



MURIEL BOWSER
MAYOR

March 1, 2023

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:

P Enclosed for consideration and enactment by the Council of the District of Columbia is an emergency bill, the "Modification No. 8 to Contract No. CW83888 with Accenture, LLP Approval and Payment Authorization Emergency Act of 2023", and the accompanying emergency declaration resolution.

The legislation will approve Modification No. 8 to exercise option year two of Contract No. CW83888 with Accenture, LLC for contact tracing and other data management services to support critical operations to contain the spread of COVID-19. In addition, the legislation will approve payment for goods and services received and to be received under option year two of the contract.

If you have any regarding this legislation, please have your staff contact Marc Scott, Chief Operating Officer, Office of Contracting and Procurement, at (202) 724-8759.

I look forward to the Council's prompt and favorable action on the enclosed legislation.

Sincerely,


Muriel Bowser


Chairman Phil Mendelson
at the request of the Mayor

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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To approve, on an emergency basis, Modification No. 8 to Contract No. CW83888 with Accenture, LLP to provide contact tracing and other data management services to support critical operations to contain the spread of COVID-19 and to authorize payment for the 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 “Modification No. 8 to Contract No. CW83888 with Accenture, LLP Approval and Payment Authorization Emergency Act of 2023”.

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, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Modification No. 8 to Contract No. CW83888 with Accenture, LLP to provide contact tracing and other data management services to support critical operations to contain the spread of COVID-19, and authorizes payment in the total not-to-exceed amount of \$15 million for goods and services received and to be received under the modification.

35 Sec. 3. Fiscal impact statement.

36 The Council adopts the fiscal impact statement of the Chief Financial Officer as
37 the fiscal impact statement required by section 4a of the General Legislative Procedures
38 Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-
39 301.47a).

40 Sec. 4. Effective date.

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

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Contracting and Procurement



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
(Retroactive)

- (A) **Contract Number:** CW83888
- Proposed Contractor:** Accenture, LLP
- Contract Amount:** Not-to-Exceed (NTE) \$15,000,000
- Term of Contract:** May 20, 2022 through May 19, 2023
(Option Period Two)
- Type of Contract:** Labor Hour
- Source Selection Method:** COVID-19 Emergency Contract

(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:**

Base Period Amount: \$9,143,540

The base period was awarded pursuant to section 5(b)(2) of the District of Columbia Public Emergency Act of 1980, effective March 5, 1981, DC Law 3-149, DC Official Code 7-2304(b)(2).

Option Period 1 Amount: NTE \$15,000,000

Explanation of difference from base period (if applicable):

Option Period One was exercised pursuant to section 5(b)(2) of the District of Columbia Public Emergency Act of 1980, effective March 5, 1981, DC Law 3-149, DC Official Code 7-2304(b)(2).

The base period was for the initial implementation of the contact tracing application to support critical operations to contain the spread of COVID-19. Additional services were added to the contract in response to COVID-19 and its ever-changing and evolving landscape. These services included

disease surveillance, vaccination administration and management, data management interfaces and integrations, and data transactions analytics from hospitals, laboratories, and health providers.

Option Period 2 Amount: NTE \$15,000,000

Explanation of difference from base period (if applicable):

The base period was for the initial implementation of the contact tracing application to support critical operations to contain the spread of COVID-19. Additional services were added to the contract in response to COVID-19 and its ever-changing and evolving landscape. These services included disease surveillance, vaccination administration and management, data management interfaces and integrations, and data transactions analytics from hospitals, laboratories, and health providers.

Option Period 3 Amount: NTE \$15,000,000

Explanation of difference from base period (if applicable):

The base period was for the initial implementation of the contact tracing application to support critical operations to contain the spread of COVID-19. Additional services were added to the contract in response to COVID-19 and its ever-changing and evolving landscape. These services included disease surveillance, vaccination administration and management, data management interfaces and integrations, and data transactions analytics from hospitals, laboratories, and health providers.

(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 continue providing COVID-19 applications, infrastructure integration projects, and master data management necessary for emergency response across the Department of Health. Services include disease surveillance, contact tracing, vaccination administration and management, data management interfaces and integrations.

The contractor shall continue to evaluate and prioritize capacity management and scalability COVID-19 response requirements to integrate existing environments, applications, system interfaces and data analytics with hospitals, health care providers, laboratories, and environment capacity expansions as necessary, and mandated by the Council, Mayor, DC Health Director, and the Office of the Chief Technology Officer.

(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:

The contractor was selected pursuant to Mayor's Order 2020-046 which states that the Chief Procurement Officer is authorized pursuant to section 5(b)(2) of the District of Columbia Public Emergency Act of 1980, effective March 5, 1981, DC Law 3-149, DC Official Code 7-2304(b)(2), to enter into contracts and procurements necessary or appropriate to respond to the public emergency declared by the Order without regard to established operating procedures relating to the performance of public works, entering into contracts, incurring obligations, employment of temporary workers, rental of equipment, purchase of supplies and materials, and expenditure of public funds.

Request for Proposals (RFP) was issued on May 7, 2020. The RFP closed on May 13, 2020 and resulted in two proposals. Proposals were evaluated based on: experience, approach/methodology, system demonstration, past performance, and price factors. Offerors had to demonstrate that they implemented a salesforce contact tracing solution enabling 900 contact tracers in another state. Accenture was the only offeror who met the requirements outlined in the RFP.

- (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:**

None

- (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:**

During the COVID-19 pandemic, Accenture provided contact tracing Salesforce solutions to several organizations and governments. Past performance evaluations from the District and other government sectors reflect high quality services and customer satisfaction. Accenture has adequate financial resources to perform the contract and the ability to obtain those resources based on their Bidder/Offeror Certification Form and their Dun and Bradstreet report. Accenture has the necessary organization, experience, accounting, operational control, and technical skills to fulfill the District's requirements.

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

The period of performance associated with the proposed change is May 20, 2022 through May 19, 2023.

- (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:**

Modification No. M0008 exercised option period two NTE \$15,000,000.

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

NTE \$15,000,000.

- (J) The date on which the contracting officer was notified of the proposed change:**

April 19, 2022

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

On April 16, 2022, the COVID-19 public emergency expired. All emergency procurement authorities reliant on the COVID-19 public emergency were no longer valid. In order to continue these critical COVID-19 services, the contracting officer exercised option period two prior to Council approval because there was insufficient time to obtain Council approval prior to the start date of the option period.

(L) The reason for the proposed change:

To continue applications and solution advisory services in support of critical COVID-19 applications and infrastructure integration projects to support DC Health's IT environments.

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

In accordance with 27 DCMR, Chapter 20, Section 2008, the contracting officer is authorized to exercise options.

(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:

Pursuant to the COVID-19 Response Supplemental Emergency Amendment Act of 2020 (A23-0286), contracts entered into on an emergency basis or that are made in furtherance of, or that are related to the District's response to the COVID-19 emergency are not subject to the subcontracting requirements for certified business enterprises (CBEs). Accenture, however, is making a good faith effort to subcontract at least \$96,000 to CBEs.

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

Accenture shall be responsible for the professional quality, technical accuracy, completeness and coordination of all business requirements, development, implementation, enhancements, training, change management, and all technical productions support of the DC Health master data management engine and supporting applications of contact tracing, disease surveillance, security detection response, Rhapsody interface and integration and all other technical application integrations as determined by Chief Information Technology Officer in response to the needs of DC Health.

DC Health expects internal and external users to have required and ongoing access and support for all applications included in the technical solutions delivery of Salesforce Cloud, Oracle Cloud and Amazon Web Services required.

- (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:**

NTE \$15,000,000.

- (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:**

DC Health's Agency Financial Officer has certified that funds for the proposed Council approval action for the sum of \$15,000,000 are available.

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

The Office of the Attorney General has reviewed the contract and finds it legally sufficient. The contractor has no 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 Citywide Clean Hands report dated January 11 2023, states that the contractor has no outstanding liability with the District.

- (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:**

Based on the information contained in the Bidder Offeror form, the contractor has certified that it is current with its federal taxes.

- (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.*:**

The contractor is not a certified local, small, or disadvantaged business enterprise.

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

There are no aspects of the proposed contract that the Chief Procurement Officer considers significant.

(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:

As of January 11, 2023, Accenture does not appear on either the federal or District's Excluded Parties Lists.

(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):

Determination and Findings for Contractor Responsibility
Determination and Findings Emergency Procurement
Determination and Findings for Letter Contract

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

(Z) Where the original solicitation, and any amendments or modifications, will be made available online: www.ocp.dc.gov



Date of Notice: January 11, 2023

Notice Number: L0008630396

ACCENTURE LLP
1255 TREAT BLVD STE 250
WALNUT CREEK CA 94597-7997

FEIN: **-***2904
Case ID: 1397202



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 DC homepage, click the "Validate a Certificate of Clean Hands" hyperlink under the Clean Hands section.



**Government of the District of Columbia
Office of the Chief Financial Officer**



Department of Health

MEMORANDUM

TO: George A. Schutter III
Chief Procurement Officer
Office of Contracting and Procurement

THRU: Delicia V. Moor *for Robinson*
Associate Chief Financial Officer
Human Services Support Cluster

FROM: Adreana Deane *Adreana A. Deane*
Agency Fiscal Officer
Department of Health

DATE: February 16, 2023

SUBJECT: Certification of Funding Availability for Accenture, Contract# CW83888

The Office of the Chief Financial Officer hereby certifies that the sum of \$6,000,000 was expended in FY22 and \$9,000,000 is included in the District's Federal Grant Budget and Financial Plan for Fiscal Year 2023 to fund the costs associated with the Department of Health's contract CW83888 for Accenture. This certification supports the Accenture contract during the period from May 20, 2022, to May 19, 2023. The fund allocation is as follows:

Vendor: Accenture **Contract #: CW83888**
Fiscal Year 2022 Funding Period: 05/20/22 to 09/30/22

Agency	Fund	Program	PCA	Index	CSG	Grant/Ph	Amount
HC0	8231	8200	8231	EEDE1	0408	01CNPF	\$6,000,000
FY 2022 Contract Total:							\$6,000,000

Fiscal Year 2023 Funding Period: 10/01/22 to 05/19/23

FY	Agency Code	Fund	Program	Cost Center	Account	Award	Project	Task/Subtask	Amount
2023	HC0	4020023	700051	70083	7132001	2000704	2000858	19.01	\$4,080,357.01
2023	HC0	4020023	700027	70058	7132001	2000693	2000699	20.01	\$619,200.00
2023	HC0	4020023	700051	70083	7132001	2000695	2000716	21.01	\$1,052,959.00
2023	HC0	4020023	700051	70083	7132001	2000692	2000686	20.01	\$2,400,000.00
2023	HC0	4020002	100071	70086	7132001	2000657	200828	23.04	\$847,483.99
FY 2023 Contract Total:									\$9,000,000

Should you have any questions, please contact me at 202-442-9222.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Attorney General



ATTORNEY GENERAL
BRIAN L. SCHWALB

Commercial Division
Government Contract Section

MEMORANDUM

TO: Tommy Wells
Director
Office of Policy and Legislative Affairs

FROM: Robert Schildkraut
Section Chief

DATE: January 31, 2023

SUBJECT: Approval of Option Year Contract for Data Analytics Support
Contract Number: CW83888
Contractor: Accenture, LLC
Proposed Contract Amount: NTE \$15,000,000.00

This is to Certify that this Office has reviewed Modification 008 of the above-referenced Contract, which Contract was entered into pursuant to the COVID Emergency (Mayor's Order 2020-046), and that we have found Modification 008 to be legally sufficient with the proviso that the process by which Modification 008 was entered into violated the requirements of DC Code § 2-352.02 (Criteria for Council review of multiyear contracts and contracts in excess of \$1 million).

We note that the vendor, Accenture, LLP, currently has a protest pending at the Contract Appeals Board (P-1175), filed January 26, 2023.

If you have any questions in this regard, please do not hesitate to call me at (202) 724-4018.


P.P. _____

Robert Schildkraut

AMENDMENT OF SOLICITATION / MODIFICATION OF CONTRACT		1. Contract Number CW83888	Page of Pages 1 2	
2. Amendment/Modification Number M0008	3. Effective Date 5/20/2022	4. Requisition/Purchase Request No.	5. Solicitation Caption Contact Tracing IT Solution	
6. Issued by: Government of the District of Columbia Office of Contracting and Procurement DC Department of Health (DC Health) 899 North Capital Street, NE, Fifth Floor Washington DC 20002		Code	7. Administered by (If other than line 6) Department of Health (DC Health) Office of the Director 899 North Capitol Street, NE, 5 th Floor Washington, DC 20002	
8. Name and Address of Contractor (No. street, city, county, state and zip code) Accenture, LLP 800 Connecticut Avenue Washington, DC 20006 Attention: David Metnick Code Facility		9A. Amendment of Solicitation No.		
		9B. Dated (See Item 11)		
		X 10A. Modification of Contract/Order No. CW83888		
		10B. Dated (See Item 13) 5/20/2020		
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 _____ 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 ACKNOWLEDGMENT 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 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):		27 DCMR 3601.2 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, pursuant to the authority of 27 DCMR, Chapter 36 Section 3601.2.				
C. This supplemental agreement is entered into pursuant to authority of: 27 DCMR 3601.2 (c)				
X D. Other (Specify type of modification and authority) 27 DCMR 2425.8				
E. IMPORTANT: Contractor <input checked="" type="checkbox"/> is not <input type="checkbox"/> is required to sign this document and return <u>1</u> copies to the issuing office.				
14. Description of Amendment/Modification (Organized by UCF Section headings, including solicitation/contract subject matter where feasible.)				
A. In accordance with section F.2 of Contract No. CW83888, the District hereby exercises option period two from May 20, 2022 through May 19, 2023.				
B. The contract ceiling amount for option period two shall not exceed \$15,000,000.				
C. Replace Section B.4 with the attached "SPECIAL PROVISIONS RELATED TO COVID-19."				
D. Incorporate the U.S. Department of Labor Wage Determination No. 2015-2281, Revision No. 22, dated March 15, 2022 is incorporated by reference.				
E. Incorporate the Way to Work Amendment Act of 2006 provision of the Contract and Section 15 of the Standard Contract Provisions, the living wage rate is hereby adjusted to \$15.50 per hour, effective January 1, 2022. Effective July 1, 2022, the District's Minimum Wage will increase to \$16.10.				
F. Incorporate the Living Wage Act Notice referenced in Attachment J.3 is replaced with the Living Wage Act Notice which is attached and hereby incorporated in the contract as Revised Attachment J.3.				
G. Incorporate the Living Wage Act Fact Sheet referenced in Attachment J.4 is replaced with the Living Wage Act Fact Sheet which is attached and hereby incorporated in the contract as Revised Attachment J.4.				
Except as provided herein, all terms and conditions of the document is referenced in Item 9A or 10A remain unchanged and in full force and effect.				
15A. Name and Title of Signer (Type or print)		16A. Name of Contracting Officer Dorothy Hale		
15B. Name of Contractor (Signature of person authorized to sign)	15C. Date Signed	16B. District of Columbia Dorothy Hale (Signature of Contracting Officer)	16C. Date Signed 5/19/2022	

B.4 SPECIAL PROVISIONS RELATED TO COVID-19

B.4.1 Contractors who provide goods or perform services in person in District of Columbia facilities or worksites (“On-site Contractors”) shall ensure that each of their employees, agents, subcontractors, and supervised volunteers have been either (i) fully vaccinated against COVID-19 (as defined herein) or (ii) have been granted one of the exemptions identified below, are undergoing weekly COVID-19 testing, and only reporting to the District workplace when such test result is negative.

B.4.2 Except as provided in B.4.3, On-site Contractors may grant to their employees, agents, subcontractors, and supervised volunteers the following exemptions from vaccination against COVID-19:

- a. Persons who object in good faith and in writing that the person’s vaccination would violate their sincerely held religious beliefs and the granting of the religious exemption would not impose an undue burden consistent with federal law;
- b. Persons who have obtained and submitted written certification from a physician or other licensed health professional who may order an immunization, that being fully vaccinated is medically inadvisable as a result of the person’s medical condition. If such condition is temporary, a medical exemption may only be granted until the date on which taking the vaccine would no longer be medically inadvisable; or
- c. Persons who agree to be tested weekly for COVID-19 and provide a negative COVID-19 test result on a weekly basis.

B.4.3 On-site Contractors may only grant to their employees, agents, subcontractors, and supervised volunteers who work in (i) a public, public charter, independent, private, or parochial school in the District, or (ii) a child care facility regulated by the Office of the State Superintendent of Education, the exemptions described in B.X.2(a) and (b), and shall not grant those persons the exemption described in B.X.2(c).

B.4.4 On-site Contractors shall require their employees, agents, subcontractors, and supervised volunteers who have received one of the exemptions under B.X.2 to wear a mask in the District facility or workplace and to provide the On-site Contractor with a negative COVID-19 test result on a weekly basis in order to report to work at the District facility or workplace.

B.4.5 The District may request a certification of compliance with this provision, proof of vaccination status, exemption documentation, and/or COVID-19 test results from On-site Contractors.

B.4.6 An On-site Contractor may impose stricter masking, vaccination, or testing requirements on their employees, agents, subcontractors, and supervised volunteers.

B.4.7 For purposes of this provision, “fully vaccinated” means a person has received all vaccines and boosters recommended by the CDC.

B.4.8 The Contractor is required to comply with City Administrator’s Order 2022-3, Mask Requirements Inside Certain District Government Buildings and Offices, dated April 14, 2022, and all substantially similar mask requirements including any modifications to the Order, unless and until they are rescinded.