

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF GENERAL SERVICES



DETERMINATION AND FINDINGS  
FOR  
SOLE SOURCE PROCUREMENT

**Agency:** Department of General Services

**Caption:** Lease and Maintenance Agreement for Trailers at Adams Place Bus Terminal

**Contractor:** Modular Genius, Inc.

**FINDINGS**

**1. AUTHORIZATION:**

D.C. Code Section 2-354.04 and DCMR 47, Section 4718.

**2. MINIMUM NEED:**

The Department of General Services (DGS) and the Office of the State Superintendent of Education (OSSE) had an immediate need for replacement trailers to house offices and a staff lounge for support staff, school bus drivers and attendants. The Department now looks to enter into a lease agreement with Modular Genius, Inc. for the lease of the modular trailers they delivered and installed in October 2018.

**ESTIMATED FAIR AND REASONABLE PRICE:**

The estimated fair and reasonable price is up to \$178,200 for the base year of leasing. The contractor has also made available to the Department two (2) one-year option lease periods at \$178,200 for each such option, exercisable at the Department's discretion.

**3. FACTS WHICH JUSTIFY A SOLE SOURCE PROCUREMENT:**

In 2017, Modular Genius, Inc. (MGI) was competitively awarded and tasked to provide a leased facility for OSSE. As part of their base contract of services, MGI produced, delivered and installed a 12 trailer 2 story stacked facility. MGI was also responsible for the sensitive utility connections and procurement of furniture within this contract. The

lease rates proposed to the Department is in accordance with the GSA Schedule GS-07F-0124W held with MGI.

The development and installation of a modular facility is sensitive in nature and requires intricate connections between the units and as such there is an inherent one year warranty of the facility provided by MGI. Because the modular trailers are provided by MGI, the lease of the trailers should be entered into with MGI and the correlating lease fees paid to them, accordingly. No other source would warranty the product or work of another source, so sole source to MGI is the recommended route for this procurement transaction.

Based on the above, it is in the best interest of the District to contract with MGI for the lease of the modular trailers it has delivered and installed for use at the OSSE DOT Adams Place Bus Terminal. This will ensure that operations of the OSSE-DOT Adams Place Terminal will continue without disruption during the 12 month school year

**4. CERTIFICATION BY THE DEPUTY DIRECTOR OF CAPITAL CONSTRUCTION SERVICES:**

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Paul Blackman Jr.  
Deputy Director  
Capital Construction

**5. CERTIFICATION BY THE CONTRACTING OFFICER:**

I have reviewed the above findings and certify that they are sufficient to justify the use of the single available source method of procurement under the cited authority. I certify that the notice of intent to award a sole source procurement action was published in accordance with 27 DCMR 4718 and that no response was received. I recommend that the Department of General Services, Director/ Chief Contracting Officer approve the use of the sole source procurement method for this proposed procurement action.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Franklin Austin, CPPB, CPM  
Contracting Officer  
Contracts and Procurement

**DETERMINATION**

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354.02 or 2-354.03). Accordingly, I determine that the District is justified in using the sole source method of procurement.

\_\_\_\_\_  
Date

\_\_\_\_\_  
George G. Lewis, CPPO  
Associate Director, Contracts and Procurement