

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF GENERAL SERVICES



**DETERMINATION AND FINDINGS
FOR
SOLE SOURCE PROCUREMENT**

Purchasing Agency: Department of General Services (DGS)

User Agency: Department of Corrections (DOC)

Caption: Design/Build (DB) Construction Services – DB for the Reconfiguration and Installation of Modular Trailers Facilities for a Video Visitation Center (VVC) at the Central Detention Facility (CDF)

Proposed 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) has an immediate for a (DB) Contractor to develop construction documents, specifications, site utilities plans, and construction services for the reconfiguration and installation of existing modular units to be used as the Portal of Entry (POE) & Video Visitation Center (VCC) adjacent to the Central Detention Facility.

3. ESTIMATED FAIR AND REASONABLE PRICE:

The estimated fair and reasonable price to design, reconfigure. and install the modular trailer facility is approximately \$750, 000.00.

4. FACTS WHICH JUSTIFY A SOLE SOURCE PROCUREMENT:

The District of Columbia has the highest incarceration rate in the country and the third-highest rate of criminal justice control. In, 2016, the DC Jail had a 12-month re-incarceration rate of 20 percent and a 3-year re-incarceration rate of 46.5 percent. Returning citizens face numerous challenges that can result in recidivism, including unemployment, education barriers, financial obligations, lack of stable housing, mental and behavioral health challenges, substance use, and unstable family relationships. Because of the complexity of issues faced by this population, effective programming must focus on both pre and post-release resource utilization.

The Mayor & DOC has identified the POE & VCC as a critical element of pre and post-release support that offers a pathway for returning citizens to immediately access important post-release services such as housing, employment, education, health care, and substance/mental health after care. The facility will serve approximately 365 people each month and should significantly reduce the recidivism rate of returning citizens. The District has determined it is a priority to launch this facility to begin providing these critical services as soon as possible. The DOC has reprogrammed funding for the project and will reuse existing District assets in order to expedite the project and provide a cost effective solution.

In 2017, the District renovated Fire and Emergency Services (FEMS) Engine Company No. 1. For this renovation, the District purchased modular trailer facilities as temporary space for FEMS EC1 operations. The modular trailer facilities were disassembled and placed in storage upon completion of the project. The District has decided to reuse this trailer as the facility to house both POE & VVC operations.

Modular Genius, Inc. (MGI) was awarded the contract to provide the modular trailer swing space for the FEMS EC No. 1 renovation project. In fulfillment of the contract's requirements, MGI completed the installation of the trailer. Upon completion of the project, MGI disassembled, protected, and delivered the trailer to the District for storage.

It is in the best interest of the District to re-engage the original vendor to complete the reassembly and modification of the existing modular for the following reasons:

- MGI possesses specialized knowledge of the facility components, as-built conditions, drawings and specifications;
- MGI has unique familiarity with the modular trailer system to be reused and the procedure for reassembly.
- MGI maintains the staff with expertise to complete the work as well as the established relationships with the required specialized product vendors.
- MGI is the only company that will provide a complete warranty for the buildings systems in a reassembled state.
- MGI possesses an intimate knowledge of the necessary infrastructure, layout, and assembly;
- MGI's unique knowledge of the modular trailer installation and connections will also translate to reduced cost and an expedited delivery schedule.

Based on the above facts, it is in the best interest of the District to authorize MGI, the original manufacturer and installer, to perform the reconfiguration and installation of the modular trailers for the POE & VVC on behalf of DOC. This will ensure that the designs and specifications for the reconfiguration are compatible with the existing components and the reassembly and installation are completed correctly, expeditiously, and in a cost effective manner.

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

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

Date

Deputy Director
Capital Construction

6. 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, Associate Director/ Chief Contracting Officer approve the use of the sole source procurement method for this proposed procurement action.

Date

Franklin Austin
Contracting Officer

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/Chief Contracting Officer