

A RESOLUTION

23-20

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2019

To declare the existence of an emergency with respect to the need to approve Modification Nos. 7, 8, 9, 10, 11, and 12 to Contract No. CW36154 with WM Recycle America, LLC to transport, process, and market recyclables from the District's residential recycling drop-off facilities, and to authorize payment for the goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Contract No. CW36154 Approval and Payment Authorization Emergency Declaration Resolution of 2019".

Sec. 2. (a) There exists a need to approve Modification Nos. 7, 8, 9, 10, 11, and 12 to Contract No. CW36154 with WM Recycle America, LLC to transport, process, and market recyclables from the District's residential recycling drop-off facilities, and to authorize payment for the goods and services received and to be received under the modifications.

(b) By Modification No. 7, dated August 2, 2018, the Office of Contracting and Procurement ("OCP"), on behalf of the Department of Public Works, exercised a partial Option Year 3 of Contract No. CW36154 for the period from September 1, 2018, through November 31, 2018, in the amount of \$622,500.

(c) Modification No. 8 was an administrative modification that added no money.

(d) By Modification No. 9, dated November 7, 2018, the OCP, exercised a partial Option Year 3 of Contract No. CW36154 for the period from December 1, 2018, through January 20, 2019, in the amount of \$345,840.

(e) By Modification No. 10, dated December 20, 2018, OCP exercised a partial Option Year 3 of Contract No. CW36154 for the period from January 21, 2019, through February 7, 2019, at no cost to the District.

(f) Modification No. 11 was an administrative modification that added no money.

(g) Modification No. 12 is now necessary to exercise the remainder of Option Year 3 of Contract No. CW36154 for the period from February 8, 2019, through September 1, 2019, in the amount of \$1,531,660, which will set the total contract amount for Option Year 3 at \$2.5 million.

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(h) Council approval is required by section 451(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1–204.51(b)), because these modifications increase the contract by more than \$1 million during a 12-month period.

(i) Approval is necessary to allow the continuation of these vital services. Without this approval, WM Recycle America, LLC cannot be paid for goods and services provided in excess of \$1 million for the contract period beginning September 1, 2018, through August 31, 2019.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. CW36154 Approval and Payment Authorization Emergency Act of 2019 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.