

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

CAPTION: Citywide Waste Collection and Disposal Services (SE/SW sites)

CONTRACT NO.: DCAM-23-NC-SS-0002A

AGENCY: Department of General Services

CONTRACTOR: F&L Construction, Inc.

FINDINGS

1. AUTHORIZATION:

D.C. Official Code §2-354.04, 27 DCMR 1304 and 27 DCMR 4718

2. MINIMUM NEED:

The Government of the District of Columbia, acting by and through its Department of General Services (the “Department” or “DGS”), has an immediate need to engage a contractor to provide city-wide solid waste collection and disposal services at DC government facilities requiring front load, rear load and roll off waste collection and disposal services. Solid waste collection and disposal is critical in nature and required daily in order to thwart a potential breakdown of sanitation, disruption of agency operations and the unnecessary risk to the health and welfare of the public. The Contractor shall provide said services for the period beginning October 1, 2022, through September 30, 2023.

3. ESTIMATED FAIR AND REASONABLE PRICE:

The Department conducted its own independent government cost estimate (“IGCE”), comparing proposed prices to historical prices paid, whether by the Government or other than the Government, for the same or similar services; and with prices obtained through market research for the same or similar services. The fair and reasonable price for a one (1) year period has an estimated Not-to-Exceed of \$1,134,000 for the Southeast and Southwest location sites. This IGCE is based on firm-fixed per service rates for each waste receptacle services at each individual facility.

4. FACTS WHICH JUSTIFY A SOLE SOURCE PROCUREMENT:

DGS is responsible for the daily collection of waste from over 340 individual DC government sites with building use types ranging from public education facilities to public safety facilities. Given the quantity of sites and criticality of providing timely, scheduled service without disruption, it is imperative that DGS contract with waste collection vendors who currently operate and have immediate access to a reliable fleet of collection vehicles and an inventory of waste containers ranging in size from 96-gallon rear load containers to 30 yard roll off dumpsters. Additionally, it is imperative that contracted vendors have access to the technology and staff needed to consistently perform and report on the services required across the District. Lastly, DGS is committed to engaging local Certified Business Enterprises (CBEs) to the greatest extent possible while ensuring CBEs have opportunities to grow their capabilities through engagement on DGS programs and contracts.

As such, DGS surveyed the local CBE market of vendors who identify their primary industry as waste management or call out one of their services as garbage trash removal, recycling services, hauling services, and/or solid/liquid waste disposal. Out of the eleven vendors who identified their primary industry being waste management, the one vendor who provides garbage removal services, the five vendors who provide recycling services, the thirty-six vendors who provide hauling services and the three vendors who provide solid or liquid waste disposal services, DGS was only able to identify the CBE's F&L Construction Inc. (F&L) and Jerome L Taylor Trucking Inc. (JLT) as having immediate access to the container infrastructure, collection fleet, including front and rear load vehicles, staff and technology necessary to meet DGS' requirements of servicing hundreds of sites across the District daily.

While some vendors expressed interest in engaging with DGS, none were able to confirm or provide proof of immediate access to the required fleet of collection vehicles nor the requisite equipment and supplies on hand to start services without a one-to-two-month period of planning and preparation. Due to the public exigency and critical nature of waste removal services, DGS cannot permit a delay or break in services. Both F&L and JLT can immediately provide waste management services facilitated by waste collection vehicles equipped with on-board technology (software and hardware) capable of monitoring and recording data which provides route management, real-time fleet tracking, and proof of provision of service. All service routes can be developed and managed by routing software that enables the vendors to maximize efficiencies, monitor routes in real time, and adjust services as needed. Both vendors can monitor their operations by using the technology software platform and make route adjustments in real time as dictated by field conditions. Lastly, data captured, both real time and historical, from both contractor's platforms is always accessible to DGS as required to ensure timely and accurate service.

DGS also surveyed the non-CBE waste management industry in the area and identified WB Waste Solutions, LLC as a vendor who has previous experience servicing DC government sites, local knowledge of waste management requirements in the District, as



both a hauler and as a transfer station operator, requisite access to all staff, fleet and containers needed to service the DGS portfolio, and the interest in helping DGS build CBE experience with trash hauling and disposal services.

This sole source procurement will be in effect from October 1, 2022, to September 30, 2023. During this time DGS will begin procurement of longer-term trash collection services, vehicles and infrastructure. The timing of this sole source action combined with the solicitation of new services, vehicles and infrastructure will allow for a sufficient period of planning and transition during which newly awarded services and in-house DGS operations can mobilize and/or demobilize container infrastructure and programmatic requirements for long term trash collection across the DGS portfolio.

5. CERTIFICATION BY THE ASSOCIATE DIRECTOR OF SUSTAINABILITY & ENERGY DIVISION:

I have reviewed the above findings and certify to the best of my knowledge and belief, all statements are true, correct, and complete and that the information given herein is true and accurate to the best of my knowledge and belief.

Date

Matt Floca
Associate Director
Sustainability & Energy Division

6. CERTIFICATION BY THE CONTRACTING OFFICER:

I have reviewed the above findings and certify to the best of my knowledge and belief, all statements are true, correct, and complete and that the information given herein is true and accurate to the best of my knowledge and belief.

Date

Domonique Banks
Contracting Officer

7. CERTIFICATION BY THE CHIEF OF CONTRACTS AND PROCUREMENT:

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 of



Contracts and Procurement 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 and Procurement

