

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF GENERAL SERVICES



Contracts & Procurement

DETERMINATION AND FINDINGS  
FOR  
EMERGENCY PROCUREMENT

**Agency:** Department of General Services (the “Department” or “DGS”)  
**Contract:** DCAM-19-NC-EM-0026B  
**Caption:** Emergency On-Call HVAC Technician Services – DCPS Locations  
**Contractor:** RSC Electrical and Mechanical Contractors (RSC)

**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 RSC to provide Emergency On-Call HVAC Technician Services for DCPS locations to ensure effective performance of HVAC Systems and related equipment for a period of no more than 69-days 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 **Emergency On Call Technician Services is \$950,000**. Related Supplemental Services will be provided on an as-needed basis in accordance with the firm, fixed and fully-loaded hourly labor rates described below.

**4. 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 threat to public health welfare and property and to prevent a disruption of the daily operations at DCPS Locations. It is the mission and the responsibility of the Department of General Services to provide HVAC services to

District Government owned and occupied facilities. (D.C. Code § 10-551.01(b) (4), *The Department of General Services Establishment Act of 2011.*)

The continuation of uninterrupted comprehensive HVAC Technician Services is required. To prevent serious disruption in the operations of DCPS Locations, a maximum 69-day contract term with the current Contractor is required.

The Contractor referenced above is the only vendor who can meet the District's minimum need without disruption of services at this time and the estimated cost to the District for the 6-day term is fair and reasonable based on DGS' historical data on similar services. The Department requested RSC to hold the final FY19 rates for services.

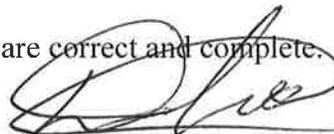
A competitive procurement process is not practical under these circumstances and a new contract could not be competitively bid and awarded in time to have HVAC Technician Services available for DCPS Locations to provide services prior to the school openings. As previously stated failure to continue with services or any disruption of the daily operations would quickly create unhealthy and potentially life-threatening conditions for students, District government employees and the public.

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

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

07-29-19

Date



Donny Gonzalez

Deputy Director of Facilities Management Division

6. **CERTIFICATION BY THE SUPERVISOR | CONTRACTING OFFICER OF GOODS AND SERVICES:**

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 contract award to RSC. In addition, please be advised that the Department's notice of the captioned emergency contract 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 emergency procurement method for this proposed procurement action.

July 29, 2019  
Date

Keith R. Giles  
Keith R. Giles  
Contract Specialist  
Goods & Services

**7. CERTIFICATION AND DETERMINATION BY THE CHIEF CONTRACTING OFFICER:**

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 Contracting Officer approves the use of the Emergency Procurement method as the only viable method of procurement to prevent serious disruption of comprehensive HVAC services for DCPS Locations.

7/31/19  
Date

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