

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF GENERAL SERVICES



**DETERMINATION AND FINDINGS
FOR
SOLE SOURCE PROCUREMENT**

Caption: Pre-development A/E services for acquisition of 1201 Claybrick Rd.
Proposed Contractor: Bohler Engineering
Program Agency: Department of General Services

FINDINGS

1. AUTHORIZATION:

D.C. Official Code §2-354.04, and 27 DCMR Chapter 47, §4718

2. MINIMUM NEED:

The Department of General Services (DGS) has an immediate need to engage the services of Bohler Engineering for A/E services required to perform all required due diligence work including PG County's Mandatory Referral process needed for acquisition of 1201 Claybrick Rd., Capitol Heights, MD 20743

3. ESTIMATED REASONABLE PRICE:

The estimated reasonable price required to provide pre-development A/E services for the acquisition of property 1201 Claybrick Rd. is \$300,000.

4. FACTS WHICH JUSTIFY A SOLE SOURCE PROCUREMENT:

In 2019, DGS elected to purchase a site on Claybrick Rd in Prince Georges County for DC Department of Transportation's Circulator Bus Program. As required by County rules, an industrial site development necessitated a permit review and approval prior to commencement. In advance of the purchase, and to limit approval risk, DGS required the seller to initiate the site approval process. The Seller retained Bohler Engineering services to perform all necessary engineering and site work necessary to obtain approval. Months into DGS' negotiations with the Seller, the District determined it was advantageous to its permitting approval for the District to represent its interests before the PG Country Mandatory Referral Board. As such, the terms of the purchased were

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changed such that DGS would continue with the Referral process and complete it by January 2021, at which point the sale would be finalized. DGS Portfolio and Construction Divisions hold that continuing with Bohler Engineering will both save time and cost in preparing required site plans necessary for the Mandatory Referral process. For this reasons, we request a sole source award to Bohler Engineering.

It is crucial to engage a firm as soon as possible to expedite the completion of Services to meet DGS Portfolio's timeline for completion of the site acquisition process. Delay will forfeit the deal, agreements and prior committed District funds. Bohler Engineering have prior knowledge of the property as DDOT's vendor from initial design phase. It is in the best interest of the District to authorize Bohler Engineering with their pre-existing understanding and knowledge of the property to complete the work efficiently and expediently to meet the January 2021 deadline. This will also save the District some money as the vendor will require less resource and time for the required tasks.

5. CERTIFICATION BY THE DEPUTY DIRECTOR OF CAPITAL CONSTRUCTION SERVICES:

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

Date

Paul Blackman, Jr., Deputy Director

Capital Construction Division

6. CERTIFICATION BY THE CONTRACTING OFFICER:

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 notice of intent to award a sole source procurement action was published in accordance with 27 DCMR 4718. I recommend that the Department of General Services, Chief Contracting Officer approve the use of the sole source procurement method for this proposed procurement action.

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Date

Franklin Austin, Contracting Officer
Contracts and Procurement, DGS

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
Chief, Contracts and Procurement
DGS Chief Procurement Officer