

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Contracting and Procurement**



Pursuant to section 202(c-1) of the Procurement Practices Reform Act of 2010, as amended, D.C. Official Code § 2-352.02(c-1), the following contract summary is provided:

COUNCIL CONTRACT SUMMARY

(Retroactive)

- (A) Contract Number:** CW103879
- Proposed Contractor:** SAMU Foundation dba SAMU First Response (SAMU)
- Contract Amount:** Not-to-Exceed (NTE) \$2,964,514.56
- Unit and Method of Compensation:** Fixed Unit Rate with Cost Reimbursement Component
- Term of Contract:** March 6, 2023 through September 30, 2023
Base Period
- Type of Contract:** Firm-Fixed Price Contract based upon Fixed Monthly Rate with a Fixed-Unit Requirements and Cost Reimbursement Component
- Source Selection Method:** Sole Source

(B) For a contract containing option periods, the contract amount for the base period and for each option period. If the contract amount for one or more of the option periods differs from the amount for the base period, provide an explanation of the reason for the difference:

Base Period Amount: NTE \$2,964,514.56

(C) The goods or services to be provided, the methods of delivering goods or services, and any significant program changes reflected in the proposed contract:

The contract with SAMU is to provide the following services: manage the overall operations of the migrant services welcome centers where initial intake and basic needs are provided; manage the overall operations of the migrant services respite site(s) where short term lodging services are provided; manage the overall operations of the migrant services temporary lodging site(s).

Specifically, these services include basic/initial needs assessment; case management services, pre-screening, distribution of information to assist with short term planning and onward travel, access to

healthcare and trauma informed care language services, provision of meals, provision of appropriate sleeping accommodations, security, cleaning and care of site(s), access to education for school-aged children, and local and regional transportation assistance.

(D) The selection process, including the number of offerors, the evaluation criteria, and the evaluation results, including price, technical or quality, and past performance components:

In January 2023, the Office of Contracting and Procurement (OCP) on behalf of the Department of Human Services (DHS), Office of Migrant Services (OMS) solicited an emergency quote from SAMU to provide emergency migrant services. The provider was selected based on their experience with providing humanitarian support; welcome and respite center services in response to the migrant emergency in the District and surrounding area; and its ability to ramp up operational support expeditiously in response to the rapid influx of migrants arriving into the District.

The contracting officer determined the price to be fair and reasonable and the provider has successfully provided the same services for neighboring local government jurisdictions throughout the emergency. As a result, SAMU was wrongfully awarded contract CW103879, under Act B24-0991 “Migrant Services and Supports Temporary Act of 2022”, Section 105-Contracting. Section 105-Contracting expired on December 29, 2022.

(E) A description of any bid protest related to the award of the contract, including whether the protest was resolved through litigation, withdrawal of the protest by the protestor, or voluntary corrective action by the District. Include the identity of the protestor, the grounds alleged in the protest, and any deficiencies identified by the District as a result of the protest:

No protests were received.

(F) The background and qualifications of the proposed contractor, including its organization, financial stability, personnel, and performance on past or current government or private sector contracts with requirements similar to those of the proposed contract:

SAMU, founded in 1981, provides a comprehensive system of humanitarian services to vulnerable populations in response to national and international crises. SAMU has adequate financial resources to perform the required services and the ability to obtain those resources. The provider has a history of providing similar services for national emergencies. In addition, SAMU has provided similar services in response to the migrant emergency in the District and surrounding area since early 2022.

(G) The period of performance associated with the proposed change, including date as of which the proposed change is to be made effective:

Period of performance: March 6, 2023 through September 30, 2023.

(H) The value of any work or services performed pursuant to a proposed change for which the Council has not provided approval, disaggregated by each proposed change if more than one proposed change has been aggregated for Council review:

Contract base period: NTE \$2,964,514.56

(I) The aggregate dollar value of the proposed changes as compared with the amount of the contract as awarded:

Not applicable

(J) The date on which the contracting officer was notified of the proposed change:

The contracting officer was notified on August 1, 2023, that the section of the Act under which the contract was authorized, expired on December 29, 2022. Section 105-Contracting, was not extended through August 3, 2023 along with the rest of the provisions within the Migrant Services and Support Temporary Act, B24-0991.

(K) The reason why the proposed change was sent to Council for approval after it is intended to take effect:

The contract was erroneously awarded under the Migrant Services and Supports Temporary Act of 2022, B24-0991 Section 105-Contracting; under which the contracting authority did not require prior Council approval.

(L) The reason for the proposed change:

The District had an immediate and critical need to provide a comprehensive system of services for the unpredictable and rapid influx of displaced migrants entering the District. The contract was needed to ensure that rapid, high quality, dignified services were provided for the arriving migrants to meet their needs while they are either temporarily in District receiving support to transition to other parts of the nation; or resettling in the District.

The contracted services were needed in tandem with the execution of the migrant service facility lease. This ensured immediate service provision and coverage for the new migrant services welcome, respite, and temporary lodging site.

The contract would have been prepared for Council approval before authorizing services over one million dollars, however, it was erroneously authorized under the Migrant Services and Supports Temporary Act of 2022, under which the contracting authority did not require prior Council approval. The signatory later learned that Section 105 – Contracting under the Act expired on December 29, 2022. This section was not extended through August 3, 2023 along with the other provisions in the Act.

(M) The legal, regulatory, or contractual authority for the proposed change:

Migrant Services and Supports Temporary Act of 2022, B24-0991 Section 105-Contracting. However, Section 105-Contracting expired on December 29, 2022.

- (N) A summary of the subcontracting plan required under section 2346 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, as amended, D.C. Official Code § 2-218.01 *et seq.* (“Act”), including a certification that the subcontracting plan meets the minimum requirements of the Act and the dollar volume of the portion of the contract to be subcontracted, expressed both in total dollars and as a percentage of the total contract amount:**

The contract was erroneously awarded under the Migrant Services and Supports Temporary Act of 2022, B24-0991 Section 105-Contracting; under which the contracting authority did not require subcontracting requirements.

- (O) Performance standards and the expected outcome of the proposed contract:**

The District expects SAMU to provide a comprehensive system of services to migrants arriving in the District of Columbia, in accordance with the terms of the contract. In Section F.4 of the contract, the District outlines the required deliverables that the contractor is responsible for providing. The goal of the contract is to ensure that high quality, dignified services are being provided to arriving migrants to meet their needs while they are transitioning or resettling in the District.

- (P) The amount and date of any expenditure of funds by the District pursuant to the contract prior to its submission to the Council for approval:**

\$2,964,514.56 NTE for the base period of performance from March 6, 2023 through September 30, 2023.

- (Q) A certification that the proposed contract is within the appropriated budget authority for the agency for the fiscal year and is consistent with the financial plan and budget adopted in accordance with D.C. Official Code §§ 47-392.01 and 47-392.02:**

The Associate Chief Financial Officer certified that the funds are available in the budget.

- (R) A certification that the contract is legally sufficient, including whether the proposed contractor has any pending legal claims against the District:**

The proposed contract has been reviewed for legal sufficiency by the Office of the Attorney General and has been determined to be legally sufficient.

The proposed contractor does not currently have any pending legal claims against the District.

- (S) A certification that Citywide Clean Hands database indicates that the proposed contractor is current with its District taxes. If the Citywide Clean Hands Database indicates that the proposed contractor is not current with its District taxes, either: (1) a certification that the contractor has worked out and is current with a payment schedule approved by the District; or (2) a certification that the contractor will be current with its District taxes after the District recovers any outstanding debt as provided under D.C. Official Code § 2-353.01(b):**

The Citywide Clean Hands database indicates that the contractor is current with its District taxes, as of August 8, 2023.

- (T) A certification from the proposed contractor that it is current with its federal taxes, or has worked out and is current with a payment schedule approved by the federal government:**

Based on information contained in the Bidder Offeror certification form dated January 25, 2023, SAMU has certified that it is current with its federal taxes.

- (U) The status of the proposed contractor as a certified local, small, or disadvantaged business enterprise as defined in the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, as amended, D.C. Official Code § 2-218.01 *et seq.*:**

SAMU is a not-for-profit organization and is not qualified to participate in the District's CBE certification program.

- (V) Other aspects of the proposed contract that the Chief Procurement Officer considers significant:**

None.

- (W) A statement indicating whether the proposed contractor is currently debarred from providing services or goods to the District or federal government, the dates of the debarment, and the reasons for debarment:**

Based on searches of the District Office of Contracting and Procurement (OCP) excluded parties list, System for Award Management (SAM) database conducted on August 6, 2023 SAMU is not debarred or suspended from Federal or District procurements.

- (X) Any determination and findings issued relating to the contract's formation, including any determination and findings made under D.C. Official Code § 2-352.05 (privatization contracts):**

The determination and finding for use of emergency contract dated March 13, 2023.

(Y) Where the contract, and any amendments or modifications, if executed, will be made available online:

The Office of Contracting and Procurement website, www.ocp.dc.gov.

(Z) Where the original solicitation, and any amendments or modifications, will be made available online:

N/A