

**DETERMINATION AND FINDINGS
FOR
SOLE SOURCE PROCUREMENT**

Purchasing Agency: Department of General Services
Capital Construction Division
User Agency: Department of Youth Rehabilitation Services
Caption: HVAC Replacement and Demising Wall Upgrades
Proposed Contractor: Alternative Renewable Solutions, Inc. (ARS)
Proposed Contract No.: DCAM-18-CS-0123

FINDINGS

1. AUTHORITY:

D.C. Official Code §2-354.04 and Title 27 DCMR Section 4718.1

2. MINIMUM NEED:

The Department of General Services (DGS) on behalf of the Department of Youth Rehabilitation Services (DYRS) has an immediate need to complete the construction activities required to permit DYRS to comply with Section 16-2313 of the Comprehensive Youth Justice Amendment Act of 2016 (CYJAA) as amended which states “All persons under 18 years of age who are in the custody of the Department of Corrections shall be transferred to the custody of the Department of Youth Rehabilitation Services before October 1, 2018.”

3. ESTIMATED FAIR AND REASONABLE PRICE:

The estimated fair and reasonable price to provide the required services is \$760,000.

4. FACTS WHICH JUSTIFY A SOLE SOURCE PROCUREMENT:

In July of 1986, the District of Columbia entered into a consent decree known as the Jerry M Consent Decree. Jerry M. is the consent decree overseeing the Department of Youth Rehabilitative Services (DYRS).

Of the five remaining Work Plan Exit Criteria, the Court Monitor/Plaintiffs have found DYRS in compliance for the Staffing and Supervision Work Plan Goal and agreed to vacate this Work Plan Requirement (i.e., remove from Court supervision), on the condition that the Title XVI youth transfer occurs before October 1, 2018 as required, and that DYRS maintain the required staffing and supervision for a period of ninety days thereafter.

In order to accommodate the transfer of youth DYRS must successfully achieve the minimum need. Alternative Renewable Solutions, Inc. (ARS), as the current contractor on site, is most equipped to meet the new deadline. Time will be saved by as a result of ARS's intimate knowledge of the facilities and work to be performed. Previous lessons learned will become time saving benefits.

Construction delays that push back achievement of the appropriate transfer of Title XVI youth from DOC to DYRS New Beginnings by October 1, 2018 will severely impact the District's ability to exit this long-standing consent decree. If we do not meet the October 1, 2018 transfer deadline, as required by the CYJAA, we believe the Court Monitor and the plaintiffs will urge the Court to keep this part of the consent decree under Court supervision beyond 2018, resulting in a delay in DYRS exit of the Staffing and Supervision Work Plan Goal by at least one year.

5. CERTIFICATION BY DEPUTY DIRECTOR CAPITAL CONSTRUCTION DIVISION:

I hereby certify that the above findings are true, correct and complete to the best of my knowledge.

Paul Blackman
Deputy Director

Date

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 Section 404(c) of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Official Code §2-354.04) and that no response was received. I recommend that the Chief Contracting Officer approve the use of the sole source procurement method to meet the District's minimum need.

Franklin Austin
Contracting Officer

Date

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.

George G. Lewis, CPPO
Associate Director/Chief Contracting Officer

Date

Scope of Work

HVAC Replacement and Demising Wall Upgrades at DYRS NB Bldg. A

1. Install and Complete Electrical Work
2. FRT and FRP installation
3. Fire Sprinkler Relocation
4. HVAC Controls
5. HVAC Installation

HVAC Replacement and Demising Wall Upgrades at DYRS NB Bldg C

1. Installation of Furniture Work
2. Install and Complete Electrical Work
3. FRT/FRP installation
4. Fire Sprinkler Relocation
5. HVAC Controls
6. HVAC Installation
7. HVAC Unit Rental
8. HVAC Rental Unit Diesel Fuel
9. Construction Cleanup