

Contracts & Procurement

**DETERMINATION AND FINDINGS  
 FOR  
 CLASS EMERGENCY PROCUREMENT**

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

**Contract(s):** DCAM-20-NC-EM-0110A  
 DCAM-20-NC-EM-0110B  
 DCAM-20-NC-EM-0110C  
 DCAM-20-NC-EM-0110D  
 DCAM-20-NC-EM-0110E  
 DCAM-20-NC-EM-0110F  
 DCAM-20-NC-EM-0110G  
 DCAM-20-NC-EM-0110H  
 DCAM-20-NC-EM-0110I  
 DCAM-20-NC-EM-0110J  
 DCAM-20-NC-EM-0110K  
 DCAM-20-NC-EM-0110L  
 DCAM-20-NC-EM-0110M

**Caption:** HVAC Technician Services related to the SARS-CoV2 (COVID-19) Coronavirus Pandemic for all District of Columbia Public Schools (“DCPS”)

<b>Contractor(s):</b>	Al’s Twin Air LLC	DCAM-20-NC-EM-0110A
	Blue Skye Construction LLC	DCAM-20-NC-EM-0110B
	Chiaromonte Construction Co	DCAM-20-NC-EM-0110C
	Citadel Firm	DCAM-20-NC-EM-0110D
	The Decca Development Corp	DCAM-20-NC-EM-0110E
	GCS Inc	DCAM-20-NC-EM-0110F
	JL Terrell Construction LLC	DCAM-20-NC-EM-0110G
	Kadcon Corporation	DCAM-20-NC-EM-0110H
	Protec Construction Inc	DCAM-20-NC-EM-0110I
	RBK Construction Inc	DCAM-20-NC-EM-0110J
	RSC Electrical & Mechanical Contractors	DCAM-20-NC-EM-0110K
	Thiha Inc	DCAM-20-NC-EM-0110L
	WL Gary Company Inc	DCAM-20-NC-EM-0110M

Determination and Findings (“D&F”) | DCAM-20-NC-EM-0110  
HVAC Technician Services related to the SARS-CoV-2  
(COVID-19) Coronavirus-19 Pandemic for all District of Columbia Schools (DCPS)

Page 2 of 4

## 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 Contractors to provide HVAC Technician Services related to the SARS-CoV-2 (COVID-19) Coronavirus-19 Pandemic at all District of Columbia Public Schools (DCPS) in preparation for in person learning. Services shall be carried out for a period of no more than 120-days 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 Contracts (DCAM-20-NC-EM-0110 A-M) is an aggregate Not-To-Exceed Contract Value of \$500,000.00 each. Services will be provided on an emergency basis in accordance with the firm, fixed and fully-loaded, direct hourly labor rates.

### 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 to ensure an optimal HVAC/air quality environment for DCPS students, faculty, and visitors to prevent the unsafe conditions that would cause an imminent threat to public health. It is the mission and the responsibility of the Department of General Services to provide safe and healthy facilities to all District owned and operated facilities throughout the District including D.C. Public School buildings as ordered under D.C. Code § 10-551.01(b) (4), The Department of General Services Establishment Act of 2011.

Determination and Findings (“D&F”) | DCAM-20-NC-EM-0110  
HVAC Technician Services related to the SARS-CoV-2  
(COVID-19) Coronavirus-19 Pandemic for all District of Columbia Schools (DCPS)

Page 3 of 4

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, including 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 Contractors listed above will be tasked with providing *HVAC Technician Services related to the SARS-CoV-2 (COVID-19) Coronavirus-19 Pandemic* for all District of Columbia Schools (DCPS) including providing comprehensive assessment and retrofit of the existing systems to improve HVAC operations for all DCPS schools.

A competitive procurement process is not practicable under the current circumstances of the local and national State of Emergencies. Failure to immediately proceed with HVAC Technician Services for all District of Columbia Public Schools would pose a potentially life-threatening risk to the health and safety of the District of Columbia population through the increased transmissibility and spread of SARS-CoV-2 (COVID-19) Coronavirus-19 disease.

**5. 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.

9/22/2020

Date

Donny Gonzalez

Donny Gonzalez

Deputy Director, Facilities Management Division

Determination and Findings (“D&F”) | DCAM-20-NC-EM-0110  
HVAC Technician Services related to the SARS-CoV-2  
(COVID-19) Coronavirus-19 Pandemic for all District of Columbia Schools (DCPS)

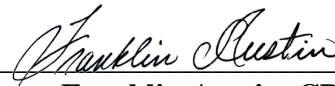
Page 4 of 4

**6. 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 class emergency procurement method for this proposed procurement action.

9/22/2020

**Date**



**Franklin Austin, CPPB, CPM**  
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 class emergency procurement notice of contract awards 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 HVAC Technician Services related to the SARS-CoV-2 (COVID-19) Coronavirus-19 Pandemic for all DCPS facilities.

9/22/2020

**Date**



*George G. Lewis, CPPO*

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