

**DETERMINATION AND FINDINGS  
FOR  
EMERGENCY PROCUREMENT**

**Agency:** Department of General Services (the “Department” or “DGS”)

**Contract(s):** DCAM-20-NC-EM-0056B

**Caption:** Restrictive Access to All DCPS and DPR Recreational Outdoor Equipment related to the SARS-CoV-2 (COVID-19) Coronavirus-19 Pandemic.

**Contractor(s):** Broughton Construction Company

**FINDINGS**

**1. AUTHORIZATION:**

Chapter 47 of title 27 of the DCMR Section 4719 and PPRA Sec. 405 (d); *Emergency Procurements*.

**2. MINIMUM NEED:**

The Department of General Services (DGS) has an immediate need for the aforementioned Contractor to provide restrictive access to all DCPS and DPR Recreational Outdoor Equipment in response DC State of Emergency, Stay at Home Order. The Contractor shall provide all management, supervision, labor, materials, supplies, and equipment to ensure rapid installation and effective management of services. Services shall be carried out for a period of April 1, 2020 through July 30, 2020 in accordance with Chapter 47 of title 27 of the DCMR Section 4719 and PPRA Sec. 405 (d); *Emergency Procurements*.

**3. ESTIMATED FAIR AND REASONABLE PRICE:**

The estimated fair and reasonable price for each of the aforementioned Contract (DCAM-20-NC-EM-0056B) is a fixed price lump-sum Not-To-Exceed Contract Value of \$100,000.00.

**4. FACTS WHICH JUSTIFY AN EMERGENCY PROCUREMENT:**

In accordance with the D.C. Official Code §2-354.05 and 27 DCMR 4719, the purpose of this emergency contract is restrict access to recreational outdoor equipment (basketball and tennis courts) to prevent the unauthorized use due to the declaration of a state of emergency. It is the mission and the responsibility of the Department of General Services to provide building services for facilities owned and occupied by the District government including but not limited to outdoor recreational equipment, comprehensive janitorial, operations, maintenance and repair services of various facilities such as municipal buildings, schools, recreation centers, homeless shelters and transitional living facilities. (*D.C. Code § 10-551.01(b) (4), “the Department of General Services Establishment Act of 2011”*)

On March 11, 2020, Mayor Muriel Bowser declared a state of emergency pursuant to D.C. Code § 7–2304 in response to the World Health Organization’s (WHO) declaration of the imminent threat and spread of SARS-CoV-2 (COVID-19) Coronavirus-19 as a world-wide Pandemic. The Department of General Services is responsible for the operations, maintenance and repair services, including Outdoor recreational equipment, comprehensive janitorial and sanitation services for more than 36,000,000 gross square feet in owned or operated facilities across the District of Columbia.

The Contractor listed above will be tasked with providing restrictive access to all DCPS and DPR (basketball and tennis courts) recreational outdoor equipment. This restrictive access will discourage use and assist with reinforcing the “Stay at Home Order” to prevent the spread of COVID-19.

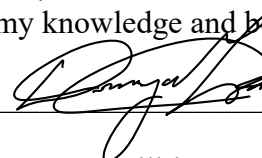
Due to the potential spread of COVID-19 through close contact, the use of the outdoor recreational facilities requires immediate physical restrictions (removal of basketball nettings including backboards and tennis courts netting), a competitive procurement process is not practicable. As previously stated, failure to immediately proceed with restrictive access of outdoor recreational facilities is a potentially life-threatening risk to the health and safety of the District of Columbia population through the increase transmissibility and spread of SARS-CoV-2 (COVID-19) Coronavirus-19 disease.

**CERTIFICATION BY THE DEPUTY DIRECTOR OF FACILITIES MANAGEMENT DIVISION:**

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

04/01/2020

**Date**



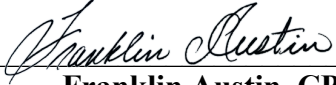
**Donny Gonzalez**

Deputy Director, Facilities Management Division

**5. CERTIFICATION BY THE CONTRACTING OFFICER | CONTRACTS & PROCUREMENT DIVISION:**

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 contracts to the aforementioned Contractors. In addition, please be advised that the Department’s notice of the captioned emergency contracts must 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’ Chief Contracting Officer approve the use of the emergency procurement method for this proposed procurement action.


04/01/2020  
**Date**

  
**Franklin Austin, CPPB, CPM**  
Contracts and Procurement | Contracting Officer

**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 contract award will be 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, the Department of General Services (“DGS”), Chief Procurement Officer hereby approves the use of the Emergency Procurement method as the only viable method of procurement to provide restrictive access to all DCPS and DPR recreational outdoor equipment in response to the SARS-CoV-2 (COVID-19) Coronavirus-19 Pandemic.

04/01/2020  
**Date**

  
*George G. Lewis, CPPO*  
**George G. Lewis, CPPO**  
Chief of Contracts & Procurement  
Chief Procurement Officer