

**DETERMINATION AND FINDINGS  
FOR  
EMERGENCY PROCUREMENT**

**Agency:** Department of General Services (the “Department” or “DGS”)  
**Caption:** Emergency HVAC Technician Services at Dunbar Senior High School  
**Contract:** DCAM-23-NC-EM-0011  
**Contractor:** Spectrum Management 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 the aforementioned Contractor to provide On-Call HVAC technician services at Dunbar Senior High School, including the management, supervision, labor, materials, supplies, and equipment to ensure effective performance. Services shall be carried out for a period of no more than 120-days 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 for this emergency contract (DCAM-23-NC-EM-0011) is an aggregate not-to-exceed contract value of no-more than \$394,550.00.

**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 the unsafe and unclean workspace that would cause a threat to public health, welfare, and property, and to prevent a disruption of the daily operations at specific District owned and operated facilities. It is the mission and the responsibility of the Department of General Services to provide building services; these responsibilities include providing comprehensive janitorial, operations management, landscaping, snow and ice removal and preventative maintenance, and repair of HVAC systems, to name a few, in accordance with “The Department of General Services Establishment Act of 2011”) (D.C. Code § 10-551.01(b) (4).

Moreover, a competitive procurement process is not practicable under the current circumstances and a new contract could not be competitively bid and awarded in time to have a HVAC Service Contractor in place to provide the required services without a risk to public health and safety. The Contractor referenced above is the only vendor who can meet the District’s minimum need without disruption of services at this time. The Contractor’s cost is fair and reasonable based on DGS’ historical data on similar services. Failure to immediately proceed with HVAC Technician Services may result in potentially unsafe environments and could cause bodily harm to residents, staff and faculty at District Facilities.

**5. CERTIFICATION BY THE DEPUTY DIRECTOR OF FACILITIES MANAGEMENT DIVISION:**

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.

12/1/2022  
Date

  
\_\_\_\_\_  
Donny Gonzalez  
Deputy Director, Facilities Management Division

**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 emergency procurement method to award the captioned contract to the aforementioned

Contractor. In addition, please be advised that the Department’s notice of the captioned emergency contracts 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 Procurement Officer approve the use of the emergency procurement method for this proposed procurement action.

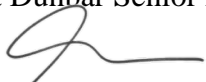
12/1/2022  
**Date**

  
**Domonique L. Banks**  
Contracting Officer, Supervisory Contract Specialist

**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, I hereby approve the use of the Emergency Procurement method as the only viable method of procurement to provide emergency HVAC technician services at Dunbar Senior High School.

12/1/2022  
**Date**

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