

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. 15, 16, 17, 18, 19, 20, 21, 22, and 23 to Contract No. CW36154 with WM Recycle America, LLC to transport, process, and market recyclables from the District’s residential recycling drop-off facilities and to authorize payment for the goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modification Nos. 15, 16, 17, 18, 19, 20, 21, 22, and 23 to Contract No. CW36154 with WM Recycle America, LLC Approval and Payment Authorization Emergency Declaration Resolution of 2023”.

Sec. 2.(a) There exists an immediate need to approve Modification Nos. 15, 16, 17, 18, 19, 20, 21, 22, and 23 to Contract No. CW36154 with WM Recycle America, LLC to transport, process, and market recyclables from the District’s residential recycling drop-off facilities and to authorize payment for the goods and services received under the modifications.

(b) By Modification No. 15, dated August 14, 2020, the Office of Contracting and Procurement, on behalf of the Department of Public Works, extended Contract No.

34 CW36154 for the period September 1, 2020 through September 30, 2020 in the not-to-
35 exceed amount of \$977,000.

36 (c) By Modification No. 16, dated September 24, 2020, the Office of Contracting
37 and Procurement, on behalf of the Department of Public Works, extended Contract No.
38 CW36154 for the period October 1, 2020 through January 31, 2021 in the not-to-exceed
39 amount of \$2,500,000.

40 (d) By Modification No. 17, dated November 17, 2020, the Office of Contracting
41 and Procurement, on behalf of the Department of Public Works, extended Contract No.
42 CW36154 for the period February 1, 2021 through March 31, 2021 in the not-to-exceed
43 amount of \$800,000.

44 (e) Modification No. 18 was an administrative modification.

45 (f) By Modification No. 19, dated March 23, 2021, the Office of Contracting and
46 Procurement, on behalf of the Department of Public Works, extended Contract No.
47 CW36154 for the period April 1, 2021 through April 30, 2021 in the not-to-exceed
48 amount of \$400,000.

49 (g) By Modification No. 20, dated April 30, 2021, the Office of Contracting and
50 Procurement, on behalf of the Department of Public Works, extended Contract No.
51 CW36154 for the period May 1, 2021 through April 30, 2022 in the not-to-exceed
52 amount of \$5,834,400.

53 (h) By Modification No. 21, dated April 29, 2022, the Office of Contracting and
54 Procurement, on behalf of the Department of Public Works, extended Contract No.
55 CW36154 for the period May 1, 2022 through December 31, 2022 in the not-to-exceed
56 amount of \$3,889,600.

57 (i) By Modification No. 22, dated December 27, 2022, the Office of Contracting
58 and Procurement, on behalf of the Department of Public Works, extended Contract No.
59 CW36154 for the period January 1, 2023 through June 30, 2023 in the not-to-exceed
60 amount of \$2,917,200.

61 (j) By Modification No. 23, dated May 2, 2023, the Office of Contracting and
62 Procurement, on behalf of the Department of Public Works, extended Contract No.
63 CW36154 for the period July 1, 2023 through September 30, 2023 in the not-to-exceed
64 amount of \$1,458,600.

65 (k) Council approval is required by section 451(b) of the District of Columbia
66 Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-
67 204.51(b)), since the contract is in excess of \$1 million during multiple 12-month
68 periods.

69 (l) Approval on an emergency basis is necessary to allow the timely continuation
70 of and payment for these vital services.

71 Sec. 3. The Council determines that the circumstances enumerated in section 2
72 constitute emergency circumstances making it necessary that the Modification Nos. 15,
73 16, 17, 18, 19, 20, 21, 22, and 23 to Contract No. CW36154 with WM Recycle America,
74 LLC Approval and Payment Authorization Emergency Act of 2023 be adopted after a
75 single reading.

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