



MURIEL BOWSER
MAYOR

June 22, 2020

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Suite 504
Washington, D.C. 20004

Reference: District of Columbia Department of General Services
Letter Contract and Proposed Contract No. DCAM-20-NC-RFP-0001D
Contract Number: DCAM-20-NC-RFP-0001D
Contractor: RBK Construction, Inc. ("RBK")

Dear Chairman Mendelson:

Enclosed for consideration by the Council of the District of Columbia is proposed emergency legislation, "Contract No. DCAM-20-NC-RFP-0001D Approval and Payment Authorization Emergency Act of 2020", and corresponding emergency declaration, to approve the proposed Contract for Comprehensive City-Wide Landscaping Maintenance and Supplemental Landscaping Services, Group D, Wards 7 & 8 (DCAM-20-NC-RFP-0001D) (the "Contract") between the Department of General Services (the "Department") and RBK Construction, Inc. (the "Contractor") in the not-to-exceed ("NTE") amount of \$2,667,017.00; and, to authorize payment to the Contractor for services received and to be received under the Letter Contract and the proposed Contract.

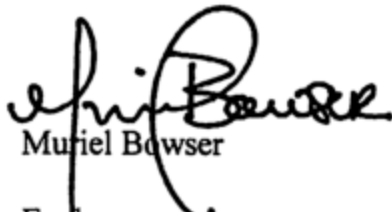
If approved, the Contract will authorize the Contractor to continue providing all labor, materials, tools, supplies, lifts, equipment, vehicles, transportation to and from all worksites, and all else necessary to successfully provide comprehensive city-wide landscaping maintenance and supplemental landscaping services to include the mowing, mulching, pruning, leaf removal, weeding and such other related services for various District owned and operated Properties in Group D, Wards 7 & 8. Such properties include the District's public schools, municipal buildings, and parks and recreation centers, and such other locations as the Department may direct in an NTE amount of \$2,667,017.00. As the amount of the proposed Contract exceeds \$1 million, Council's approval is required for this action.

This Contract is one of five (5) firm fixed price contracts awarded under a single Request for Proposals ("RFP").

In addition to the Letter Contract and proposed Contract, attached are: (i) a contract summary; (ii) a fiscal certification; (iii) memoranda and/or certifications of legal sufficiency; (iv) a Clean Hands certification for the Contractor; (v) a proposed emergency declaration; and (vi) proposed legislation.

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

Sincerely,



Mufiel 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, Contract No. DCAM-20-NC-RFP-0001D, between the Department of General Services and RBK Construction, Inc., increasing the aggregate not-to-exceed amount to \$2,667,017.00 and authorizing payment to RBK Construction, Inc. for goods and 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. DCAM-20-NC-RFP-0001D with RBK Construction, Inc. 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 notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, as amended, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. DCAM-20-NC-RFP-0001D between the Department of General Services and RBK Construction, Inc., for comprehensive city-wide landscaping maintenance and supplemental landscaping services, increasing the aggregate not-to-exceed ("NTE") amount by \$1,744,678.00, from \$922,339 to

1 \$2,667,017.00, and authorizing payment to RBK Construction, Inc. for services received
2 and to be received under the Letter Contract and proposed definitive Contract.

3 Sec. 3. The Council adopts the fiscal statement provided by the Office of the
4 Chief Financial Officer as the fiscal impact statement required by section 4(a) of the
5 General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038;
6 D.C. Official Code § 1-301.47(a)).

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



Date of Notice: May 29, 2020

Notice Number: L0004124679

RBK CONSTRUCTION INC
4635 MINNESOTA AVE NE
WASHINGTON DC 20019-3822

FEIN: **-***7650
Case ID: 491783

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



Memorandum

To: Keith A. Anderson
Director
Department of General Services

From: Antoinette Hudson Beckham *Henry Wang for AHB*
Agency Fiscal Officer
Department of General Services

Reference: Contract for Comprehensive City-Wide Landscaping Maintenance and Supplemental Landscaping Services (Contract No. DCAM-20-NC-RFP-0001D) with RBK Construction, Inc.

Date: June 1, 2020

Subject: Fiscal Sufficiency Review

The Contract for Comprehensive City-Wide Landscaping Maintenance and Supplemental Landscaping Services between the Department of General Services (the "Department") and RBK Construction, Inc. has a value of \$2,467,017.00 for routine cycle services and \$200,000.00 for Supplemental Landscaping Services, for a combined Total Not-to-Exceed Contract Value of \$2,667,017.00 for the Base Period (June 1, 2020 thru May 31, 2021). FY 2020 services beginning June 1, 2020 through August 31, 2020 for routine cycle services shall not exceed \$822,339.00 and Supplemental Services shall not exceed \$100,000.00 for the Total Not-to-Exceed Letter Contract Value of \$922,339.00 are hereby verified. The remaining amount of \$182,742.00 is verified and will be funded in FY 2020. In FY 2021, \$1,561,936.00 is subject to approval in the District's Budget and Financial Plan.

The Department previously funded a portion of this Contract via a Letter Contract for the period of June 1, 2020 through August 31, 2020 in the amount of \$922,339.00. Below is a summary of the funds used for the FY 2020 portion of the Letter Contract, June 1, 2020 through August 31, 2020:

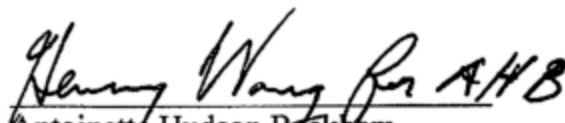
Fiscal Sufficiency Review
 Comprehensive City-Wide Periodic Landscaping Maintenance and Supplemental Services
 Contract Number: DCAM-20-NC-RFP-0001D

AY RBK (Group D) DCAM-20-NC-RFP-0001D - RK153659

20	CSG	Index	Fund	PCA	Amount
20	0310	A3002	0100	30002	\$175,734.00
20	0310	A3002	0100	G3002	\$393,660.00
20	0310	A3002	0100	E3002	\$33,939.00
20	0310	A3002	0100	F3002	\$3,051.00
20	0310	A3002	0100	I3002	\$4,095.00
20	0310	A3009	0100	30002	\$165,114.00
20	0310	K19DC	1359	30002	\$4,968.00
20	0310	A3015	1440	30002	\$15,372.00
20	0310	K19RM	1359	30002	\$16,200.00
20	0310	K19HC	1359	30002	\$10,206.00
20					\$822,339.00

AY RBK (Group D) DCAM-20-NC-RFP-0001D - RK153744

20	CSG	Index	Fund	PCA	Amount
20	0310	A3002	0100	30002	\$77,054.00
20	0310	A3002	0100	G3002	\$82,376.00
20	0310	A3002	0100	E3002	\$10,538.00
20	0310	A3002	0100	F3002	\$880.00
20	0310	A3002	0100	I3002	\$902.00
20	0310	A3009	0100	30002	\$4,598.00
20	0310	K19DC	1359	30002	\$64.00
20	0310	A3015	1440	30002	\$5,540.00
20	0310	K19RM	1359	30002	\$220.00
20	0310	K19HC	1359	30002	\$570.00
					\$182,742.00


 Antoinette Hudson Beckham
 Agency Fiscal Officer
 Department of General Services



Requisition No. RK153744

Issued on Mon, 01 Jun, 2020
Created on Mon, 01 Jun, 2020 by Alia Wheeler

Supplier:

Ship To:
Department of General Services
2000 14th St.
Washington, DC 20009
United States

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

Deliver To:
Alia Wheeler

Item	Description	Part Number	Unit	Qty	Need By	Unit Price	Extended Amount
1	DGS Routine Grounds Maintenance Services at ...		each	82,376	Mon, 01 Jun, 2020	\$1.00 USD	\$82,376.00 USD
	DGS Routine Grounds Maintenance Services at various sites.						

Item	Description	Part Number	Unit	Qty	Need By	Unit Price	Extended Amount
2	DGS Routine Grounds Maintenance Services at ...		each	77,054	Mon, 01 Jun, 2020	\$1.00 USD	\$77,054.00 USD
	DGS Routine Grounds Maintenance Services at various sites.						

Item	Description	Part Number	Unit	Qty	Need By	Unit Price	Extended Amount
3	DCPS Routine Grounds Maintenance Services at ...		each	4,598	Mon, 01 Jun, 2020	\$1.00 USD	\$4,598.00 USD
	DCPS Routine Grounds Maintenance Services at various sites.						

Item	Description	Part Number	Unit	Qty	Need By	Unit Price	Extended Amount
4	Lottery & Charitable Games Control Routine ...		each	64	Mon, 01 Jun, 2020	\$1.00 USD	\$64.00 USD
	Lottery & Charitable Games Control Routine Grounds Maintenance Services at various sites.						

Item	Description	Part Number	Unit	Qty	Need By	Unit Price	Extended Amount
5	RFK Routine Grounds Maintenance Services at ...		each	5,540	Mon, 01 Jun, 2020	\$1.00 USD	\$5,540.00 USD
	RFK Routine Grounds Maintenance Services at various sites.						

Item	Description	Part Number	Unit	Qty	Need By	Unit Price	Extended Amount
6	Department of Behavior Health Routine Grounds...		each	220	Mon, 01 Jun, 2020	\$1.00 USD	\$220.00 USD
Department of Behavior Health Routine Grounds Maintenance Services at various sites.							

Item	Description	Part Number	Unit	Qty	Need By	Unit Price	Extended Amount
7	Department of Health Routine Grounds ...		each	570	Mon, 01 Jun, 2020	\$1.00 USD	\$570.00 USD
Department of Health Routine Grounds Maintenance Services at various sites.							

Item	Description	Part Number	Unit	Qty	Need By	Unit Price	Extended Amount
8	DGS Routine Grounds Maintenance Services at ...		each	10,538	Mon, 01 Jun, 2020	\$1.00 USD	\$10,538.00 USD
DGS Routine Grounds Maintenance Services at various sites.							

Item	Description	Part Number	Unit	Qty	Need By	Unit Price	Extended Amount
9	DGS Routine Grounds Maintenance Services at ...		each	880	Mon, 01 Jun, 2020	\$1.00 USD	\$880.00 USD
DGS Routine Grounds Maintenance Services at various sites.							

Item	Description	Part Number	Unit	Qty	Need By	Unit Price	Extended Amount
10	DGS Routine Grounds Maintenance Services at ...		each	902	Mon, 01 Jun, 2020	\$1.00 USD	\$902.00 USD
DGS Routine Grounds Maintenance Services at various sites.							

Total \$182,742.00 USD

Status: Submitted

Approvals					
Required	Status	Reason	Approver	Approved By	Date
Required	Approved	Funds must be secured.	Funds Commit	Funds Commit	Mon, 01 Jun, 2020
Not Required	Ready	Agency Manager to watch requisitions greater than \$25,000	AM0 Agency Manager		
Required	Approved	Supervisor	LaTonya Robinson	LaTonya Robinson	Mon, 01 Jun, 2020

Required	Approved	Chain Of Command	Renee Bryant	Renee Bryant	Mon, 01 Jun, 2020
Required	Approved	Chain Of Command	Mary Michelle Dee	Mary Michelle Dee	Tue, 02 Jun, 2020
Required	Approved	The designated OCFO Budget Reviewer to approve	AM0 Budget Reviewer 2	Shanita Goree	Wed, 03 Jun, 2020
Required	Ready	The Contracting Officer to approve requisitions before sending purchase order to suppliers	AM0 Contracting Officer 1		
Not Required	Ready	The Primary Contracting Officer to watch requisitions before sending purchase order to suppliers	AM0 Primary Contracting Officer		

Requisition Comments

- COMMENT by Funds Commit on 06/01/2020
Funds Commit Successful The funds commitment creation was successful. Batch Agency-AM0, Batch Number-010, Current Document Number-RK153744 (Funds Commit, Mon, 01 Jun, 2020)
- COMMENT by Integration on 06/01/2020
Funds Commit Successful The funds commitment cancellation was successful. Batch Agency-AM0, Batch Number-012, Current Document Number-CH850233 (Integration, Mon, 01 Jun, 2020)
- COMMENT by Funds Commit on 06/01/2020
Funds Commit Successful The funds commitment change was successful. Batch Agency-AM0, Batch Number-013, Current Document Number-CH850234 (Funds Commit, Mon, 01 Jun, 2020)
- Renee Bryant, 06/01/2020:
Purpose of the RK is to provide Routine Grounds Maintenance Services at various sites. (Renee Bryant, Mon, 01 Jun, 2020)

Requisition Attachments

- ATTACHMENT by Alia Wheeler on Monday, June 1, 2020 at 2:29 PM
RBK Mowing Group D_Sept_PASS (2).xlsx (130402 bytes)
- ATTACHMENT by Alia Wheeler on Monday, June 1, 2020 at 2:30 PM
DCAM-20-NC-0001D RBK PRICE (1).xlsx (552756 bytes)
- ATTACHMENT by Alia Wheeler on Monday, June 1, 2020 at 2:29 PM
SFRQ 3885_Salesforce Requisitions.pdf (222116 bytes)



BUILD 
MAINTAIN
SUSTAIN

Contracts & Procurement

OFFICE OF THE GENERAL COUNSEL

MEMORANDUM

TO: Ronan Gulstone
Director, Office of Policy and Legislative Affairs

FROM: Xavier Beltran
General Counsel

SUBJECT: Legal Sufficiency Certification
Proposed Contract for Comprehensive City-Wide Landscaping Maintenance and Supplemental Landscaping Services
Contract Number: DCAM-20-NC-RFP-0001D
Contractor: RBK Construction, Inc.

DATE: June 8, 2020

This is to certify that this Office has reviewed the above-referenced proposed Contract and has found it to be legally sufficient, subject to submission of: (i) any required materials to Council; (ii) Council's approval of the same; and (iii) a Fiscal Certification issued by the Department of General Services' Agency Fiscal Officer.

Please feel free to contact me at (202) 727-2800 with any questions.



Xavier Beltran
General Counsel

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF GENERAL SERVICES



Contracts and Procurement

June 8, 2020

Keith Lomax
RBK Construction, Inc.
4635 Minnesota Ave, SE
Washington, DC 20019

By Email: keith.lomax@rbkconstruction.com

REFERENCE: Request for Proposals (“RFP”)
*Comprehensive City-Wide Landscaping Maintenance and Supplemental
Landscaping Services*

CONTRACT NO.: DCAM-20-NC-RFP-0001D

SUBJECT: Modification No. 01 Letter Contract and Notice to Proceed

Dear Mr. Lomax:

This Modification No. 01, to the original Letter Contract and Notice to Proceed dated, May 28, 2020 is issued by the Government of the District of Columbia, acting by and through its Department of General Services (the “Department” or “DGS”) to the Contractor listed below. Assuming this Modification No. 01 to the Letter Contract and Notice to Proceed executed on May 29, 2020 is signed by the Contractor without modification of any kind, it shall constitute a binding legal Contract between the Department and the Contractor. The terms of this Modification No. 01 to the Letter Contract and Notice to Proceed are as follows

1. **Contractor.** This Modification No. 01 to the Letter Contract and Notice to Proceed is being issued to RBK Construction, Inc. (the “Contractor” or “RBK”).
2. **Duration.** For the avoidance of doubt and clarification, this Modification No. 01 is being issued to correct the Letter Contract period of performance with an effective date of 1-June-2020 and shall run through 31-August-2020. All services began on 1-June-2020.
3. **Terms & Conditions.** Except as modified herein all other Terms and Conditions of the original Letter Contract dated May 29, 2020 shall remain unchanged.

IN WITNESS WHEREOF, the duly authorized representatives of the Parties have each executed this Letter Contract as of the Effective Date.

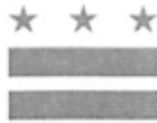
RBK CONSTRUCTION

By: *Keith Lomax*
Name: Keith Lomax
Title: RBK President
Date: 6/8/2020

DEPARTMENT OF GENERAL SERVICES (DGS)

By: *[Signature]*
Name: George G. Lewis, CPPO
Title: Chief of Contracts and Procurement
Chief Contracting Officer
Date: 6.8.20

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF GENERAL SERVICES



Contracts and Procurement

May 28, 2020

Keith Lomax
RBK Construction, Inc.
4635 Minnesota Ave, SE
Washington, DC 20019

By Email: keith.lomax@rbkconstruction.com

REFERENCE: Request for Proposals (“RFP”)
*Comprehensive City-Wide Landscaping Maintenance and Supplemental
Landscaping Services*

CONTRACT NO.: DCAM-20-NC-RFP-0001D

SUBJECT: Letter Contract and Notice to Proceed

Dear Mr. Lomax:

We refer to the proposal submitted by RBK Construction, Inc. (“RBK” or the “Contractor”) in response to the above referenced solicitation regarding *Comprehensive City-Wide Landscaping Maintenance and Supplemental Landscaping Services*. We are pleased that this work has been awarded to RBK, and if this letter is signed by RBK without modification of any kind, it will serve as a notice to proceed for the work described below. This notice to proceed is subject to the following terms:

1. **Letter Contract.** This is a Letter Contract between RBK Construction, Inc. and the District of Columbia Government, acting by and through its Department of General Services (“DGS” or the “Department”), and shall govern our relationship until such time as a final contract is entered into for the work described in the above referenced solicitation (the “Definitized Contract”); provided, however, that to the extent an issue is not covered in this Letter Contract, the Request for Proposals shall govern. Once the Definitized Contract is signed, this Letter Contract shall automatically terminate and merge into the Definitized Contract.
2. **Scope of Work.** RBK is hereby authorized to proceed with providing Comprehensive City-Wide Landscaping Maintenance and Supplemental Landscaping Services in Group D,

Wards 7 & 8 as described in the Request for Proposal (RFP), Scope of Work DCAM-20-NC-RFP-0001 as amended and the Contractor's proposal dated February 20, 2020.

3. Compensation and Not to Exceed Contract Ceiling. The Contractor will be paid based on the firm, fixed rates per location as described in the Contractor's proposal dated February 20, 2020 and submitted in response to the subject RFP. The limit of this authorization is a **Not-To-Exceed value up to \$822,339.00 for periodic landscaping maintenance services and an amount Not-to-Exceed \$100,000.00 for Supplemental Landscaping Services reimbursed on a Time and Materials basis. The total Letter Contract value shall Not-to-Exceed \$922,339.00** for all services rendered. In no event shall RBK be entitled to receive more than that amount under this Letter Contract. This not-to-exceed amount includes all costs incurred by RBK in connection with the work authorized hereby.
4. Insurance. At all times while working under this Letter Contract, the Contractor shall maintain the insurance as described in the RFP including the following insurance: (i) a comprehensive general liability policy having a policy limit of at least One Million Dollars (\$1,000,000) and (ii) workers compensation coverage at the statutory limit. All such policies shall be endorsed to add the District of Columbia, including, but not limited to, its Department of General Services, and the respective agents, employees and offices of each as additional insureds.
6. Duration. This Letter Contract shall become effective on the date fully executed by the Department's Contracting Officer on Page 4. This Letter Contract will terminate on the earlier to occur of the following: (i) the date the Definitized Contract becomes effective; or (ii) 31-August-2020. DGS reserves the right to terminate this Letter Contract, in whole or specified part, for convenience in the manner described in the Standard Contract provisions issued with the Request for Proposals.
7. Billing. The Contractor shall create and submit payment requests in an electronic format through the DC Vendor Portal, <https://vendorportal.dc.gov>. The E-invoicing vendor helpdesk number (202) 741-5200 and email is dcvendor.help@dc.gov. The Contractor must indicate the proper PO number on all invoices. Properly prepared invoices with the necessary backup shall be paid within thirty (30) days of receipt. Invoices not paid by that date shall bear interest in accordance with the Prompt Payment Act:

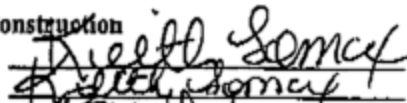
Department of General Services
Office of the Chief Financial Officer
2000 14th Street N.W. | 5th Floor
Washington. D.C. 20001


All invoices shall be submitted directly to the Department at the address specified above. Properly prepared invoices with the necessary backup shall be paid within thirty (30) days of receipt. Invoices not paid by that date shall bear interest in accordance with the Prompt Payment Act.

8. Purchase Order. This Letter Contract is effective on the date this Letter Contract has been fully executed by the District. The Department's contracting group will issue a purchase order within seven (7) days of the effective date and forward a copy of that purchase order for your records. That number should be included in all future invoices and accounting records.
9. Indemnification. To the fullest extent permitted by law, RBK Construction Services shall indemnify and hold harmless the Department and the Department's consultants, agents and employees from and against claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of or resulting from performance of the Work, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property (other than the Work itself), ~~but only to the extent caused by the negligent acts or omissions of RBK, a subcontractor, anyone directly or indirectly employed by them or anyone for whose acts they may be liable, regardless of whether or not such claim, damage, loss or expense is caused in part by a party indemnified hereunder.~~
10. Terms & Conditions. The Standard Contract Provisions for use with Specifications for District of Columbia Government Supplies and Services Contracts dated January 14, 2016 are incorporated *by reference* into this Letter Contract.

Assuming the foregoing terms are acceptable, please (i) sign below to acknowledging your acceptance, (ii) return the required Certificate of Insurance and (iii) return proof of passed D.C. Background and credentialing for all employees assigned under this Contract. Should you have any questions, please feel free to contact Domonique Banks at (202) 719-6544 domonique.banks@dc.gov.

IN WITNESS WHEREOF, the duly authorized representatives of the Parties have each executed this Letter Contract as of the Effective Date.

RBK Construction
By: 
Name: Dwight Somay
Title: President
Date: 5/29/2020

Department of General Services (DGS)
By: 
Name: George G. Lewis, CPPO
Title: Chief of Contracts and Procurement
Chief Contracting Officer
Date: 5.29.20