

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Electric Company Infrastructure Improvement Financing Act of 2014 to clarify the requirements related to the utilization of certified business enterprises and procurements for certain architectural and engineering services.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Power Line Undergrounding Program Certified Business Enterprise Utilization Act of 2019”.

Sec. 2. Title I of the Electric Company Infrastructure Improvement Financing Act of 2014, effective May 3, 2014 (D.C. Law 20-102; D.C. Official Code § 34-1311.01 *et seq.*), is amended as follows:

(a) The title heading is amended to read as follows:

“TITLE I. DEFINITIONS AND FINDINGS; PROCUREMENT”.

(b) Section 101 (D.C. Official Code § 34-1311.01) is amended by adding new paragraphs (4A) and (4B) to read as follows:

“(4A) “Certified business enterprise” shall have the same meaning as provided in section 2302(1D) of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(1D)).

“(4B) “Certified joint venture” shall have the same meaning as provided in section 2302(1E) of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(1E)).”.

(c) Section 102(7) (D.C. Official Code § 34-1311.02(7)) is amended by striking the phrase “100% of the construction contracts are awarded to District businesses” and inserting the phrase “100% of the construction contracts are awarded to certified business enterprises or certified joint ventures” in its place.

(d) A new section 103 is added to read as follows:

“Sec. 103. Procurements.

“Section 604 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-356.04) (“PPRA”), shall apply to procurements for architectural and engineering services, as that term is defined in section 104(3) of the PPRA

(D.C. Official Code § 2-351.04(3)), to carry out the purposes of this act, however, the District may:

“(1) Set aside contracts for such services for certified business enterprises and certified joint ventures; or

“(2) Award preferences to certified business enterprises as provided in section 2343 of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.43), as part of the evaluation of statements of qualifications submitted in response to a request for qualifications.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee print as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia