

**DETERMINATION AND FINDINGS
FOR A
SOLE SOURCE PROCUREMENT**

AGENCY: Department of General Services

DIVISION: Contracts and Procurement Division – Goods and Services

CONTRACT NO.: DCAM-27-NC-SS-0007

CAPTION: Consolidated Maintenance Services at Excel Academy

CONTRACTOR: MBB Affiliates LLC

FINDINGS

1. AUTHORIZATION:

This Determination and Findings (D&F) is issued pursuant to the authority set forth in:

- **D.C. Official Code § 2-351.04(28)** – Defines “Determinations and Findings” as a formal written approval and detailed justification required as a prerequisite for certain contract actions, including the method of procurement, contract type selection, contractor selection, and the basis for contract pricing.
- **D.C. Official Code § 2-354.04** – Grants authority for noncompetitive procurement, including sole-source contracts, when it is determined to be in the best interest of the District and meets the legally established criteria.
- **27 DCMR § 1700** – Establishes the criteria for sole-source procurements, outlining the conditions under which a contract may be awarded without competition due to unique circumstances that justify direct negotiation with a single vendor.
- **27 DCMR Chapter 13 1304.1** - A notice of intent to award a sole source contract shall be published on the Departments’ web site for at least ten (10) days prior to contract award if the estimated price is over five thousand dollars (\$5,000).

2. MINIMUM NEED:

The Government of the District of Columbia, acting by and through its Department of General Services (the “Department” or “DGS”), has an immediate need to retain MBB Affiliates LLC (the “Contractor”) to provide uninterrupted Consolidated Maintenance Services including full facility Operations, Maintenance & Repair Services (“OM&R”) at Excel Academy (the “Facility”), for a six (6) month period. Continuous coverage is required to maintain building safety, systems reliability, and day-to-day functionality during this short-term performance period.

3. ESTIMATED FAIR AND REASONABLE PRICE:

Pursuant to the Procurement Practices Reform Act of 2010 (D.C. Official Code § 2-351.01 et seq.) and Title 27 DCMR, DGS intends to award a short-term firm-fixed sole source contract. The contract includes fixed monthly rates for basic services under CLIN 0001-0004 and fixed hourly time-and-material rates for supplemental services under CLINs 0005–0061, compensated through a non-guaranteed Owner-Directed Allowance.

For the six-month period of performance (October 1, 2026 – March 31, 2027), the total not-to-exceed contract amount is \$388,420, inclusive of all labor, overhead, G&A, profit, insurance, and other costs necessary for uninterrupted service delivery. The basic monthly service cost is \$63,070, totaling \$378,420 for the six-month period. An additional \$10,000 is budgeted for supplemental, as-needed repair services under the Owner-Directed Allowance.

CLIN	DESCRIPTION	UNIT	COST	QTY	TOTAL COST
BASIC SERVICES					
0001	Fire, Life & Safety	MTLY	\$ 779.00	6	\$ 4,674.00
0002	Operations, Maintenance, Repair & Improvement Serv	MTLY	\$ 37,359.00	6	\$ 224,154.00
0003	Grounds and Waste Management Services	MTLY	\$ 642.00	6	\$ 3,852.00
0004	Janitorial Services	MTLY	\$ 24,290.00	6	\$ 145,740.00
BASIC SERVICES TOTAL			<u>\$ 63,070.00</u>		<u>\$ 378,420.00</u>

Supplemental services will be billed at fixed hourly rates established in the contract and shown below:

CLIN	DESCRIPTION	UNIT	COST
REIMBURSABLE SERVICES			
0005	Electrician	HRLY	\$ 150.00

0006	Electrician - Overtime	HRLY	\$	184.86
0007	Electrician - Emergency Callback	HRLY	\$	184.86
0008	Emergency Generator Technician	HRLY	\$	140.00
0009	Emergency Generator Technician - Overtime	HRLY	\$	206.25
0010	Emergency Generator Tech.- Emergency Callback	HRLY	\$	206.25
0011	HVAC Technician	HRLY	\$	140.00
0012	HVAC Technician - Overtime	HRLY	\$	187.50
0013	HVAC Technician - Emergency Callback	HRLY	\$	250.00
0014	Oil & Gas Systems Technician	HRLY	\$	125.00
0015	Oil and Gas Systems Technician - Overtime	HRLY	\$	157.50
0016	Oil and Gas Systems Tech. - Emergency Callback	HRLY	\$	250.00
0017	Fire Alarm Maintenance	HRLY	\$	264.00
0018	Fire Alarm Maintenance - Overtime	HRLY	\$	246.00
0019	Fire Alarm Maintenance - Emergency Callback	HRLY	\$	246.00
0020	Plumber	HRLY	\$	120.00
0021	Plumber - Overtime	HRLY	\$	160.00
0022	Plumber - Emergency Callback	HRLY	\$	160.00
0023	Elevator Technician	HRLY	\$	246.60
0024	Elevator Technician - Overtime	HRLY	\$	353.10
0025	Elevator Technician - Emergency Callback	HRLY	\$	353.10
0026	Building Automation System (BAS) Technician	HRLY	\$	170.00
0027	BAS Technician - Overtime	HRLY	\$	250.00
0028	BAS Technician - Emergency Callback	HRLY	\$	320.00
0029	Truck with Plow and Driver	HRLY	\$	180.00
0030	Snow Blower and Operator	HRLY	\$	115.00
0031	Bobcat and Driver	HRLY	\$	225.00
0032	Tractor and Driver	HRLY	\$	255.00
0033	Laborer	HRLY	\$	65.00
0034	Standby	HRLY	\$	60.00
0035	Bulk Road Salt	Ton	\$	20.00
0036	Sand	50lb Bag	\$	18.00

0037	Ice Melt	50lb Bag	\$	30.00
0038	Truck with Plow and Driver	HRLY	\$	180.00
0039	Snow Blower and Operator	HRLY	\$	115.00
0040	Bobcat and Driver	HRLY	\$	225.00
0041	Tractor and Driver	HRLY	\$	255.00
0042	Laborer	HRLY	\$	65.00
0043	Standby	HRLY	\$	60.00
0044	General Maintenance Technician	HRLY	\$	44.00
0045	General Maintenance Technician - Overtime	HRLY	\$	75.00
	General Maintenance Technician - Emergency			
0046	Call Back	HRLY	\$	93.75
0047	Administrative Staff	HRLY	\$	60.00
0048	Administrative Staff - Overtime	HRLY	\$	70.00
0049	Administrative Staff - Emergency Callback	HRLY	\$	70.00
0050	Landscape Maintenance	HRLY	\$	59.00
0051	Landscape Maintenance - Overtime	HRLY	\$	88.50
0052	Landscape Maintenance - Emergency Callback	HRLY	\$	176.58
0053	Pest Control Maintenance	HRLY	\$	125.00
0054	Pest Control Maintenance - Overtime	HRLY	\$	135.00
0055	Pest Control Maintenance - Emergency Callback	HRLY	\$	135.00
0056	Janitorial and Custodial - Emergency Callback	HRLY	\$	120.00
0057	Compactor (Trash Hauling)	34yd	\$	2,000.00
0058	Compactor (Recycle Hauling)	34yd	\$	2,000.00
0059	Roll-off (Bulk Pick-up) on-call Services	30yd	\$	400.00
0060	Containers (Trash Hauling)	8yd	\$	600.00
0061	Containers (Recycling Hauling)	6yd	\$	390.00

4. **FACTS WHICH JUSTIFY A SOLE SOURCE PROCUREMENT METHOD:**

In accordance with D.C. Official Code § 2-354.04, 27 DCMR 1304, and 27 DCMR 4718, the Department of General Services (DGS) seeks to award a short-term sole source contract to provide Consolidated Maintenance Services at Excel Academy for a period not to exceed six (6) months. The following facts justify the use of the sole source procurement method:



1. **Continuity of Operations:** The Facility requires uninterrupted maintenance services to ensure building safety, operational readiness, and proper functioning of critical facility systems. Any lapse in maintenance coverage could result in avoidable risks to students, staff, and visitors, including potential facility degradation or unplanned outages. Given the time-limited nature of the requirement, a sole source contract provides the most direct way to maintain continuity.
2. **Planned Transition for Fiscal Responsibility and Operational Improvement:** The Consolidated Maintenance Services at the Facility will conclude on March 31, 2027 as part of DGS's planned transition to a more fiscally responsible and sustainable service model. Maintenance responsibilities will be brought in-house and managed directly by DGS facility management staff. These in-house teams are fully equipped to support daily operations, preventive maintenance, and general building care, providing improved oversight, stronger alignment with agency standards, and long-term cost efficiency.

Contractor support is required only through March 31, 2027, after which all maintenance responsibilities will shift in-house. Because the need ends after this six-month period and will not continue further into FY 2027, the requirement is temporary and non-renewable. Initiating a full competitive procurement for a short-term bridge that will be discontinued upon transition would be inefficient and unnecessary. A sole source contract provides the most practical and cost-effective approach to maintaining uninterrupted services until the transition occurs.

3. **Short-Term, Non-Continuing Need:** The remaining service period is strictly limited to a six-month window, after which the facility will no longer require CMC-specific contractor support. Conducting a full competitive solicitation—including drafting, advertising, evaluating, awarding, and onboarding a new contractor—for such a short-term, one-time requirement would impose unnecessary administrative burden and cost. The known sunset date and lack of future need make a sole source procurement the most reasonable and advantageous approach.
4. **Impracticability of Competition:** Due to the limited duration and non-renewable nature of the requirement, competition would not provide meaningful value to the District. Any new vendor would have to mobilize for only six months before demobilizing, offering no long-term benefit and creating avoidable startup delays. Under these circumstances, competition is neither practical nor beneficial.

5. FACTS THAT ESTABLISH THE PROPOSED VENDOR IS THE ONLY SOURCE OF THE REQUIRED GOODS OR SERVICES

The Contractor is the only source capable of meeting the District's immediate and short-term needs for the following reasons:

- 1. Incumbent's Site-Specific Knowledge:** The incumbent Contractor has been providing consolidated maintenance services at this Facility and has established familiarity with the facility's mechanical, electrical, and building systems. This includes knowledge of preventive maintenance requirements, historical system issues, operational workflows, and site-specific access needs. No other vendor possesses this level of facility-specific operational knowledge.
- 2. Immediate Readiness and Mobilized:** The Contractor is already fully mobilized and capable of continuing service without interruption. Engaging a new vendor would require onboarding, security credentialing, training, and mobilization—steps that cannot be reasonably completed within a limited six-month window. The incumbent is the only vendor capable of providing immediate continuity.
- 3. Reduced Operational Risk:** Transitioning to a new vendor for a brief period introduces significant risk, including potential delays, inadequate coverage during mobilization, and vulnerability to system failures. The incumbent's established presence ensures continuity, stability, and reliable service delivery during the final months of the requirement.
- 4. Short-Term Performance Window:** Because services at the Facility will end on March 31, 2027, only a vendor already onsite and fully familiar with the Facility can deliver the services efficiently and effectively. Mobilizing a new vendor for a temporary assignment would introduce delays that compromise service continuity.
- 5. Best Interest of the District:** Awarding the six-month requirement to the incumbent reduces administrative burden, avoids operational disruption, and ensures reliable coverage until the planned transition. Under these circumstances, the incumbent is the only practical and beneficial source for the District.

6. CERTIFICATION BY THE CHIEF OPERATING OFFICER:

I hereby certify to the best of my knowledge and belief that all of my statements regarding the conditions, service needs and urgency, are true, correct, and complete and that the



information given herein is true and accurate. Moreover, I understand that making a false statement is punishable by criminal penalties pursuant to D.C. Official Code § 22-2405 et sq. (2001). I understand that any information I give may be investigated as allowed by law or regulation.

Danielle Meadors
Chief Operating Officer

Date

7. CERTIFICATION BY THE CONTRACT SPECIALIST:

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source procurement method to award the captioned contract. In addition, the Department's notice of intent to enter into a sole source contract shall be posted on the Department's website at least 10 days prior to award. Given the foregoing, I recommend that the Department of General Services' Contracting Officer approve the use of the sole source procurement method for this proposed procurement action.

Karen J. Araujo
Senior Contract Specialist
Goods and Services Acquisition Unit

Date

8. CERTIFICATION BY THE CONTRACTING OFFICER:

Pursuant to my duty as the Contracting Officer for the Goods and Services Acquisition Unit within the Department of General Services (DGS), I have conducted a thorough and diligent review of the findings supporting the proposed sole source contract award. Based on this evaluation, I hereby certify that the justification presented is sound, well-founded, and fully consistent with the statutory and regulatory framework governing procurement within the District of Columbia.

In accordance with Section 404(c) of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Official Code § 2-354.04), the Department's intent to proceed with a sole source award was duly published, and no responses challenging the determination were received. The findings unequivocally establish that the selected vendor possesses exclusive authorization and technical expertise necessary to fulfill the



Department's minimum requirements, thereby warranting approval of the sole source selection methodology.

Accordingly, I respectfully submit this justification for formal approval and determination by the Chief Procurement Officer, affirming that this procurement action aligns with best practices, fiscal responsibility, and the operational imperatives of the Department.

Domonique L. Banks
Contracting Officer, Supervisory Contract Specialist
Goods and Services Acquisition Unit

Date

DETERMINATION

In my official capacity as the Chief Procurement Officer for DGS, I have conducted a comprehensive review of the findings substantiating the proposed sole source procurement and the corresponding certification issued by the Contracting Officer. Based on this thorough examination, I affirm that the justification sufficiently warrants the award of a sole source contract under the cited authority.

In accordance with Section 404(c) of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Official Code § 2-354.04), the Department's intent to award a sole source contract was properly published, and no responses contesting the determination were received. The findings establish, with clarity and sound reasoning, that the specified Contractor possesses the exclusive technical expertise, manufacturer authorization, and operational capacity necessary to fulfill the Department's requirements.

Accordingly, I formally endorse and authorize the utilization of the sole source procurement method to secure Consolidated Maintenance Services at Excel Academy with MBB Affiliates LLC. This determination aligns with the best procurement practices, regulatory compliance, and the operational imperatives of the Department.

Dr. Jacque McDonald, NIGP-CPP, CPPO, CPPB
Associate Director, Contracts and Procurement
Chief Procurement Officer

Date

