

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF GENERAL SERVICES**



**DETERMINATION AND FINDINGS
FOR
EMERGENCY PROCUREMENT**

Agency: Department of General Services

Caption: Construction Services for 2021 Presidential Inaugural Ceremony Reviewing Stands

Contractor: Associated Builders, Inc.

Emergency Contract No.: DCAM-21-CS-EM-0002

FINDINGS

1. AUTHORIZATION:

Section 5 of Title V of the Coronavirus Support Second Congressional Review Emergency Amendment Act of 2020 (D.C. Act 23-405); and 27 DCMR 4719 Emergency Procurements.

2. MINIMUM NEED:

The Department of General Services (DGS) has a need to complete the on-time construction of the Presidential, Mayoral and Media reviewing stands (Inauguration Reviewing Stands) in support of the 2021 Presidential Inauguration Ceremony (PIC).

Pursuant to Section 5 of Title V of the Coronavirus Support Second Congressional Review Emergency Amendment Act of 2020 (D.C. Act 23-405), this Emergency Contract No. DCAM-21-CS-EM-0002, (the “Contract”) between the Department of General Services (the “Department”) and Associated Builders, Inc. (the “Contractor”) was executed on October 9, 2020.

3. ESTIMATED FAIR AND REASONABLE PRICE:

The estimated fair and reasonable price is up to \$5,895,798.

4. FACTS WHICH JUSTIFY AN EMERGENCY CONTRACT PROCUREMENT:

The inauguration of the President of the United States is a ceremony to mark the commencement of a new four-year term of the president of the United States. This ceremony takes place for each new presidential term and will occur on Wednesday, January 21, 2021.

Given the highly visible nature and importance of this project, it is essential that the Department have an extremely high level of confidence that the chosen Contractor will successfully complete construction of the Inauguration Reviewing Stands on time and in accordance with the approved designs. Unlike other construction projects, the date for the inauguration will not change. This confidence can only be obtained if the Contractor has the requisite expertise to address the complex requirements of this project, including the significant structural and security specifics. In addition, the Contractor must have an intimate knowledge of navigating through Federal partner agencies' standards and protocols associated with the inauguration event, the details of which are numerous and the failure to achieve compliance could have far reaching implications. Similarly, a working knowledge of the specific utility service systems to accomplish the necessary shutdowns and tie-ins with minimal disruption and impact to the involved Federal and District's tenant operations. Failure is not an option for this project and the Department must have a reliable Contractor with the expertise, experience, and proven track record with similar construction projects.

The 2021 Presidential Inaugural Reviewing Stands design modifications for the Presidential Walkway has put a high demand on the project unlike previous years to begin the project earlier than usual. Given the worldwide COVID-19 pandemic, there are significant issues with supply chains for the material required on the Project, specifically the lumber. The national shortage on lumber along with the significant increase in quantity required for the newly designed covered walkways has substantially increased the costs of this material from four years ago. Additionally, this material had to be secured in advance to guarantee its delivery when needed. The project now requires further security measures, upgraded from last inauguration event, to secure the construction perimeter. Such new measures must be procured and deployed as the first step in the Project's schedule. It has been identified by the Contractor that an additional three weeks would be required to fulfill the construction changes with the given Project schedule.

Associated Builders, Inc. (ABI) is the only contractor available to provide the Department the level of confidence required. ABI has constructed the Inauguration Reviewing Stands since 1969. ABI has worked hand in hand with the A/E to successfully implement the design for the past three inaugurations. ABI has the required expertise and existing relationships with critical subcontractors to successfully deliver the project on time with accurate pricing. ABI's long standing relationships with DGS and Federal partners will provide an efficient and streamlined compliance with staff security requirements and related protocols.


DGS recognized that if the Definitive Contract (“Definitive Contract”) was not awarded by October 12, 2020, it would not be possible to complete the Project per the schedule. Please note that the current schedule shows 7 work day weeks (Monday - Saturdays/10-hour shifts; Sunday/8-hour Shift).

On October 9, 2020, the Department executed the Emergency Contract No. DCAM-21-CS-EM-0002.

ABI is the only contractor with the experience, expertise and knowledge capable of providing the Department with the level of confidence required to complete this extremely critical project in compliance with the operational needs of the project. It is therefore in the District’s best interest to approve the use of the emergency procurement method under COVID-19 Procurement Procedures to procure the construction of the 2021 Inauguration Reviewing Stands.

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

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

<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> <div>Date</div>	<div style="text-align: center;"> <hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/></div> <div>Paul Blackman, Jr., Deputy Director Capital Construction Division</div>
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6. CERTIFICATION BY THE SUPERVISORY CONTRACTING OFFICER:

I have reviewed the above findings and certify that they are sufficient to justify the award of this Emergency Contract No. DCAM-21-CS-EM-0002 pursuant to Section 5 of Title V of the Coronavirus Support Second Congressional Review Emergency Amendment Act of 2020 (D.C. Act 23-405) and 27 DCMR 4719 Emergency Procurements. The notice of this Emergency Contract was published on the Department’s website in accordance with 27 DCMR 4719-5.

I recommend that the Department of General Services, Director/ Chief Contracting Officer approve the use of the Emergency Procurement for this proposed procurement action.

<div>10.14.2020</div> <hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> <div>Date</div>	<div style="text-align: center;"> <hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/></div> <div>Franklin Austin, Contracting Officer Contracts and Procurement, DGS</div>
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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 COVID-19 Procurement Procedures to award this Emergency Contract pursuant to Section 5 of Title V of the Coronavirus Support Second Congressional Review Emergency Amendment Act of 2020 (D.C. Act 23-405).

10.22.2020

Date



for

George G. Lewis, CPPO
Chief, Contracts and Procurement
DGS Chief Procurement Officer