

**DETERMINATION AND FINDINGS
FOR A
SOLE SOURCE PROCUREMENT**

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

Caption: HVAC Citywide Building Clean Air Assessment Services Related to the Sarscov-2 (Covid-19) Coronavirus-19 Clean Air Initiatives

Contract No.: DCAM-23-NC-SS-0006

Contractor: Setty & Associates International, PLLC (“Setty”)

FINDINGS

1. AUTHORIZATION:

D.C. Official Code §2-354.04 and Title 27 DCMR 4718

2. MINIMUM NEED:

The District of Columbia Government (the “District”) by and through its Department of General Services (“DGS”) relies on contracted services, database applications, software and various tools to support the delivery, administration, operations and quality assurance of HVAC systems and programs in District buildings which, include more than 850 properties with approximately 36,000,000 gross square feet of owned real estate, supporting more than 60 District agencies. DGS supports data-driven building air quality performance optimization through multiple programs including but not limited to, assessment studies, design development, design assist, system retrofitting and quality assurance, quality control services. To this end, DGS requires continued consulting support via Citywide Building Clean Air Assessment Study Services for various facilities, related to the District’s response and remediation efforts to slow the spread of SARS-CoV-2 (COVID-19) Coronavirus.

3. ESTIMATED FAIR AND REASONABLE PRICE:

The estimated fair and reasonable price is based on the firm-fixed monthly service rate for the period of January 30, 2023, through June 30, 2023. The Contract shall have a total Not-To-Exceed (“NTE”) value of \$468,000.00.

CLIN	SERVICE DESCRIPTION	FIXED MONTHLY RATE
0001	SENSOR MONITORING SERVICES	\$93,600.00

4. FACTS WHICH JUSTIFY A SOLE SOURCE PROCUREMENT:

A robust clean air initiative was enacted in response to COVID-19 with the intention of: targeting protocols to assess, correct, and maintain proper ventilation of facilities, ensure safety and protections such as aerosol containment, worker safety, proper cleanliness through pressure relationships, filtration, air changes per hour (ACH), point of aerosol capture, temperature, and relative humidity requirements, all elements necessary to design the ventilation systems depending on the existing conditions and the system types. The sole purpose of this initiative is to ensure HVAC systems are properly designed, installed, and maintained, while identifying ventilation measures to provide the minimum requirements for the protection of lives through the dilution, filtration, and disinfection of Severe Acute Respiratory Syndrome coronavirus 2 (SARS-CoV-2), COVID-19 aerosols.

It is imperative that DGS contract with a firm that is acutely familiar with the complexities of this initiative during the transition phase while the Department works to both train internal staff and prepare a Request for Proposal to be solicited openly to continue services over the next five years. Setty & Associates International, PLLC (“Setty”), a local Certified Business Enterprise (CBE), is uniquely qualified to maintain and expand the current clean air efforts and ensure the continued success of the substantial investment DGS made toward this effort as they initially partnered with the agency during the infancy development stage of the program born during the height of the 2020 SARS-CoV-2 pandemic.

Setty, is the engineering professionals involved in creating the national standards for Indoor Air Quality (IAQ) and worked directly with DGS and DCPS facility staff to research, develop and implement the recognized standards. Further, Setty is the only firm to continue the IAQ monitoring program with no loss of continuity and efficiency. Setty was contracted during the midst of the pandemic and quickly mobilized to provide guidance and implementation of the IAQ program for DCPS. The firm oversaw the implantation of the IAQ program for the emergency COVID relief funding which aided in the safe reopen of DCPS schools. Setty’s work with the ASHRAE epidemic Task Force on the school’s team has allowed DCPS to gain extensive experience on IAQ and how to adapt current buildings to safeguard against future pandemics.

Based on the original guidance, and infrastructure oversight of the Indoor Air Quality (IAQ) program Setty created, adjusted, and advanced, we believe it is prudent to continue this IAQ program and monitoring services minimally through the end of the current school year. Setty has put into place a standard operating procedure for monitoring indoor air quality daily at each of the 117 schools in the DCPS portfolio. As students return from holiday and the presence of airborne infectious particulars continue to be present, we should maintain current IAQ protocols. Additionally, our client agency (DCPS) has a high level of confidence in the deliverables that are being shared with the parents and teachers on a monthly basis.



A competitive procurement process is not practicable at this time given the unique environment and system knowledge required to maintain and sustain the current clean air initiative. The IAQ program is designed to remediate and prevent potentially life-threatening risk to the health and safety of the District of Columbia population by taking extraordinary measures designed to help suppress transmissibility and the spread of SARS-CoV-2 (COVID-19) Coronavirus-19 disease. Without continued successful implementation of these services District facilities will be needlessly vulnerable in the fight against COVID-19.

To this end, it is most advantageous to execute a sole source contract for the remainder of fiscal 2023 school year, or until one of the following conditions are met:

The client agency can agree with a change in IAQ vendors;

A solicitation of qualified vendors can go through a competitive procurement evaluation and award process;

The IAQ program is no longer required by the sister agency.

The Department has therefore determined that it is in the best interest of the District to extend a sole source contract to Setty & Associates International, PLLC (“Setty”) for the provision of clean air services. The sole source contract will provide the District with the most cost-effective and viable solution, and a continuation of service while the District prepares and finalizes a solicitation for competition and award.

5. CERTIFICATION BY THE ASSOCIATE DIRECTOR, SUSTAINABILITY & ENERGY:

I hereby certify to the best of my knowledge and belief, all of my statements are true, correct, and complete and that the information given herein is true and accurate. Moreover, I understand that making a false statement is punishable by criminal penalties pursuant to D.C. Official Code § 22-2405 et sq. (2001). I understand that any information I give may be investigated as allowed by law or regulation.

Date

Dr. Vaughn Wallace
Senior Facility Operations Manager



6. CERTIFICATION BY THE SUPERVISOR AND 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 27 DCMR 1304 and that no response was received. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

Date

Domonique L. Banks
Contracting Office, Supervisory Contract Specialist

DETERMINATION

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 sole source 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. As the Chief Contracting Officer at the Department of General Services, I approve the use of the sole source procurement method for this requirement.

Date

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

