

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF GENERAL SERVICES



**DETERMINATION AND FINDINGS
FOR
EMERGENCY PROCUREMENT**

Agency: Department of General Services
Caption: City-Wide Janitorial and Supplemental Services
Contractor: Motir Services , Inc.

FINDINGS

1. AUTHORIZATION:

D.C. Code Section 2-354.05 and 27 DCMR Chapter 47, Section 4719.

2. MINIMUM NEED:

The Department of General Services (DGS) has an immediate need for a Contractor to continue performance of City-Wide Janitorial and Supplemental Services for numerous public facilities under its jurisdiction for up to 90 days.

3. ESTIMATED FAIR AND REASONABLE PRICE:

The estimated fair and reasonable price is up to \$261,311.

4. FACTS WHICH JUSTIFY AN EMERGENCY PROCUREMENT:

The purpose of this emergency procurement is to prevent an imminent threat to public health, welfare, property, and safety, and to prevent serious disruption in agency operations. It is the mission of DGS to provide first rate maintenance at District Government facilities and to elevate the quality of life for its citizens.

The city-wide janitorial and supplemental services Contract was awarded to Motir Services in 2012 to cover 70 sites under the jurisdiction of DGS. In September, 2013, the Department issued a competitive solicitation to re-procure these services in order to engage multiple certified business enterprises. The Department anticipated the award of

contracts before the January 31, 2013 expiration of the partial option year of Motir's contract. On January 22, 2014, after receiving a notice of award that did not include Motir as an awardee, Motir filed a protest with the CAB. In consideration of the protest, DGS promptly re-evaluated the offers received. However, the award process will not be completed before January 31, 2013.

An emergency contract with Motir is needed to prevent serious disruption in agency operations and to prevent an imminent threat to the health and safety of the public. A competitive procurement process is not practicable under these circumstances because a new contract cannot be competitively bid and awarded in time to have a vendor in place to provide the daily custodial needs of DGS facilities by February 1, 2014. Motir currently provides janitorial services for over 100 facilities which include several Wellness Centers, Adult Group Homes, Department of Motor Vehicles offices, Public Health Lab, several health clinics, and several municipal buildings. Failure to continue janitorial services at these locations on a daily basis would quickly create unsanitary, unhealthy and potentially life threatening conditions. The Department of General Services is responsible for providing building services for facilities owned and occupied by the District government, including custodial services. (D.C. Code § 10-551.01(b)(4), *The Department of General Services Establishment Act of 2011*.) However, the District of Columbia Government/DGS does not have sufficient in-house staff to cover the custodial needs for these sites.

5. CERTIFICATION BY THE FACILITIES SERVICES MANAGER :

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

2/11/2014
Date

James E. Jackson
James Jackson
DGS Facilities Services Manager

6. CERTIFICATION BY THE ASSOCIATE DIRECTOR OF PROCUREMENT:

I have reviewed the above findings and certify that they are sufficient to justify the use of the emergency method of procurement under the cited authority. I certify that the notice of this emergency procurement action will be published in accordance with 27 DCMR 4719.5. I recommend that the Department of General Services, Director/ Chief Contracting Officer approve the use of the emergency procurement method for this proposed procurement action.

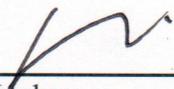
2/11/14
Date

J.W. Lanum
J.W. Lanum
DGS Associate Director

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354.02 or 2-354.03) or the competitive solicitation process under the applicable Department of General Services Procurement Rules for Construction and Related Services (27 DCMR Chapter 47); and that the an interruption in custodial services would disrupt agency operations and present an imminent threat to the health and safety of the public . Accordingly, I determine that the District is justified in using the emergency method of procurement to continue required custodial services in DGS facilities until such time as a contract can be competitively bid and awarded and for a period not to exceed 90 days.

2.11.14
Date



Brian J. Hanlon
Director/Chief Contracting Officer