

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

CONTRACT NO: DCAM-22-NC-SS-0006 A&B

CAPTION: Waste Collection Services

- **Group A** - Water & Libraries
- **Group B** - Front-End Waste Receptacles

PROPOSED CONTRACTOR: F&L Construction, Inc.

PROGRAM AGENCY: Department of General Services
Sustainable and Energy Division

FINDINGS

1. AUTHORIZATION:

D.C. Code Section 2-354.04 and DCMR 47, Section 4718

2. MINIMUM NEED:

The Department of General Services (DGS) has an immediate need to engage a contractor to provide city-wide solid waste collection and disposal services across the city at DC Library locations and facilities requiring front-end waste receptacle services. Solid waste collection and disposal is critical in nature and required daily in order to thwart a potential breakdown of sanitation, disruption of agency operations and the unnecessary risk to the health and welfare of the public. The Contractor shall provide said services for the period beginning April 23, 2022, through September 30, 2022.

3. ESTIMATED REASONABLE PRICE:

The Contracts will have a not-to-exceed value up-to \$995,000 based on firm fixed per service rates for each waste receptacle serviced at each individual facility.

4. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT:

DGS is responsible for the daily collection of waste from over 340 individual DC government sites with building use types ranging from public education facilities to public safety facilities. Given the quantity of sites, geographic spread of locations and criticality of providing timely service without disruption it is imperative that DGS contract with waste collection vendors who have immediate access to both a reliable fleet of collection vehicles, an inventory of waste containers ranging in size from 4 to 8 cubic yards and the technology needed to consistently perform the services required across the District. Additionally, DGS is committed to engaging with local Certified Business Enterprises to the greatest extent possible.

As such, DGS has surveyed the local CBE market of vendors who identify their primary industry as waste management. Out of the 12 vendors identified only F&L Construction Inc. (F&L) and Jerome L Taylor Trucking Inc. (JLT) have immediate access to the container infrastructure, collection fleet and technology necessary to meet DGS' requirements of servicing hundreds of sites across the District daily. The Department surveyed vendors, and while some vendors expressed interest in engaging with DGS, none were able to confirm or provide proof of immediate access to the required fleet of collection vehicles nor the requisite equipment and supplies on hand to start services without a one-to-two-month period of planning and preparation. Due to the public exigency and critical nature of waste removal services, DGS cannot permit a delay or break in services. Both F&L and JLT can immediately provide waste management services facilitated by waste collection vehicles equipped with on-board technology (software and hardware) capable of monitoring and recording data which provides route management, real-time fleet tracking, and proof of provision of service. All service routes can be developed and managed by routing software that enables the vendors to maximize efficiencies, monitor routes in real time, and adjust services as needed. Both vendors can monitor their operations by using the technology software platform and make route adjustments in real time as dictated by field conditions. Lastly, data captured, both real time and historical, from both contractor's platforms is always accessible to DGS as required to ensure timely and accurate service.

This sole source procurement will be in effect from April 23, 2022, to September 30, 2022. During this time DGS will procure longer term trash collection services and award a contract that is aligned with the beginning of Fiscal Year 2023. This timing of a new trash solicitation will allow for a sufficient transition period during which newly awarded vendors can mobilize and/or demobilize container infrastructure as required for trash collection across the DGS portfolio.

5. CERTIFICATION BY ASSOCIATE DIRECTOR:

I hereby certify to the best of my knowledge and belief, all of my statements 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.

Date

Matt Floca
Associate Director, Sustainability & Energy

6. CERTIFICATION BY CONTRACTING OFFICER:

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the notice of intent to award a sole source contract was published in accordance with 27 DCMR 1304 and that [no response was received] [the response received was rejected because _____]. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

Date

Domonique L. Banks
Contracting Officer, Supervisory Contract Specialist

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354.02 or 2-354.03). Accordingly, I determine that the District is justified in using the sole source method of procurement.

Date

George G. Lewis, CPPO
Chief Procurement Officer
Chief of Contracts and Procurement

