



MURIEL BOWSER

MAYOR

June 19, 2020

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

Dear Chairman Mendelson:

Enclosed for consideration by the Council of the District of Columbia is proposed emergency legislation, the "Change Order Nos. 3 and 4 to Contract No. DCAM-17-AE-0125 with Perkins Eastman DC, PLLC Approval and Payment Authorization Emergency Act of 2020" and the accompanying declaration resolution. The bill would approve the change orders and authorize payment to Perkins Eastman DC, PLLC in an aggregate amount of \$4,695,270.00 for architectural and engineering services received and to be received under these change orders.

The Department seeks Council approval for Change Order No. 3 and proposed Change Order No. 4 to increase the Contract amount from \$3,649,930.00 to \$4,695,270.00 for the period to begin upon Council's approval of the emergency legislation through December 31, 2020. The Chief Financial Officer has certified that funding is available to fund the increased Contract amount of \$4,695,270.

In addition to the Contract Change Order Nos. 1, 2, 3 and 4, attached are: (i) a contract summary; (ii) a fiscal certification; (iii) memoranda and/or certifications of legal sufficiency; and (iv) a Clean Hands Certification for the contractor.

If you have any questions regarding this matter, please feel free to contact, Keith A. Anderson, the Department's Director, or George G. Lewis, the Department's Chief of Contracts and Procurement at (202) 727-2800.

Sincerely,


Muriel Bowser

Enclosures



Chairman Phil Mendelson
at the request of the Mayor

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To approve, on an emergency basis, Change Order Nos. 3 and 4 to Contract No. DCAM-17-AE-0125, between the Department of General Services and Perkins Eastman DC, PLLC, increasing the aggregate Contract amount to \$4,695,270, and authorizing payment to Perkins Eastman DC, LLC for architectural and engineering services received and to be received under the these change orders.

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

That this act may be cited as the "Change Order Nos. 3 and 4 to Contract No. DCAM-17-AE-0125 with Perkins Eastman DC, PLLC Approval and Payment Authorization Emergency Act of 2020."

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 the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Change Order Nos. 3 and 4 to Contract No. DCAM-17-AE-0125, between the District's Department of General Services and Perkins Eastman DC, PLLC, and authorizes payment to Perkins Eastman DC, PLLC in the amount of \$4,695,270 for architectural and engineering services received and to be received under these change orders.

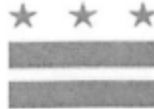
1 Sec. 3. Fiscal impact statement.

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

5 Sec. 4. Effective date.

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

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF GENERAL SERVICES



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

(Tipping)

Change Order Numbers (Nos.) 1 through 3 and Proposed Change Order Number (No.) 4 to Increase Value of Contract for Architect and Engineering Services for Eliot Hine Middle School

(A) Contract Number:	DCAM-17-AE-0125
Proposed Contractor:	Perkins Eastman DC, PLLC ("Contractor")
Amount of proposed Change Order No.4:	\$48,340
Amount for Change Order Nos. 1 – 4:	\$1,045,340
Increased Contract Amount including Change Order Nos. 1 – 4:	\$4,695,270
Unit and Method of Compensation:	Progress Payments on a monthly basis
Term of Contract:	Execution date of Letter Contract through substantial completion of construction no later than December 31, 2020
	<u>Note: Council approval is needed by June 30, 2020 in order to timely authorize performance of the necessary services.</u>
Type of Contract:	Firm Fixed Price
Source Selection Method:	Competitive Request for Proposals

- (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:**

N/A.

- (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 Contractor shall provide all required architectural and engineering services including civil, architectural, structural, and environmental services to create design documents for the renovation or modernization of Eliot-Hine Middle School (the "Project") located at 1830 Constitution Avenue, NE, Washington, DC 20002. In addition to the facility's HVAC system needing to be upgraded, it is expected that a complete renovation of the existing facility will be required to accommodate the anticipated increase in school attendance from 200 to 480 students in accordance with the Education Specifications provided by DCPS and current building code. The Contractor shall consider the historical nature of the building, and consider all DGS FM Building Standards, such as Sustainability/High Performance Best Practices, Building Automation Systems, Smart Roof Design Guide, and NREL Net Zero Guidelines. The Project shall be designed in such a way so as to achieve, at a minimum, LEED for Schools – Gold certification and must meet the requirements of the recently adopted International Green Construction Code and DOEE storm water management requirements. The modernization is contemplated to be substantially complete no later than December 31, 2020.

- (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:**

On September 6, 2017, the Department issued a Request for Proposal ("RFP") to engage a design firm to provide a full range of architectural and engineering services necessary for the renovation or modernization of Eliot-Hine Middle School. Four (4) amendments to the RFP were issued. Amendment 1, issued September 13, 2017, issued the pre-proposal sign-in sheet and revised the insurance requirements for the Project. Amendment 2, issued September 28, 2017 respectively, revised the due date for proposals, provided answers to questions about the solicitation and set a date for a site visit. Amendment 3, October 6, 2017, issued the Form of Contract and provided answers to additional questions about the solicitation. Amendment 4, issued October 10, 2017, revised the due date for proposals, provided answers to additional questions about the solicitation and closed the period to submit questions and clarifications relating to the solicitation.

On the proposal due date, October 17, 2017, ten (10) firms submitted proposals in a timely manner.

Technical Evaluation:

The proposals were evaluated by a technical evaluation panel ("Panel") in accordance with the criteria set forth in the RFP. Each proposal was independently evaluated utilizing a point scale, certain points of which were for the technical evaluation component as follows: (i) experience and references; (ii) key personnel; (iii) management plan and design approach; and (iv) design-build/fast track experience, as discussed more fully below.

The Panel met on December 7, 2017 to develop a consensus technical score. Prior to convening for the evaluation meeting, each of the Panel members individually completed an evaluation of the proposals. In doing so, each Panel member rated each Offeror with respect to specific subfactors in the five categories. In developing the consensus score, the Panel discussed the details of each of the proposals in light of the evaluation factors. Following the Panel's discussions and consensus ratings of the Offerors, the ratings were converted to numbers.

Pricing Evaluation:

As outlined in the RFP, certain points were available for price. In addition to the technical scoring, Offerors were assigned price points on a sliding scale, with the lowest proposed price receiving all of the available points and the remaining proposals receiving a portion of the available points relative to their position in the range established by the highest-price Offeror.

Certified Business Enterprise Preference Points:

In addition to the price and technical scoring, a certain number of points were available for each Offeror based on its status as a Certified Business Enterprise ("CBE") as determined by the Department of Small and Local Business Development ("DSLBD"). Most of the Offerors, including the Contractor, were so certified and received points accordingly.

Contracting Officer's Independent Evaluation:

The DGS Contracting Officer, after carefully reviewing the evaluation process followed by the Panel, their notes and scoresheets, and their final consensus technical evaluation, conducted an independent assessment of each of the proposals. The Contracting Officer determined that the Panel's technical evaluation of the Offerors was reasonable and appropriate. In addition, the Contracting Officer, taking into consideration each Offeror's CBE status and resulting total score, found the proposals to be fair and reasonable. The Contracting Officer also found the proposed pricing to be fair and reasonable. Exercising his independent judgment in assessing the relative merits of the competing proposals, the Contracting Officer decided to award the Contract to the Contractor.

Contract Award:

The Contractor was the highest scoring Offeror. The Contracting Officer determined that the Contractor is responsible and that the Contractor's proposed pricing is fair and reasonable. Subsequently, by award memorandum executed January 4, 2018, the Department awarded Contract No. DCAM-17-AE-0125 to the Contractor as such award would be most advantageous to the District.

Council Approval:

The definitive Contract No. DCAM-17-AE-0125, in the amount of \$3,649,940, was approved by the Council on June 8, 2018 under CA22-0508.

- (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:**

The award of the Contract was not protested.

- (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:**

Founded in 2011, Perkins Eastman DC brings design professional together with experience dating back to 1959, as well as extensive experience in the District of Columbia. The Contractor has diverse expertise in the design of the community centers, government buildings, educational facilities, housing, and large scale mixed-use projects in the District.

The Contractor has satisfactorily completed numerous architect and engineering projects for the District on a scale and scope on par with the Project, including the Roosevelt Senior High School, the Cleveland Park Library and McMillan Sand Filtration Site.

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

Change Order No. 4 will become effective upon approval by the Council and the period of performance will extend to the substantial completion of construction but no later than December 31, 2020.

- (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:**

Perkins Eastman DC, PLLC has been awarded the following:

1. Change Order No. 1, executed on July 6, 2018 reduced the Design Phase requirements and temporarily reduced the contract's value by \$500,000 to \$3,149,930.
2. Change Order No. 2, executed on July 24, 2019 returned the Design Phase requirements removed in Change Order 1 and increased the contract's value by \$500,000, returning the contract to its original value of \$3,649,930.
3. Change Order No. 3, executed on October 15, 2019, added Construction Administration services totaling \$997,000 to the contract's value bringing the contract's total to \$4,646,930.

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

The definitive Contract in the amount of \$3,649,940 was approved by Council on June 8, 2018 under CA22-0508.

The aggregate dollar value of Change Order Nos. 1 through 4 as described below is \$1,045,340.

1. Change Order No. 1 removed a portion of the Design Phase requirements and reduced the Contract's value by \$500,000.
2. Change Order No. 2 replaced the Design Phase requirements removed via Change Order No. 1, increased the contract's value by \$500,000, and restored the Contract's value to its original value.
3. Change Order No. 3 incorporated the Construction Administration services into the contract at a value of \$997,000.
4. Proposed Change Order No. 4 to provide additional design services is valued at \$43,840.

The addition of proposed Change Order No. 4 will bring the aggregate value of Change Order Nos. 1 through 4 to "tip" over \$1 million; thus requiring Council approval.

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

May 1, 2020.

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

Change Order No. 1 temporarily reduced the scope and Contract value by \$500,000 while Change Order No. 2 restored the scope removed in Change Order No 1 and returned the Contract to its original value. The Contract, as issued, contemplated a design-build project delivery method however, by written determination, the project delivery method was changed to a Construction Manager at Risk method. Change Order No. 3 acknowledged the change in the project delivery method and also incorporated the Construction Administration Services. The cost of the Construction Administration were initially intended to be assigned to the design-builder. The proposed Change Order No. 4 will authorize additional design services.

(L) The reason for the proposed change:

The increase in the Contract value results from the need to incorporate the Construction Administration services (Change Order No. 3) previously intended to be assigned to the design-builder and design changes (Change Order No. 4) including field site enhancement changes requested by DCPS and landscape design changes requested by the Historic Preservation Office.

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

The proposed Change Order No. 4 would increase the Contract's value, in the aggregate, to an amount in excess of \$1 million and is therefore subject to the requirements of the District of Columbia Home Rule Act, codified at D.C. Official Code §1-204.51(b). Thus, Council review and approval of the proposed Change Order No. 4 is required under the District of Columbia Home Rule Act and would be authorized by Council's enactment of the proposed Change Order Nos. 3 and 4 to Contract No. DCAM-17-CS-0025 with Perkins Eastman DC, PLLC Approval and Payment Authorization Emergency Act of 2020.

(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:

Contract Dollar Value	\$4,695,270
Dollar Value Subcontracted to SBEs/CBEs:	\$1,784,970
Percentage of Contract Value:	38%

The Contractor's subcontracting plan has been approved.

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

In general, the Contractor will continue to be closely monitored by Department staff to ensure adherence to established milestones and due dates. In addition, the Contractor's performance will continue to be monitored in accordance with the terms and conditions of and the Standard Contract Provisions for use with District of Columbia Government Architectural/Engineering Services contracts.

(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:

On October 15, 2019, Change Order No. 3 was executed in the amount of \$997,000 to add Construction Administration service to the contract's requirements bringing the contract's total value to \$4,646,930.

(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 Office of the Chief Financial Officer has certified that the value of Change Order Nos. 1 through 4 are within the Department's appropriated budget authority 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 relevant fiscal sufficiency certification accompanies this Council Package.

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

Change Order Nos. 1 through 4 have been deemed legally sufficient by the Office of the General Counsel, and the Contractor does not appear to have any currently 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 Contractor's Clean Hands certification has been validated through the District's MyTax.DC web site. The relevant certification is attached.

- (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:**

The Contractor has certified that it is in compliance with federal tax laws.

- (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.*:**

According to the DSLBD's website, the Contractor is a certified Local, Small, Resident Owned Business located in a Development Enterprise Zone. The Contractor's CBE Number is LSZR28976082021, with an expiration date of August 3, 2021.

- (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:**

The Contractor is not debarred from providing services to the Government of the District of Columbia or the Federal Government according to the Office of Contracts & Procurement's Excluded Parties List and the Federal Government's Excluded Parties List.

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

Not applicable.

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

Contract award information is available on the DGS web page.

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

The original solicitation and any amendments have been/will be posted on the Department of General Services' website.



Date of Notice: May 19, 2020

Notice Number: L0004120059

PERKINS EASTMAN DC PLLC
1 THOMAS CIR NW STE 270
WASHINGTON DC 20005-5802

FEIN: **-***4536
Case ID: 482360

CERTIFICATE OF CLEAN HANDS

As reported in the Clean Hands system, the above referenced individual/entity has no outstanding liability with the District of Columbia Office of Tax and Revenue or the Department of Employment Services. As of the date above, the individual/entity has complied with DC Code § 47-2862, therefore this Certificate of Clean Hands is issued.

TITLE 47. TAXATION, LICENSING, PERMITS, ASSESSMENTS, AND FEES
CHAPTER 28 GENERAL LICENSE
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

To validate this certificate, please visit MyTax.DC.gov. On the MyTax homepage, click "Clean Hands" and then the "Validate a Certificate of Clean Hands" hyperlink.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF GENERAL SERVICES



Contracts & Procurement

MEMORANDUM

To: Keith A. Anderson
Director

From: Antoinette Hudson Beckham ^{AHB}
Agency Fiscal Officer

Reference: Architectural and Engineering Services Modernization Eliot Hine Middle School
DCAM-17-AE-0125 Change Order 4

Date: May 21, 2020

Subject: Fiscal Sufficiency

In my capacity as the Agency Fiscal Officer of the Department of General Services (the "Department"), I hereby verify that Change Order Nos. 1, 2, 3 and the proposed Change Order 4 to the Contract to provide architectural and engineering services for the modernization of Eliot Hine Middle School Modernization (DCAM-17-AE-0125) (the "Contract") with Perkins Eastman DC, PLLC (the "Contractor") in the aggregate amount of **\$1,045,340.00** is consistent with the Department's current budget and that adequate funds are available in the budget for the expenditure.

The underlying Contract authorizes the Contractor to provide architectural and engineering services for the modernization of the Eliot Hine Middle School (the "Project"). The Department previously verified, and the Council previously approved, through CA22-0508, the availability of funds in the amount of \$3,649,930.00, which included a letter contract with a value of \$987,445.00.

Subsequently, the Department executed **Change Order No. 1** on July 6, which reduced the Design Phase requirements and temporarily reduced the contract's value by \$500,000, from \$3,649,930.00 to \$3,149,930.00.

Change Order No. 2, executed on July 7, 2019, returned the Design Phase requirements removed in Change Order 1, and increased the contract's value by \$500,000.00 from \$3,149,930.00 to its original value of \$3,649,930.00.

The Department then executed **Change Order No. 3** on October 15, 2019, adding the Construction Administration services to the contract valued at \$997,000.00 increasing the contract value from \$3,649,930.00 to \$4,646,930.00.

The proposed **Change Order 4**, with a total value of \$48,340.00 will increase the total contract value from \$4,646,930.00 to \$4,695,270.00. The addition of Change Order 4 will bring the aggregate value of Change Order Nos. 1 – 4 to over \$1 million, causing the Contract to “tip” over the million dollar threshold, requiring Council approval.

$$(\$500,000.00) \text{ CO1} + \$500,000.00 \text{ CO2} + \$997,000.00 \text{ CO3} + \$48,340.00 \text{ CO4} = \mathbf{\$1,045,340.00}$$

The Department of General Services (DGS – Owner AGY) has \$1,045,340.00 in DC Public Schools (DCPS – Implementing AGY) cumulative capital budget allotment. The SOAR/PASS/Funding information is attached/below:

Project Name	Project Number	AY	Fund Detail	Imp AGY	Owner AGY	RQ/PO	Amount	Comments
ELIOT-HINE JHS RENOVATION/ MODERNIZATION	YY181C	2008	0301	AM0	GA0	PO613811	\$997,000	See Attached
ELIOT-HINE JHS RENOVATION/ MODERNIZATION	YY181C	2008	0300	AM0	GA0	RK151445	\$48,340.00	See Attached
						Total	\$1,045,340.00	

Antoinette Hudson Beckham
 Antoinette Hudson Beckham
 Agency Fiscal Officer
 Department of General Services



Requisition No. RK151445

Issued on Mon, 13 Apr, 2020
 Created on Mon, 13 Apr, 2020 by Brian Butler on behalf of Daphne Hawkins

Supplier:
 PERKINS EASTMAN DC PLLC
 690 Water Street SW
 Washington, DC 20024
 Phone: 202.495.7430
 Contact: DOUGLAS CAMPBELL

Ship To:
 Construction and Maintenance Use Only - Eliot-Hine Middle School
 1830 Constitution Ave. NE
 Washington, DC 20002
 United States
 Phone: 1(202) 576-5589

Bill To:
 DGS-OCFO
 2000 14th St., 5th Floor
 Washington, DC 20009
 United States

Deliver To:
 Brandey McDonald

Item	Description	Part Number	Unit	Qty	Need By	Unit Price	Extended Amount
1	Eliot-Hine MS Renovation Design Portion of ...		each	48,340	Mon, 20 Apr, 2020	\$1.00 USD	\$48,340.00 USD
Eliot-Hine MS Renovation Design Portion of the D-B Contract (schools)							
ADDITIONAL DESIGN SERVICES							
SEE SOW							
Total							\$48,340.00 USD

Status: Submitted

Approvals					
Required	Status	Reason	Approver	Approved By	Date
Required	Approved	Funds must be secured.	Funds Commit	Funds Commit	Thu, 21 May, 2020
Not Required	Ready	Requester/Watcher	Daphne Hawkins		
Required	Approved	On behalf of user must approve	Daphne Hawkins	Daphne Hawkins	Thu, 21 May, 2020
Required	Ready	Budget responsible manager to approve purchases against their budget	AM0 Budget Responsible Manager		
Not Required	Ready	Agency Manager to watch requisitions greater than \$25,000	AM0 Agency Manager		
Required	Ready	Supervisor	Cassandra White		

Required	Pending	Chain Of Command	Allam Al Alami		
Required	Pending	Chain Of Command	Paul Blackman		
Required	Pending	Chain Of Command	Yohance Fuller		
Required	Pending	Chain Of Command	Mary Michelle Dee		
Required	Pending	The designated OCFO Budget Reviewer to approve	AM0 Budget Reviewer 1		
Required	Pending	The Contracting Officer to approve requisitions before sending purchase order to suppliers	AM0 Contracting Officer 1		
Not Required	Pending	The Primary Contracting Officer to watch requisitions before sending purchase order to suppliers	AM0 Primary Contracting Officer		

Requisition Comments

- COMMENT by **Funds Commit** on *04/13/2020*
Funds Commit Successful The funds commitment creation was successful. Batch Agency-AM0, Batch Number-011, Current Document Number-RK151445 (Funds Commit, Mon, 13 Apr, 2020)
- COMMENT by **Integration** on *04/15/2020*
Funds Commit Successful The funds commitment cancellation was successful. Batch Agency-AM0, Batch Number-052, Current Document Number-CH829667 (Integration, Wed, 15 Apr, 2020)
- COMMENT by **Funds Commit** on *05/21/2020*
Funds Commit Successful The funds commitment change was successful. Batch Agency-AM0, Batch Number-008, Current Document Number-CH845676 (Funds Commit, Thu, 21 May, 2020)

Requisition Attachments

- ATTACHMENT by **Brian Butler** on *Thursday, May 21, 2020 at 11:53 AM*
RQ request_EHMS Field-Change-Additional Srvc_s_48340.00-signed.pdf (2152827 bytes)
- ATTACHMENT by **Brian Butler** on *Monday, April 13, 2020 at 2:05 PM*
EHMS Field-Change AE-Additional Srvc_s_36,640.00-signed.pdf (876445 bytes)



***** Electronic Invoicing Purchase Order. Please use <https://vendorportal.dc.gov> to register and submit invoices. *****

Order No : PO613811 -DCPS-000035-MODRN Eliot Hine A/E Services CO to PO579992 (Schools)

Issued on Tue, 15 Oct, 2019

Supplier
 PERKINS EASTMAN DC PLLC
 690 Water Street SW
 Washington, DC 20024
 Phone: 202.495.7430
 Contact

Ship To
 Construction and Maintenance Use Only - Eliot-Hine
 Middle School
 1830 Constitution Ave. NE
 Washington, DC 20002
 United States
 Phone: 1(202) 576-5589

Bill To:
 Please use <https://vendorportal.dc.gov> to register and submit invoices.

Item	Description	Part Number	Unit	Qty	Need By	Unit Price	Extended Amount
1	DCPS-000035-MODRN Eliot Hine A/E Services CO ...		each	997,000	Wed, 04 Sep, 2019	\$1.00 USD	\$997,000.00 USD
DCPS-000035-MODRN Eliot Hine A/E Services CO to PO579992 (Schools) Construction Administration services. PM: Brandey McDonald							
Total							\$997,000.00 USD

Comments

- COMMENT by aribasystem on 10/15/2019
 The Contractor shall submit payment requests in electronic format through the DC Vendor Portal vendorportal.dc.gov by selecting the applicable purchase order number which is listed on the Contractor's profile. INVOICES FOR QUANTITIES OR AMOUNTS GREATER THAN WHAT IS STATED ON THE PURCHASE ORDER WILL BE REJECTED. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY RESULT IN DELAYS IN PAYMENT. (aribasystem, Tue, 15 Oct, 2019)
- COMMENT by aribasystem on 10/15/2019
 FOB is Destination unless specified otherwise (aribasystem, Tue, 15 Oct, 2019)
- COMMENT by aribasystem on 10/15/2019
 ****GOVERNMENT OF THE DISTRICT OF COLUMBIA STANDARD CONTRACT PROVISIONS FOR USE WITH THE DISTRICT OF COLUMBIA GOVERNMENT SUPPLY AND SERVICES CONTRACTS (July 2010) ARE HEREBY INCORPORATED BY REFERENCE. WWW.OCP.DC.GOV***** (aribasystem, Tue, 15 Oct, 2019)

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE ATTORNEY GENERAL

ATTORNEY GENERAL
KARL A. RACINE



Legal Counsel Division

MEMORANDUM

TO: Ronan Gulstone
Director
Office of Policy and Legislative Affairs

FROM: Brian K. Flowers
Deputy Attorney General
Legal Counsel Division

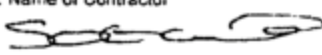
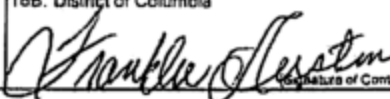
DATE: June 1, 2020

SUBJECT: Legal Sufficiency Certification of the “Change Order Nos. 3 and 4 fo
Contract No. DCAM-17-AE-0125 with Perkins Eastman DC, PLLC
Approval and Payment Authorization Emergency Act of 2020” and
Accompanying Emergency Declaration Resolution
(AE-20-475)

This is to Certify that this Office has reviewed the above-referenced legislation and has found it to be legally sufficient. If you have any questions regarding this certification, please do not hesitate to contact me at 724-5524.

Brian K. Flowers

Brian K. Flowers

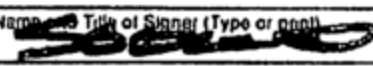
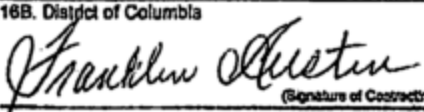
MODIFICATION OF CONTRACT			1. Contract Number DCAM-17-AE-0125	Page of Pages 1 2
2. Modification Number Change Order 1	3. Effective Date See Block 16C	4. Requisition/Purchase Request No. RQ983298-V2		5. Caption AE Services Elliot-Hine Middle School Modernization
6. Issued By: Department of General Services Contracting and Procurement Division 1250 U Street, NW 3rd Floor Washington, DC 20009		7. Administered By (If other than line 6) Department of General Services Capital Construction Division 1250 U Street, 3rd Floor Washington, DC 20009 Attn: Meg Davis		
8. Name and Address of Contractor (No. Street, city, country, state and ZIP Code) Perkins Eastman DC One Thomas Circle, NW Suite 270 Washington, DC 20005 Sean O'Donnell s.odonnell@perkinseastman-dc.com		9A. Amendment of Solicitation No.		
		9B. Dated (See Item 11)		
		10A. Modification of Contract/Order No. DCAM-17-AE-0125		
		10B. Dated (See Item 13) January 26, 2018		
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS				
<input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning <u>1</u> copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or fax which includes a reference to the solicitation and amendment number. FAILURE OF YOUR ACKNOWLEDGEMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by letter or fax, provided each letter or telegram makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.				
12. Accounting and Appropriation Data (If Required)				
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14				
A. This change order is issued pursuant to: (Specify Authority) The changes set forth in Item 14 are made in the contract/order no. in Item 10A.				
B. The above numbered contract/order is modified to reflect the administrative changes (such as changes in paying office, appropriation date, etc.) set forth in item 14.				
X C. This supplemental agreement is entered into pursuant to authority of: Title 27 DCMR Sections 4728 and Contract DCAM-17-AE-0125, Article 10, Changes				
D. Other (Specify type of modification and authority)				
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input checked="" type="checkbox"/> is required to sign this document and return <u>1</u> copy to the issuing office.				
14. Description of amendment/modification (Organized by UCF Section headings, including solicitation/contract subject matter where feasible.) Contract No. DCAM-17-AE-0125 to provide AE Services for the Elliot-Hine Middle School Modernization is hereby modified as follows: 1. The Construction Administration Services described in Section 3.4.2 are temporarily reduced in scope to a NTE value of \$497,000. 2. The Contract's Not-to-Exceed amount as described in Section 4.1.2 and 4.1.3 is hereby temporarily reduced from \$3,649,930.00 by \$500,000.00 to \$3,149,930.00. These reduced funds will be restored in October 2018. 3. All other Terms and Conditions remain unchanged.				
15A. Name and Title of Signer (Type or print) SEAN O'DONNELL, DIRECTOR		16A. Name of Contracting Officer Franklin Austin		
15B. Name of Contractor 	15C. Date Signed 7.6.18	16B. District of Columbia 	16C. Date Signed 7/6/18	
(Signature of person authorized to sign)		(Signature of Contracting Officer)		

(Continuation)

Contract Number	Modification No.	Page of Pages
DCAM-17-AE-0125	Change Order 1	2 of 2

4. Contract Recap:

Letter Contract	1/26/18	\$ 987,445.00
Definitive Contract	6/22/18	\$ 2,662,485.00
Change Order 1	Deduct Change Order	\$ (500,000.00)
Total Contract Amount		<u>\$ 3,149,930.00</u>


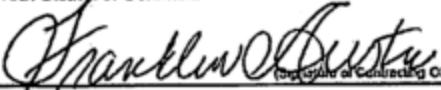
MODIFICATION OF CONTRACT			1. Contract Number DCAM-17-AE-0125	Page of Pages 1 2	
2. Modification Number Change Order 2	3. Effective Date See Block 16C	4. Requisition/Purchase Request No. RK124255		5. Caption AE Services Elliot-Hine Middle School Modernization	
6. Issued By: Department of General Services Contracting and Procurement Division 1250 U Street, NW 3rd Floor Washington, DC 20009		7. Administered By (If other than line 6) Department of General Services Capital Construction Division 1250 U Street, 3rd Floor Washington, DC 20009 Attn: Meg Davis			
8. Name and Address of Contractor (No. Street, city, country, state and ZIP Code) Perkins Eastman One Thomas Circle, NW Suite 270 Washington, DC 20005 Sean O'Donnell s.odonnell@perkinseastman.com			9A. Amendment of Solicitation No.		
			9B. Dated (See Item 11)		
			10A. Modification of Contract/Order No. X DCAM-17-AE-0125		
			10B. Dated (See Item 13) January 26, 2018		
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS					
<input type="checkbox"/> The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of offers <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing items 8 and 16, and returning <u>1</u> copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or fax which includes a reference to the solicitation and amendment number. FAILURE OF YOUR ACKNOWLEDGEMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by letter or fax, provided each letter or telegram makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.					
12. Accounting and Appropriation Data (If Required)					
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14					
A. This change order is issued pursuant to: (Specify Authority) The changes set forth in item 14 are made in the contract/order no. in item 10A.					
B. The above numbered contract/order is modified to reflect the administrative changes (such as changes in paying office, appropriation data, etc.) set forth in item 14.					
X C. This supplemental agreement is entered into pursuant to authority of: Title 27 DCMR Sections 4728 and Contract DCAM-17-AE-0125, Article 10, Changes					
D. Other (Specify type of modification and authority)					
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input checked="" type="checkbox"/> is required to sign this document and return <u>1</u> copy to the issuing office.					
14. Description of amendment/modification (Organized by UCF Section headings, including solicitation/contract subject matter where feasible.) Contract No. DCAM-17-AE-0125 to provide AE Services for the Eliot-Hine Modernization is hereby modified as follows: 1. Change Order 1 erroneously refers to a reduction in the Construction Administration Services described in Section 3.4.2. The correct reference should have been a reduction of \$500,000 in the total Design Services described in Section 4.1.2. 2. The Contract's Not-to-Exceed amount as described in Section 4.1.2 is hereby restored to the contract's original value. The Not-to-Exceed amount is therefore increased from from \$3,149,930.00 by \$500,000.00 to \$3,649,930.00. 3. All other Terms and Conditions remain unchanged.					
15A. Name and Title of Signer (Type or print) 			16A. Name of Contracting Officer Franklin Austin		
15B. Name of Contractor SEAN O'DONNELL DIRECTOR (Signature of person authorized to sign)		15C. Date Signed 7/24/19	16B. District of Columbia  (Signature of Contracting Officer)		16C. Date Signed 7/24/19

(Continuation)

Contract Number	Modification No.	Page of Pages
DCAM-17-AE-0125	Change Order 2	2 of 2

4. Contract Recap:

Letter Contract	1/26/18	\$ 987,445.00
Definitive Contract	6/22/18	\$ 2,662,485.00
Change Order 1	Deduct Change Order	\$ (500,000.00)
Change Order 2	Restore Funding	\$ 500,000.00
Total Contract Amount		<u>\$ 3,649,930.00</u>

MODIFICATION OF CONTRACT			1. Contract Number DCAM-17-AE-0125	Page of Pages 1 2	
2. Modification Number Change Order 3	3. Effective Date See Block 16C	4. Requisition/Purchase Request No. RK129797 R0983208-V9		5. Caption AE Services Eliot-Hine Middle School Modernization	
6. Issued By: Department of General Services Contracting and Procurement Division 1250 U Street, NW 3rd Floor Washington, DC 20009		7. Administered By (if other than line 6) Department of General Services Capital Construction Division 1250 U Street, 3rd Floor Washington, DC 20009 Attn: Meg Davis			
8. Name and Address of Contractor (No. Street, city, country, state and ZIP Code) Perkins Eastman One Thomas Circle, NW Suite 270 Washington, DC 20005 Sean O'Donnell s.odonnell@perkinseastman.com			9A. Amendment of Solicitation No.		
			9B. Dated (See Item 11)		
			10A. Modification of Contract/Order No. DCAM-17-AE-0125		
			10B. Dated (See Item 13) January 26, 2018		
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS					
<input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning <u>1</u> copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or fax which includes a reference to the solicitation and amendment number. FAILURE OF YOUR ACKNOWLEDGEMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by letter or fax, provided each letter or telegram makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified					
12. Accounting and Appropriation Data (If Required)					
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14					
A. This change order is issued pursuant to: (Specify Authority) The changes set forth in Item 14 are made in the contract/order no. in item 10A.					
B. The above numbered contract/order is modified to reflect the administrative changes (such as changes in paying office, appropriation date, etc.) set forth in Item 14.					
X C. This supplemental agreement is entered into pursuant to authority of: Title 27 DCMR Sections 4728 and Contract DCAM-17-AE-0125, Article 10, Changes					
D. Other (Specify type of modification and authority)					
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input checked="" type="checkbox"/> is required to sign this document and return <u>1</u> copy to the issuing office.					
14. Description of amendment/modification (Organized by UCF Section headings, including solicitation/contract subject matter where feasible.) Contract No. DCAM-17-AE-0125 to provide AE Services for the Eliot-Hine Modernization is hereby modified as follows: 1. The Request for Proposal and resulting Contract DCAM-17-AE-0125, contemplated a design-build project delivery method, however by written determination the project delivery method was changed to Construction Manager at Risk (CMAR) As a result the Department has elected to forego the originally contemplated assignment of the Architect's contract as described in Section 3.1. 2. For the avoidance of any doubt the Parties acknowledge the following: a. The change in project delivery method from design-build to CMAR b. All references to Design-Builder are hereby changed to CMAR 3. The Contractor shall provide the Construction and Construction Documents and Construction Related Services as described in Section 3 of the Agreement. 4. As a result of Number 1 above, the estimated amount for the Construction Administration Services, \$997,000, which as was originally planned to be included in the Design-Builder's contract upon Assignment of the the A/E services contract is hereby added to the A/E's contract's Not-to Exceed amount. The Contract's Not to Exceed amount as described in Section 4.1.2 and 4.1.3 is hereby increased from \$3,649,930 by \$997,000 to \$4,646,930.					
15A. Name and Title of Signer (Type or print) Sean O'Donnell, Principal			16A. Name of Contracting Officer Franklin Austin		
15B. Name of Contractor  (Signature of person authorized to sign)		15C. Date Signed 07 OCT 2019	16B. District of Columbia  (Signature of Contracting Officer)		16C. Date Signed 10/05/18


(Continuation)

Contract Number	Modification No.	Page of Pages
DCAM-17-AE-0125	Change Order 3	2 of 2

5. All other Terms and Conditions remain unchanged.

6. Contract Recap:

Letter Contract	1/26/18	\$ 987,445.00
Definitive Contract	6/22/18	\$ 2,662,485.00
Change Order 1	Deduct Change Order	\$ (500,000.00)
Change Order 2	Restore Funding	\$ 500,000.00
Change Order 3	Construction Administration	\$997,000
Total Contract Amount		<u>\$ 4,646,930.00</u>

MODIFICATION OF CONTRACT			1. Contract Number DCAM-17-AE-0125	Page of Pages 1 2	
2. Modification Number Change Order 4	3. Effective Date See Block 16C	4. Requisition/Purchase Request No. RQ983298-V3		5. Caption AE Services Eliot-Hine Middle School Modernization	
6. Issued By: Department of General Services Contracting and Procurement Division 1250 U Street, NW 3rd Floor Washington, DC 20009		7. Administered By (If other than line 6) Department of General Services Capital Construction Division 1250 U Street, 3rd Floor Washington, DC 20009 Attn: Brian Butler/Brandey McDonald			
8. Name and Address of Contractor (No. Street, city, country, state and ZIP Code) Perkins Eastman DC One Thomas Circle, NW Suite 270 Washington, DC 20005 Sean O'Donnell s.odonnell@perkinseastman.com			9A. Amendment of Solicitation No.		
			9B. Dated (See Item 11)		
			10A. Modification of Contract/Order No. DCAM-17-AE-0125 X		
			10B. Dated (See Item 13) January 26, 2018		
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS					
The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning <u>1</u> copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or fax which includes a reference to the solicitation and amendment number. FAILURE OF YOUR ACKNOWLEDGEMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by letter or fax, provided each letter or telegram makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.					
12. Accounting and Appropriation Data (If Required)					
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14					
A. This change order is issued pursuant to: (Specify Authority) The changes set forth in Item 14 are made in the contract/order no. in item 10A.					
B. The above numbered contract/order is modified to reflect the administrative changes (such as changes in paying office, appropriation date, etc.) set forth in item 14.					
X C. This supplemental agreement is entered into pursuant to authority of: Title 27 DCMR Sections 4728 and Contract DCAM-17-AE-0125, Article 10, Changes					
D. Other (Specify type of modification and authority)					
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input checked="" type="checkbox"/> is required to sign this document and return <u>1</u> copy to the issuing office.					
14. Description of amendment/modification (Organized by UCF Section headings, including solicitation/contract subject matter where feasible.) Contract No. DCAM-17-AE-0125 to provide AE Services for the Eliot-Hine Modernization is hereby modified as follows: 1 Substantial Completion Dates of July 15, 2019 for Phase I and July 14, 2020 for Phase 2 as referenced in the Recitals on page 1, Section 1.2, Project Description and Section 4.2 Retention are hereby deleted and replaced with December 31, 2020. 2 The Architect shall provide the additional design services including the field changes requested by DCPS and the landscape design changes requested by the Historical Preservation Office described in Attachment A. 3 The price for the additional services is \$48,340. The contract's value is therefore increased from \$4,646,930 by \$48,340 to \$4,695,270. 3 Complete Settlement: This Change Order represents a full accord and satisfaction for the events giving rise to this Change Order and a full and final release of any related claims. By accepting this Change Order, the Architect hereby releases any claim it may have by virtue of the events giving rise to this Change Order. 4 All other terms and conditions remain unchanged.					
15A. Name and Title of Signer (Type or print) Sean O'Donnell, Director			16A. Name of Contracting Officer Franklin Austin		
15B. Name of Contractor  (Signature of person authorized to sign)		15C. Date Signed June 1, 2020		16B. District of Columbia (Signature of Contracting Officer)	
			16C. Date Signed		