



2020 MAR -5 PM 12: 43

MURIEL BOWSER  
MAYOR

MAR - 5 2020

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**  
Contract No. DCAM-19-CS-RFQ-0001C and Modification No. 1 with RSC  
Electrical & Mechanical Contractors, Inc.  
Approval and Payment Authorization Emergency Act of 2020  
**Contractor: RSC Electrical & Mechanical Contractors, Inc.**  
**Contract Number: DCAM-19-CS-RFQ-0001C**

Dear Chairman Mendelson:

Pursuant to D.C. Official Code § 1-204.51(b), the Department of General Services (the "Department") hereby submits to the Council of the District of Columbia for its review and approval, the attached proposed emergency legislation, "*Contract No. DCAM-19-CS-RFQ-0001C and Modification No. 1 with RSC Electrical & Mechanical Contractors, Inc. Approval and Payment Authorization Emergency Act of 2020,*" and corresponding emergency declaration to authorize payment for services received and to be received under Basic Ordering Agreement ("BOA") DCAM-19-CS-RFQ-0001C, for Small General Construction Projects (the "Contract"), and proposed Modification No. 1 (the "Modification"), between the Department and RSC Electrical & Mechanical Contractors, Inc. (the "Contractor"). The Contract is an indefinite delivery and indefinite quantity ("ID/IQ") type, and any work thereunder is awarded through task orders issued on a competitive basis.

The underlying Contract, with a guaranteed minimum value of \$50.00 and a not-to-exceed ("NTE") amount of \$990,000.00, was executed on April 26, 2019. Thus, the Contract was not submitted to Council for approval, as the NTE value was less than \$1 million.

The Honorable Phil Mendelson

Page 2


The proposed Modification would increase the Contract's NTE amount to \$3,500,000.00, and authorize the Contractor to provide small general construction services on a competitively-awarded task order basis. As the proposed NTE amount exceeds \$1 million, the Department seeks Council's approval of the proposed Modification.

The Agency Fiscal Officer has certified that funding remains available for the Contract's \$50.00 guaranteed minimum value for FY 2020, and funds supporting individual task orders issued against the NTE amount will be certified at the time of issuance, subject to the availability of appropriated funds.

In addition to the Contract and proposed Modification, attached are: (i) a Council Contract Summary; (ii) a Clean Hands Certificate for the Contractor; (iii) a fiscal certification; (iv) legal sufficiency reviews and certifications; (v) a proposed emergency declaration; and (vi) proposed legislation.


If you have any questions regarding this matter, please feel free to contact Keith A. Anderson, the Department's Director, or George G. Lewis, the Department's Chief of Contracts and Procurement, at (202) 727-2800.

Sincerely,



Muriel Bowser

Enclosures

  
Chairman Phil Mendelson  
at the request of the Mayor

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36

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 Contract No. DCAM-19-CS-RFQ-0001C and Modification No. 01, between the Department of General Services and RSC Electrical & Mechanical Contractors, Inc., increasing the aggregate not-to-exceed (“NTE”) amount of the Contract to \$3.5 million, and authorizing payment to RSC Electrical & Mechanical Contractors, Inc. for goods and services received and to be received under the contract and modification.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the “Contract No. DCAM-19-CS-RFQ-0001C and Modification No. 01 with RSC Electrical & Mechanical Contractors, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2020.”

Sec. 2.(a) There exists an immediate need to approve the Basic Ordering Agreement for Small General Construction Projects (DCAM-19-CS-RFQ-0001C) (the “Contract”) between the Department of General Services (the “Department”) and RSC Electrical & Mechanical Contractors, Inc. (the “Contractor”) and proposed Modification No. 1 to the Contract, which would increase the aggregate not-to-exceed (“NTE”) amount of the Contract to \$3.5 million, and to authorize payment to the Contractor for goods and services received and to be received under the Contract and modification.

1 (b) Proposed Modification No. 1 would increase the Contract’s maximum  
2 aggregate NTE amount by \$2.51 million, from \$990,000 to \$3.5 million.

3 (c) The proposed increase is in excess of \$1 million during a 12-month period;  
4 therefore, Council approval of proposed Modification No. 1 is required pursuant to  
5 section 451 of the District of Columbia Home Rule Act, approved December 24, 1973  
6 (87 Stat. 803; D.C. Official Code § 1-204.51).

7 (d) Council approval of Modification No. 1 is necessary to allow the continuation  
8 of essential small general construction services, as awarded via competitively awarded  
9 task order agreements at lump sum prices, at various District owned or operated public  
10 schools, parks and recreation facilities, and other municipal facilities, and to compensate  
11 the Contractor for services provided and to be provided during base period and four one-  
12 year option periods (“Option Years”).

13 Sec. 3. The Council of the District of Columbia determines that the  
14 circumstances enumerated in Section 2 constitute emergency circumstances making it  
15 necessary that the “Contract No. DCAM-19-CS-RFQ-0001C and Modification No. 01  
16 with RSC Electrical & Mechanical Contractors, Inc. Approval and Payment  
17 Authorization Emergency Act of 2020” be adopted after a single reading.

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