

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF GENERAL SERVICES



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Contracts & Procurement

**DETERMINATION AND FINDINGS  
FOR  
EMERGENCY PROCUREMENT**

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

**Caption:** On-Call HVAC Technician Services

**Contractor:** Adrian L. Merton

**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 Adrian L. Merton (Merton) to provide On Call HVAC Technician Services at various locations that include District of Columbia Public Schools (DCPS), Department of Parks and Recreation (DPR), Fire Emergency Medical Services (FEMS), Metropolitan Police Department (MPD), Shelters, Wellness Centers and Municipal Buildings. DGS’s HVAC Operations Unit needs to ensure all DGS facilities under our purview are cooling adequately. With the projected heat wave of 90 degrees or higher the District is standing to face in the next few weeks these services are needed. The On-Call HVAC Technician Services are needed in order to maintain cooling and repair identified deficiencies throughout our facilities. This request includes DCPS, DPR, FEMS, MPD, DSH Shelters, Wellness Centers and Municipal buildings citywide. DGS has completed 70% of facilities throughout our portfolio; however, 30% has fallen short with remaining repairs identified. This Emergency Contract for On-Call HVAC Technician Services will assist HVAC Operations with ensuring our District constituents occupy inhabitable environments for a period of 120-days in accordance with Chapter 47 of title 27 of the DCMR Section 4719 and PPRA Sec. 405 (d); *Emergency Procurements*. DGS does not have the in-house staffing capacity to fulfill the requirements.

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

The estimated fair and reasonable price is \$950,000.00.

**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 ensure life safety to residents, faculty and staff at various District facilities. Maintaining HVAC systems is critical to ensuring life safety; therefore, mandatory for the Department of General Services. It is the mission and the responsibility of the Department of General Services to provide building and grounds services 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.)

Moreover a competitive procurement process is not practicable under these circumstances and a new contract could not be competitively bid and awarded in time to have a HVAC Service Contractor in place to provide the required services. 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 120-day extension. The Contractor's cost is fair and reasonable based on DGS' historical data on similar services. Failure to have HVAC systems in working order may result in potentially unsafe environments and cause bodily harm to residents, staff and faculty at District facilities.

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

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

05/24/18  
Date

  
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Donny Gonzalez  
Deputy Director of Facilities Management

**6. CERTIFICATION BY THE CONTRACT SPECIALIST:**

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 Adrian L. Merton. 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.

05/24/18  
Date

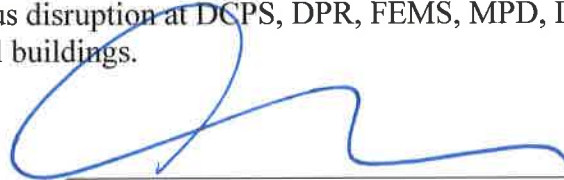
  
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Keith Giles  
Contract Specialist| Goods & Services

**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 at DCPS, DPR, FEMS, MPD, DHS Shelters, Wellness Centers and Municipal buildings.

Date

5/24/18



George G. Lewis, CPPO  
Associate Director Contracts & Procurement  
Chief Contracting Officer