

**DETERMINATION & FINDINGS
FOR
EMERGENCY PROCUREMENT**

AGENCY: Department of General Services

CONTRACT NO.: DCAM-24-NC-EPOA-0006

CAPTION: Emergency Installation of Temporary Air-Cooled System at Harriet Tubman Shelter

CONTRACTOR(S): RSC Electrical & Mechanical Contractors

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) urgently requires a Contractor for a critical project at the Harriet Tubman Shelter. This project involves the installation, removal, and rental of a temporary air-cooled package air conditioning system, which is crucial for maintaining the facility's safety, operational efficiency, and ability to support shelter services. The Contractor will perform a comprehensive assessment, repair, and installation, adhering strictly to the latest federal and local safety standards. This essential undertaking reaffirms our unwavering dedication to upholding the highest standards of safety, efficiency, and functionality in HVAC systems. By ensuring the Harriet Tubman Shelter provides a comfortable and secure environment for faculty, visitors, and residents, we reinforce our commitment to community well-being.

The Department of General Services (DGS) urgently requires the Contractor's specialized expertise to address an emergency at the Harriet Tubman Shelter. The critical tasks involve the swift repair, installation, and assessment of the HVAC air conditioning system, driven by recent heat-related issues. Immediate action is essential to ensure the safety and comfort of shelter residents and staff.

An unforeseen failure of the air conditioning system at the Harriet Tubman Shelter has caused a substantial increase in heat, resulting in cases of hyperthermia among residents. The malfunctioning HVAC system has led to dangerously high temperatures within the shelter.

3. ESTIMATED FAIR AND REASONABLE PRICE:

The estimated fair and reasonable price for services is \$90,000.

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 issuing an emergency purchase order agreement is to circumvent the disruption of daily operations at Harriet Tubman Shelter and to avert the creation of an unsafe workspace that poses a threat to public health, welfare, and property. It is the mission and the responsibility of the Department of General Services to provide a safe and healthy environment across all District owned and or operated facilities 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 oversees more than 36,000,000 gross square feet in owned or operated facilities across the District. The Contractor will be responsible for installing a temporary air-cooling system at the Harriet Tubman Shelter. This includes the installation of a temporary air-cooled package A/C system, the provision of all power and control wiring, and thorough testing and commissioning of the system. The non-functional air conditioning system at the Harriet Tubman Shelter has caused extensive damage, leading to significant health and safety issues for staff, visitors, and residents. Due to the urgency of the situation, the Department cannot conduct a competitive procurement process, as any prolonged disruption to shelter operations is untenable.

Furthermore, if left unaddressed, the lack of a functioning A/C system can severely impact indoor air quality, increasing the risk of additional hazards such as mold growth. These hazards would render the facilities uninhabitable, significantly prolong the restoration process, escalate costs for the District, and necessitate the displacement of residents, staff, and visitors.

In addition to the above:

- a) RSC Electrical & Mechanical Contractors has provided satisfactory HVAC services, repair, and maintenance services under multiple contracts with the Department.
- b) The estimated cost to the District for the subject repairs is fair and reasonable based on DGS' historical data, market research and the independent government cost estimate.

5. CERTIFICATION BY THE DUPTY DIRECTOR OF FACILITIES MANAGEMENT DIVISION:

I hereby certify to the best of my knowledge and belief that all of my statements regarding the conditions, service needs and urgency, 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.

6/18/2024

Date

Donny Gonzalez

Donny Gonzalez

Deputy Director, Facilities Management Division

6. CERTIFICATION BY CONTRACTING OFFICER/SUPERVISORY CONTRACT SPECIALIST:

After a thorough review of the findings presented above, I affirm that they substantiate the appropriateness of employing the emergency procurement method for awarding the contracts mentioned to the specified Contractor. Furthermore, I confirm that the Department will promptly post the notice of the aforementioned emergency contracts on the Department's website within seven (7) days of the contract award.

Considering the outlined circumstances, I strongly recommend that the Chief Procurement Officer of the Department of General Services approve the utilization of the class emergency procurement method for this proposed procurement action.

6/18/2024

Date

Domonique L. Banks

Domonique L. Banks

Contracting Officer, Supervisory Contract Specialist

DETERMINATION

Having thoroughly examined the aforementioned findings and the CO certification pertaining to the issuance of an Emergency Contract, I, in my capacity as the Department of General Services' Chief Procurement Officer, affirm that they sufficiently warrant the application of the emergency procurement method as specified in the cited authority. I hereby certify that the notice of contract award for this emergency procurement will be published in compliance 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 Chief Procurement Officer for the Department of General Services (DGS), I officially endorse the utilization of the Emergency Procurement method as the sole and necessary approach for procuring emergency installation of temporary air-cooled system at Harriet Tubman Shelter.

June 18, 2024

Date



George G. Lewis, CPPO

George G. Lewis, CPPO

Chief Procurement Officer

Chief of Contracts and Procurement