

**DETERMINATION & FINDINGS  
FOR  
SOLE SOURCE PROCUREMENT**

**Agency:** Department of General Services  
**Contract No.:** TBD  
**Caption:** 16<sup>th</sup> St Playground and Park Upgrade– Waterline, Electrical Wiring and ADA Ramp  
**Contractor:** Columbia Enterprises, Inc.

**FINDINGS**

**1. AUTHORIZATION:**

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

**2. MINIMUM NEED:**

The Department of General Services (the “Department” or “DGS”) on behalf of the Department of Parks and Recreation (“DPR”), executed Contract No. DCAM-19-CS-RFQ-0001AF (the “Contract”) with Columbia Enterprises, Inc. (“Columbia” or the “Contractor”) on January 10, 2020, for the 16<sup>th</sup> St. Playground and Park Upgrade Project (the “Project”).

During execution of the project, several unforeseen conditions presented themselves. Specifically, the water line to the drinking fountain was found to be broken, there was no access to electrical power to install the required lighting, and additional ADA upgrades were required by DCRA.

The underlying Contract No. DCAM-19-CS-RFQ-0001AF, which was initially awarded for \$ 723,507.00, included a November 30, 2020 Substantial completion Date, December 31, 2020 Final Completion Date and January 30, 2021 Administrative Term Date, all of which have expired.

The Department would like to issue a sole source contract to Columbia Enterprises, Inc. to complete the Project in accordance with the original Scope of Work (“SOW”), Drawings and Specifications, at 16<sup>th</sup> St Playground, located at 3201 16<sup>th</sup> St., NW, Washington DC, 20010 (the "Project"). This competitively competed contract expired at no fault of the vendor and now, 25 percent of the original work must be completed. The estimated value of the remaining work is \$180,674.08, which is expected to be completed in 60 days.

### **3. ESTIMATED FAIR AND REASONABLE PRICE:**

The Independent Government Cost Estimate (“IGCE”) to provide the required construction services for 16<sup>th</sup> St Playground is \$180,674.08 and Columbia Enterprises, Inc’s price is \$180,674.08, based on the original award/Contract No. DCAM-19-CS-RFQ-0001AF.

### **4. BACKGROUND AND AWARD PROCESS:**

On November 22, 2019, the Department issued a Request for Task Order Proposal (“RFTOP”) to engage a design-builder (“Design Builder”) to develop a design, construct and renovate the 16<sup>th</sup> St Playground and Park Upgrade Project at 3211 Sacred Heart Way, NW, Washington DC, 20010 (the “Project”).

On the bids due date, December 19, 2019, the following two (2) firms (collectively, the "Bidders" and each individually, a "Bidder") submitted bids in a timely manner:

1. Columbia Enterprises, Inc.
2. Konstructure, LLc

In accordance with the process that was conducted in strict adherence to the DC Code, the Contracting Officer determined that the bid submitted by Columbia Enterprises, Inc. the lowest responsive bid is the most advantageous to the District. It was further determined that the contractor was responsible and that the proposed pricing was fair and reasonable and awarded the Contract.

### **5. FACTS WHICH JUSTIFY A SOLE SOURCE PROCUREMENT:**

Columbia Enterprises, Inc. successfully competed, won, and was awarded the underlying Contract No. DCAM-19-CS-RFQ-0001AF. Once Columbia had already begun work on the 16<sup>th</sup> St Playground and Park Upgrade project, the unforeseen conditions were found.

Given the importance of this project, Columbia Enterprises, Inc’s effort on the remaining project work, their experience and knowledge capable of providing the Department with the level of confidence required to successfully deliver the project on time with accurate pricing, it is in the best interest of the District to award this Contract on a sole source basis to Columbia Enterprises, Inc. due to contract expiration, to reengage Columbia, avoid further delays and complete the Project.

Determination and Findings (“D&F”) for Sole Source Award to Columbia Enterprises, Inc.  
16th St Playground and Park Upgrade Project  
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**6. CERTIFICATION BY THE DEPUTY DIRECTOR OF CAPITAL CONSTRUCTION SERVICES:**

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

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**Tiffany Barthwell Moore**  
Deputy Director  
Capital Construction Services

**7. CERTIFICATION BY CONTRACTING OFFICER:**

I have reviewed the above findings and certify the findings are true, correct and complete to the best of my knowledge.

\_\_\_\_\_  
**Pamela Ford Dickerson**  
Contracting Officer  
Contract & Procurement

\_\_\_\_\_  
Date

**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.

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**George G. Lewis, CPPO**  
Chief Procurement Officer  
Chief of Contracts & Procurement

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Date