

A RESOLUTION

23-440

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 7, 2020

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 to authorize 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 Contract No. DCAM-19-CS-RFP-0062, the construction management-at-risk agreement for Franklin Park, (“Contract”) between the Department of General Services (“Department”) and Smoot Construction Company of Washington, DC (“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.

(b) The Department previously executed a letter contract in the amount of \$949,560. The value of letter contract was less than \$1 million; thus, it did not require Council approval. The proposed Contract would increase the amount of the letter contract by \$12,613,900.80, from \$949,560 to \$13,563,460.80.

(c) The proposed Contract is in excess of \$1 million during a 12-month period; therefore, Council approval of the proposed Contract 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), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02).

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

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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 Contract No. DCAM-19-CS-RFP-0062 with Smoot Construction Company of Washington, DC Approval and Payment Authorization Emergency Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.