



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
Letter Contract and Proposed Construction Management-at-Risk Agreement
for Benning Park Community Center
Contract Number: DCAM-19-CS-RFP-0007
Contractor: Chiaramonte Construction Company**

Dear Chairman Mendelson:

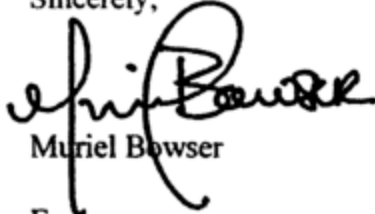
Enclosed for consideration by the Council of the District of Columbia is proposed emergency legislation, "Contract No. DCAM-19-CS-RFP-0007 Approval and Payment Authorization Emergency Act of 2020", and corresponding emergency declaration, to approve the proposed Construction Management-at-Risk Agreement ("CMAR") for the Benning Park Community Center (DCAM-19-CS-RFP-0007) (the "Contract") between the Department General Services (the "Department") and Chiaramonte Construction Company (the "Contractor"). The proposed Contract establishes the Guaranteed Maximum Price ("GMP") of \$7,376,433.00.

If approved, the Contract will authorize the Contractor to continue providing all required CMAR services for the Benning Park Community Center located in Ward 7 at 5100 Southern Avenue, SE, Washington, DC 20001. The proposed Contract establishes the GMP and increases the total not-to-exceed amount by \$6,396,433, from the Letter Contract NTE amount of \$980,000.00 to the GMP of \$7,376,433.00.

In addition to the Letter Contract and proposed Contract, 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 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,

A handwritten signature in black ink, appearing to read "Muriel Bowser". The signature is written in a cursive style with a large, prominent initial "M".

Muriel Bowser

Enclosures


Chairman Phil Mendelson
at the request of the Mayor

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

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-0007, between the Department of General Services and Chiaramonte Construction Company, increasing the Contract amount to a Guaranteed Maximum Price (“GMP”) of \$7,376,433.00 and authorizing payment to Chiaramonte Construction Company 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-0007 with Chiaramonte Construction Company 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 Benning Park Community Center (DCAM-19-CS-RFP-0007) (the “Contract”) between the Department of General Services (the “Department”) and Chiaramonte Construction Company (the “Contractor”) in a Guaranteed Maximum Price (“GMP”) of \$7,376,433.00, and to authorize payment to the Contractor for goods and services received and to be received under the Letter Contract and proposed definitive Contract.

1 (b) On February 12, 2020, the Department issued a letter contract (“Letter
2 Contract”) with an initial not-to-exceed amount (“NTE”) of \$980,000.00. The proposed
3 definitive Contract would increase the Contract amount by \$6,396,433.00, from the
4 Letter Contract amount of \$980,000.00 to a Guaranteed Maximum Price (“GMP”) of
5 \$7,376,433.00.

6 (c) The proposed Contract’s GMP would increase the Contract amount in excess
7 of \$1 million during a 12-month period; therefore, Council approval of proposed Contract
8 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved
9 December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

10 (d) Council approval of the Contract is necessary to allow the Contractor to
11 proceed with Construction Management At Risk Services for Benning Park Community
12 Center.

13 Sec. 3. The Council of the District of Columbia determines that the
14 circumstances enumerated in Section 2 constitute emergency circumstances making it
15 necessary that the “Contract No. DCAM-19-CS-RFP-0007 with Chiaramonte
16 Construction Company Approval and Payment Authorization Emergency Act of 2020”
17 be adopted after a single reading.

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