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A BILL

23-905

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA



To extend, on an emergency basis, the Mayor’s authority to declare a public health emergency.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Public Space Maintenance Temporary 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 An Act Making appropriations to provide for the expenses of the government of the District of Columbia for 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), 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 District Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.02(7)).

26 (b) The Mayor shall pay or reimburse to a BID corporation the reasonably incurred
27 expenses for maintaining or improving public space or for engaging in planning activity under
28 this section for services customarily provided by the District to any similar geographic area
29 pursuant to section 20(a) of the Business Improvement Districts Act of 1996, effective May 29,
30 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.20(a)).

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

34 (d) An agreement with a BID corporation made pursuant to this section shall not exceed
35 \$800,000 for a single fiscal year; provided, that a multiyear agreement shall be allowed, subject
36 to annual appropriation.

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

41 Sec. 3. Fiscal impact statement.

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

45

ENGROSSED ORIGINAL

46 Sec. 4. Effective date.

47 (a) This act shall take effect following approval by the Mayor (or in the event of veto by
48 the Mayor, action by the Council to override the veto), a 30-day period of congressional review
49 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
50 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
51 Columbia Register.

52 (b) This act shall expire after 225 days of its having taken effect.