2022-C-0259 with SodexoMagic, LLC Approval and Payment Authorization Emergency Declaration Resolution of 2023**
- **Bill 25-265, Contract No. GAGA-2022-C-0259 with SodexoMagic, LLC Approval and Payment Authorization Emergency Act of 2023**
- **PR 25-209, Contract No. GAGA-2022-C-0142 with Maxim Healthcare Staffing Services, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2023**
- **Bill 25-266, Contract No. GAGA-2022-C-0142 with Maxim Healthcare Staffing Services, Inc. Approval and Payment Authorization Emergency Act of 2023**
- **PR 25-213, Modification Nos. 3 through 5 and 7 through 10 to Contract No. GAGA-2022-T-0067 with Gordon Food Service, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2023**
- **Bill 25-269, Modification Nos. 3 through 5 and 7 through 10 to Contract No. GAGA-2022-T-0067 with Gordon Food Service, Inc. Approval and Payment Authorization Emergency Act of 2023**
- **Contract No. GAGA-2020-T-0125 with CDW Government, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2023**
- **Contract No. GAGA-2020-T-0125 with CDW Government, Inc. Approval and Payment Authorization Emergency Act of 2023**

- **Contract No. GAGA-2021-C-0157 with GAGA-2021-C-0157 with HI_TECH Solutions, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2023**
- **Contract No. GAGA-2021-C-0157 with GAGA-2021-C-0157 with HI_TECH Solutions, Inc. Approval and Payment Authorization Emergency Act of 2023**
- **Contract No. GAGA-2019-C-0010 with Vision Security Solutions, LLC Approval and Payment Authorization Emergency Declaration Resolution of 2023**
- **Contract No. GAGA-2019-C-0010 with Vision Security Solutions, LLC Approval and Payment Authorization Emergency Act of 2023**

The District of Columbia Public Schools (DCPS) seeks Council approval of seven retroactive contracts. DCPS has shared a list of 36 retroactive contracts that will be or have been submitted to the Council for review, the total of which is \$269.6 million, and many of which are retroactive to fiscal year 2021 – a practice which violated the law. However, DCPS has requested the Council approve the seven contracts that are current to FY 2023 because these vendors have not been paid for services due to DCPS’s failure to submit the contracts for Council review which was uncovered by the Committee of the Whole.

The first contract is with Curriculum Associates to implement the i-Ready instructional platform for Grades K-8 students, school personnel, and designated central office personnel. The vendor is not a certified business enterprise, but the subcontracting requirement was waived by the Department of Small and Local Business Development. The contract had a base period of September 1, 2021 through August 31, 2022 which was approved passively by the Council (CA24-228). Option period one was partially exercised in the amount of \$996,253.55 and was later modified to exercise the full option in the amount of \$1,182,999.55. This contract was sent by the Executive to the Council for approved four months after the option period was partially exercised. I have held it until now because of the DCPS contracting situation.

The second contract is with SodexoMagic for DCPS food services. According to DCPS, the vendor submitted the required subcontracting plan. The contract has only a base period of July 5, 2022 through June 30, 2023 in the not-to-exceed amount of \$36,557,426.35. This contract was sent by the Executive to the Council for its mandatory review over five months after the contract was executed, however several million dollars were paid to the vendor, despite not having received Council approval, before the CFO ceased making payments. I have held this until now...

The third contract is with Maxim Healthcare Staffing Services, Inc. for temporary healthcare staffing to support DCPS. According to DCPS, the vendor submitted the required subcontracting plan which met the 35% set-aside requirement. The contract has a base period of June 27, 2022 to September 30, 2022, with an option period from October 1, 2022 through September 30, 2023. The not-to-exceed amount for the base year is \$4,057,912 and the option period is \$12,439,784. I will note that this contract was sent by the Executive to the Council for its mandatory review ten months after the contract was entered into.

The fourth contract is with Gordon Food Service, Inc. grocery items and other food-service related products. The vendor is not a certified business enterprise, however because it is a cooperative contract with another jurisdiction, a subcontracting plan is not required. The contract

had a base period of October 1, 2021 through September 30, 2022 which was had a value of less than \$1 million and thus did not require Council approval. Option period one has a total value of \$1,731,473,26. This contract was sent by the Executive to the Council for its mandatory review seven months after the option period was exercised.

The fifth contract is with CDW Government, Inc. for Microsoft enterprise software licenses. The not-to-exceed amount for the contract is \$1,224,763.68. I will note that this contract is pending transmittal to the Council from the Executive.

The sixth contract is with HI-TECH Solutions, Inc. for DCPS Smart Board production and installation. The not-to-exceed amount for the contract is \$9,121,314.56. I will note that this contract is pending transmittal to the Council from the Executive.

The seventh contract is with Vision Security Solutions, LLC for DCPS security camera installation and repair services. The not-to-exceed amount for the contract is \$5,678,975.00. I will note that this contract is pending transmittal to the Council from the Executive.

I propose moving these seven contracts now because these vendors have received no payments since the Chief Financial Officer put a freeze on any voucher payments for unapproved contracts. Work has been performed and thus the vendors are due payment for work provided to date.

Copies of the measures that have been submitted to the Council are attached. Please call me or Evan Cash, Committee and Legislative Director if you have any questions at (202) 724-7002.

cc: All Councilmembers
Council Officers