



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 and 03 to Contract No. DCAM-19-CS-RFQ-0001S with  
Thiha, Inc. Approval and Payment Authorization Emergency Act of 2020  
**Contract Number:** DCAM-19-CS-RFQ-0001S  
**Contractor:** Thiha, Inc.

Dear Chairman Mendelson:

Enclosed for consideration by the Council of the District of Columbia is proposed emergency legislation, "*Modification Nos. 02 and 03 to Contract No. DCAM-19-CS-RFQ-0001S with Thiha, 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-0001S) (the "Contract") with Thiha, Inc. ("Contractor").

On May 20, 2020, the Department of General Services (the "Department" or "DGS") executed Contract Modification No. 02 to partially 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 \$990,000; and extend the Contract term from May 28, 2020 through September 30, 2020.

Proposed Modification No. 03 would fully exercise Option Year 001, extending the Contract term through May 27, 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

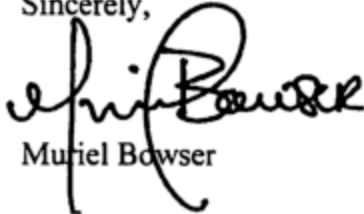
buildings, fire and police stations, short-term family housing, tenant fit-out type work, small park/playground work, pools, and other public locations. The Contract does not authorize specific work or constitute a guarantee that work will be assigned to the Contractor; however, any work has been or 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 will be certified at the time of issuance, subject to the availability of appropriated funds.

In addition to the Modification Nos. 02 and 03, attached are (i) a contract summary, (ii) a fiscal certification, (iii) a legal sufficiency review and certification, 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,

A handwritten signature in black ink, appearing to read "Muriel Bowser". The signature is fluid and cursive, with the first name "Muriel" written in a larger, more prominent script than the last name "Bowser".

Muriel Bowser

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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 Modification Nos. 02 and 03 to Contract No. DCAM-19-CS-RFQ-0001S, between the Department of General Services and Thiha, Inc., increasing the Contract's Option Year 001 aggregate not-to-exceed ("NTE") amount to \$3.5 million and authorizing payment to Thiha, Inc. for goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Modification Nos. 02 and 03 to Contract No. DCAM-19-CS-RFQ-0001S with Thiha, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2020."

Sec. 2.(a) There exists an immediate need to approve the Modification Nos. 02 and 03 to the Basic Ordering Agreement for Small General Construction Projects (DCAM-19-CS-RFQ-0001S) (the "Contract") between the Department of General Services and Thiha, Inc. (the "Contractor"), which would fully exercise Option Year 001 of the Contract and authorize payment to the Contractor for goods and services received and to be received under the Contract modifications.

1 (b) Proposed Modification No. 03 would increase the Contract's aggregate NTE  
2 amount by \$2,510,000 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. 03 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. 03 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 and 03 to Contract No. DCAM-19-CS-RFQ-  
18 0001S with Thiha, Inc. Approval and Payment Authorization Emergency Act of 2020" be  
19 adopted after a single reading.

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