



2014 JUN 20 PM 5:04  
OFFICE OF THE  
SECRETARY

VINCENT C. GRAY  
MAYOR

JUN 20 2014

The Honorable Phil Mendelson  
Chairman  
Council of the District of Columbia  
John A. Wilson Building  
1350 Pennsylvania Avenue, N.W.  
Suite 504  
Washington, D.C. 20004

**Reference: District of Columbia Department of General Services  
“Change Order Nos. 002 through 003 to the Contract DCAM-13-CS-0124  
Approval and Payment Authorization Emergency Act of 2014” and  
Corresponding Emergency Declaration Resolution**

Dear Chairman Mendelson:

Enclosed for consideration and approval by the Council of the District is proposed emergency legislation entitled “Change Order Nos. 002 through 003 to the Contract DCAM-13-CS-0124 Approval and Payment Authorization Emergency Act of 2014”, the corresponding emergency declaration resolution, and copies of Change Order Nos. 002 and 003 to the Contract for Design-Build Services for Brookland Middle School with SKANSKA USA Building Inc (“SKANSKA”).

Last year, the Council approved the underlying contract with SKANSKA (CA20-0170) to provide design-build services for the new Brookland Middle School, and subsequently approved Change Order 001 to the Contract (CA20-0231) which established a Guaranteed Maximum Price (“GMP”) for the design and construction of the new school. At the time the GMP was submitted to Council, it was noted that the budget for this project was then insufficient to deliver a facility that meets DCPS programmatic requirements and that approximately \$5.75 million in additional funding would be required. The GMP Amendment established add/alternate prices for the additional scopes of work necessary to deliver a complete facility. Change Order 002 released certain of the additional work as would Change Order 003 if approved. The fiscal year 2015 budget that was submitted to the Council includes additional funds for the Brookland project which would be required to release the balance of the work needed to deliver a fully functioning facility.

The Honorable Phil Mendelson

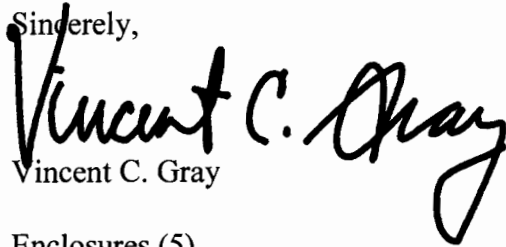
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As noted above, the underlying contract was previously approved by the Council (CA20-0170). Change Order No. 001 was also previously approved by the Council (CA20-0231). Thereafter, the Department issued Change Order No. 002 (\$390,095), the value of which was under \$1 million, and therefore, Council approval was not required. The proposed Change Order No. 003, in the amount of \$1,840,194, will increase the aggregate value of the Contract through Change Order Nos. 002 and 003 by \$2,230,289, an amount over \$1 million; thus, Council approval is required.

In addition to the referenced change orders, proposed legislation and emergency declaration, attached are: (i) a contract summary; (ii) a fiscal certification; (iii) certifications of legal sufficiency; and (iv) a tax clearance certificate for SKANSKA.

If you have any questions regarding this matter, please feel free to contact Brian J. Hanlon, the Department's Director at (202) 727-2800.

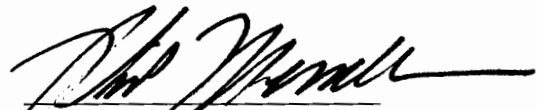
Sincerely,

A handwritten signature in black ink that reads "Vincent C. Gray". The signature is written in a cursive style with a large, looped initial "V".

Vincent C. Gray

Enclosures (5)

Copy: B. Hanlon

  
Chairman Phil Mendelson  
at the request of the Mayor

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A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 002 through 003 to the Contract for Design-Build Services for Brookland Middle School between the District of Columbia government and SKANSKA USA BUILDING INC., Contract No. DCAM-13-CS-0124, and to authorize payment to SKANSKA USA BUILDING INC., in the aggregate amount of \$2,230,289 for the goods and services received and to be received under these change orders.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Change Order Nos. 002 through 003 to Contract No. DCAM-13-CS-0124 Approval and Payment Authorization Emergency Declaration Resolution of 2014”.

Sec. 2.(a) There exists an immediate need to approve Change Order Nos. 002 through 003 to Contract No. DCAM-13-CS-0124 for Design-Build Services for Brookland Middle School in the aggregate amount of \$2,230,289 and to authorize

1 payment for the goods and services received and to be received under these change  
2 orders.

3 (b) The underlying contract was previously approved by the Council (CA20-  
4 0170). Change Order No. 001 was also previously approved by the Council (CA20-  
5 0231). Thereafter, the Department issued Change Order No. 002 with a value of  
6 \$390,095. The value of this Change Order was less than \$1 million; thus, Change Order  
7 No. 002 did not require Council approval.

8 (c) Change Order No. 003 will cause the aggregate value of the change orders  
9 issued, after Council's approval of the contract, to exceed the \$1 million threshold  
10 pursuant to section 451 of the District of Columbia Home Rule Act, approved December  
11 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

12 (d) Approval of Change Orders Nos. 002 and 003 in the aggregate amount of  
13 \$2,230,289 is necessary to compensate SKANSKA USA BUILDING INC. for work  
14 completed and to completed and to be completed pursuant to Change Order Nos. 002  
15 through 003 to Contract No. DCAM-13-CS-0124 for Design-Build Services for  
16 Brookland Middle School.

17 Sec. 3. The Council of the District of Columbia determines that the  
18 circumstances enumerated in section 2 constitute emergency circumstances making it  
19 necessary that the "Change Order Nos. 002 through 003 to Contract No. DCAM-13-CS-  
20 0124 Approval and Payment Authorization Emergency Act of 2014" be adopted after a  
21 single reading.

22 Sec. 4. This resolution shall take effect immediately.