

**DETERMINATION & FINDINGS  
FOR  
EMERGENCY PROCUREMENT**

**AGENCY:** Department of General Services  
**CONTRACT NO.:** DCAM-24-NC-EPOA-0011  
**CAPTION:** Emergency HVAC Repairs at Harriet Tubman Shelter  
**CONTRACTOR(S):** Adrian L. Merton, Inc.

**FINDINGS**

**1. AUTHORIZATION:**

Chapter 47 of title 27 of the DCMR Section 4719 and PPRA Sec. 405 (d); *Emergency Procurements*.

**2. MINIMUM NEED:**

The Department of General Services (DGS) urgently requires a contractor for a critical project at the Harriet Tubman Shelter. This project involves the installation and removal of compressors, along with necessary HVAC repairs, to ensure the facility's safety, operational efficiency, and continued support of shelter services. The contractor will conduct a comprehensive assessment, repair, and installation process, adhering to the latest federal and local safety standards. This essential initiative reaffirms DGS's commitment to maintaining the highest standards of safety, efficiency, and functionality in HVAC systems. By ensuring the Harriet Tubman Shelter remains a comfortable and secure environment for staff, visitors, and residents, we strengthen our dedication to community well-being.

The Department of General Services (DGS) urgently requires the contractor's specialized expertise to address an emergency at the Harriet Tubman Shelter. The critical tasks include the prompt repair, installation, and assessment of the HVAC systems, necessitated by recent heat-related issues. Immediate action is vital to ensure the safety and comfort of shelter residents and staff.

An unexpected failure of the HVAC systems at the Harriet Tubman Shelter has caused a significant rise in indoor temperatures, leading to cases of hyperthermia among residents. The malfunctioning HVAC system has created dangerously high heat levels within the shelter, posing a serious risk to the health and safety of its occupants.

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

The estimated fair and reasonable price for the HVAC repairs project is based on a time and materials approach, with a not-to-exceed value of \$55,981.00.

**4. FACTS WHICH JUSTIFY AN EMERGENCY PROCUREMENT:**

In accordance with the D.C. Official Code §2-354.05 and 27 DCMR 4719, the purpose of issuing an emergency purchase order agreement is to circumvent the disruption of daily operations at Harriet Tubman Shelter and to avert the creation of an unsafe workspace that poses a threat to public health, welfare, and property. It is the mission and the responsibility of the Department of General Services to provide a safe and healthy environment across all District owned and or operated facilities as ordered under D.C. Code § 10-551.01(b) (4), the Department of General Services Establishment Act of 2011.

The Department of General Services (DGS) oversees over 36 million gross square feet of owned or operated facilities across the District. The Contractor will be tasked with replacing and installing compressors, as well as conducting necessary HVAC repairs, at the Harriet Tubman Shelter. This includes replacing multiple compressors, cleaning condenser coils, and changing air filters. The malfunctioning HVAC systems have caused extensive damage, leading to serious health and safety concerns for staff, visitors, and residents. Due to the urgency of the situation, a competitive procurement process is not feasible, as any further disruption to shelter operations would be unacceptable

Furthermore, if not promptly addressed, the lack of functioning HVAC systems will severely compromise indoor air quality, increasing the risk of secondary hazards such as mold growth. These hazards could render the facility uninhabitable, significantly extending the restoration timeline, escalating costs for the District, and forcing the displacement of residents, staff, and visitors.

**5. CERTIFICATION BY THE DUPTY DIRECTOR OF FACILITIES MANAGEMENT DIVISION:**

I hereby certify to the best of my knowledge and belief that all of my statements regarding the conditions, service needs and urgency, are true, correct, and complete and that the information given herein is true and accurate. Moreover, I understand that making a false statement is punishable by criminal penalties pursuant to D.C. Official Code § 22-2405 et sq. (2001). I understand that any information I give may be investigated as allowed by law or regulation.

6/20/2024  
Date

*Donny Gonzalez*  
Donny Gonzalez  
Deputy Director, Facilities Management Division



**6. CERTIFICATION BY CONTRACTING OFFICER/SUPERVISORY CONTRACT SPECIALIST:**

After a thorough review of the findings presented above, I affirm that they substantiate the appropriateness of employing the emergency procurement method for awarding the contracts mentioned to the specified Contractor. Furthermore, I confirm that the Department will promptly post the notice of the aforementioned emergency contracts on the Department's website within seven (7) days of the contract award.

Considering the outlined circumstances, I strongly recommend that the Chief Procurement Officer of the Department of General Services approve the utilization of the class emergency procurement method for this proposed procurement action.

6/202/2024  
**Date**


*Domonique L. Banks*  
**Domonique L. Banks**  
Contracting Officer, Supervisory Contract Specialist

**DETERMINATION**

Having thoroughly examined the aforementioned findings and the CO certification pertaining to the issuance of an Emergency Contract, I, in my capacity as the Department of General Services' Chief Procurement Officer, affirm that they sufficiently warrant the application of the emergency procurement method as specified in the cited authority. I hereby certify that the notice of contract award for this emergency procurement will be published in compliance with Section 405(f) of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Official Code §2-354.05).

In conclusion, as the Chief Procurement Officer for the Department of General Services (DGS), I officially endorse the utilization of the Emergency Procurement method as the sole and necessary approach for procuring emergency installation of HVAC Repairs at Harriet Tubman Shelter.

June 20, 2024  
**Date**

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