

**DETERMINATION AND FINDINGS
FOR
EMERGENCY PROCUREMENT**

Agency: Department of General Services (the “Department” or “DGS”)
Contract: DCAM-21-NC-EM-0052
Caption: Emergency Consolidated Maintenance Services for the Excel Academy
Contractor: MBB Affiliates, LLC

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 MBB Affiliates, LLC to provide Emergency Consolidated Maintenance Services including operations, maintenance and repair services for the Excel Academy School located at 2501 Martin Luther King Jr. Ave S.E., Washington, D.C. 20020.

3. ESTIMATED FAIR AND REASONABLE PRICE:

The estimated fair and reasonable price for Services is \$245,227.33.

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 prevent an unsafe environment with the risk to bodily harm. In addition, the services are required immediately, on an emergency basis to prevent a disruption of the daily operations at the Excel Academy School. It is the mission and the responsibility of the Department of General Services to provide safe and healthy facilities to all District owned and or operated buildings throughout the District as ordered under (D.C. Code § 10-551.01(b) (4), The Department of General Services Establishment Act of 2011.).

The Department of General Services is the lead agency responsible for the construction, renovation, management, and consolidated maintenance of District government real property assets. DGS provides management, maintenance, engineering, janitorial and related services for over eight hundred fifty (850) owned, leased and vacant properties. These properties include office buildings, schools, parks and recreation centers, warehouses, residential facilities, and vacant schools and properties. As a service-providing agency, positive customer service and rapid response and resolution to tenant issues, projects, and service requests are paramount to all of DGS’ operational mission and values.

On March 11, 2020, Mayor Muriel Bowser declared a public emergency under Mayor’s Order 2020-045 and 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. As a result of the impact on government operations under the emergency declaration, the competitive request for proposal procurement process is not practicable under the current circumstances and the Department has been unable to devote the required resources to develop a new scope of work, draft an approved RFP and publicly solicit a new contract for services. Resources have been required and appropriately redirected to activities associated with suppressing the spread of COVID-19 supporting the District’s mission to protect its residents, employees, and visitors.

As an alternative to the full procurement process and to ensure services are provided in the most cost effective and advantageous manner, the Department engaged in a limited competitive process requesting bids from five (5) SBE firms with proven experience, capabilities and capacity providing comprehensive, consolidated operations, maintenance, and repair type services for facilities of similar scope and complexity. As a result of this limited competitive bid process, the Department awards MBB Affiliates, LLC based on price reasonableness, responsiveness, and contractor responsibility. Under this emergency Contract, MBB shall provide all management, personnel, tools, supplies, equipment, vehicles, and labor necessary to successfully perform comprehensive and consolidated operations, maintenance and repair type services on behalf of DGS at the Excel Academy.

Determination and Findings (“D&F”) | DCAM-21-NC-EM-0052
Emergency Consolidated Maintenance Services for the Excel Academy

Page 3 of 4

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.

8.17.2021
Date

Donny Gonzalez
Donny Gonzalez
Deputy Director, Facilities Management Division

6. CERTIFICATION BY THE CONTRACTING OFFICER:

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 to MBB Affiliates, LLC. In addition, please be advised that the Department’s notice of the captioned emergency contract 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.

August 19, 2021
Date

James H. Marshall
James Marshall
Contracting Officer

Determination and Findings (“D&F”) | DCAM-21-NC-EM-0052
Emergency Consolidated Maintenance Services for the Excel Academy

Page 4 of 4

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, as 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 the aforementioned immediate and emergency comprehensive, consolidated operations, maintenance and repair type services for the Department of Employment Services Facility.

8.19.21

Date



George G. Lewis, CPPO

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