

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend, on an emergency basis, the Electric Company Infrastructure Improvement Financing Act of 2014 to clarify the requirements related to the utilization of certified business enterprises and procurements for certain architectural and engineering services.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Power Line Undergrounding Program Certified Business Enterprise Utilization Emergency Act of 2018”.

Sec. 2. Title I of the Electric Company Infrastructure Improvement Financing Act of 2014, effective May 3, 2014 (D.C. Law 20-102; D.C. Official Code § 34-1311.01 *et seq.*), is amended as follows:

(a) The title heading is amended to read as follows:

“TITLE I. DEFINITIONS AND FINDINGS; PROCUREMENT”.

(b) Section 102(7) (D.C. Official Code § 34-1311.02(7)) is amended by striking the phrase “100% of the construction contracts are awarded to District businesses” and inserting the phrase “100% of the construction contracts are awarded to certified business enterprises or certified joint ventures” in its place.

(c) A new section 103 is added to read as follows:

“Sec. 103. Procurements.

“Section 604 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-356.04) (“PPRA”), shall apply to procurements for architectural and engineering services, as that term is defined in section 104(3) of the PPRA (D.C. Official Code § 2-351.04(3)), to carry out the purposes of this act; provided, that the District may:

“(a) Set aside contracts for such services for certified business enterprises and certified joint ventures, as such terms are defined in section 2302(1D) and (1E) of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(1D) and (1E)); or

“(b) Award preferences to certified business enterprises as provided in section 2343 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of

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2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.43), as part of the evaluation of statements of qualifications submitted in response to a request for qualifications.”.

**Sec. 3. Fiscal impact statement.**

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

**Sec. 4. Effective date.**

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

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia