

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF GENERAL SERVICES



**DETERMINATION & FINDINGS
FOR
EMERGENCY PROCUREMENT**

Purchasing Agency: Department of General Services
Solicitation No.: Emergency Contract Action
Contract No.: Purchase Order Agreement
Caption: Water Main Repair Services at DYRS Facility
Contractor: American Water Operations and Maintenance, LLC (“AWO&M” or “Contractor”)

FINDINGS

1. AUTHORIZATION:

Chapter 47 of title 27 of the DCMR Section 4719 and Procurement Practices Reform Act (PPRA) of 2010 Section 405; *Emergency Procurements*.

2. MINIMUM NEED:

The Department of General Services (“Department” or “DGS”) has an urgent need for a Contractor to provide water main repair services for a water main rupture that occurred on July 20, 2018 at the Department of Youth Rehabilitation Services’ (“DYRS”) New Beginnings Youth Development Center located at 8400 River Road, Laurel, MD 20724 for a period of no more than seven (7) days in accordance with Chapter 47 of title 27 of the DCMR Section 4719 and PPRA Sec. 405; *Emergency Procurements*.

3. ESTIMATED FAIR AND REASONABLE PRICE:

The estimated fair and reasonable price is up to \$15,706.86.

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 procurement is to prevent an imminent threat to public health, welfare, safety and property; and to prevent disruption in daily operations at the DYRS facility. Furthermore, this emergency procurement will prevent unsanitary and unhealthy conditions for residents, employees and visitors of the DYRS facility located in Laurel, MD. It is the mission and responsibility of the Department to provide building services for facilities owned and occupied by the District

government; these responsibilities include repair services at these facilities. (D.C. Code § 10-551.01(b) (4), *the Department of General Services Establishment Act of 2011.*)

An emergency contract with AWO&M is needed to prevent serious disruption and a significant impact on DYRS operations which may lead to potential safety concerns.

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 is fair and reasonable based on DGS' historical data on similar services. Moreover, a competitive procurement process was not practicable under these circumstances and a new contract could not be competitively bid and awarded in time to have a contractor in place to provide water main repair services. As previously stated, failure to provide water main repair services would result in disruption of the daily operations and would quickly create unsanitary and unhealthy conditions for residents, employees and visitors of the DYRS facility.

5. CERTIFICATION BY THE FACILITIES SERVICES DEPUTY DIRECTOR :

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

07/27/18
Date




Donny Gonzalez
Deputy Director of Facilities Management Division

6. 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; *Emergency Procurements*; I hereby determine that there is an imminent threat to the public health, welfare, property, and safety and as such to prevent and or minimize serious disruption in the District services this Emergency Contract action is thereby justified in accordance with 27 DCMR 1799 Emergency Conditions. Furthermore I certify that the Department of General Services will publish the aforementioned 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, Chief Contracting Officer approves the use of the Emergency Procurement as the only viable method of procurement to prevent laps in the mandatory water main repair services performed at the DYRS facility.

7/27/2018
Date



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