



2018 JUL -6 PM 12:02
OFFICE OF THE
SECRETARY

MURIEL BOWSER
MAYOR

JUL 6 2018

The Honorable Phil Mendelson
Chairman, Council of the District of Columbia
1350 Pennsylvania Avenue, NW, Suite 504
Washington, DC 20004

Dear Chairman Mendelson:

Enclosed for the consideration of the Council of the District of Columbia is the "Public-Private Partnership Emergency Amendment Act of 2018," and the accompanying emergency declaration, and temporary version. This bill amends the Public-Private Partnership Act of 2015 to allow to the Office of Contracting and Procurement to serve as the contracting officer for public-private partnership procurements.

On December 2, 2014 the Council unanimously adopted the Public-Private Partnership Act of 2014, approved March 11, 2015 (D.C. Law 20-228, D.C. Official Code § 2-271.01 et seq.) ("P3 Act") to create the Office of Public-Private Partnerships ("OP3"). Since being launched, OP3 has begun procurements for several critical procurements, including a modernization of the District's street light network and renovation of the Metropolitan Police Department's headquarters at the Daly Building. Without these amendments, OP3's ability to continue streamlined procurements that deliver critical infrastructure for the District with maximum competition and transparency will be hindered.


I urge the Council to take immediate action on the enclosed legislation. Director Miller Gabriel and I are available to discuss any questions you may have.

Sincerely,

A handwritten signature in dark ink, appearing to read "Muriel M. Bowser".

Muriel M. Bowser

Enclosures


Chairman Phil Mendelson at
the request of the Mayor

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5 A BILL
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9 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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13 To amend, on an emergency basis, the Public-Private Partnership Act of 2015 to allow
14 the Office of Contracting and Procurement to serve as the contracting officer
15 for public-private partnership procurements.
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17 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
18 That this act may be cited as the “Public-Private Partnership Emergency Amendment
19 Act of 2018”.

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21 Sec. 2. Section 102 of the Public-Private Partnership Act of 2014, approved March 11,
22 2015 (D.C. Law 20-228; D.C. Official Code § 2-272.01), is amended by inserting a new
23 subsection (e) to read as follows:

24 “(e) The Office may delegate to the Office of Contracting and Procurement (“OCP”),
25 with the agreement of OCP, the authority to serve as the contracting officer for the Office for
26 public-private partnership agreements under this act and to carry out other contracting functions
27 related to public-private partnerships on behalf of the Office. OCP shall carry out these
28 functions in conformity with this act.”.

29 Sec. 3. Section 201(f) of the Procurement Practices Reform Act of 2010, effective April
30 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.01(f)), is amended by striking the phrase
31 “the requirements of this act” and inserting the phrase “the requirements of this act, except as
32 provided in section 102(e) of the Public-Private Partnership Act of 2014, effective March 11,
33 2015 (D.C. Law 20-228, D.C. Official Code § 2-272.01(e))” in its place.

1 Sec. 4. Applicability.

2 This act shall apply as of June 1, 2017.

3 Sec. 5. Fiscal impact statement.

4 The Council adopts the fiscal impact statement provided by the Chief Financial Officer as
5 the fiscal impact statement required by section 4a of the General Legislative Procedures Act of
6 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code§ 1-301.47a).

7 Sec. 6. Effective date.

8 This act shall take effect following approval by the Mayor (or in the event of veto by the
9 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
10 90 days, as provided for emergency acts of the Council of the District of Columbia in section
11 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
12 D.C. Official Code§ 1-204.12(a)).