

A RESOLUTION

23-35

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 5, 2019

To declare the existence of an emergency with respect to the need to approve Modification Nos. 6 and 7 to Contract No. DCAM-17-CS-0025G with Chiaramonte Construction Company for on-call construction, maintenance, and repair services, and to authorize payment in the not-to-exceed amount of \$3.5 million 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 “Modification Nos. 6 and 7 to Contract No. DCAM-17-CS-0025G Approval and Payment Authorization Emergency Declaration Resolution of 2019”.

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 6 and 7 to Contract No. DCAM-17-CS-0025G (“Contract”) between the Department of General Services (“Department”) and Chiaramonte Construction Company (“Contractor”), which would increase the not-to-exceed (“NTE”) value of the Contract for the second of 2 one-year option periods (“Option Year 2”) to \$3.5 million, and authorize payment to the Contractor for goods and services received and to be received under the modifications.

(b) On January 25, 2019, via Modification No. 6, the Department exercised Option Year 2 of the Contract, and established a maximum aggregate NTE value of \$950,000 for Option Year 2. Proposed Modification No. 7 would increase the NTE value of Option Year 2 from \$950,000 to \$3.5 million.

(c) Modification Nos. 6 and 7 will increase the total NTE value of Option Year 2 of the Contract by an amount in excess of \$1 million during a 12-month period. Therefore, Council approval of Modification Nos. 6 and 7 is required 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).

(d) Council approval of Modification Nos. 6 and 7 is necessary to allow for the continuation of essential on-call construction, maintenance, and repair services, as awarded via task order at fixed-unit prices, at various public schools, parks and recreation facilities, and certain other municipal facilities, and to compensate the Contractor for services provided and to be provided during Option Year 2.

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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 Modification Nos. 6 and 7 to Contract No. DCAM-17-CS-0025G Approval and Payment Authorization Emergency Act of 2019 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.