

**DETERMINATION & FINDINGS
FOR
EMERGENCY PROCUREMENT**

Agency: Department of General Services (the “Department” or “DGS”)
Contract No.: DCAM-26-NC-EPOA-0007
Caption: DCPS FY26 School Opening Contingency Cooling Equipment Rental
Contractor: Pro-Air, Inc.

FINDINGS

1. AUTHORIZATION:

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

- **D.C. Official Code § 2-354.19** – Establishing requirements for determinations and findings in procurement.
- **D.C. Official Code § 2-354.05** – Governs emergency procurements, allowing contracts to be awarded in situations where there is an imminent threat to public health, welfare, property, or safety, or to prevent or minimize serious disruption in agency operations.
- **27 DCMR § 1702** – Provides the procedural requirements for emergency procurements, including the preparation of a D&F to justify the emergency procurement and the limitations on contract duration and scope.
- **Section 405 of the Procurement Practices Reform Act (PPRA) (D.C. Official Code § 2-354.05)** – Outlining the general procurement authority and responsibilities related to Emergency Procurements.

2. MINIMUM NEED:

Due to an extended period of elevated heat index conditions in the District of Columbia and widespread HVAC equipment failures across multiple DC Public Schools (DCPS) facilities, ambient temperatures within several school buildings have become critically high. These conditions pose an immediate risk to student and staff safety, impede the ability to maintain required indoor environmental standards, and threaten the continuity of school operations at the start of the academic year.

To ensure safe, habitable learning environments and prevent disruptions during school opening, DCPS requires the urgent rental of portable spot coolers as a temporary cooling solution. These units provide immediate localized temperature reduction, enabling DCPS to stabilize affected classrooms and common areas while permanent HVAC repairs are underway.

The rental of spot coolers is therefore justified as an emergency, minimum-need requirement necessary to protect health and safety, maintain operational readiness, and prevent unacceptable delays in opening schools under extreme environmental conditions.

Scope of Work:

- Rent and deliver 125 Oceanair OWC-1811 Portable Spot Cooler units, 18,000 BTU, 115v
- The services outlined are critical to maintaining the functionality and professionalism of the office space and ensuring it meets operational standards for its intended use by students and staff.

3. ESTIMATED FAIR AND REASONABLE PRICE:

In accordance with the Contractor Responsibility and Price Reasonableness Determination and Findings, the Contracting Officer (“CO”) has determined that the estimated fair and reasonable cost is \$93,750.00.

The firm-fixed monthly rental rate per unit is as outlined as follows:

X20 1.5 Ton – 18,000 BTU \$750.00

4. FACTS WHICH JUSTIFY AN EMERGENCY PROCUREMENT:

The Department of General Services (DGS) is committed to high-quality maintenance, inspection, and repair services across District government facilities—including schools, parks, recreation centers, and municipal facilities—to ensure safe, reliable, and uninterrupted public access. This commitment is integral to creating a safe and functional environment for the citizens, employees, and visitors of the District of Columbia, as mandated by the “Department of General Services Establishment Act of 2011” (D.C. Code § 10-551.01(b)(4)).

Pursuant to D.C. Official Code § 2-354.05 and 27 DCMR 4719, this emergency procurement is necessary to avert an imminent threat to public health, safety, and operational continuity at DCPS facilities. The required rentals are essential to maintaining a secure, stable, and professional work and learning environment for District of Columbia Public Schools (DCPS). Any delay in acquiring this equipment would jeopardize readiness for the FY27 school year opening. Current and forecasted fluctuations in outside temperatures heighten the risk of operational failures, including HVAC malfunctions and prolonged repair lead times, creating immediate and unacceptable vulnerabilities in school

facilities.

DGS is obligated to protect the continuity of government operations and ensure the safety of students, staff, and visitors across all District facilities. The urgent need for the identified equipment constitutes an emergency condition under applicable procurement law because it is necessary to prevent significant interruption of agency operations and essential services to DC Public Schools. Issuing an emergency purchase order is therefore justified and required to uphold DGS's statutory responsibilities and to ensure continuity of safe, healthy, and operational learning environments throughout the District.

i. Background: DGS is responsible for ensuring the operational readiness, safety, and functionality of all District-owned and District-operated facilities. This includes maintaining building systems essential to occupant health and safety, such as heating, ventilation, and air-conditioning (HVAC) infrastructure. During periods of extreme temperatures or unexpected HVAC failures, supplemental climate-control equipment—such as portable spot coolers and window air-conditioning units—is required to stabilize indoor environments and prevent disruptions to operations, particularly within District of Columbia Public Schools.

ii. Justification for Emergency Procurement: Several District facilities, specifically DCPS sites preparing for the FY27 school-year opening, are currently experiencing urgent HVAC challenges that require immediate intervention. Existing systems are facing failures, temperature-control instability, and long-lead repair timelines. Without prompt deployment of supplemental cooling equipment, these conditions would result in:

- Unsafe or uninhabitable indoor temperatures for students, staff, and visitors.
- Disruption to school readiness and overall agency operations due to building inaccessibility or compromised learning environments.
- Noncompliance with essential health, safety, and operational standards governing District facilities.

Given the immediate and unforeseen nature of these failures—and the necessity to ensure safe, functional learning spaces—delaying corrective action is not practicable. Emergency procurement is the only viable option to address these risks promptly.

iii. Contract Scope and Necessity: This emergency procurement provides for the immediate acquisition and deployment of HVAC spot coolers and window air-conditioning units needed to stabilize indoor conditions in affected facilities. The scope of this emergency action includes:

- Rapid delivery and installation of portable cooling units at priority DCPS and District facilities experiencing HVAC failures.
- Deployment of equipment sufficient to maintain safe, functional indoor

temperatures during periods of fluctuating outdoor conditions or system outages.

- Support for contingency operations where existing HVAC infrastructure requires extended repair lead times or replacement.
- On-call capability to deliver or reposition units in response to emergent needs across the District's facility portfolio.

These measures are essential to ensure continuous facility operations and maintain safe, habitable environments for building occupants.

iv. Conclusion: Pursuant to the emergency procurement authority in D.C. Code § 2-354.05, DGS must act swiftly to prevent significant disruption to District operations and ensure DCPS facilities are prepared for the FY27 school-year opening. Emergency procurement of portable cooling equipment is the most efficient and effective method to address current HVAC failures and temperature-control instability. Without immediate action, the District faces credible risks of facility closures, unsafe indoor conditions, delays to school opening, and interruptions in essential government services. This emergency procurement is therefore justified and necessary to fulfill DGS's statutory mandate to provide safe, healthy, and operational facilities throughout the District.

5. CERTIFICATION BY THE ASSOCIATE DIRECTOR OF Sustainability & Energy DIVISION:

I hereby certify all my statements herein are true, correct, and complete and that the information given herein is accurate to the best of my knowledge and belief. 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.

Darryl Jacobs

08/21/2026

Darryl Jacobs
Associate Director
Sustainability and Energy ("S&E")

Date

6. CERTIFICATION BY THE GOODS & SERVICES ACQUISITION CONTRACT SPECIALIST:

I have reviewed the above findings and certify that they are sufficient to justify the use of the emergency procurement method to award the captioned contract. In addition, please be advised that the Department's notice of the captioned emergency contract shall be posted on the Department's website no more than seven (7) days after the contract is awarded. Given the foregoing, I recommend that the Department of General Services' Contracting

Officer approve the use of the emergency procurement method for this proposed procurement action.

Jameelah Carter

Jameelah Carter
Contract Specialist
Goods & Services Acquisitions

08/21/2026

Date

7. CERTIFICATION BY CONTRACTING OFFICER/SUPERVISORY CONTRACT SPECIALIST:

Pursuant to my responsibilities as the Contracting Officer for the Department of General Services (DGS), I have conducted a thorough and diligent review of the findings supporting this proposed emergency procurement action. Based on my evaluation, I hereby certify that the justification presented is accurate, well-supported, and fully consistent with the statutory and regulatory requirements governing emergency procurement within the District of Columbia.

In accordance with D.C. Official Code § 2-354.05 and 27 DCMR § 4719, the circumstances described—specifically the imminent operational risks created by HVAC system failures, temperature-control instability, and long-lead repair timelines—constitute a legitimate emergency requiring immediate action. The rental procurement of HVAC spot coolers and window air-conditioning units is necessary to prevent significant disruption to District operations, ensure safe and habitable conditions within DCPS facilities, and support the timely opening of the FY27 school year. Given these urgent conditions, the use of standard competitive procurement methods is not practicable.

Accordingly, I respectfully submit this emergency procurement justification for formal approval by the Deputy Chief Procurement Officer. I affirm that this procurement action is necessary, fiscally responsible, and aligned with DGS's statutory mandate to maintain safe, healthy, and operational environments across all District-owned and District-operated facilities.

Domonique L. Banks

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

08/21/2026

Date

DETERMINATION

I have reviewed the above findings and certify that they are sufficient to justify the use of the emergency procurement method under the cited authority. I certify that the emergency procurement notice of the contract award is published in accordance with Section 405(f) of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Official Code §2-354.05). In conclusion, as the DGS Deputy Chief Procurement Officer I hereby approve of the use of the Emergency Procurement method as the most advantageous and viable method of procurement to avert an imminent threat to public health, safety, and operational continuity at District-owned facilities.

Eric Njonjo

Eric Njonjo

Deputy Chief Procurement Officer
Contracts and Procurement

08/21/2026

Date

