

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To clarify, on an emergency basis, the authority of the Mayor to enter into an agreement with a Business Improvement District corporation for the maintenance and improvement of public space during a public health emergency and for 30 days thereafter.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Public Space Maintenance Emergency Act of 2020”.

Sec. 2. BID public space maintenance agreements.

(a) Notwithstanding the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), and subsection (c) of the text under the heading “ASSESSMENT AND PERMIT WORK” of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes, approved August 7, 1894 (28 Stat. 247; D.C. Official Code § 9-401.06(c)), the Mayor may enter into an agreement, excluding grant agreements, with a BID corporation, as defined in section 2(4) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.02(4)), to maintain or improve public space, including sidewalks, streets, parks, plazas, signage, and public art, within the boundaries of the BID, as defined in section 2(7) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.02(7)).

(b) The Mayor shall pay or reimburse to a BID corporation the reasonably incurred expenses for maintaining or improving public space or for engaging in planning activity under this section for services customarily provided by the District to any similar geographic area pursuant to section 20(a) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.20(a)).

(c) An agreement with a BID corporation made pursuant to this section to complete work in public space shall contain provisions requiring adequate insurance and indemnification, and such work in public space shall be subject to applicable permits.

(d) An agreement with a BID corporation made pursuant to this section shall not exceed \$800,000 for a single fiscal year; provided, that a multiyear agreement shall be allowed, subject to annual appropriation.

(e) This section shall apply during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for 30 days thereafter.

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

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

**Sec. 4. Effective date.**

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

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia