

A RESOLUTION

23-441

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 Modification Nos. 8, 10, and 12 to Contract No. DCAM-17-CS-0041A between the Department of General Services and Smoot Construction Company of Washington, DC, increasing the aggregate amount of the Contract to \$29,710,565.61, and to authorize payment to Smoot Construction Company of Washington, DC for construction management at risk services received and to be received under these modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as “Modification Nos. 8, 10 and 12 to Contract No. DCAM-17-CS-0041A 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 Modification Nos. 8, 10, and 12 to Contract DCAM-17-CS-0041A (“Contract”) between the Department of General Services and Smoot Construction Company of Washington, DC (“Contractor”), which would increase the amount of the Contract to \$29,710,565.61 and authorize payment to the Contractor for construction management at risk services received and to be received under these Contract modifications.

(b) Modification No. 8 in the amount of \$345,086.72 and Modification No. 10 in the amount of \$608,944.29 increased the Contract’s aggregate value by \$954,031.01, an amount under \$1 million; thus, Council approval was not required. Proposed Modification No. 12 in the amount of \$254,112 would increase the Contract’s aggregate value by \$1,208,143.61, from \$28,502,422 to \$29,710,565.61.

(c) The aggregate increase of Modification Nos. 8, 10, and 12 is in excess of \$1 million during a 12-month period; therefore, Council approval 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 the requirements of 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 Modification Nos. 8, 10, and 12 is necessary to allow the continuation of essential construction management at risk services at the Ward 3 Short Term

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Family Housing facility and to compensate the Contractor for services provided and to be provided under these Contract modifications.

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. 8, 10 and 12 to Contract No. DCAM-17-CS-0041A 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.