

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF GENERAL SERVICES



**DETERMINATION AND FINDINGS
FOR
SOLE SOURCE PROCUREMENT**

Date: January 29, 2018

Caption: AE Services for the Modernization of Elevators at Four DCPS Schools

Proposed Contractor: Keystone Plus Construction

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 or “The Department”), on behalf of the Department of Columbia Public Schools (DCPS), has a continuing need for a contractor to provide professional A/E services, assess existing conditions and produce design documents (drawings and specifications) for the modernization of four (4) existing elevator and supporting infrastructure in the schools where each elevator is located. The contractor will also provide all necessary additional construction services as called for in the design documents.

3. ESTIMATED REASONABLE PRICE:

\$486,265 (Four Hundred Eighty Six Thousand, Two-Hundred and Sixty-Five Dollars as shown in Table 1, below.)

Table 1. – Value of Elevator Modernization projects at 4 DCPS sites

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PCO #	School	Est. Design Effort	Est. Construction Effort	Total PCO Cost
4	Aiton ES	\$25,200.00	\$167,500.00	\$192,700.00
7	Hendley ES	\$27,300.00	\$70,555.00	\$97,855.00
5	Johnson MS	\$27,300.00	\$69,820.00	\$97,120.00
6	Ketcham ES	\$27,300.00	\$71,290.00	\$98,590.00
		\$107,100.00	\$379,165.00	\$486,265.00

4. FACTS WHICH JUSTIFY A SOLE SOURCE PROCUREMENT:

On April 25, 2017, Keystone Plus Construction was awarded the contract to renovate four (4) existing passenger elevators (one elevator per school) at the following schools:

Aiton Elementary School, Hendley Elementary School, Johnson Middle School and Ketcham Elementary School.

Each school was awarded under one Contract (DCAM-17-CS-0051). A separate Purchase Order was issued for each school in the scope of the contract:

School	Purchase Order #
Aiton ES	PO562477
Hendley ES	PO562476
Johnson MS	PO562472
Ketcham ES	PO562469

Keystone selected Delaware Elevator Inc. as its subcontractor for the construction of the elevators at each school.

DGS CC retained a 3rd party design consultant, Amicus Elevator Company, to develop the scope and performance based specification for the new elevators.

DGS awarded the scope with the intent to obtain regulatory approval from DCRA under the Elevator Certification & Shop Drawing Application program (ECSDA), which allows for the submission of shop drawings when renovating elevators in the District.

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With the intent to deliver the elevator under the ECSDA program, the Contract was written without any requirement for stamped and sealed engineering drawings for the elevators or supporting building systems infrastructure as a deliverable.

Per the Contract, the contractor and elevator company provided shop drawings delineating all equipment needed to modernize the elevator and integrate the elevator into the building systems at each school.

The scope of work at each school included:

- Materials Procurement Phase: The specification and procurement of all necessary materials needed to provide a complete and usable elevator.
- Construction Phase:
 - The modernization of the existing elevator.
 - The construction of all associated supporting building infrastructure needed to provide a complete and usable elevator.

The contract called for the work to be completed no later than 31 January 2018.

At the end of the Materials Procurement Phase in September 2017, DGS participated in a pre-construction meeting with DCRA to discuss inspections and certificate(s) of use for the four elevators.

DCRA informed DGS that the planned delivery method of the elevator modernization projects would not be in compliance with DCMR and DCRA requirements unless all required permits were obtained via the submission of stamped and sealed engineering drawings. The drawings would have to be produced licensed Professional Engineer(s). It was also established that a permit set of plans and specifications would include additional scope not captured in the original contract, including the mechanical, electrical, plumbing and fire protection trades.

The current contract with Keystone does not include any provision for the creation of engineering drawings or the resulting additional scope that would be delineated by a new permit set of plans and specifications.

Keystone has obtained proposals from a design consultant for the provision of the required design services, and has provided the government with proposals for the provision of the additional construction services (ref. Table 1 above), which would be required to provide a complete and usable elevator at each school.

In addition to financial consideration, the proposal also requests 42 additional days from the

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time of award to complete the additional design services.

Keystone has not proceeded to the Construction Phase of the project, pending formal direction from DGS regarding the possible changes in the scope established by DCRA at the pre-construction meeting.

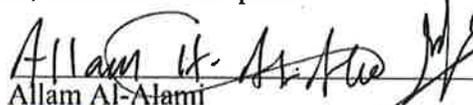
All long lead item elevator materials have been received and are in the possession of the elevator subcontractor.

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

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

1-17-18

Date


Allam Al-Alami
[Acting] Deputy Director, Capital
Construction

6. CERTIFICATION BY THE MANAGER OF PROCUREMENT OF CONSTRUCTION SERVICES:

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 the District of Columbia Procurement Practices Reform Act of 2010, as amended by the Procurement Integrity, Transparency, and Accountability Amendment Act of 2015. Accordingly, I determine that the District is justified in using the sole source method of procurement to enter into the captioned sole source contract with Keystone Plus Construction.

1/29/18

Date


Franklin Austin
Contracting Officer
Department of General Services
Contracts & Procurement Division