



**MURIEL BOWSER**  
**MAYOR**

March 16, 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:

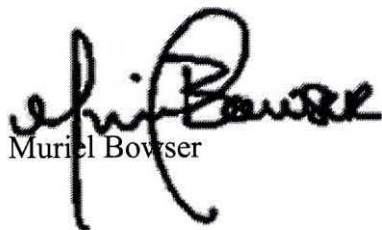
Enclosed for consideration and enactment by the Council of the District of Columbia is an emergency bill, the "Modification Nos. 19 and 20 to Human Care Agreement No. CW77620 with DigiDoc, Inc. Approval and Payment Authorization Emergency Act of 2023", along with the accompanying emergency declaration resolution.

The legislation will approve Modification Nos. 19 and 20 to Human Care Agreement No. CW77620 with DigiDoc, Inc., to fully exercise option year three of the agreement. Under the agreement, DigiDoc Inc. will provide nursing services for eligible students during transport to and from school and programs. In addition, the legislation will approve payment for goods and services received and to be received under option year three of the contract.

My administration is available to discuss any questions you may have regarding this legislation. In order to facilitate a response to any questions, please have your staff contact Marc Scott, Chief Operating Officer, Office of Contracting and Procurement, at (202) 724-8759.

I urge the Council to take 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

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To approve, on an emergency basis, Modification Nos. 19 and 20 to Human Care Agreement No. CW77620 with DigiDoc, Inc. to provide nursing services to care for eligible students during transport to and from school and programs, 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 Nos. 19 and 20 to Human Care Agreement No. CW77620 with DigiDoc, Inc. 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 ~~consistent notwithstanding with~~ the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. 19 and 20 to Human Care Agreement No. CW77620 with DigiDoc, Inc. to provide nursing services to care for eligible students during transport to and from school and programs and authorizes

34 payment in the total not-to-exceed amount of \$1,740,000 for the goods and services  
35 received and to be received under the contract.

36           Sec. 3. Fiscal impact statement.

37           The Council adopts the fiscal impact statement provided by the Chief Financial  
38 Officer as the fiscal impact statement required by section 4a of the General Legislative  
39 Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code  
40 § 1-301.47a).

41           Sec. 4. Effective date.

42           This act shall take effect following approval by the Mayor (or in the event of veto  
43 by the Mayor, action by the Council to override the veto), and shall remain in effect for  
44 no longer than 90 days, as provided for emergency acts of the Council of the District of  
45 Columbia in section 412(a) of the District of Columbia Home Rule Act, approved  
46 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:** CW77620
- Proposed Contractor:** DigiDoc, Inc. (DigiDoc)
- Contract Amount:** Not-to-exceed (NTE) \$1,740,000
- Unit and Method of Compensation:** Fixed fee per hour
- Term of Contract:** Option year three: December 3, 2022, to December 2, 2023
- Type of Contract:** Firm fixed hour price
- Source Selection Method:** Human Care Agreement

(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:** (NTE) \$990,000

**Option Period One Amount:** (NTE) \$990,000

**Option Period Two Amount:** (NTE) \$1,740,000

**Explanation of difference from base period (if applicable):**

Due to the anticipated upsurge in need for nursing services and the increase in nurse labor rates as a result of the COVID-19 pandemic, option year two will increase from the base year.

**Option Period Three Amount:** (NTE) \$1,740,000

**Explanation of difference from base period (if applicable):**

The Office of the State Superintendent of Education (OSSE) needs the flexibility to order nursing services to ensure they have an adequate number of nurses at any given time to assist during the school year to eligible students, option year three will increase from the base year.

**Option Period Four Amount:** (NTE) \$1,740,000

**Explanation of difference from base period (if applicable):**

OSSE needs the flexibility to order nursing services to ensure they have an adequate number of nurses at any given time to assist during the school year to eligible students, option year four will increase from the base year.

**(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:**

DigiDoc shall continue to provide nurses to accompany eligible District of Columbia students as required in the students' Individualized Education Plan (IEP) while they are transported on school buses to and from school. The method of delivery for nursing services will be in-person, twice per school day. There are no significant program changes.

**(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:**

An electronic solicitation was issued through the Procurement Automated Support System (PASS) on November 13, 2019, and closed on November 27, 2019. The vendors that responded were evaluated in accordance with 27 DCMR Section 1905.4, including a review of their capability, resumes, professional qualifications of the business, and the organization's staff, and relevant professional and/or business licenses. The District awarded human care agreements after determining that the vendors were qualified and that the proposed prices were fair and reasonable.

**(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:**

No protests were filed related to this contract award.

**(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:**

DigiDoc has over 20 years of experience providing medical staffing services. The contractor received the "2010 Washington DC Small Business of the Year" award awarded by the District of Columbia government's Office of the Deputy Mayor for Planning and Economic Development and

the Washington, DC Economic Partnership. DigiDoc is a certified business enterprise (CBE) contractor. DigiDoc partners with locally accredited nursing academies and schools such as the University of the District of Columbia, Trinity, Catholic, and various other colleges and universities to obtain qualified nurses.

DigiDoc has adequate financial resources to perform the contract or the ability to obtain those resources. The evidence is provided from the contractor's financial history as reported by the Dun and Bradstreet business report obtained on January 9, 2023. DigiDoc has provided nursing services to the OSSE, Division of Student Transportation for almost seven years and has received positive contractor performance ratings. This evidence is provided in their performance evaluations, with the most recently submitted by the contract administrator on December 2, 2021. Additionally, they have provided nursing services to the Department of Health, DC Public Schools, and the Department of Consumer and Regulatory Affairs.

**(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 modification 20 will take effect from the date of award to December 2, 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 19 partially exercised the option period for the not-to-exceed amount of \$600,000.

Proposed modification 20 will increase the option period by \$1,140,000.

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

\$1,740,000

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

December 1, 2022

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

Modification 19 was issued on December 1, 2022, to partially exercise option period three in the amount not-to-exceed \$600,000 to ensure services were not interrupted while seeking Council approval.

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

The District has a continuing need to provide nurses to accompany students on school buses when dictated by their IEP.

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

27 DCMR, Chapter 36, Section 3601.2.

**(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:**

DigiDoc, Inc. is a CBE contractor and will perform 100% of the contract services. Therefore, a subcontracting plan is not required, pursuant to D.C. Official Code §2-218.46.

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

The District expects DigiDoc to provide and maintain an adequate staff of competent nurses who maintain appropriate licenses and qualifications and meet the requirements to perform the health care services as needed to students eligible for the nursing services.

**(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:**

Modification 19 was issued on December 1, 2022, in the amount not-to-exceed \$600,000.

**(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:**

The Office of the Chief Financial Officer certifies that the proposed contract is within the appropriated budget authority for the agency.

**(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 does not have any 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):**

As of January 9, 2023, DigiDoc does not owe or is delinquent on any taxes with the Government of the District of Columbia.

- (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 it is current with its federal taxes, based on the submittal of the Bidder/Offeror Certification.

- (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 a CBE.

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

None.

- (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:**

DigiDoc is not debarred or suspended from federal or District contract awards, based on searches conducted on the Office of Contracting and Procurement and federal System for Award Management websites.

- (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):**

D&F for Human Care Agreement was executed on 1/16/2020.  
D&F for Price Reasonableness was executed on 10/24/2022.  
D&F for Contractor Responsibility was executed on 11/11/2023.

- (Y) Where the contract, and any amendments or modifications, if executed, will be made available online:**

All contract documents, including modifications, are available at <https://contracts.ocp.dc.gov/>.



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

All solicitation documents, including amendments, are available at <https://contracts.ocp.dc.gov/>.



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

1101 4<sup>th</sup> Street, SW  
Washington, DC 20024

Date of Notice: January 9, 2023

Notice Number: L0008571660

DIGIDOC INCORPORATED  
510 FLORIDA AVE NW  
WASHINGTON DC 20001-1851

FEIN: \*\*-\*\*\*6023  
Case ID: 1399069



### **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](http://MyTax.DC.gov). On the MyTax DC homepage, click the "Validate a Certificate of Clean Hands" hyperlink under the Clean Hands section.



DISTRICT OF COLUMBIA  
OFFICE OF THE STATE SUPERINTENDENT OF  
**EDUCATION**

MEMORANDUM

TO: George Schutter  
Chief Procurement Officer  
Office of Contracting and Procurement

THRU: Tamera Anderson  
Supervisory Contracting Officer  
Office of Contracting and Procurement

FROM: Paris Saunders *Stephen Regis* for Paris Saunders  
Agency Fiscal Officer  
Office of the State Superintendent of Education

DATE: March 2, 2023

RE: Revision #5- FY23-24 Funding Certification for Contract # CW77620 – OY3

The Office of the Chief Financial Officer of the District of Columbia hereby certifies that the sum of \$1,430,000.00 is included in the District’s FY 23 budget and financial plan and \$310,000 is included in the District’s FY 24 budget and financial plan to fund services provided by Digidocs under contract # CW77620. The supported services include nursing services provided to OSSE-DOT students during transport to and from home and school during option year three for the period 12/3/22 through 12/2/23.

This memorandum certifies the total amount of \$1,740,000 to support services provided by DigiDoc during option year three. Upon approval of the District’s local budget and financial plan by the Council and the Mayor, and completion of the 30-day Congressional layover, FY24 funds will be sufficient to pay for fees and costs associated with the contract. A breakdown of the funding is below:

AGY	FUND	PROGRAM	COST CENTER	ACCOUNT	PROJECT	AWARD	Amount
GOO	1010001	400381	40268	7132001	000000	0000000	\$1,430,000.00
GOO	TBD	TBD	TBD	TBD	TBD	TBD	\$310,000

Should you have any questions concerning this funding certificate, please contact Ms. Reesha Forney, Budget Analyst at (202) 724-8281.

Cc: Dr. Christina Grant, State Superintendent, OSSE  
Raphael Park, Deputy Superintendent of Operations, OSSE

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE OF THE ATTORNEY GENERAL



Legal Counsel Division



**MEMORANDUM**

**TO:** Tommy Wells  
Director  
Office of Policy and Legislative Affairs

**FROM:** Megan D. Browder  
Deputy Attorney General  
Legal Counsel Division

**DATE:** February 23, 2023

**SUBJECT:** Legal Sufficiency Review of the “Modification Nos. 19 and 20 to Human Care Agreement No. CW77620 Approval and Payment Authorization Emergency Act of 2023” and an Accompanying Emergency Declaration Resolution  
(AE-22-094)

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**This is to Certify** that this Office has reviewed the “Modification Nos. 19 and 20 to Human Care Agreement No. CW77620 Approval and Payment Authorization Emergency Act of 2023” and an Accompanying Emergency Declaration Resolution on the same subject and found them to be legally unobjectionable. If you have any questions, please do not hesitate to call me at 724-5524.

*Megan D. Browder by Benjamin Moskowitz*

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Megan D. Browder

MDB/arh

<b>MODIFICATION OF HUMAN CARE AGREEMENT</b>			1. Contract Number CW77620	Page of Pages 1 1	
2. Amendment/Modification Number M0019	3. Effective Date See Block 16C	4. Requisition/Purchase Request No. RK233303	5. Solicitation Caption Nursing Services		
6. Issued by: Office of Contracting and Procurement (OCP) 441 4 <sup>th</sup> Street, NW, Suite 330S Washington, DC 20001		Code	7. Administered by (If other than line 6)		
8. Name and Address of Contractor (No. street, city, county, state and zip code) Digidoc, Inc. 510 Florida Avenue, NW Washington, DC 20001 Point of Contact: Doug Long Phone: 202-299-1011 Email Address: <a href="mailto:dmlong@documentmanagers.us">dmlong@documentmanagers.us</a> Code Facility		X	9A. Amendment of Solicitation No.		
			9B. Dated (See Item 11)		
			10A. Modification of Contract/Order No. CW77620		
			10B. Dated (See Item 13) 12/03/2019		
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 CONTRACT/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14					
A. This change order is issued pursuant to (Specify Authority): 27 DCMR, Chapter 36, Contract Modifications, Section 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 3601.3.					
C. This supplemental agreement is entered into pursuant to authority of:					
X D. Other (Specify type of modification and authority): 27 DCMR, Chapter 36, Contract Modifications, Section 3601.3. Exercise Option					
<b>E. IMPORTANT:</b> Contractor is not <input checked="" type="checkbox"/> is <input type="checkbox"/> 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.) The agreement is hereby modified by the following:					
A. In accordance with Contract No. CW77620 Section D.3, Option to Extend the Term to the Agreement, the District of Columbia hereby partially exercises option year three of the agreement. The period of performance is from December 3, 2022 through April 2, 2023.					
B. The pricing shall be in accordance with Section B – Option Year Three.					
C. The total amount for this partial option year three shall not exceed \$600,000.00. Services to be performed are subject to the issuance of a purchase order.					
D. The US Department of Labor Wage Determination No. 2015-4281, Revision No. 24, dated 06/27/2022 is hereby incorporated by reference.					
<b>ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED</b>					
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		
			Mutasem Shannag		
15B. Name of Contractor	15C. Date Signed	16B. District of Columbia		16C. Date Signed	
		Mutasem Shannag		12/01/2022	
(Signature of person authorized to sign)			(Signature of Contracting Officer)		

<b>MODIFICATION OF HUMAN CARE AGREEMENT</b>			1. Contract Number CW77620	Page of Pages 1 1		
2. Amendment/Modification Number M0020	3. Effective Date See Block 16C	4. Requisition/Purchase Request No. RK200124	5. Solicitation Caption Nursing Services			
6. Issued by: Office of Contracting and Procurement (OCP) 441 4 <sup>th</sup> Street, NW, Suite 330S Washington, DC 20001		Code	7. Administered by (If other than line 6)			
8. Name and Address of Contractor (No. street, city, county, state and zip code) Digidoc, Inc. 510 Florida Avenue, NW Washington, DC 20001 Point of Contact: Doug Long Phone: 202-299-1011 Email Address: <a href="mailto:dmlong@documentmanagers.us">dmlong@documentmanagers.us</a> Code Facility		9A. Amendment of Solicitation No.				
		9B. Dated (See Item 11)				
		X	10A. Modification of Contract/Order No. CW77620			
			10B. Dated (See Item 13) 12/03/2019			
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)						
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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 3601.3.						
C. This supplemental agreement is entered into pursuant to authority of:						
X D. Other (Specify type of modification and authority): 27 DCMR 2008 – Exercise of Option ; 27 DCMR 3601.3						
<b>E. IMPORTANT:</b> Contractor is not <input checked="" type="checkbox"/> is <input type="checkbox"/> 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.) The agreement is hereby modified by the following:						
A. In accordance with Contract No. CW77620 Section D.3, Option to Extend the Term to the Agreement, the District of Columbia hereby fully exercises option year three of the agreement. The period of performance is from December 3, 2022 through December 2, 2023.						
B. The pricing shall be in accordance with Section B – Option Year Three.						
C. The total amount for option year three shall not exceed \$1,740,000. Services to be performed are subject to the issuance of a purchase order.						
D. The US Department of Labor Wage Determination No. 2015-4281, Revision No. 24, dated 06/27/2022 is hereby incorporated by reference.						
<b>ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED</b>						
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			
			Mutasem Shannag			
15B. Name of Contractor		15C. Date Signed	16B. District of Columbia		16C. Date Signed	
(Signature of person authorized to sign)			(Signature of Contracting Officer)			