

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF GENERAL SERVICES



Contracts & Procurement

**DETERMINATION AND FINDINGS
FOR
EMERGENCY PROCUREMENT**

- Agency:** Department of General Services (the “Department” or “DGS”)
- Caption:** Operation, Maintenance and Repair of Emergency and Standby Power Systems (Generators) DYRS Facilities
- Contractor:** Covenant Development Company, Inc.

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 Covenant Development Company, Inc. to provide Operation, Maintenance and Repair of Emergency and Standby Power Systems (Generators) at DYRS Facilities located at 1000 Mt. Olivet Road Washington, DC and 8400 River Road Laurel Maryland 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 is up to \$30,790.00.

4. FACTS WHICH JUSTIFY AN EMERGENCY PROCUREMENT:

The purpose of this emergency contract is to ensure emergency and standby power are available to residents, faculty and staff at both DYRS facilities and in compliance with the standing settlement agreement in *Jerry M., et al. v. District of Columbia*, 1985-CA-1519 (Superior Court of the District of Columbia). Maintaining electrical power is critical in ensuring operations and life safety; therefore, mandatory for the Department of

General Services. It is the mission and the responsibility of the Department of General Services to provide building and grounds services for facilities owned and occupied by the District government field services. (D.C. Code § 10-551.01(b) (4), *The Department of General Services Establishment Act of 2011.*)

A competitive procurement process was not practical under these circumstances and a new contract could not be competitively bid and awarded in time to have a certified generator contractor in place to provide the required services. Failure to have emergency and standby power systems in working order may result in potentially unsafe environments to residents, staff and faculty of DYRS facilities.

5. CERTIFICATION BY THE FACILITIES SERVICES MANAGER :

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

10-23-17
Date

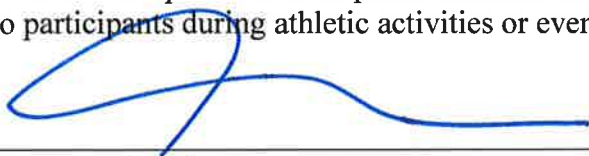


Donny Gonzalez
Deputy Director of Facilities Management

6. CERTIFICATION AND DETERMINATION BY THE CHIEF CONTRACTING OFFICER:

I have reviewed the above findings and certify that they are sufficient to justify the use of the Emergency Contract as a method of procurement. In so much, and in accordance with Chapter 47 of title 27 of the DCMR Section 4719 and PPRA Sec. 405 (d); *Emergency Procurements*; I hereby determine that there is an imminent threat to the public health, welfare, property, and safety and as such to prevent and or minimize serious disruption in the District services this Emergency Contract action is thereby justified in accordance with 27 DCMR 1799 Emergency Conditions. Furthermore I certify that the Department of General Services (DGS) will publish the aforementioned Emergency Contract in accordance with the Chapter 47 of title 27 of the DCMR, Section 4735.1 Notice of Contract Awards over One Hundred Thousand Dollars (\$100,000). In conclusion, the Department of General Services (DGS), Chief Contracting Officer approves the use of the Emergency Procurement as the only viable method of procurement to ensure athletic fields remain in compliance and to prevent unsafe athletic fields which could cause bodily harm to participants during athletic activities or events.

10/23/17
Date



George G. Lewis, CPPO
Associate Director Contracts & Procurement
Chief Contracting Officer