

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Chief Financial Officer



Jeffrey S. DeWitt
Chief Financial Officer

November 18, 2019

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

2019 NOV 18 PM 1:52
OFFICE OF THE
SECRETARY

Dear Chairman Mendelson:

Pursuant to D. C. Official Code §2-352.02a, enclosed for consideration by the Council of the District of Columbia is the proposed emergency legislation, corresponding emergency declaration resolution, and proposed contract action for Contract CFOPD-11-C-040 with eFunds Corporation. The proposed contract action will extend the contract for a five-month period and increase the not-to-exceed amount of the contract to \$1,427,816 within a 12-month period.

The purpose of this proposed contract action is to allow eFunds Corporation to continue to provide electronic benefits transfer services to enable the District of Columbia to make electronic payments for federal benefit programs, including Food Stamps, Temporary Assistance to Needy Families (TANF), Interim Disability Assistance and the Rental Vendor Program for the Office of Finance and Treasury.

The Office of the Chief Financial Officer issued a modification to extend the contract beyond the term for a six-month period from July 14, 2019 through December 31, 2019, in the not-to-exceed amount of \$685,680 and issued a modification for additional services in the amount of \$170,736; cumulatively \$856,416, an amount less than \$1 million; thus, Council approval was not required. The proposed action, in the amount of \$571,400, to extend the term for a five-month period from January 1, 2020 through May 31, 2020, will increase the not-to-exceed amount of the contract to \$1,427,816 within a 12-month period, an amount over \$1,000,000; therefore, Council approval is required.

As always, I am available to discuss any questions you may have regarding the proposed contract action. In order to facilitate a response to any questions concerning the proposed contract action, please have your staff contact Dorothy Whisler Fortune, Director of the Office of Contracts for the Office of the Chief Financial Officer at (202) 442-8078.

Sincerely,

Jeffrey S. DeWitt
Chief Financial Officer

cc: Nyasha Smith, Secretary, Council of the District of Columbia



Chairman Phil Mendelson
at the request of the Chief Financial Officer

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To approve, on an emergency basis, Modification 22 of Contract No. CFOPD-11-C-040 with eFunds Corporation to continue to provide electronic benefits transfer services to the Office of the Chief Financial Officer on behalf of the Office of Finance and Treasury, and to authorize payment for the services received and to be received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the "Contract No. CFOPD-11-C-040 Extension Approval and Payment Authorization Emergency Act of 2019".

Sec. 2. Pursuant to Section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of the District of Columbia Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-0371; D.C. Official Code §2-352.02), the Council approves Modification 22 of Contract No. CFOPD-11-C-040 with eFunds Corporation to continue to provide electronic benefits transfer services to the Office of the Chief Financial Officer on behalf of the Office of Finance and Treasury and authorizes payment in the maximum not to exceed amount of \$1,427,816 for services received and to be received under the contract from July 14, 2019 through May 31, 2020.

Sec. 3. The Council adopts the fiscal impact statement provided by the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia

1 Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-
2 206.02(c)(3)).

3 Sec. 4. This act shall take effect following approval by the Mayor (or in the event of veto
4 by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer
5 than 90 days, as provided for emergency acts of the Council of the District of Columbia in
6 section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87
7 Stat. 788; D.C. Official Code § 1-204.12(a)).

COUNCIL CONTRACT SUMMARY

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

(1) The proposed contractor, contract amount, unit and method of compensation, contract term, type of contract and source selection method:

- **Prime Contractor:** eFunds Corporation
- **Contract Amount:**
 - Modification 20 dollar value is: \$ 685,680
(six-month extension from July 14, 2019 through December 31, 2019)
 - Modification 21 dollar value is: \$ 170,736
(additional services)
 - Proposed Modification 22 dollar value is: \$ 571,400
(five-month extension from January 1, 2020 through May 31, 2020)
 - Proposed Total Not to Exceed Amount within a 12-month Period \$1,427,816
- **Unit and method of compensation:** United States Dollars (USD) in accordance with Section B, Pricing, of the contract.
- **Contract Term:** The contract had a base period of five years, with two option periods that were exercised. The first option period was for two years. The second option period was for a total of 15 months. The contract was modified to extend the contract beyond the term for a six-month period from July 14, 2019 through December 31, 2019. The proposed action will further extend the term for a five-month period from January 1, 2020 through May 31, 2020.
- **Contract Type:** Requirements contract based on fixed unit prices
- **Source Selection Method:** Request for Proposal

(2) 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 purpose of this proposed contract action is to allow eFunds Corporation to continue to provide electronic benefits transfer (EBT) services to enable the District of Columbia to make electronic payments for federal benefit programs, including Food Stamps, Temporary Assistance to Needy Families (TANF), Interim Disability Assistance and the Rental Vendor Program for the Office of Finance and Treasury (OFT).

eFunds Corporation has satisfactorily provided the required services since the award of Contract CFOPD-11-C-040. The contract was competitively awarded on April 14, 2011 to eFunds Corporation who responded to the preceding solicitation and was deemed qualified to provide all the requirements and the best value to the District. The contract term included a five-year base period and two option periods that were exercised. The first option period was for two years. The second option period was for 15 months. The Office of the Chief Financial Officer issued a modification to extend the contract beyond the term for a six-month period from July 14, 2019 through December 31, 2019, in the not-to-exceed amount of \$685,680 and issued a modification for additional services in the amount of \$170,736; cumulatively \$856,416, an amount less than \$1 million; thus, Council approval was not required. The proposed action, in the amount of \$571,400, to extend the contract term for a five-month period from January 1, 2020 through May 31, 2020, will increase the not-to-exceed amount of the contract to \$1,427,816 within a 12-month period, an amount over \$1,000,000; therefore, Council approval is required.

In preparation for a replacement contract, OFT developed requirements based on the latest District legislation regarding EBT services. The improved requirements are being processed through a competitive procurement which involve approvals by the US Department of Agriculture, Food and Nutrition Service (FNS) agency. The resultant contract will require a period for transition of services to the enhanced requirements. The effective date of the new service requirements is anticipated to be April 1, 2020 due to steps in the procurement process and the necessary period to transition services to the enhanced requirements.

The District has a critical need for uninterrupted services, as the contractor provides EBT services to enable OFT to make electronic payments for federal benefit programs, including Food Stamps, Temporary Assistance to Needy Families (TANF), Interim Disability Assistance and the Rental Vendor Program managed by the DC Department of Human Services. The contractor is uniquely qualified with demonstrated performance and the capacity to provide immediate and consistent services.

Therefore, it is necessary for the contract to be extended to May 31, 2020 to allow for continuity of service and to allow time for the completion of the competitive procurement process for a new contract that best meets the District's needs and for transition of services to the enhanced requirements.

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

Pursuant to DC Code §2-303.04, and 27 DCMR Section 1600, the competitive sealed proposal solicitation method was used to procure the services for the initial contract award. The solicitation was advertised to the open market online and in the Washington Times. Three (3) proposals were received from ACS State and Local Solutions, eFunds Corporation, and J.P. Morgan. The proposals were evaluated based on Firm's Experience and Capability, Experience and Qualifications of Personnel, Proposed Plan of Work, and Price. eFunds Corporation was determined the best value based on overall ranking and successful negotiations.

Pursuant to 27 DCMR Section 2002.2(b), the Office of the Chief Financial Officer issued a sole source extension modification to extend the contract beyond the term for a six-month period from July 14, 2019 through December 31, 2019 to allow for continuity of services and to allow time for the completion of the competitive procurement process for a new contract that best meets the District's needs. The District has a critical need for uninterrupted services, as the contractor provides EBT services to enable OFT to make electronic payments for federal benefit programs, including Food Stamps, Temporary Assistance to Needy Families (TANF), Interim Disability Assistance and the Rental Vendor Program managed by the DC Department of Human Services. The contractor is uniquely qualified with demonstrated performance and the capacity to provide immediate and consistent services.

(3A) 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, and the identity of the protestor, grounds alleged in the protest and any deficiencies identified by the District as a result of the protest:

There was no protest filed related to the award of this contract.

(4) 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:

eFunds Corporation, a Fortune 500 company, is the leading provider of financial institution core processing, EBT processing for state government agencies, prepaid card solutions, and card issuer and transaction processing services.

Over the past 20 years, eFunds Corporation has successfully developed, implemented, and managed 25 EBT projects throughout the country. Today 14 states use eFunds Corporation's ebtEDGE System (the leading electronic benefits transfer system in the country) to process their food stamps and case benefits transactions.

eFunds Corporation has consistently received good performance reviews for work provided to the District. The personnel that eFunds Corporation has provided to perform the services have been approved by the District and based on a DUNS Report dated April 2019, eFunds Corporation has demonstrated its financial stability.

(4A) A summary of the subcontracting plan required under D.C. Code § 2-218.01 et seq., including a certification by the District that the subcontracting plan meets the minimum requirements and the dollar volume of the portion of the contract to be subcontracted, in both total dollars and as a percentage of the total contract amount:

eFunds Corporation is not a certified business enterprise (CBE). eFunds Corporation received a waiver of the subcontracting requirement from Department of Small and Local Business Development. The Waiver Approval Letter is included in the Council package.

(5) Performance standards and expected outcomes of the proposed contract:

The contract shall be performed as defined in Section C of the contract.

(5A) The amount and date of any expenditure of funds by the District pursuant to the contract before its submission to the Council for approval:

The Council of the District of Columbia approved the contract award to eFunds Corporation via Legislation Number B19-0312 in the not-to-exceed amount of \$4,591,775.00 for the base period April 14, 2011 through April 13, 2016.

Thereafter, the Office of the Chief Financial Officer exercised a fraction of the first Option Period from April 14, 2016 through July 13, 2016 in the not-to-exceed amount of \$250,000, an amount less than \$1 million; thus, Council approval was not required.

The Council of the District of Columbia subsequently approved the remainder of the first Option Period via Legislation Number PR21-0780 for the period of July 14, 2016 through April 13, 2018, in an amount that increased the not-to-exceed cumulative total of the first Option Period to \$2,004,817.19, an amount over \$1,000,000; therefore, Council approval was required.

The Council of the District of Columbia approved the second Option Period via Legislation Number PR22-0742 for the period of April 14, 2018 through July 13, 2019, in the not-to-exceed amount of \$2,553,794.59.

Thereafter, the Office of the Chief Financial Officer issued an extension beyond the term of the contract from July 14, 2019 through December 31, 2019 in the not-to-exceed amount of \$685,680 and issued a modification for additional services in the amount of \$170,736; cumulatively \$856,416, an amount less than \$1 million; thus, Council approval was not required.

The proposed action, in the amount of \$571,400, to extend the term for a five-month period from January 1, 2020 through May 31, 2020, will increase the not-to-exceed amount of the contract to \$1,427,816 within a 12-month period, an amount over \$1,000,000; therefore, Council approval is required.

- (6) 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 funding certification is included in this Council package as Attachment A.

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

Legal Sufficiency is provided in this Council package as Attachment C.

- (8) A certification that the 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, (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 amount pursuant to D.C. Official Code §2-353.01(9).**

The Clean Hands compliance on eFunds Corporation is included in this Council package as Attachment B.

- (8A) A certification that the proposed contract that it is current with its federal taxes, or has worked out and is current with a payment schedule approved by the federal government:**

The Contractor has certified that it is current with its federal taxes

- (9) 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, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*):**

eFunds Corporation is not a Certified Business Enterprise (CBE). eFunds Corporation received a full waiver of the subcontracting requirement from Department of Small and Local Business Development. The Waiver Approval Letter is included in the Council package.

- (10) Other aspects of the proposed contract that the CPO considers significant:**

There are no other significant aspects considered as part of this Contract modification.

(11) 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:

eFunds Corporation does not appear on the Federal Excluded Parties List System (EPLS) or the District Excluded Parties List. The Excluded Parties Lists are included in this Council package as Attachment D.

(12) Where the contract, if executed, will be made available online:

The contract shall be available online at the following website address:

<https://dc.cobblestonesystems.com/public>

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

The original solicitation and any amendments and modification shall be available online at the following website address: <https://sites.google.com/a/dc.gov/ocfo-procurements>



Dorothy Whisler Fortune
Director
Office of Contracts



Government of the District of Columbia

CERTIFICATE OF CLEAN HANDS

EFUNDS CORPORATION
400 W DELUXE PKWY
GLENDALE, WI 53212-1060

EIN : *****6286

As reported in the Citywide Clean Hands system, the above referenced individual or entity has no outstanding liability with the District of Columbia. As of the date herein, you have complied with the following official DC code and therefore are issued this Certificate of Clean Hands.

TITLE 47. TAXATION, LICENSING, PERMITS, ASSESSMENTS AND FEES
CHAPTER 28. GENERAL LICENSE LAW
SUBCHAPTER II. CLEAN HANDS BEFORE RECEIVING A LICENSE OR PERMIT
D.C. Code § 47-2862 (2006)
§ 47-2862. Prohibition against issuance of license or permit.

Authorized By Marc Aronin
Chief, Collection Division

Date: Friday this 8th day of November 2019 12:08 PM

Tracking#: 1171407

This document is a certified, complete and true copy.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE CHIEF FINANCIAL OFFICER



Office of Management & Administration

MEMORANDUM

TO: Dorothy Fortune, Director
Office of Contracts

FROM: Nicole Dean
Budget Director *Nicole L. Dean*

DATE: November 12, 2019

SUBJECT: Funding Certification – FIS Government Solution – CFOPD-11-C-040

By this memorandum I certify that funding is available in the amount of \$1,427,816 for FIS Government Solution. The vendor will provide electronic benefit transfer services “EBT” for the Office of Finance and Treasury. The contract began on July 14, 2019 through December 31, 2019 in the amount of \$685,680 with an additional modification of \$170,736. The contract extension is from January 1, 2020 through May 31, 2020 in the amount of \$571,400.

The total amount of the contract is \$1,427,816.

The proposed contract is within the appropriated budget authority for the agency. The proposed contract is consistent with the financial plan and budget adopted in accordance with D.C. Code §47-392.01 and §47-392.02.

Please contact me if you have any questions or would like additional information.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Chief Financial Officer



MEMORANDUM

TO: Jeffrey S. DeWitt
Chief Financial Officer

THRU: David Tseng
General Counsel

David Tseng 11/14/19

FROM: Treva Saunders
Associate General Counsel,
Personnel and Procurement

DATE: November 12, 2019

SUBJECT: **Certification of Legal Sufficiency**
Contract No.: CFOPD-11-C-040
Contract Action: Sole Source Extension
Contractor: eFunds Corporation
Contract NTE Amount: \$1,427,816
Contract Purpose: To provide electronic benefits transfer services to the Office of the Chief Financial Officer on behalf of the Office of Finance and Treasury.

This is to Certify that this Office has reviewed the above-referenced contract and that we have found it to be legally sufficient. If you have any questions in this regard, please do not hesitate to contact me at 442-7127.



Treva Saunders

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE CHIEF FINANCIAL OFFICER




Office of Management and Administration
Office of Contracts

2019 NOV 18 PM 1:54
OFFICE OF THE
SECRETARY

MEMORANDUM

TO: Jeffrey S. DeWitt
Chief Financial Officer
Government of the District of Columbia

THROUGH: Angell Jacobs
Chief of Staff
Office of the Chief Financial Officer

FROM:  Dorothy Whisler Fortune, Esq., CPPO
Director
Office of Contracts
Office of the Chief Financial Officer

DATE: November 13, 2019

SUBJECT: Notification of Review and Approval of Proposed Contract Action for Contract CFOPD-11-C-040 with eFunds Corporation for Electronic Benefits Transfer Services

Enclosed for consideration by the Council of the District of Columbia is the proposed emergency legislation, corresponding emergency declaration resolution, and proposed contract action for Contract CFOPD-11-C-040 with eFunds Corporation to continue to provide Electronic Benefits Transfer Services for the Office of Finance and Treasury.

The acquisition package associated with the subject contract has been reviewed by this Office for adequacy and procurement sufficiency relative to the District of Columbia Procurement Practices Reform Act of 2010, DC Official Code §2-351.01.

No deficiencies have been noted.

If you should have questions or comments concerning any aspect of the foregoing or this Office's review, please advise. All questions or clarifications related to this contract action should be directed to Drakus Wiggins, Contracting Officer, at (202) 442-7121.