



MURIEL BOWSER
MAYOR

June 22, 2020

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Suite 504
Washington, DC 20004

**Reference: District of Columbia Department of General Services
Letter Contract and Proposed Construction Management-at-Risk Agreement
for Franklin Park
Contract Number: DCAM-19-CS-RFP-0062
Contractor: Smoot Construction Company of Washington, DC**

Dear Chairman Mendelson:

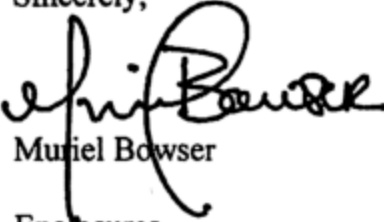
Enclosed for consideration by the Council of the District of Columbia is proposed emergency legislation, "Contract No. DCAM-19-CS-RFP-0062 with Smoot Construction Company of Washington, DC Approval and Payment Authorization Emergency Act of 2020", and corresponding emergency declaration, to approve the proposed Construction Management-at-Risk Agreement (DCAM-19-CS-RFP-0062) (the "Contract") between the Department of General Services (the "Department") and Smoot Construction Company of Washington, DC (the "Contractor") to provide services for the renovation of Franklin Park. The proposed Contract establishes the Contract amount of \$13,563,460.80.

If approved, the Contract will authorize the Contractor to provide all required construction management-at-risk services required to renovate and modernize Franklin Park located at 14th and K Streets, NW, Washington, DC 20005. The Contract provides for a total Contract amount of \$13,563,460.80 with an administrative term through November 15, 2021, inclusive of a substantial completion date of July 15, 2021 and final completion date of September 15, 2021. The Department executed a Letter Contract in the initial not-to-exceed amount of \$949,560.00. The proposed Contract increases the amount of the Contract by \$12,613,900.80, from \$949,560.00 to \$13,563,460.80. As the proposed amount of the Contract exceeds \$1 million, Council approval is required for this action.

In addition to the Letter Contract and proposed Contract, attached are (i) a contract summary, (ii) a fiscal certification, (iii) legal sufficiency reviews and certifications, and (iv) a Citywide Clean Hands certificate for the Contractor.

If you have any questions regarding this proposed action, please feel free to contact Keith A. Anderson, the Department's Director, or George G. Lewis, CPPO, 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

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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 Contract No. DCAM-19-CS-RFP-0062, between the Department of General Services and Smoot Construction Company of Washington, DC, increasing the amount of the Contract to \$13,563,460.80, and authorizing payment to Smoot Construction Company of Washington, DC for goods and services received and to be received under the Contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that

this resolution may be cited as the “Contract No. DCAM-19-CS-RFP-0062 with Smoot Construction Company of Washington, DC Approval and Payment Authorization Emergency Declaration Resolution of 2020.”

Sec. 2.(a) There exists an immediate need to approve the Construction Management-at-Risk Agreement for Franklin Park (DCAM-19-CS-RFP-0062) (the “Contract”) between the Department of General Services (the “Department”) and Smoot Construction Company of Washington, DC (the “Contractor”), which would increase the amount of the Contract to \$13,563,460.80, and to authorize payment to the Contractor for goods and services received and to be received under the Contract.

1 (b) The Department previously executed a Letter Contract in the amount of
2 \$949,560.00. The value of Letter Contract was less than \$1 million; thus, it did not
3 require Council approval. The proposed Contract would increase the amount of the
4 Letter Contract by \$12,613,900.80, from \$949,560.00 to \$13,563,460.80.

5 (c) The proposed Contract is in excess of \$1 million during a 12-month period;
6 therefore, Council approval of proposed Contract is required pursuant to section 451 of
7 the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803;
8 D.C. Official Code § 1-204.51), and section 202 of the Procurement Practices Reform
9 Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02),

10 (d) Council approval of the proposed Contract is necessary to authorize the
11 continuation of construction management-at-risk services for Franklin Park and to
12 compensate the Contractor for services provided and to be provided under the proposed
13 Contract.

14 Sec. 3. The Council of the District of Columbia determines that the
15 circumstances enumerated in Section 2 constitute emergency circumstances making it
16 necessary that the “Contract No. DCAM-19-CS-RFP-0062 with Smoot Construction
17 Company of Washington, DC Approval and Payment Authorization Emergency Act of
18 2020” be adopted after a single reading.

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