

Contracts & Procurement

**DETERMINATION & FINDINGS
FOR
SOLE SOURCE PROCUREMENT**

Agency: Department of General Services
Contract No.: DCAM-23-CS-SS-0007
Caption: AE Title I and II Services for MBB Building Restroom Renovation – Phase IV
Contractor: Burney Groups, LLC.

FINDINGS

1. AUTHORIZATION:

D.C. Code Section 2-354.04 and 27 DCMR Section 4718.

2. MINIMUM NEED:

The District of Columbia Department of General Services (“DGS” or the “Department”) is seeking to engage a Contractor for the AE Title I and II Services for MBB Building Restroom Renovation – Phase IV at Marion S Barry, Jr. Building, located at 441, 4th Street, NW, Washington, DC 20001. Marion S Barry, Jr. Building is one of the major District Government owned buildings and accommodates various District agencies in its 600,000 sq. ft occupancy area. The building has 11 floors above grade and 3 floors below grade. The lower 2 levels are built as parking garages. Each occupied floor has 4 sets of restrooms; 2 for female and 2 for male and are located on South and North corridors of the building.

3. ESTIMATED FAIR AND REASONABLE PRICE:

The Independent Government Cost Estimate (“IGCE”) to provide AE Title I and II Services for MBB Building Restroom Renovation – Phase IV is \$44,200.00, and Burney Groups, LLC’s price is \$38,046.00.

4. FACTS WHICH JUSTIFY A SOLE SOURCE PROCUREMENT:

Burney Groups, LLC., was awarded Purchase Order Agreement No. DCAM-21-CS-SP-0055 (“POA”) on June 2, 2021 in the amount of \$9,964.00. The original design of the restroom was developed in 2013 as a prototype design and was intended to build them on phases. The phase III construction was completed in January 2023. Due to some high level requests it is decided to upgrade additional restrooms in the building on 3rd floor and 7th floor of the building. Since the design was developed about 10 years ago and by this time several building codes have undergone some changes for a quality and efficient delivery it requires to upgrade the existing design meeting the present market condition. This upgrade will also reduce the change orders during the construction phase. This requires updating

the drawings and specifications, designing the instant hot water system for each restroom to meeting the Covid requirements, materials research, update the Building Permit and provide Title II Services for 2 male and two female restrooms on 3rd and 7th floors of the Marion Barry Building. Burney Groups, the Architect on the Record, was asked to submit the cost proposal and they have submitted the Change Order request on January 24, 2023 for the amount of \$38,046.00, which was reviewed and found reasonable and recommended for approval.

Given the importance of this Project, Burney’s effort and work on the Project thus far, and their experience and knowledge of the Project site and existing facility, Burney is capable of providing the Department with the level of confidence required to successfully deliver the Project on time and with accurate pricing; and therefore, it is in the best interest of the District to award this Contract on a sole source basis to Burney Groups, LLC. Re-engaging Burney Groups, LLC will avoid further delays and facilitate successful completion of the Project.

5. CERTIFICATION BY THE DEPUTY DIRECTOR OF CAPITAL CONSTRUCTION SERVICES:

I hereby certify that the above findings are correct and complete.

Tiffany Barthwell Moore
Deputy Director
Capital Construction Services

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 procurement action was published in accordance with 27 DCMR 4718 and that () response was received. I recommend that the Department of General Services Chief Contracting Officer approve the use of the sole source procurement method for this proposed procurement action.

Obaidullah (Obi) Ranjbar
Contracting Officer
Contract & Procurement

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
Chief Procurement Officer
Chief of Contracts & Procurement

Date