

MURIEL BOWSER MAYOR

October 8, 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

Reference: District of Columbia Department of General Services Contract No. DCAM-15-AE-0158 and Change Order Nos. 1, 3, and 5 with Cox Graae + Spack Architects, P.C. Approval and Payment Authorization Emergency Act of 2020 Contractor: Cox Graae + Spack Architects, P.C. Contract Number: DCAM-15-AE-0158

Dear Chairman Mendelson:

Enclosed for consideration by the Council of the District of Columbia is proposed emergency legislation, "Contract No. DCAM-15-AE-0158 and Change Order Nos. 1, 3, and 5 with Cox Graae + Spack Architects, P.C. Approval and Payment Authorization Emergency Act of 2020", and the accompanying emergency declaration, to increase the Contract's Lump Sum Price to \$1,144,802 for architectural and engineering services for the Hearst Park and Pool restoration.

The underlying contract for Architectural and Engineering Services for the Hearst Park and Pool Restoration, Contract No. DCAM-15-AE-0158, (the "Contract") was executed on April 13, 2016 in the amount of \$708,916. Since the aggregate amount of the Contract was under \$1 million, Council's approval was not required. Change Order No. 1 was executed on April 12, 2018 and increased the lump sum Contract price from \$708,916 by \$80,570 to \$789,486. Change Order No. 2, in the amount of \$0, was executed on August 27, 2019. Change Order No. 3 was executed on November 12, 2019 and increased the lump sum Contract price from \$708,916 by \$80,570 to \$789,486 by \$209,891 to \$999,377. Change Order No. 4, in the amount of \$0, was executed on July 25, 2020. The aggregate amount of the Contract and Change Order Nos. 1 and 3 was less than \$1 million; thus, Council's approval was not required.

Proposed Change Order No. 5 is necessary to ensure the required additional services are completed to timely complete the Project. This is a continuation effort of the architectural and engineering services required for the Project. Expanded construction administration services are required for the duration of the Project, currently slated for completion late Fall 2020.

Change Order No. 1 in the amount of \$80,570 includes Permit Expediting Consultant, Design Services for Hearst Playground, Additional design time and meetings due to community process, which were not part of the base contract. Change Order No. 3 in the amount of \$209,891 added the construction administration, utility design coordination, and additional construction administration due to changes made due to Urban Forestry concerns and addition of Arborist Supervision during construction due to existing heritage tree concerns. These items were excluded in the initial contract.

The proposed Change Order No. 5 in the amount of \$145,425, if approved would entail the extension of the schedule due to unforeseen issues on site as well as contractor's delay, and additional community involvement. The Department expects the Project be substantially complete construction of the Project by December 31, 2020.

The proposed Change Order No. 5, in the amount of \$145,425, would cause the aggregate amount of the Contract and Change Order Nos. 1, 3 and 5 to exceed \$1 million. Thus, Council's approval is required for this proposed contract action. If Change Order No. 5 is approved, the Contract's Lump Sum Price would be \$1,144,802.

The Chief Financial Officer has certified that the necessary funding for the above-referenced contract actions is available for FY 2020.

In addition to proposed Change Order No. 5, attached are (i) a contract summary; (ii) a fiscal certification; (iii) legal sufficiency reviews and/or certifications; and (iv) a Citywide Clean Hands certificate for the Contractor.

If you have any questions regarding this proposed action, 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, Murlel Bo

Enclosures

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3	Chairman Phil Mendelson
4	at the request of the Mayor
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8	A BILL
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13	IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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17	To approve, on an emergency basis, Contract No. DCAM-15-AE-0158 and Change Order
18	Nos. 1, 3 and 5, between the Department of General Services and Cox Graae +
19	Spack Architects, P.C., increasing the aggregate contract amount by \$145,425.00
20	for the architectural and engineering services received and to be received under the
21	contract and change orders.
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24	BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
25	That this act may be cited as the "Contract No. DCAM-15-AE-0158 and Change Order
26	Nos. 1, 3 and 5 with Cox Graae + Spack Architects, P.C. Approval and Payment
27	Authorization Emergency Act of 2020".
28	Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act,
29	approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and the
30	requirements of section 202 of the Procurement Practices Reform Act of 2010, effective
31	April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves
32	Contract No. DCAM-15-AE-0158 (the "Contract") and Change Order Nos. 1, 3 and 5
33	(the "Change Orders"), between the Department of General Services and Cox Graae +
34	Spack Architects, P.C. for architectural and engineering services for the Hearst Park and
35	Pool Renovation, increasing the aggregate contract amount by \$145,425.00, from

1	\$999,377.00 to \$1,144,802.00, and authorizing payment in the aggregate amount of
2	\$1,144,802.00 for services received and to be received under the Contract and these
3	Change Orders.
4	Sec. 3. Fiscal impact statement.
5	The Council adopts the fiscal statement of the Chief Financial Officer as the fiscal
6	impact statement required by section 4a of the General Legislative Procedures Act of
7	1975, approved October 6, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).
8	Sec. 4. Effective date.
9	This act shall take effect following approval by the Mayor (or in the event of veto
10	by the Mayor, action by the Council to override the veto), and shall remain in effect for
11	no longer than 90 days, as provided for emergency acts of the Council of the District of
12	Columbia in section 412(a) of the District of Columbia Home Rule Act, approved
13	December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

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#### 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 (Tipper)

Contract No. DCAM-15-AE-0158 and Change Order Nos. 1, 3 and 5 to with Cox Graae + Spack Architects, P.C. for Architectural and Engineering Services for Hearst Park and Pool Renovation

(A)	Contract Number:	DCAM-15-AE-0158 (the "Contract")
	Proposed Contractor:	Cox Graae + Spack Architects, P.C. (the "Contractor" or "A/E")
	Contract Amount:	\$708,916
	Aggregate Amount of Contract and Change Order Nos. 1 and 3:	\$999,377
	Amount for Proposed Change Order No. 5:	\$145,425
	Proposed Contract Amount:	\$1,144,802 (inclusive of initial Contract amount of \$708,916 and Change Order Nos. 1, 3 and 5)
	Unit and Method of Compensation:	Progress payments on a monthly basis
	Term of Contract:	From April 13, 2016 through March 31, 2021 with a substantial completion no later than December 31, 2020.
		Note: Proposed Change Order No. 5 must be approved at the Council's Legislative Meeting scheduled for November 10, 2020, in order to timely complete the Project.
	Type of Contract:	Lump Sum Price
	Source Selection Method:	Competitive Request for Proposals ("RFP")

(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:

Not applicable.

# (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 Department of General Services (the "Department") engaged Cox Graae + Spack Architects, P.C. (the "Contractor") to provide architectural and engineering Services for the renovation of Hearst Park and Pool (DCAM-15-AE-0158) (the "Contract"). Pursuant to the underlying Contract, the A/E shall provide the full range of planning, programming architectural and engineering services required for the Project. The Project includes, but is not limited to, a new playground area, new tennis courts, renovation or replacement of existing soccer fields, renovation of existing tennis courts, the design of a new outdoor pool including a new pool house, new dog park, the Americans with Disabilities Act (ADA) site accessibility and furnishings, storm water management, remediation of site drainage, runoff, erosion issues, landscaping, fencing, site furnishings amenities, signage, and hardscaping.

The underlying contract was executed on April 13, 2016 in the amount of \$708,916. Since the aggregate amount of the Contract was under \$1 million, Council's approval was not required. Change Order No. 1 was executed on April 12, 2018 and increased the lump sum Contract price from \$708,916 by \$80,570 to \$789,486. Change Order No. 2, in the amount of \$0, was executed on August 27, 2019. Change Order No. 3 was executed on November 12, 2019 and increased the lump sum Contract price from \$789,486 by \$209,891 to \$999,377. Change Order No. 4, in the amount of \$0, was executed on July 25, 2020. The aggregate amount of the Contract and Change Order Nos. 1 and 3 was less than \$1 million; thus, Council's approval was not required.

The proposed Change Order No. 5, in the amount of \$145,425, would cause the aggregate amount of the Contract and Change Order Nos. 1, 3 and 5 to exceed \$1 million. Thus, Council's approval is required for this proposed contract action. If Change Order No. 5 is approved, the Contract's Lump Sum Price would be \$1,144,802.

# (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 October 14, 2015, the Department of General Services ("Department" or "DGS") issued a Request for Proposals ("RFP") to engage an architect/engineer (the "Architect" or "A/E") for the design of the renovation of the Hearst Park and Pool ("Hearst Park") located at 3950 37th Street, NW, Washington DC. Three (3) addenda were issued to the RFP: Addendum No. 1, provided the sign-in sheet and business cards from the pre-bid conference and site visit; Addendum No. 2, provided clarifications and revised Section B.2.1.1 (of the RFP), provided questions and answers and extended the Proposals due date to November 13, 2015; and Addendum No. 3, provided clarifications and cost estimate, and provided the Form of Contract.

On November 13, 2015, seven (7) firms (collectively, the "Offerors" and each individually, an

"Offeror") submitted proposals in a timely manner.

#### **Technical Evaluation:**

The proposals were evaluated by a technical evaluation board with experience in architecture, engineering, construction, and District and related procurement matters ("Board") in accordance In accordance with D.C. Official Code Section 2-356.04 and District's Municipal Regulations (DCMR) Sections 2621.1 and 2621.2. Each proposal was independently evaluated utilizing a point scale, certain points of which were for the technical evaluation component as follows: ((i) experience & references worth 25 points; (ii) key personnel worth 20 points; (iii) design approach and management plan worth 25 points (iv) LSDBE compliance/utilization plan worth 15 points; and (viii) preliminary design schedule worth 15 points.

The Board initially met to develop a consensus technical score. Prior to convening for the evaluation meetings, each of the Board members individually completed an evaluation of the proposals. In doing so, each Board member rated each Offeror with respect to specific sub-factors in the four categories. In developing the consensus score, the Board the details of each of the proposals in light of the evaluation factors. Following such discussions and consensus ratings of the Offerors, the ratings were converted to numbers.

In accordance with D.C. Official Code 2-356.04, the Board conducted discussions with all of the three Offerors with such firms regarding the Contract and the relative utility of alternative methods of approach for furnishing the required services. As a result of discussions, the Board re-examined the technical ratings for each of the firms and there was no change to the number of technical points accordingly.

#### **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"). All of the Offerors, including the Contractor, were so certified and received points accordingly. Based on the technical rating, preference points awarded, as well as capacity to timely complete the Project, the Contractor was determined to be the most qualified offeror for the Project.

#### **Contracting Officer's Determination of Fair and Reasonable Price:**

In accordance with D.C. Official Code Section 2-356.04, the DGS Contracting Officer examined the fee/price proposal submitted by the contractor. After review the fee proposal the contracting officer determined the proposal in comparison with the Government Estimate to be fair and reasonable. The contracting officer determined award be made without discussion.

#### Contract Award:

In accordance with D.C. Official Code Section 2-356.04 and the District's Municipal Regulations Section 2620- 2633, the Board determined that the Contractor is the most qualified and responsible

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 March 11, 2016, the Department awarded Contract No. DCAM-15-AE-0158 to the Contractor as such award would be most advantageous to the District.

(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:

The Contractor was founded in Georgetown in 1981 to provide services in master planning, architecture and interior design. The firm maintains a staff of approximately 21 individuals. The Contractor has also successfully completed public school projects in the District, including the renovation of Wilson Senior High School and Hendley Elementary School. The firm has won over 75 national and regional design awards. The Department has reviewed the Contractor's staffing plan for the Project and found it sufficient. The Contractor has been determined to be responsible in accordance with 27 DCMR 4706.1.

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

The proposed Project Substantial Completion Date is 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:

The underlying contract was executed on April 13, 2016 in the amount of \$708,916. Since the aggregate amount of the Contract was under \$1 million, Council's approval was not required. Change Order No. 1 was executed on April 12, 2018 and increased the lump sum Contract price from \$708,916 by \$80,570 to \$789,486. Change Order No. 2, in the amount of \$0, was executed on August 27, 2019. Change Order No. 3 was executed on November 12, 2019 and increased the lump sum Contract price from \$789,486 by \$209,891 to \$999,377. Change Order No. 4, in the amount of \$0, was executed on July 25, 2020. The aggregate amount of the Contract and Change Order Nos. 1 and 3 was less than \$1 million; thus Council's approval was not required.

The proposed Change Order No. 5 in the amount of \$145,425 would increase the lump sum Contract price and authorize additional scope of work. If approved, the aggregate increase to the Contract value, via Change Order Nos. 5, would be \$145,425 which would increase the lump sum Contract

price for an amount over \$1 million. Thus, Council's approval is required for the proposed contract action.

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

The underlying contract was executed on April 13, 2016 in the amount of \$708,916. Since the aggregate amount of the Contract was under \$1 million, Council's approval was not required.

Change Order No. 1 was executed on April 12, 2018 and increased the lump sum Contract price from \$708,916 by \$80,570 to \$789,486. Change Order No. 2, in the amount of \$0, was executed on August 27, 2019. Change Order No. 3 was executed on November 12, 2019 and increased the lump sum Contract price from \$789,486 by \$209,891 to \$999,377. Change Order No. 4, in the amount of \$0, was executed on July 25, 2020. The aggregate amount of the Contract and Change Order Nos. 1 and 3 was less than \$1 million; thus Council's approval was not required.

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

July 15, 2020.

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

The proposed Change Order No. 5 in the amount of \$145,425 would increase the lump sum Contract price from \$999,377 to \$1,144,802. Thus, Council's approval is required for the proposed contract action.

#### (L) The reason for the proposed change:

Proposed Change Order No. 5 is necessary to ensure the required additional services are completed to timely complete the Project. This is a continuation effort of the architectural and engineering services required for the Project. Expanded construction administration services are required for the duration of the Project, currently slated for completion late Fall 2020.

Change Order No. 1 in the amount of \$80,570 includes Permit Expediting Consultant, Design Services for Hearst Playground, Additional design time and meetings due to community process, which were not part of the base contract. Change Order No. 3 in the amount of \$209,891 added the construction administration, utility design coordination, and additional construction administration due to changes made due to Urban Forestry concerns and addition of Arborist Supervision during construction due to existing heritage tree concerns. These items were excluded in the initial contract.

The proposed Change Order No. 5 in the amount of \$145,425, if approved would entail the extension of the schedule due to unforeseen issues on site as well as contractor's delay, and additional community involvement. The Department expects the Project be substantially complete construction of the Project by December 31, 2020.

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

Articles 6 and 7 of the Department's Standard Contract Provisions (Architectural and Engineering Services Contracts) provide authority for the issuance of Change Orders. Additionally, Change Order No. 5 would increase the Contract's lump sum price for a total Contract value of \$1,144,802; thus, this contract action is subject to the requirements of the District of Columbia Home Rule Act, codified at D.C. Official Code §1-204.51(b). Council review and approval of the proposed contract action would be authorized by Council's enactment of Contract No. DCAM-15-AE-0158 and Change Order Nos. 1, 3 and 5 with Cox Graae + Spack Architects, P.C. 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:

The Contractor's subcontracting plan meets the minimum requirements of the Act as follows:

Contract Dollar Value	\$1,144,802
Subcontracting Requirement %	35%
Subcontracting Plan Required Dollar Value	\$400,680
Subcontracting Plan Actual Dollar Value	\$776,752

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

The Contractor is required to provide the full range of planning, programming architectural and engineering services required for the Project necessary to substantially complete the Project no later than December 31, 2020. The Contractor's performance will be monitored by DGS staff and DGS' designated Program Manager.

# (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:

The underlying contract was executed on April 13, 2016 in the amount of \$708,916, less than \$1 million; thus Council's approval was not required. The total amount of the Contract and Change Order Nos. 1 and 3, individually and aggregately, were less than the \$1 million and therefore Council's approval was not required. The proposed Change Order No. 5 in the amount of \$145,425 would increase the Contract's lump sum price from \$999,377 to \$1,144,802; thus, Council's approval is required for the proposed contract action.

(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 proposed Change Order No. 5 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 applicable 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:

The proposed Change Order No. 5 has been deemed legally sufficient by the Department's 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 Citywide Clean Hands database indicates that the Contractor is current with its District taxes. The applicable Clean Hands certification for the Contractor accompanies this Council Package.

# (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 certified Local, Small, or Disadvantaged Business Enterprise. The Contractor's CBE No. is LSX34960092022, with an expiration date of September 30, 2022.

# (V) Other aspects of the proposed contract that the Chief Procurement Officer considers significant:

Not applicable.

(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 and 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 Department's website.

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

The original solicitation and any amendments were posted on the Department's website.



Government of the District of Columbia Office of the Chief Financial Officer Office of Tax and Revenue

1101 4th Street, SW Washington, DC 20024

Date of Notice: August 17, 2020

Notice Number: L0004368014

COX, GRAAE & SPACK ARCHITECTS P.C. 2909 M ST NW WASHINGTON DC 20007-3714 FEIN: \*\*-\*\*\*4809 Case ID: 537119

#### 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



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#### Memorandum

То:	Keith A. Anderson Director
From:	AHB Antoinette Hudson - Beckham Agency Fiscal Officer
Reference:	Change Order No. 5 to Contract No. DCAM-15-AE-0158, Architectural and Engineering Services for Hearst Park and Pool Renovation
Date:	September 10, 2020
Subject:	Fiscal Sufficiency Review

In my capacity as the Agency Fiscal Officer of the Department of General Services (the "Department"), I hereby verify that Change Order No. 5 to the Architectural and Engineering Services for Hearst Park and Pool Renovation (DCAM-15-AE-0158) (the "Contract") with Cox Graae + Spack Architects, P.C. (the "Contractor") in the amount of \$145,425.00 is consistent with the Department's current budget and that adequate funds are available in the budget for the expenditure.

The underlying contract was executed on April 13, 2016 in the amount of \$708,916.00 (PO541237 - \$427,158.00 and PO541237 - \$281,758.00). Since the aggregate amount of the Contract was under \$1 million, Council's approval was not required. Change Order No. 1 was executed on April 12, 2018 and increased the lump sum Contract price from \$708,916.00 by \$80,570.00 (PO582358) to \$789,486.00. Change Order No. 2, in the amount of \$0, was executed on August 27, 2019. Change Order No. 3 was executed on November 12, 2019 and increased the lump sum Contract price from \$789,486.00 by \$209,891.00 (PO616363) to \$999,377.00. Change Order No. 4, in the amount of \$0, was executed on July 25, 2020. The aggregate amount of Change Order Nos. 1 and 3 was less than \$1 million; thus Council's approval was not required.

The proposed Change Order No. 5 in the amount of \$145,425.00 would increase the lump sum Contract price and authorizes additional scope of work. If approved, the aggregate increase to the Contract value, via Change Order No. 5 would be \$145,425.00 for a total Contract value of \$1,144,802.00; thus, Council approval is required.

The Department of General Services (DGS- Implementing/Owner AGY) has \$145,425.00 in the Department of Parks and Recreation (DPR – Owner AGY) cumulative capital budget allotment balance. The accounting attributes and SOAR/PASS screen shots are listed below/attached.

Project Name	Project Number	AY	Fund Detai l	Imp. Agency	Owner Agency	RK #	Amount	Comments
HEARST PARK POOL	WD3PLC	2015	0300	AM0	AM0	RK154379	\$145,425.00	See attached
	\$145,425.00							

Antoinette Hudson-Beckham

Antoinette Hudson Beckham Agency Fiscal Officer Department of General Services



Created on Thu, 11 Jun, 2020 by Cassidy Mullen on behalf of Daphne Hawkins

### Requisition No. RK154379

#### Issued on Thu, 11 Jun, 2020

Created on Thu, 11 Jun, 2020 by Cassidy Mullen on behalf of Daphne Hawkins

Supplier:

Ship To: Department of General Services 1250 U. St., NW, 4th Floor Washington, DC 20009 United States Deliver To: Shahrokh Ghahramani Bill To: DGS-OCFO 2000 14th St., 5th Floor Washington, DC 20009 United States

Item	Description	Part Number	Unit	Qty	Need By	Unit Price	Extended Amount
1	Expanded construction administration services		each	145,425	Fri, 26 Jun, 2020	\$1.00 USD	\$145,425.00 USD
	Expanded construction administration services for the 2020. This will also include a time extension to be three portion of the project. Hearst Pool 3701 37th Street NW Ward 3						

#### Status: Submitted

Approvals							
Required	Status	Reason	Approver	Approved By	Date		
Required	Approved	Funds must be secured.	Funds Commit	Funds Commit	Thu, 03 Sep, 2020		
Not Required	Ready	RequesterWatcher	Daphne Hawkins				
Required	Ready	On behalf of user must approve	Daphne Hawkins				
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				

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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 2	
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 06/12/2020 Funds Commit Successful The funds commitment creation was successful. Batch Agency-AM0, Batch Number-018, Current Document Number-RK154379 (Funds Commit, Fri, 12 Jun, 2020)
- COMMENT by Integration on 09/03/2020
  Funds Commit Successful The funds commitment cancellation was successful. Batch Agency-AM0, Batch Number-030, Current
  Document Number-CH900403 (Integration, Thu, 03 Sep, 2020)
- COMMENT by Funds Commit on 09/03/2020
  Funds Commit Successful The funds commitment change was successful. Batch Agency-AM0, Batch Number-031, Current
  Document Number-CH900404 (Funds Commit, Thu, 03 Sep, 2020)

### **Requisition Attachments**

 ATTACHMENT by Cassidy Mullen on Thursday, June 11, 2020 at 10:04 PM Hearst Park and Pool - CGS\_Expanded CA Services\_\$145425.00 SIGNATURE.pdf (549678 bytes)

Supplier:

Ship To: Department of General Services 1250 U. St., NW, 4th Floor Washington, DC 20009 United States Deliver To: Shahrokh Ghahramani Bill To: DGS-OCFO 2000 14th St., 5th Floor Washington, DC 20009 United States

tem   D	Description	Part Number	Unit	Qty	Need By	Unit Price	Extended Amount
E	Expanded construction administration services		each	145,425	Fri, 26 Jun, 2020	\$1.00 USD	\$145,425.00 USD
2 H	Expanded construction administration services for the dur 2020. This will also include a time extension to be through Hearst Pool and Park 3701 37th Street NW Ward 3				ated for complet	ion late summer, fai	1

	Total	\$145,425.00 USD	
			1

#### Status: Submitted

Approvals							
Required	Status	Reason	Approver	Approved By	Date		
Required	Approved	Funds must be secured.	Funds Commit	Funds Commit	Fri, 12 Jun, 2020		
Not Required	Ready	RequesterWatcher	Daphne Hawkins				
Required	Approved	On behalf of user must approve	Daphne Hawkins	Daphne Hawkins	Fri, 12 Jun, 2020		
Required	Approved	Budget responsible manager to approve purchases against their budget	AM0 Budget Responsible Manager	Cassandra White	Tue, 16 Jun, 2020		
Not Required	Ready	Agency Manager to watch requisitions greater than \$25,000	AM0 Agency Manager				
Required	Approved	Supervisor	Cassandra White	Cassandra White	Tue, 16 Jun, 2020		
Required	Approved	Chain Of Command	Allam Al Alami	Allam Al Alami	Tue, 16 Jun, 2020		
Required	Approved	Chain Of Command	Paul Blackman	Paul Blackman	Tue, 16 Jun, 2020		
Required	Approved	Chain Of Command	Yohance Fuller	Yohance Fuller	Wed, 17 Jun, 2020		
Required	Approved	Chain Of Command	Mary Michelle Dee	Mary Michelle Dee	Wed, 17 Jun, 2020		
Required	Approved	The designated OCFO Budget Reviewer to approve	AM0 Budget Reviewer 2	Tanya Hatchel- Thomas	Wed, 17 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 06/12/2020 Funds Commit Successful The funds commitment creation was successful. Batch Agency-AM0, Batch Number-018, Current Document Number-RK154379 (Funds Commit, Fri, 12 Jun, 2020)

### **Requisition Attachments**

 ATTACHMENT by Cassidy Mullen on Thursday, June 11, 2020 at 10:04 PM Hearst Park and Pool - CGS\_Expanded CA Services\_\$145425.00 SIGNATURE.pdf (549678 bytes)

S1 - OS12Secure - A - OS12 Production File Edit Session Options Transfer Connections: A - OS12 Production - UPP	View Script Help $A^{a} \cong   \textcircled{a}   \rightleftharpoons$			PF02 PF03	× PF04
SOG1 V2.1 PRD LINK TO:		LUMBIA R*STARS 2.1 INANCIAL INQUIRY	. 09/01/	20 09:10 D	AM SNF
AGENCY: MO A AP FUND: COMP SRC/GRP: ORG LEVEL: PGM LEVEL: FUNC LEVEL:	FUND: 0300 GR.	PGM CODE: ANT/PH: OBJ:	PROJECT/PH:	WD3PLC	<u>01</u> —
INQ TYPE: MC INQ YEAR: 20 BUDGET AVAIL: EXPEND/BUDG %: ALLOTMENT BAL	INQ MONTH: <u>12</u> 292,446.75 7.36 653,211.75 AMOUNT 6,000,000.00		5 5	100	.97 .00 .28 NT .00
F1-HELP F2-DOC INQ S1/A Ready(1) 10.27.12.1	F5-NEXT F9-I	NTERRUPT ENTER-J 9:11:45 9/1/2020		AR-EXIT	04,016

#### GOVERNMENT OF THE DISTRICT OF COLUMBIA DEPARTMENT OF GENERAL SERVICES







#### OFFICE OF THE GENERAL COUNSEL

#### MEMORANDUM

- TO: Ronan Gulstone Director, Office of Policy and Legislative Affairs
- FROM: Kristen Walp Senior Assistant General Counsel

#### SUBJECT: Legal Sufficiency Certification

Change Order No. 5 to the Contract for Architectural and Engineering Services for Hearst Park and Pool Modernization

Contract Number:	DCAM-15-AE-0158
Contractor:	Cox Graae + Spack Architects, P.C.

DATE: September 28, 2020

This is to certify that this Office has reviewed the above-referenced Change Order and has found it to be legally sufficient, subject to submission of: (i) any required materials to Council for approval; (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.

Enster Ways

Kristen Walp Senior Assistant General Counsel

MODIFICATION OF CONTRACT			1 Contract Number	Page o	Pages
			DCAM-15-AE-0158		2
2 Modification Number	3 Effective Date	4. Requisition/P	Purchase Request No	5 Caption	
Change Order 1	See Block 16C	I .	RQ979067	AE Services for th Pool Re	
6. Issued By:	See 200X 160		ored By (If other than line t	and the second se	novación
			ent of General Services		
			onstruction Division		
2000 14th Street, 6th Floor		2000 140	h Street, 8th Floor		
Washington, DC 20009		Washing	ton, DC 20009		
8 Name and Address of Contractor (No. Street	el, city, country, state and ZIP	Code)	9A Amendment of S	olicitation No	
Cox Grase + Speck Architects, P C			98 Dated (See Item	11)	
2909 M Street NW					
Washington, DC 20007 Attn: William Spack			10A. Modification of DCAM-15-AE-0158	Contract/Order No	
bspack@cgsarchitects.com			X	- 40	
uspecking og sarchitects cum			10B Dated (See Iten	n 13)	
11	THIS ITEM ONLY APPLIES	TO AMENOMEN	April 13, 2018		
The above numbered solicitation is amende	the second s	And all the same of the local division in th		is extended	is not extended
Offers must acknowledge receipt of this a					
following methods: (a) By completing Item			pies of the amendment: (b)		
amendment on each copy of the offer sub		the second se		-,	
amendment number. FAILURE OF YOUR	ACKNOWLEDGEMENT TO	BE RECEIVED A	T THE PLACE DESIGNAT	ED FOR THE RECE	IPT OF OFFERS
PRIOR TO THE HOUR AND DATE SPEC					
an offer already submitted, such change r					-
solicitation and this amendment, and is re		ur and date spe	cified		
<ol> <li>Accounting and Appropriation Data (If Rec</li> </ol>	puired)				
13 TH	S ITEM APPLIES ONLY TO M	COLFICATIONS	OF CONTRACTS/ORDE	RS.	
IT	MODIFIES THE CONTRACTA	ORDER NO AS	DESCRIBED IN ITEM 14		
A. This change order is issued pursue	int to: (Specify Authority)				
The changes set forth in Item 14 are r					
B. The above numbered contract/orde	r is modified to reflect the adr	ninistrative chan	ges (such as changes in p	aying office, appropri	ation
date, etc.) set forth in item 14.					
C This supplemental agreement is en	tered into pursuant to authori	ty of:			
X D Other (Specify type of modification	and authority) Title 27	DCMR Sectio	ns 4728 and Contract D	CAM-15-AE-0158	
Article 8 Changes in the Work E. IMPORTANT: Contractor lis n		a this data mont	and others 1		H
	al, X is required to sig	n ints document	and return 1	copy to the issuing o	ince
14. Description of amendment/modification	n (Organized by UCF Section	on headings, in	cluding solicitation/contra	act subject matter v	where feasible.)
Contract No. DC All 15 45 0150 10	Conciona for the Line of	and Basi Day	alles is been been been been been been been bee	- faite	
Contract No. DCAM-15-AE-0158 to provide AE	services for the Hearst Park	and Pool Renov	vation is hereby modified a	s follows:	
The Contractor shall provide additional serv	ices for design and cermit and	edition per the (	Contract Documents and it	e Contractor's proce	sal allachert harato
as Attachment A	and particular and particular	a summer pres and t	contract crosserile na chú li	a source a propo	
2. The Contract Amount shall be increased fro	m \$748 457 00 by \$80 570 00	to equal \$829.0	27 00		
3 The Contract shall have an administrative to	rm that rups from the effective	date of the Not	ice to Proceed through the	earlier of the followi	no of (i) December
1, 2019; or (ii) the date the Contractor execut					
The Administrative Term is established for the					
ayments become due Notwithslanding the fo	regoing, nothing herein shall I	be construed to:			
Completion Date; and, limit the Department's a	bility to assess liquidated dar	nages thereon.			
. All other terms and conditions remain unch	anged				
ISA Name and Title of Signer (Type or print)			of Contracting Officer		
William Spack, AIA Principal	lue e		uslin - Contracting Office	er	
58. Name of Contract	15C. Date Signer	16B. Dated	t of Columbia	'. I	16C. Date Signed
		Ar a	All All	1 And	Hala
7	04.06.201	3 VI X/19	Aller)/(IV	and	11918
(Sprace of person and	nonited to wgn)	1 and	All and All and	ure of Contracting Officer)	
		-t			

MODIFICATION OF CONTRACT			1. (	Contract Number	Page of F	ages
				AM-15-AE-0158	1	1
2. Micdification Number	3. Effective Date	4. Requisition/Purchase Request N			5. Caption	
Modification No. 3	See Block 16C	N/A			A/E Services for the Pool Rend	
6. Issued By:						Vacon
Department of General Services				of General Service	,	
Contracting and Procurement Division				strutcion Division		
1250 U Street, 3rd Floor Washington, DC 20009			50 U Street, 4th Floor			
Washington, DC 20009		vvasning	ton,	, DC 20009		
8. Name and Address of Contractor (No. Stre	et, city, country, state and ZIP	Code)		9A. Amendment of S	olicitation No.	
Cox Graae + Spack Architects, P.C 2909 M Street NW				9B. Dated (See Item	11)	
Washington, DC 20007			┝──	10A. Modification of	Contract/Order No	
bspack@cqsarchitects.com				DCAM-15-AE-015		
			X	10B. Dated (See Iten	A COMPANY OF A DESCRIPTION OF A	
				April 13, 2016	-	
	HIS ITEM ONLY APPLIES TO					
The above numbered solicitation is amende						is not extended.
Offers must acknowledge receipt of this a following methods: (a) By completing Item						
amendment on each copy of the offer sub				of the amendment: (b)		ecerpt of this
amendment number. FAILURE OF YOUR						T OF OFFERS
PRIOR TO THE HOUR AND DATE SPEC						
an offer already submitted, such change r	may be made by letter or fax, p	provided each let	ter o	r telegram makes refe	erence to the	
solicitation and this amendment, and is re		ur and date spec	ified			
12. Accounting and Appropriation Data (If Rec						
	TEM APPLIES ONLY TO MO				5,	
	DIFIES THE CONTRACT/OR	DER NO. AS DE	SC	RIBED IN ITEM 14		
A. This change order is issued pursue The changes set forth in Item 14 are	made in the contract/order no.					
B. The above numbered contract/orded date, etc.) set forth in item 14.	er is modified to reflect the adr	ninistrative chang	jes	(such as changes in p	paying office, appropr	iation
C. This supplemental agreement is en	tered into pursuant to authori	y of:				
X D. Other (Specify type of modification	and authority) 27 DCM	AR Sections 47	28	and Contract No. D	CAM-15-AE-0158	
E. IMPORTANT: Contractor is not, X is required to sign this document and return 1 copy to the issuing office.						fice.
14. Description of amendment/modification feasible.)	on (Organized by UCF Sec	tion headings,	incl	uding solicitation/co	ontract subject mat	ter where
Contract No. DCAM-15-AE-0158- A/E Serv	ices for the Hearst Park & P	col Renovation	is m	odified as follows:		
1) Contract Amount: The base contract amo						
2) Modification No. 1: Modification No. 1 incr						
3) This Modification No. 3: The contract amo			09,8	391.00 for a cumulativ	e contract value of \$	999,377.00
4) Terms and Conditions: All other terms and						
<ol> <li>Complete Settlement: This modification o release of any related claims. By accepting this</li> </ol>	rder represents a full accord a s change order, the Contractor	nd satisfaction to thereby releases	ar the	e events giving rise to claim it may have by	the change, and a fu	ill and final
this Modification Order.			, an,		title of the events	grang nae to
15A. Name and Title of Signer	5A. Name and Title of Signer 16A. Name					
Villiam Spack, AlA Principal Franklin /				Contracting Officer	•	
15B-Broughton Construction Company	15C. Date Signed		of C	olumbia		16C. Date Signed
cox graae + spack architects	11.06.1	°hh	,	and i		11
	Vianky Wholet in Ulizin					11/12/10
(Signature of person au	entrationa to Bright)	1 1/1000	<i>u</i>	MAN KAN ISGA	and of Contracting Officer)	1 [17

MODIFICATION	OF CONTRACT		1. Contract Nu	mber	Page of	*
		4. Requisition/P	DCAM-15-AE		1 5. Caption	2
2. Modification Number	3. Effective Date	4. Requisition/P	urchase Reque	a NO.	A/E Services f	for the Hearst
Modification No. 5	See Block 16C	F	K154379		Park and Poo	Renovation
6. Issued By:			ered By (If other			
Department of General Services Contracting and Procurement Division		ent of Genera Construction D				
2000 14th Street, 4th Floor			Street, 4th Flo			
Washington, DC 20009		Washing	ton, DC 2000	9		
8. Name and Address of Contractor (No. Stre	et city country state and 7	P Code)	9A Amend	iment of S	Solicitation No.	
		,				
Cox Graae + Spack Architects, P.C			9B. Dated	(See Item	11)	
2909 M Street NW			104 14-15		0	
Washington, DC 20007 Email: bspack@cgsarchitects.com			DCAM-15		Contract/Order No.	
			X 10B. Dated			
			April 13, 2			
The above numbered solicitation is amende	THIS ITEM ONLY APPLIES				is extended.	is not extended.
Offers must acknowledge receipt of this a						
following methods: (a) By completing iten					) By acknowledging r	eceipt of this
amendment on each copy of the offer su						
amendment number. FAILURE OF YOUR PRIOR TO THE HOUR AND DATE SPE						
an offer already submitted, such change	may be made by letter or fax,	provided each l	etter or telegram			
solicitation and this amendment, and is n		nour and date sp	ecified.			
<ol><li>Accounting and Appropriation Data (If Re</li></ol>	quired)					
13. THI	SITEM APPLIES ONLY TO M	ODIFICATIONS	OF CONTRAC	TS/ORDE	RS.	
	ODIFIES THE CONTRACT/	ORDER NO. AS	DESCRIBED IN	ITEM 14		
A. This change order is issued pursu		-				
The changes set forth in Item 14 are B. The above numbered contract/ord			nnes (such as r	hannes ir	paving office, appro	oriation
date, etc.) set forth in item 14.			11969 (9061 69 (	alanges i	r paying onice, appro	priotion
C. This supplemental agreement is e	ntered into pursuant to autho	rity of:				
<ul> <li>D. Other (Specify type of modification</li> </ul>	and sutherity) Title 2	7 DCMR Section	one 4728 and (	Contract	DCAM-15-AE-015	9
X Section 7 Changes Clause	rand autionty) The 2	DOWIN Secu	/15 4/20 anu (	contract	DCAM-13-AE-013	0
E. IMPORTANT: Contractor is n	ot, X is required to sig	gn this documen	t and return	1	copy to the issuing o	ffice.
14. Description of amendment/modification	o (Organized by LICE See	ling handlings i	netuding policit	ation/con	lead a high matter	where (anoible )
14. Description of amendment/modilicaut	in (Organized by OCP Sec	uon neadings, i	ncluaing solicit	ation/cor	itract subject matter	where leastble.)
Contract No. DCAM-15-AE-0158 to prov	ide Architectural and Eng	ineering ("A/E"	) Services for	the Hear	st Park and Pool R	Renovation
is hereby modified as follows:	•	•	,			
1. Scope of Work. This Modification No	5 authorizes additional c	contract admini	stration servci	es to cor	nolete the renovati	on of Hearst Park
and Pool (the "Project") as described in						
2. Lump Sum Price of Contract: The la	Imp sum price of Contract	t is hereby incr	eased from \$9	99,377.0	00 by \$145,425.00	to \$1,144,802.00.
3. Retention (Section 4.4.). The 5% inc	entive fee specified in Se	ction 4.4 of the	Contract will a	not be pa	wable unless and u	until DGS issues
a Contract modification with appropriate					,	
4. RELEASE: It is mutually agreed that	in exchange for this Modi	fication and ot	her considerat	ion, the (	Contractor hereby r	eleases, waives,
settles and holds the Department harmle	-			-		
additional time, additional cost, contract						
Contractor may have now or in the futur any manner connected with this Modific					nces or result of, re	elating to or in
•				ion.		
5. Terms & Conditions: All other Terms	and Conditions remain u	nchanged.				
15A. Name and Title of Signer (Type or print)		16A. Name	of Contracting (	Officer		
Willia	m Spack, AIA Princip	pal 'Frankli	n Austin, CPPB			
15B. Cox Graae + Spack Architects, P.C	15C. Date Sign	ed 16B. Distri	ct of Columbia			16C. Date Signed
		~				
77	09.24.202	20				
(Signature of person au	(horized to sign)			(Signa	ture of Contracting Officer)	

(Continuation)

Contract Number	Modification No.	Page of Pages
DCAM-15-AE-0158	Modification No. 5	2 of 2

6. Contract Recap:

Contract	Executed: 4/13/2016 Contract Amount	\$	708,916.00
Modification No. 01		 \$	80,570.00
Modification No. 02	Administrative	s	
Modification No. 03		\$	209,891.00
Modification No. 04	Administrative	\$	
Modification No. 05		\$	145,425.00
Contract Amount		\$	1,144,802.00

#### Attachment A

A/E's Proposal for Expanded Contract Administration Services

(See following page)

### cox graae + spack architects

2909 m street nw = washington dc 20007 = 202.965.7070 = fax 202.965.7144

proposal			No. 26
PROJECT:	Hearst Park and Pool		
TO:	Shahrokh Ghahramani	DGS	
FROM:	Tom Wheeler	cox graae + spack architects	
DATE:	25 April 2020		
RE:	Scope of Services / Prop	osal:	
	Expanded Construction A	Administration Services	

**cox graae + spack** (cg+s) architects is submitting the following Scope of Services / Proposal for providing design services that are outside of the scope of our base contract.

This Proposal is comprised of the following sections:

- A. Project Understanding
- B. Fee Proposal

#### A. PROJECT UNDERSTANDING

DGS has requested expanded construction administration services for the duration of the project, currently slated for completion late summer, fall 2020. The Hearst Park & Pool project was slated to be completed September 2017. The completion date has repeatedly extended due to community engagement and contractor delays. Additionally, the construction phase has extended due to contractor performance issues that have delayed progress and increased the amount of effort required to provide construction administration services.

The members of the design team listed below will provide the following additional services:

- Attendance at weekly progress meetings.
  - Cg+s will attend weekly meetings and issue a field report tracking open issues until they are resolved per the contract requirements.
  - Sub-consultant members of the design team will attend site progress meetings at pertinent junctures of the project development.
- Members of the design team will visit the site as required to observe the work at times when work of a particular phase and or trade is in place. These visits may occur on days other than progress meetings.

#### B. FEE - fixed

cg+s architects: See fee sheet	\$87,600
Carvalho + Good Landscape Architects (CGLA):	\$16,000
	1

### cox graae + spack architects

2909 m street nw • washington dc 20007 • 202.965.7070 • fax 202.965.7144

proposal	No. 26
Wiles Mensch Corporation (WMC): Civil Engineering	\$2,625
Simpson Gumpertz Heger(SGH): Structural Engineering	\$24,200
Setty Associates (SA): Mechanical, Plumbing & Electrical	\$15,000
Total Fee	\$145,425

If this Proposal meets with your approval, please sign both copies where indicated, retain one (1) copy for your records and return the other copy to **cox graae + spack** architects. Please do not hesitate to contact me should you have any questions or if you require additional information regarding the requested work.

Sincerely;

cox graae + spack architects

Department of General Services

Tom Wheeler, AIA Principal

(signature / date)

(printed name)