


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: February 29, 2024

RE: **Request to Place Emergency Measures on the Agenda for the March 5, 2024 Legislative Meeting**

This memorandum is to request that the following measures be placed on the agenda for the March 5, 2024 Legislative Meeting, at the request of the Mayor:

- **PR25-618, University of the District of Columbia Modifications Nos. 1-4 to Contract No. GF 2021-C-0009 with Bailey's Real Estate Holdings, LLC Approval and Payment Authorization Emergency Declaration Resolution of 2024**
- **Bill 25-673, University of the District of Columbia Modifications 1- 4 to Contract No. GF 2021-C-0009 with Bailey's Real Estate Holdings, LLC Approval and Payment Authorization Emergency Act of 2024**

This legislation would retroactively approve three option periods under a contract between Bailey's Real Estate Holdings, LLC and the University of the District of Columbia (UDC) in the aggregate amount of \$8,999,850. This contract was originally entered into (after passive Council approval) for a 12-month period from October 1, 2020 through September 30, 2021 (CA24-118). However, UDC failed to send option periods one through three to the Council for approval even though they were each for over \$1 million. Thus, UDC has been receiving services from Bailey's without an approved contract since 2021. Bailey's Real Estate Holdings, LLC provides labor, materials, equipment, and supervision to provide janitorial services to all of UDC facilities.

According to testimony by UDC, it mistakenly never submitted option period one to the Council – an error that became cumulative when the Contract Specialist assumed that the initial approval of CA24-118 constituted approval of all option periods. UDC was made aware of its failure to submit the option periods when it attempted to exercise option period three and UDC's Chief Financial Officer refused to make payment in excess of \$1 million. The Committee of the Whole held a Public Roundtable about this on February 12th and the University has committed to placing enhanced procedures in place to ensure this lapse is not repeated in the future. Some of the new procedures include technology upgrades and renewing the dormant relationship with the District's Office of Contract and Procurement for additional training and sharing of best practices.

Copies of the measures 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
Office of Policy and Legislative Affairs