

**DETERMINATION AND FINDINGS
FOR
EMERGENCY PROCUREMENT**

Agency: Department of General Services (the “Department” or “DGS”)
Caption: Emergency Parking Lot Management Services at DC USA Retail Center Mall
Contractor: U Street Parking, 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) has an immediate need for U Street Parking Inc. to continue providing Parking Lot Management Services DC USA Retail Mall located at 3100 14th Street NW Washington, DC in accordance with Chapter 47 of title 27 of the DCMR Section 4719 and PPRA Sec. 405 (d); *Emergency Procurements*. The DC USA Retail Parking Facility is unique as all services must be provided in accordance with the Declaration for DC USA Condominium and associated by laws, plats, and plans and the Declaration of Parking Operations. U Street Parking is the only Contractor.

3. ESTIMATED FAIR AND REASONABLE PRICE:

The estimated fair and reasonable price for a 120-day emergency contract is One Hundred Sixty-Two Thousand Five Hundred Eighty-Nine Hundred Dollars and sixty cents (\$162,589.60).

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 an unsafe environment with the risk to bodily harm. In addition, the services are required immediately, on an emergency basis to prevent a disruption of the daily operations at the DC USA Parking Facility. It is the mission and the responsibility of the Department of General Services to ensure a safe environment for the patrons and residents for facilities owned and occupied by the District government field services. (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 worldwide Pandemic and as a result of the impact on government operations under the emergency declaration the competitive request for proposal procurement process is not practicable under the current circumstances and the Department has been unable to devote the required resources to develop a new scope of work, draft an approved RFP and publicly solicit a new contract for services. Resources have been required and appropriately redirected to activities associated with suppressing the spread of COVID-19 supporting the District's mission to protect its residents, employees, and visitors

Due to the safety of patrons and public, these services require uninterrupted service.

1. The Department has determined that it is in the best interest of the District to continue services with the incumbent, U Street Parking, under a temporary emergency contract, and is the only vendor who can meet the District's minimum need without disruption of services at this time.
2. The Department is in the process of conducting scope changes to the upcoming solicitation. It is the intent of the Department to issue a new solicitation within the next 30 days upon confirmation of funding.
3. The current contractor is providing satisfactory services and is uniquely positioned to ensure continuity of services.

4. The estimated cost to the District for this temporary emergency period is fair and reasonable based on DGS' historical data on similar services.
5. An emergency procurement is the most advantageous method to minimize disruption to overall Parking facility operations; it ensures a continuation of service while the District prepares and finalizes a solicitation for competition and awards a contract. Failure to have parking lot management services may result in potentially loss of revenue and District patrons, residents, and visitors' safe environments to park their vehicles in the DC USA Retail Center.

5. CERTIFICATION BY THE DEPUTY DIRECTOR OF FACILITIES MANAGEMENT:

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

5/10/21
Date

Donny Gonzalez
Donny Gonzalez
Deputy Director of Facilities Management

6. CERTIFICATION BY THE SUPERVISOR AND CONTRACTING OFFICER:

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 *U Street Parking*. 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.

05/10/2021
Date

Kimberly Gray
Kimberly Gray
Supervisory Contract Specialist | Goods and 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 Contract as a method of procurement. In so much, and in accordance with Chapter 47 of title 27 of the DCMR Section 4719 and PPRA Sec. 405 (d); *Emergency Procurements*; I hereby determine that there is an imminent threat to the public, welfare, property, and safety and as such to prevent and or minimize serious disruption in the District services under this Emergency Contract action is thereby justified in accordance with 27 DCMR 1799 Emergency Conditions. Furthermore, I certify that the Department of General Services (DGS) will publish the Emergency Contract in accordance with the Chapter 47 of title 27 of the DCMR, Section 4735.1 Notice of Contract Awards over One Hundred Thousand Dollars (\$100,000). In conclusion, the Department of General Services (DGS), Chief Contracting Officer approves the use of the Emergency Procurement as the only viable method of procurement to ensure that safe vehicle parking is available to District patrons, residents, and visitors

5.10.21

Date



George G. Lewis, CPPO

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