



MURIEL BOWSER
MAYOR

October 8, 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
Contract No. DCAM-15-AE-0158 and Change Order Nos. 1, 3, and 5 with Cox
Graae + Spack Architects, P.C. Approval and Payment Authorization
Emergency Act of 2020
Contractor: Cox Graae + Spack Architects, P.C.
Contract Number: DCAM-15-AE-0158

Dear Chairman Mendelson:

Enclosed for consideration by the Council of the District of Columbia is proposed emergency legislation, "Contract No. DCAM-15-AE-0158 and Change Order Nos. 1, 3, and 5 with Cox Graae + Spack Architects, P.C. Approval and Payment Authorization Emergency Act of 2020", and the accompanying emergency declaration, to increase the Contract's Lump Sum Price to \$1,144,802 for architectural and engineering services for the Hearst Park and Pool restoration.

The underlying contract for Architectural and Engineering Services for the Hearst Park and Pool Restoration, Contract No. DCAM-15-AE-0158, (the "Contract") was executed on April 13, 2016 in the amount of \$708,916. Since the aggregate amount of the Contract was under \$1 million, Council's approval was not required. Change Order No. 1 was executed on April 12, 2018 and increased the lump sum Contract price from \$708,916 by \$80,570 to \$789,486. Change Order No. 2, in the amount of \$0, was executed on August 27, 2019. Change Order No. 3 was executed on November 12, 2019 and increased the lump sum Contract price from \$789,486 by \$209,891 to \$999,377. Change Order No. 4, in the amount of \$0, was executed on July 25, 2020. The aggregate amount of the Contract and Change Order Nos. 1 and 3 was less than \$1 million; thus, Council's approval was not required.

Proposed Change Order No. 5 is necessary to ensure the required additional services are completed to timely complete the Project. This is a continuation effort of the architectural and engineering services required for the Project. Expanded construction administration services are required for the duration of the Project, currently slated for completion late Fall 2020.

Change Order No. 1 in the amount of \$80,570 includes Permit Expediting Consultant, Design Services for Hearst Playground, Additional design time and meetings due to community process, which were not part of the base contract. Change Order No. 3 in the amount of \$209,891 added the construction administration, utility design coordination, and additional construction administration due to changes made due to Urban Forestry concerns and addition of Arborist Supervision during construction due to existing heritage tree concerns. These items were excluded in the initial contract.

The proposed Change Order No. 5 in the amount of \$145,425, if approved would entail the extension of the schedule due to unforeseen issues on site as well as contractor's delay, and additional community involvement. The Department expects the Project be substantially complete construction of the Project by December 31, 2020.

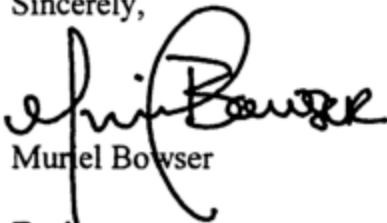
The proposed Change Order No. 5, in the amount of \$145,425, would cause the aggregate amount of the Contract and Change Order Nos. 1, 3 and 5 to exceed \$1 million. Thus, Council's approval is required for this proposed contract action. If Change Order No. 5 is approved, the Contract's Lump Sum Price would be \$1,144,802.

The Chief Financial Officer has certified that the necessary funding for the above-referenced contract actions is available for FY 2020.

In addition to proposed Change Order No. 5, 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, 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

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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 Contract No. DCAM-15-AE-0158 and Change Order Nos. 1, 3 and 5, between the Department of General Services and Cox Graae + Spack Architects, P.C., increasing the aggregate contract amount by \$145,425.00 for the architectural and engineering services received and to be received under the contract and change orders.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the “Contract No. DCAM-15-AE-0158 and Change Order Nos. 1, 3 and 5 with Cox Graae + Spack Architects, P.C. Approval and Payment Authorization Emergency Declaration Resolution of 2020.”

Sec. 2.(a) There exists an immediate need to approve the Contract No. DCAM-15-AE-0158 and Change Order Nos. 1, 3 and 5 (the “Contract”) between the Department of General Services and Cox Graae + Spack Architects, P.C. and to authorize payment in an aggregate amount of \$1,144.802.00 for architectural and engineering services received and to be received to complete the renovation of the Hearst Park and Pool.

(b) The underlying contract was executed on April 13, 2016 in the amount of \$708,916.00. Since the amount of the Contract was under \$1 million, Council’s approval was not required. Change Order No. 1 was executed on April 12, 2018 and increased the

1 lump sum Contract price from \$708,916.00 by \$80,570.00 to \$789,486.00. Change Order
2 No. 2, in the amount of \$0, was executed on August 27, 2019. Change Order No. 3 was
3 executed on November 12, 2019 and increased the Contract amount from \$789,486.00 by
4 \$209,891.00 to \$999,377.00. Change Order No. 4, in the amount of \$0, was executed on
5 July 25, 2020. The aggregate amount of the Contract and Change Order Nos. 1 and 3 was
6 less than \$1 million; thus, Council's approval was not required.

7 (c) Proposed Change Order No. 5, in the amount of \$145,425.00, would cause the
8 aggregate amount of the Contract and Change Order Nos. 1, 3 and 5 to increase from
9 \$999,377.00 to \$1,144,802.00. If approved, Change Order No. 5 would cause the
10 aggregate amount of the Contract to exceed \$1 million; thus, Council approval is now
11 required pursuant to section 451 of the District of Columbia Home Rule Act, approved
12 December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 202 of the
13 Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371;
14 D.C. Official Code § 2-352.02).

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 "Contract No. DCAM-15-AE-0158 and Change Order Nos. 1, 3 and 5
18 with Cox Graae + Spack Architects, P.C. Approval and Payment Authorization
19 Emergency Act of 2020" be adopted after a single reading.

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