



MURIEL BOWSER
MAYOR

June 23, 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

**Modification Nos. 02, 03 and 04 to Contract No. DCAM-19-CS-RFQ-0001C
with RSC Electrical & Mechanical Contractors, Inc. Approval and Payment
Authorization Emergency Act of 2020
Contract Number: DCAM-19-CS-RFQ-0001C
Contractor: RSC Electrical & Mechanical Contractors, Inc.**

Dear Chairman Mendelson:

Enclosed for consideration by the Council of the District of Columbia is proposed emergency legislation , " *Modification Nos. 02, 03 and 04 to Contract No. DCAM-19-CS-RFQ-0001C with RSC Electrical & Mechanical Contractors, Inc. Approval and Payment Authorization Emergency Act of 2020*," and the accompanying declaration resolution, to fully exercise Option Year 001 of the Basic Ordering Agreement for Small General Construction Projects (DCAM-19-CS-RFQ-0001C) (the "Contract") with RSC Electrical & Mechanical Contractors, Inc. ("Contractor").

On April 20, 2020, the Department of General Services (the "Department" or "DOS") executed Contract Modification No. 02 to exercise the first of four one-year option periods ("Option Year 001") with a guaranteed minimum amount of \$50.00 and a not-to-exceed ("NTE") amount of \$3.5 million; and extend the Contract term from April 26, 2020 through April 25, 2021. However, on May 20, 2020, the Department executed Modification No. 03 which established the correct Option Year 001 NTE amount of \$990,000.00 and a Contract term from April 26, 2020 through September 30, 2020.

Proposed Modification No. 04 would fully exercise Option Year 001, extending the Contract term through April 25, 2021 and increasing the NTE amount to \$3.5 million, an amount over \$1 million

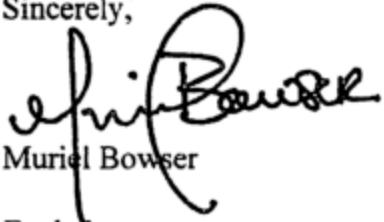
in a 12 month period; therefore, Council approval is necessary for the proposed contract action. If approved, the full exercise of Option Year 001 will authorize the Contractor to continue its performance of small construction projects for various facilities within DGS' real estate portfolio (the "Project"). The Project locations include schools, parks, recreation facilities, municipal buildings, fire and police stations, short-term family housing, tenant fit-out type work, small park/playground work, pools, and other public locations. The Contract does not authorize specific work or constitute a guarantee that work will be assigned to the Contractor; however, any work has been or will be authorized through individual, competitively awarded task order agreements issued against the Contract's NTE amount.

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 order agreements issued against the Contract's Option Year 001 NTE amount of \$3.5 million NTE amount will be certified at the time of issuance, subject to the availability of appropriated funds.

In addition to the Modification Nos. 02, 03 and 04, attached are (i) a contract summary, (ii) a fiscal certification, (iii) legal sufficiency reviews and/or certifications, and (iv) a Citywide Clean Hands certificate for the Contractor.

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 A PROPOSED RESOLUTION
11
12

13
14 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
15
16

17
18 To declare the existence of an emergency with respect to the need to approve Modification
19 Nos. 02, 03, and 04 to Contract No. DCAM-19-CS-RFQ-0001C, between the
20 Department of General Services and RSC Electrical & Mechanical Contractors,
21 Inc., increasing the Contract's Option Year 001 aggregate not-to-exceed amount to
22 \$3.5 million and authorizing payment for goods and services received and to be
23 received under the modifications.

24
25 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that

26 this resolution may be cited as the "Modification Nos. 02, 03 and 04 to Contract No.

27 DCAM-19-CS-RFQ-0001C with RSC Electrical & Mechanical Contractors, Inc.

28 Approval and Payment Authorization Emergency Declaration Resolution of 2020."

29
30 Sec. 2.(a) There exists an immediate need to approve Modification Nos. 02, 03,
31 and 04 to the Basic Ordering Agreement for Small General Construction Projects
32 (DCAM-19-CS-RFQ-0001C) (the "Contract") between the Department of General
33 Services and RSC Electrical & Mechanical Contractors, Inc. (the "Contractor"), which
34 would fully exercise Option Year 001 of the Contract and authorize payment to the
35 Contractor for goods and services received and to be received under the Contract
modifications.

3 (c) The proposed increase is in excess of \$1 million during a 12-month period;
4 therefore, Council approval of proposed Modification No. 04 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) and section 202(a) of the Procurement
7 Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official
8 Code § 2-352.02(a)).

9 (d) Council approval of Modification No. 04 is necessary to allow the
10 continuation of essential small general construction services, as awarded via
11 competitively awarded task order agreements at lump sum prices, at various District
12 owned or operated public schools, parks and recreation facilities, and other municipal
13 facilities, and to compensate the Contractor for services provided and to be provided
14 during Option Year 001 of the Contract.

15 Sec. 3. The Council of the District of Columbia determines that the
16 circumstances enumerated in Section 2 constitute emergency circumstances making it
17 necessary that the “Modification Nos. 02, 03, and 04 to Contract No. DCAM-19-CS-
18 RFQ-0001C with RSC Electrical & Mechanical Contractors, Inc. Approval and Payment
19 Authorization Emergency Act of 2020” be adopted after a single reading.

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