

**DETERMINATION AND FINDINGS
FOR
EMERGENCY PROCUREMENT**

Agency: Department of General Services (the “Department” or “DGS”)

Contract(s): DCAM-20-NC-EM-0077

Caption: Malcolm X Recreational Tent Facility Installation in response to the SARS-CoV-2 (COVID-19) Coronavirus-19 Global Pandemic

Contractor(s): Broughton Construction, LLC

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) has an immediate need for the aforementioned Contractor to provide the accelerated mobilization including, install and furnishing a full-service, tented facility to accommodate the residents that occupy the Malcolm X Recreational Center in response to the need to deep clean the facility in the wake of confirmed positive SARS-CoV-2 (COVID-19) Coronavirus-19 cases. The Contractor shall provide all management, supervision, labor, materials, supplies, and equipment to ensure rapid installation and effective management of select on-site services for the operation of the tented facility. Services shall be carried out for a period of no more than fourteen (14)-days beginning May 1, 2020 in accordance with Chapter 47 of title 27 of the DCMR Section 4719 and PPRA Sec. 405 (d); *Emergency Procurements*.

3. ESTIMATED FAIR AND REASONABLE PRICE:

The estimated fair and reasonable price for the aforementioned Contract (DCAM-20-NC-EM-0077) is a fixed price lump-sum Not-To-Exceed Contract Value of \$12,000.00.

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 this emergency contract is to prevent the unsafe and unclean workspace and living conditions that would cause a threat to public health, welfare and property, and to prevent a disruption of the daily operations and critical care provided to the Districts venerable residents. It is the mission and the responsibility of the Department of General Services to provide building services for facilities owned and occupied by the District government including but not limited to comprehensive janitorial, operations, maintenance and repair services of various District owned and or operated facilities such as municipal buildings, schools, recreation centers, homeless shelters and transitional living facilities. (*D.C. Code § 10-551.01(b) (4), “the Department of General Services Establishment Act of 2011”*)

On March 11, 2020, Mayor Muriel Bowser declared a state of emergency pursuant to D.C. Code § 7-2304 in response to the World Health Organization’s (WHO) declaration of the imminent threat and spread of SARS-CoV-2 (COVID-19) Coronavirus-19 as a world-wide Pandemic. The Department of General Services is responsible for the operations, maintenance and repair, including comprehensive janitorial and sanitation services for more than 36,000,000 gross square feet in owned or operated facilities across the District of Columbia.

The Contractor listed above will be tasked with providing the accelerated mobilization of crew, equipment and supplies to stand-up and manage operations of a tented facility including chairs.

Due to the nature of the emergency resulting from confirmed positive SARS-CoV-19 (COVID-19) Coronavirus-19 cases of individuals who are sheltered in place at the Malcolm X Recreational Center, a competitive procurement process is not practicable. As previously stated, failure to immediately proceed with standing-up a suitable and inhabitable temporary facility is a potentially life-threatening risk to the health and safety of the District of Columbia population through the increase transmissibility and spread of SARS-CoV-2 (COVID-19) Coronavirus-19 disease.

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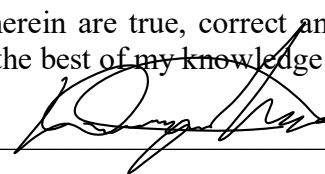
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**5. CERTIFICATION BY THE DEPUTY DIRECTOR OF FACILITIES
MANAGEMENT DIVISION:**

I hereby certify all of my statements herein are true, correct and complete and that the
information given herein is accurate to the best of my knowledge and belief.

05/01/2020

Date



Donny Gonzalez

Deputy Director, Facilities Management Division

**6. CERTIFICATION BY THE CONTRACTING OFFICER | CONTRACTS &
PROCUREMENT DIVISION:**

I have reviewed the above findings and certify that they are sufficient to justify the use of
the emergency procurement method to award the captioned contracts to the aforementioned
Contractors. In addition, please be advised that the Department’s notice of the captioned
emergency contracts must be posted on the Department’s website no more than seven (7)
days after the contract is awarded. Given the foregoing, I recommend that the Department
of General Services’ Chief Contracting Officer approve the use of the class emergency
procurement method for this proposed procurement action.

05/01/2020

Date



Franklin Austin, CPPB, CPM

Contract Officer

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DETERMINATION

I have reviewed the above findings and certify that they are sufficient to justify the use of the emergency procurement method under the cited authority. I certify that the emergency procurement notice of contract award will be published in accordance with Section 405(f) of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Official Code §2-354.05). In conclusion, the Department of General Services (“DGS”), Chief Procurement Officer hereby approves the use of the Emergency Procurement method as the only viable method of procurement to provide Tent Facility Installation at the Malcolm X Recreational Center in response to the SARS-CoV-2 (COVID-19) Coronavirus-19 Global Pandemic.

05/01/2020
Date



George G. Lewis, CPPO

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