

A RESOLUTION

24-149

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 29, 2021

To declare the existence of an emergency with respect to the need to approve Modification Nos. 1 and 2 to Contract No. DCAM-20-CS-RFQ-0002F between the Department of General Services and American Combustion Industries, Inc., increasing the aggregate Contract amount to \$10 million, and to authorize payment to American Combustion Industries, Inc. for goods and services received and to be received under the contract and modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as “Modification Nos. 1 and 2 to Contract No. DCAM-20-CS-RFQ-0002F with American Combustion Industries, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2021”.

Sec. 2.(a) There exists an immediate need to approve Modification Nos. 1 and 2 to the Agreement for HVAC Systems Maintenance, Replacement & Installation (“MRI”) services to Contract No. DCAM-20-CS-RFQ-0002F (“Contract”) between the Department of General Services (“Department”) and American Combustion Industries, Inc. (“Contractor”) for HVAC MRI services, to increase the not-to-exceed (“NTE”) amount of the Contract to \$10 million, and to authorize payment to the Contractor for services received and to be received under these modifications.

(b) Modification No. 1 partially exercised option year 1 with a guaranteed minimum amount of \$50 and NTE amount of \$990,000 through July 31, 2021. The aggregate amount of Modification No. 1 was less than \$1 million, thus Council’s approval was not required.

(c) Proposed Modification No. 2 would increase the NTE amount of the Contract by \$9,010,000 from \$990,000 to \$10,000,000, which exceeds \$1 million during a 12-month period; therefore, Council approval of this modification 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).

(d) Council approval of the modifications is necessary to allow the completion of HVAC Systems MRI services and to compensate the Contractor for services provided and to be provided pursuant to the modifications.

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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. 1 and 2 to Contract No. DCAM-20-CS-RFQ-0002F with American Combustion Industries, Inc. Approval and Payment Authorization Emergency Act of 2021 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.