



MURIEL BOWSER
MAYOR

March 20, 2023

Honorable Phil Mendelson
Chairman
Council of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Avenue, NW, Suite 504
Washington, DC 20004

Dear Chairman Mendelson:

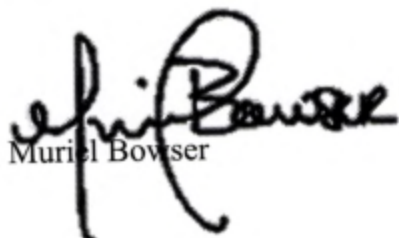
Enclosed for consideration and enactment by the Council of the District of Columbia is proposed emergency legislation, the "Modifications to Contract No. CW64488 with Capital Area Asset Builders (CAAB) Approval and Payment Authorization Emergency Act of 2023," and accompanying emergency declaration.

The not-to-exceed amount is \$1,990,000 for the period from September 29, 2022 through September 28, 2023. CAAB will continue to administer the District's Opportunity Accounts Program on behalf of the Department of Insurance, Securities and Banking.


As always, my administration is available to discuss any questions you may have regarding this contract. In order to facilitate a response to any questions, please have your staff contact Marc Scott, Chief Operating Officer, Office of Contracting and Procurement at (202) 724-8759.

I urge you to take prompt and favorable action regarding the enclosed legislation.

Sincerely,


Muriel Bowser

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Chairman Phil Mendelson
at the request of the Mayor

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To approve, on an emergency basis, Modification Nos. 12, 13, 15, and 16 to Contract No. CW64488 with Capital Area Asset Builders (CAAB) to administer the District's Opportunity Accounts Program on behalf of the Department of Insurance, Securities and Banking, and to authorize payment for the goods and services received and to be received under the modifications.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the "Modifications to Contract No. CW64488 with Capital Area Asset Builders (CAAB) Approval and Payment Authorization Emergency Act of 2023".

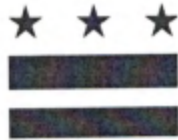
Sec. 2. Pursuant to Section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of Section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. 12, 13, 15, and 16 to Contract No. CW64488 with Capital Area Asset Builders (CAAB) to administer the District's Opportunity Accounts Program on behalf of the Department of Insurance, Securities and Banking, and authorizes payment not-to-exceed \$1,990,000 for the goods and services received and to

1 be received under the contract for the period from September 29, 2022 through
2 September 28, 2023.

3 Sec. 3. The Council adopts the fiscal impact statement provided by the Chief
4 Financial Officer as the fiscal impact statement required by Section 4a of the General
5 Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C.
6 Official Code § 1-301.47a).

7 Sec. 4. This act shall take effect following approval by the Mayor (or in the
8 event of veto by the Mayor, action by the Council to override the veto), and shall remain
9 in effect for no longer than 90 days, as provided for emergency acts of the Council of the
10 District of Columbia in Section 412(a) of the District of Columbia Home Rule Act,
11 approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Contracting and Procurement



Pursuant to section 202(c-1) of the Procurement Practices Reform Act of 2010, as amended, D.C. Official Code § 2-352.02(c-1), the following contract summary is provided:

COUNCIL CONTRACT SUMMARY
RETROACTIVE

- (A) **Contract Number:** CW64488
- Proposed Contractor:** Capital Area Asset Builders (CAAB)
- Contract Amount:** Not-to-Exceed (NTE) \$1,990,000
- Unit and Method of Compensation:** U.S. dollars on a monthly basis as invoiced upon acceptance of deliverables
- Term of Contract:** September 29, 2022, through September 28, 2023
- Type of Contract:** Fixed price, with a cost reimbursable component for other direct costs
- Source Selection Method:** Request for Proposals

(B) For a contract containing option periods, the contract amount for the base period and for each option period. If the contract amount for one or more of the option periods differs from the amount for the base period, provide an explanation of the reason for the difference:

Base Period Amount: NTE \$450,000

Option Period One Amount: NTE \$450,000

Explanation of difference from base period (if applicable):

Option Period Two Amount: NTE \$1,200,000 Council Approval No. R24 -117
Explanation of difference from base period (if applicable): Department of Insurance, Securities, and Banking (DISB) expanded the program and additional funding was needed to cover the expansion.

Option Period Three Amount: NTE \$1,990,000 Council Approval No. R24 - 532

Explanation of difference from base period (if applicable): DISB expanded the program and additional funding was needed to cover the expansion.

Option Period Four Amount: NTE \$1,990,000

Explanation of difference from base period (if applicable): DISB expanded the program and additional funding was needed to cover the expansion.

(C) The goods or services to be provided, the methods of delivering goods or services, and any significant program changes reflected in the proposed contract:

The Opportunity Accounts Program objective is to increase the ability of low-income individuals and families to save and expend money for education, job training, the purchase or major repairs of a primary residence, business start-up costs, and other purposes established by the act by providing District, federal, and or third-party matching funds for each dollar saved by an account holder under the program.

The services include facilitating outreach efforts, developing policies and procedures, application forms, assisting residents in the opening accounts, locating matching funds, ensuring that withdrawals comply with the law, and submitting regular activity reports to the District of Columbia Department of Insurance, Securities and Banking (DISB).

(D) The selection process, including the number of offerors, the evaluation criteria, and the evaluation results, including price, technical or quality, and past performance components:

Solicitation Doc391178 was issued in the open market on July 25, 2018. One amendment was issued providing responses to all questions received by the District and it closed on August 15, 2018, and two proposals were received.

The contracting officer reviewed and evaluated each offeror's proposal and the technical evaluation panel consensus report, rated, and ranked each proposal accordingly based on the evaluation criteria, which included evaluating their technical approach, staffing plan, experience, past performance, and price, and concluded that an award should be made to the highest ranked offeror, CAAB, based on their technical and price submission.

(E) A description of any bid protest related to the award of the contract, including whether the protest was resolved through litigation, withdrawal of the protest by the protestor, or voluntary corrective action by the District. Include the identity of the protestor, the grounds alleged in the protest, and any deficiencies identified by the District as a result of the protest:

No protests were received.

(F) The background and qualifications of the proposed contractor, including its organization, financial stability, personnel, and performance on past or current government or private sector contracts with requirements similar to those of the proposed contract:

CAAB puts people on the road to financial independence and their programs help low- and moderate-income individuals and families improve their money management skills, increase their savings, and build wealth by investing wisely. Their goal is to create a community that provides everyone with incentives and opportunities to save for the future. CAAB was founded in 1996 by several non-profit organizations that shared a common goal to support the development of individual development account programs in Washington, DC.

Since then, they have significantly expanded their programming to connect low- and moderate-income residents of the greater DC area with financial education, financial coaching and credit coaching that help them to increase and enhance their financial capability and security.

(G) The period of performance associated with the proposed change, including date as of which the proposed change is to be made effective:

Modification 12 and 15 partially exercised option period four (OP4) from September 29, 2022, through May 28, 2023, and the proposed modification 16 will exercise the remainder of option period four of the contract from May 29, 2023, through September 28, 2023.

(H) The value of any work or services performed pursuant to a proposed change for which the Council has not provided approval, disaggregated by each proposed change if more than one proposed change has been aggregated for Council review:

1. Modification 12 - Partial exercise of OP4 with NTE of \$995,000
2. Modification 14 - Is not assigned under this Contract.
3. Modification 15 - Partial exercise of OP4 with no cost.
4. Proposed Modification 16.

(I) The aggregate dollar value of the proposed changes as compared with the amount of the contract as awarded:

\$1,990,000

(J) The date on which the contracting officer was notified of the proposed change:

January 1, 2023

(K) The reason why the proposed change was sent to Council for approval after it is intended to take effect:

Due to the budget allocation and funding issue, the funding was not available to submit a streamlined council package and fully exercise option period four. CAAB is currently working within the funding allocation per modification 12 which fully funded services associated with administering OP4 of the Program, and the proposed additional funding, other direct costs, will be utilized post Council approval.

(L) The reason for the proposed change:

The proposed modification will exercise the remaining four months of OP4.

(M) The legal, regulatory, or contractual authority for the proposed change:

The authority for the change is the option clause in section F.2.1 of the contract which states that The District may extend the term of this contract for a period of four one-year option periods, or successive fractions thereof, by written notice to the Contractor before the expiration of the contract.

(N) A summary of the subcontracting plan required under section 2346 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, as amended, D.C. Official Code § 2-218.01 *et seq.* ("Act"), including a certification that the subcontracting plan meets the minimum requirements of the Act and the dollar volume of the portion of the contract to be subcontracted, expressed both in total dollars and as a percentage of the total contract amount:

The Department of Small and Local Business Development approved a waiver of the subcontracting requirements on March 8, 2023.

(O) Performance standards and the expected outcome of the proposed contract:

The contractor will continue to administer and manage The Opportunity Accounts Program for DISB in accordance with the contract requirements.

(P) The amount and date of any expenditure of funds by the District pursuant to the contract prior to its submission to the Council for approval:

\$995,000 November 29, 2022

(Q) A certification that the proposed contract is within the appropriated budget authority for the agency for the fiscal year and is consistent with the financial plan and budget adopted in accordance with D.C. Official Code §§ 47-392.01 and 47-392.02:

DISB's chief financial officer has certified that as of January 19, 2023, the additional funding is available.

(R) A certification that the contract is legally sufficient, including whether the proposed contractor has any pending legal claims against the District:

The Office of the Attorney General has determined that the contract is legally sufficient, and that the contractor has no pending legal claims against the District.

(S) A certification that Citywide Clean Hands database indicates that the proposed contractor is current with its District taxes. If the Citywide Clean Hands Database indicates that the proposed contractor is not current with its District taxes, either: (1) a certification that the

contractor has worked out and is current with a payment schedule approved by the District; or (2) a certification that the contractor will be current with its District taxes after the District recovers any outstanding debt as provided under D.C. Official Code § 2-353.01(b):

The contractor's Citywide Clean Hands report dated January 17, 2023, states the contractor has no outstanding liability with the District.

- (T) A certification from the proposed contractor that it is current with its federal taxes, or has worked out and is current with a payment schedule approved by the federal government:**

Based on information contained in the Bidder-Offeror Certification Form dated January 6, 2023, the contractor has certified that it is current with its federal taxes.

- (U) The status of the proposed contractor as a certified local, small, or disadvantaged business enterprise as defined in the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, as amended, D.C. Official Code § 2-218.01 *et seq.*:**

The contractor is not a certified local, small or disadvantage business enterprise.

- (V) Other aspects of the proposed contract that the Chief Procurement Officer considers significant:**

None

- (W) A statement indicating whether the proposed contractor is currently debarred from providing services or goods to the District or federal government, the dates of the debarment, and the reasons for debarment:**

As of January 17, 2023, the Contractor does not appear on the federal debarment list or District's excluded parties list.

- (X) Any determination and findings issues relating to the contract's formation, including any determination and findings made under D.C. Official Code § 2-352.05 (privatization contracts):**

Determination and findings for contractor responsibility

- (Y) Where the contract, and any amendments or modifications, if executed, will be made available online:**

www.ocp.dc.gov

- (Z) Where the original solicitation, and any amendments or modifications, will be made available online:**

www.ocp.dc.gov



Date of Notice: January 17, 2023

Notice Number: L0008623002

CAPITAL AREA ASSET BUILDING CORP
1100 15TH ST NW STE 4
WASHINGTON DC 20005-1784

FEIN: **-***2672
Case ID: 1390628



CERTIFICATE OF CLEAN HANDS

As reported in the Clean Hands system, the above referenced individual/entity has no outstanding liability with the District of Columbia Office of Tax and Revenue or the Department of Employment Services. As of the date above, the individual/entity has complied with DC Code § 47-2862, therefore this Certificate of Clean Hands is issued.

TITLE 47. TAXATION, LICENSING, PERMITS, ASSESSMENTS, AND FEES
CHAPTER 28 GENERAL LICENSE
SUBCHAPTER II. CLEAN HANDS BEFORE RECEIVING A LICENSE OR PERMIT
D.C. CODE § 47-2862 (2006)
§ 47-2862 PROHIBITION AGAINST ISSUANCE OF LICENSE OR PERMIT

Authorized By Marc Aronin
Chief, Collection Division

To validate this certificate, please visit MyTax.DC.gov. On the MyTax DC homepage, click the "Validate a Certificate of Clean Hands" hyperlink under the Clean Hands section.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE CHIEF FINANCIAL OFFICER**



Economic Development and Regulations Cluster

MEMORANDUM

TO: George A. Schutter, Chief Procurement Officer
Office of Contracting and Procurement

FROM: Dereje Belay, Agency Fiscal Officer
Department of Insurance Securities and Banking

DATE: **January 19, 2023**

SUBJECT: Certification of Funds Availability for the Extension of Capital Area Asset Building Corp Contract; CW64488

This memorandum certifies that the Department of Insurance, Securities and Banking (DISB) has \$1,990,000.00 available in the FY 2023 budget to fund the extension of Capital Area Asset Building Corp Contract (Contract # CW64488).

If you have any question or concerns, please contact me at (202) 442-8103.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Attorney General



ATTORNEY GENERAL
BRIAN L. SCHWALB



Commercial Division

MEMORANDUM

TO: Tommy Wells
Director
Office of Policy and Legislative Affairs

FROM: Robert Schildkraut
Section Chief
Government Contracts Section

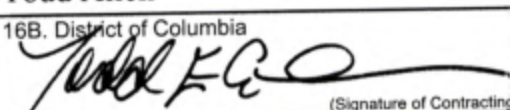
DATE: March 16, 2023


SUBJECT: Retroactive Contract Approval for Administration of the Opportunity
Account Program
Contract Number: CW64488
Contractor: Capital Area Asset Builders (CAAB)
Contract Amount: NTE \$1,990,000.00

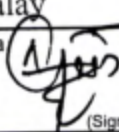
This is to Certify that this Office has reviewed the above-referenced Contract and that we have found it to be legally sufficient. If you have any questions in this regard, please do not hesitate to call me at 724-4018.

Robert Schildkraut

Robert Schildkraut

AMENDMENT OF SOLICITATION / MODIFICATION OF CONTRACT			1. Contract Number CW64488	Page of Pages 1 1	
2. Amendment/Modification Number M12	3. Effective Date See block 16C	4. Requisition/Purchase Request No.	5. Solicitation Caption		
6. Issued by: Office of Contracting and Procurement 441 4th Street, NW, Suite 340 North Washington, DC 20001		Code	7. Administered by (If other than line 6) Department of Insurance, Securities and Banking 1050 First Street NE, Suite 801 Washington, DC 20002		
8. Name and Address of Contractor (No. street, city, county, state and zip code) Capital Asset Builders Corp 1100H Street, NW Suite 200 Washington, DC 20005		9A. Amendment of Solicitation No.			
		9B. Dated (See Item 11)			
		X	10A. Modification of Contractor/Order No. CW64488		
			10B. Dated (See Item 13) 09/29/2018		
Code	Facility	11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS			
<input type="checkbox"/> The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended. <input type="checkbox"/> is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning one (1) copy of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) BY separate letter or fax which includes a reference to the solicitation and amendment number. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such may be made by letter or fax, provided each letter or telegram makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.					
12. Accounting and Appropriation Data (If Required)					
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTORS/ORDERS , IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14					
A. This change order is issued pursuant to (Specify Authority): 27 DCMR, Chapter 36, Section 3601.2(b) The changes set forth in Item 14 are made in the contract/order no. in item 10A.					
X	B. The above numbered contract/order is modified to reflect the administrative changes (such as changes in paying office, appropriation data etc.) set forth in item 14, pursuant to the authority of: 27 DCMR, Chapter 36, Section 3601.3 (c)				
	C. This supplemental agreement is entered into pursuant to authority of: DC Official Code §2-354.04 and 27 DCMR §3601.2.				
	D. Other (Specify type of modification and authority)				
E. IMPORTANT: Contractor <input checked="" type="checkbox"/> is not <input type="checkbox"/> is required to sign this document and return one (1) copy to the issuing office.					
14. Description of Amendment/Modification :					
CW64488 is hereby modified as follows:					
1. In accordance with Section F: Period of Performance and Deliverables, Section F.2 – Option to Extend the Term of the Contract, the District partially exercises Option Period Four of the contract for six months from September 29, 2022 through March 28, 2023. The not-to-exceed amount is \$995,000.00.					
Except as provided herein, all terms and conditions of the document is referenced in Item 9A or 10A remain unchanged and in full force and effect.					
15A. Name and Title of Signer (Type or print)		16A. Name of Contracting Officer Todd Allen			
15B. Name of Contractor	15C. Date Signed	16B. District of Columbia 		16C. Date Signed 9/27/22	
(Signature of person authorized to sign)		(Signature of Contracting Officer)			

AMENDMENT OF SOLICITATION / MODIFICATION OF CONTRACT		1. Contract Number CW64488	Page of Pages 1 4	
2. Amendment/Modification Number M13	3. Effective Date See block 16C	4. Requisition/Purchase Request No.	5. Solicitation Caption Capital Asset Builders Corp	
6. Issued by: Office of Contracting and Procurement 441 4th Street, NW, Suite 340 North Washington, DC 20001		Code	7. Administered by (If other than line 6) Department of Insurance, Securities and Banking 1050 First Street NE, Suite 801 Washington, DC 20002	
8. Name and Address of Contractor (No. street, city, county, state and zip code) Capital Asset Builders Corp. 1100 H St. NW, Suite 200 Washington, DC 20005		9A. Amendment of Solicitation No.		
Code		9B. Dated (See Item 11)		
Facility		10A. Modification of Contractor/Order No. X CW64488		
		10B. Dated (See Item 13) 09/29/2018		
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS				
<input type="checkbox"/> The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended. <input type="checkbox"/> is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning one (1) copy of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) BY separate letter or fax which includes a reference to the solicitation and amendment number. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such may be made by letter or fax, provided each letter or telegram makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.				
12. Accounting and Appropriation Data (If Required)				
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTORS/ORDERS , IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14				
A. This change order is issued pursuant to (Specify Authority): 27 DCMR, Chapter 36, Section 3601.2(b) The changes set forth in Item 14 are made in the contract/order no. in item 10A.				
B. The above numbered contract/order is modified to reflect the administrative changes (such as changes in paying office, appropriation data etc.) set forth in item 14, pursuant to the authority of:				
X C. This supplemental agreement is entered into pursuant to authority of: DC Official Code §2-354.04 and 27 DCMR §3601.3.				
D. Other (Specify type of modification and authority)				
E. IMPORTANT: Contractor <input checked="" type="checkbox"/> is not <input type="checkbox"/> is required to sign this document and return one (1) copy to the issuing office.				
14. Description of Amendment/Modification : CW64488 is hereby modified as follows: 1. In accordance with section 38(d) of the Standard Contract Provisions (Way to Work Amendment Act of 2006), The living wage and minimum wage effective January 1, 2023 through June 30, 2023, is \$16.50 per hour and effective July 1, 2023, the District minimum living wage will increase to \$17.00 per hour. 2. The living Wage Act Notice for 2022 is hereby incorporated as Attachment A 3. The living Wage Act Fact Sheet for 2022 is hereby incorporated as Attachment B				
Except as provided herein, all terms and conditions of the document is referenced in Item 9A or 10A remain unchanged and in full force and effect.				
15B. Name of Contractor (Signature of person authorized to sign)		15C. Date Signed	16A. Name of Contracting Officer Najibullah Nangialay 	
			16B. District of Columbia	16C. Date Signed 1/17/2023 (Signature of Contracting Officer)

AMENDMENT OF SOLICITATION / MODIFICATION OF CONTRACT			1. Contract Number CW64488	Page of Pages 1 1	
2. Amendment/Modification Number M15	3. Effective Date See block 16C	4. Requisition/Purchase Request No.	5. Solicitation Caption		
6. Issued by: Office of Contracting and Procurement 441 4th Street, NW, Suite 340 North Washington, DC 20001		Code	7. Administered by (If other than line 6) Department of Insurance, Securities and Banking 1050 First Street NE, Suite 801 Washington, DC 20002		
8. Name and Address of Contractor (No. street, city, county, state and zip code) Capital Asset Builders Corp 1100H Street, NW Suite 200 Washington, DC 20005 Code Facility		9A. Amendment of Solicitation No.			
		9B. Dated (See Item 11)			
		X	10A. Modification of Contractor/Order No. CW64488		
			10B. Dated (See Item 13) 09/29/2018		
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS					
<input type="checkbox"/> The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended. <input type="checkbox"/> is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning one (1) copy of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) BY separate letter or fax which includes a reference to the solicitation and amendment number. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such may be made by letter or fax, provided each letter or telegram makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.					
12. Accounting and Appropriation Data (If Required)					
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS , IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14					
A. This change order is issued pursuant to (Specify Authority): 27 DCMR, Chapter 36, Section 3601.2(b) The changes set forth in Item 14 are made in the contract/order no. in item 10A.					
X	B. The above numbered contract/order is modified to reflect the administrative changes (such as changes in paying office, appropriation data etc.) set forth in item 14, pursuant to the authority of: 27 DCMR, Chapter 36, Section 3601.3 (c)				
C. This supplemental agreement is entered into pursuant to authority of: DC Official Code §2-354.04 and 27 DCMR §3601.2.					
D. Other (Specify type of modification and authority)					
E. IMPORTANT: Contractor <input checked="" type="checkbox"/> is not <input type="checkbox"/> is required to sign this document and return one (1) copy to the issuing office.					
14. Description of Amendment/Modification :					
CW64488 is hereby modified as follows:					
1. In accordance with Section F: Period of Performance and Deliverables, Section F.2 – Option to Extend the Term of the Contract, the District partially exercises the terms of Option Period Four of the contract for two months from March 29, 2023, through May 28, 2023. The not-to-exceed amount is \$995,000.00.					
Except as provided herein, all terms and conditions of the document is referenced in Item 9A or 10A remain unchanged and in full force and effect.					
15A. Name and Title of Signer (Type or print)		16A. Name of Contracting Officer Najibullah Nangialay			
15B. Name of Contractor (Signature of person authorized to sign)	15C. Date Signed	16B. District of Columbia  (Signature of Contracting Officer)		16C. Date Signed 03/09/2023	

AMENDMENT OF SOLICITATION / MODIFICATION OF CONTRACT				1. Contract Number CW64488	Page of Pages 1 1	
2. Amendment/Modification Number M16	3. Effective Date See block 16C	4. Requisition/Purchase Request No.	5. Solicitation Caption			
6. Issued by: Office of Contracting and Procurement 441 4th Street, NW, Suite 340 North Washington, DC 20001			Code	7. Administered by (If other than line 6) Department of Insurance, Securities and Banking 1050 First Street NE, Suite 801 Washington, DC 20002		
8. Name and Address of Contractor (No. street, city, county, state and zip code) Capital Asset Builders Corp 1100H Street, NW Suite 200 Washington, DC 20005 Code _____ Facility _____				9A. Amendment of Solicitation No.		
				9B. Dated (See Item 11)		
				10A. Modification of Contractor/Order No. X CW64488		
				10B. Dated (See Item 13) 09/29/2018		
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS						
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12. Accounting and Appropriation Data (If Required)						
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS , IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14						
	A. This change order is issued pursuant to (Specify Authority): 27 DCMR, Chapter 36, Section 3601.2(b) The changes set forth in Item 14 are made in the contract/order no. in item 10A.					
X	B. The above numbered contract/order is modified to reflect the administrative changes (such as changes in paying office, appropriation data etc.) set forth in item 14, pursuant to the authority of: 27 DCMR, Chapter 36, Section 3601.3 (c)					
	C. This supplemental agreement is entered into pursuant to authority of: DC Official Code §2-354.04 and 27 DCMR §3601.2.					
	D. Other (Specify type of modification and authority)					
E. IMPORTANT: Contractor <input checked="" type="checkbox"/> is not <input type="checkbox"/> is required to sign this document and return one (1) copy to the issuing office.						
14. Description of Amendment/Modification: CW64488 is hereby modified as follows: 1. In accordance with Section F: Period of Performance and Deliverables, Section F.2 – Option to Extend the Term of the Contract, the District exercises the remaining four months of option period four (OP4) of the contract from May 29, 2023, through September 28, 2023. The total not-to-exceed amount of OP4 is \$1,990,000.00						
Except as provided herein, all terms and conditions of the document is referenced in Item 9A or 10A remain unchanged and in full force and effect.						
15A. Name and Title of Signer (Type or print)				16A. Name of Contracting Officer		
				Najibullah Nangialay		
15B. Name of Contractor		15C. Date Signed	16B. District of Columbia		16C. Date Signed	
(Signature of person authorized to sign)			(Signature of Contracting Officer)			

THE LIVING WAGE ACT OF 2006

D.C. Code §§ 2-220.01 – 2-220.11

Recipients of new contracts or government assistance shall pay affiliated employees and subcontractors who perform services under the contracts no less than the current living wage.

Effective January 1, 2023 until June 30, 2023, the living wage rate is \$16.50 per hour.
Effective July 1, 2023, the District's Minimum Wage and Living Wage will increase to \$17.00.

The requirement to pay a living wage applies to:

- All recipients of contracts in the amount of \$100,000 or more, and all subcontractors that receive \$15,000 or more from the funds received by the recipient from the District of Columbia, and
- All recipients of government assistance in the amount of \$100,000 or more, and all subcontractors of these recipients that receive \$50,000 or more from the government assistance received by the recipient from the District of Columbia.

“Contract” means a written agreement between a recipient and the District government.

“Government assistance” means a grant, loan, or tax increment financing that result in a financial benefit from an agency, commission, instrumentality, or other entity of the District government.

“Affiliated employee” means any individual employed by a recipient who received compensation directly from government assistance or a contract with the District of Columbia government, including employees of the District of Columbia, any employee of a contractor or subcontractor of a recipient who performs services pursuant to government assistance or contract. The term “affiliated employee” does not include those individuals who perform only intermittent or incidental services with respect to the contract or government assistance or who are otherwise employed by the contractor, recipient, or subcontractor.

Certain exemptions apply: 1) Contracts or agreements subject to wage determinations required by federal law which are higher than the wage required by this Act; 2) Existing and future collective bargaining agreements, provided that the future agreement results in employees being paid no less than the current living wage; 3) contracts for electricity, telephone, water, sewer performed by regulated utilities; 4) contracts for services needed immediately to prevent or respond to a disaster or imminent threat declared by the Mayor; 5) contracts awarded to recipients that provide trainees with services, including but not limited to case management and job readiness services, provided the trainee does not replace employees; 6) employees under 22 years of age employed during a school vacation period, or enrolled as a full-time student who works less than 25 hours per week; 7) tenants or retail establishments that occupy property constructed or improved by government assistance, provided there is no receipt of direct District government assistance; 8) employees of nonprofit organizations that employ not more than 50 individuals and qualify for 501(c)(3) status; 9) Medicaid provider agreements for direct care services to Medicaid recipients, provided, that the direct care service is not provided through a home care agency, a community residence facility, or a group home for persons with intellectual disabilities as those terms are defined in section 2 of the Health-Care and Community Residence Facility, Hospice, and Home Care Licensure Act of 1983; D.C. Official Code § 44-501; and 10) contracts or agreements between managed care organizations and the Health Care Safety Net Administration or the Medicaid Assistance Administration to provide health services.

Home Care Final Rule: The Department of Labor extended overtime protections to home care workers and workers who provide companionship services. Employers within this industry are now subject to recordkeeping provisions.

Each recipient and subcontractor of a recipient shall provide this notice to each affiliated employee covered by this notice, and shall also post this notice in a conspicuous site in its place of business. All recipients and subcontractors shall retain payroll records created and maintained in the regular course of business under District of Columbia law for a period of at least 3 years.

To file a claim, visit: Department of Employment Services, Office of Wage-Hour, 400 Virginia Ave., SW, 4th Flr, Washington, D.C. 20024; call: (202) 671-1880; or file your claim on-line: does.dc.gov. Go to “File a Claim” tab.

MURIEL BOWSER
MAYOR



DR. UNIQUE MORRIS-HUGHES
DIRECTOR

LIVING WAGE ACT FACT SHEET

The Living Wage Act of 2006, D.C. Code §§ 2-220.01 – 2-220.11, provides that District of Columbia government contractors and recipients of government assistance (grants, loans, tax increment financing), in the amount of \$100,000 or more, shall pay affiliated employees wages at no less than the current living wage rate.

Effective January 1, 2023 until June 30, 2023, the living wage rate is \$16.50 per hour.

Effective July 1, 2023, the District's Minimum Wage and Living Wage will increase to \$17.00 per hour.

Subcontractors of D.C. government contractors, who receive \$15,000 or more from the contract, and subcontractors of the recipients of government assistance, who receive \$50,000 or more from the assistance, are also required to pay their affiliated employees no less than the current living wage rate.

"Affiliated employee" means any individual employed by a recipient who receives compensation directly from government assistance or a contract with the District of Columbia government, including any employee of a contractor or subcontractor of a recipient who performs services pursuant to government assistance or a contract. The term "affiliated employee" does not include those individuals who perform only intermittent or incidental services with respect to the government assistance or contract, or who are otherwise employed by the contractor, recipient or subcontractor.

Exemptions – The following contracts and agreements are exempt from the Living Wage Act:

1. Contracts or other agreements that are subject to higher wage level determinations required by federal law (i.e., if a contract is subject to the Service Contract Act and certain wage rates are lower than the District's current living wage, the contractor must pay the higher of the two rates);
2. Existing and future collective bargaining agreements, provided that the future collective bargaining agreement results in the employee being paid no less than the current living wage;
3. Contracts for electricity, telephone, water, sewer or other services provided by a regulated utility;
4. Contracts for services needed immediately to prevent or respond to a disaster or imminent threat to public health or safety declared by the Mayor;
5. Contracts or other agreements that provide trainees with additional services including, but not limited to, case management and job readiness services, provided that the trainees do not replace employees subject to the Living Wage Act;

6. An employee, under 22 years of age, employed during a school vacation period, or enrolled as full-time student, as defined by the respective institution, who is in high school or at an accredited institution of higher education and who works less than 25 hours per week; provided that students not replace employees subject to the Living Wage Act;
7. Tenants or retail establishments that occupy property constructed or improved by receipt of government assistance from the District of Columbia; provided, that the tenant or retail establishment did not receive direct government assistance from the District of Columbia;
8. Employees of nonprofit organizations that employ not more than 50 individuals and qualify for taxation exemption pursuant to Section 501 (c) (3) of the Internal Revenue Code of 1954, approved August 16, 1954 (68 A Stat. 163; 26. U.S.C. §501(c)(3));
9. Medicaid provider agreements for direct care services to Medicaid recipients, **provided, that** the direct care service is not provided through a home care agency, a community residence facility, or a group home for persons with intellectual disabilities as those terms are defined in section 2 of the Health-Care and Community Residence Facility, Hospice, and Home Care Licensure Act of 1983; D.C. Official Code § 44-501; and
10. Contracts or other agreements between managed care organizations and the Health Care Safety Net Administration or the Medicaid Assistance Administration to provide health services.

Enforcement

The Department of Employment Services (DOES) Office of Wage-Hour and the D.C. Office of Contracting and Procurement share monitoring responsibilities.

Home Care Final Rule: The Department of Labor extended overtime protections to home care workers and workers who provide companionship services. Employers within this industry are now subject to recordkeeping provisions.

If you learn that a contractor subject to this law is not paying at least the current living wage, you should report it to the contracting officer. If you believe that your employer is subject to this law and is not paying at least the current living wage, you may file a complaint with the DOES Office of Wage - Hour, located at 4058 Minnesota Avenue, N.E. Suite 3600, Washington, D.C. 20019, call (202) 671-1880, or file your claim on-line: www.does.dc.gov. Go to "File a Claim" tab.

For questions and additional information, contact the Office of Contracting and Procurement at (202) 727-0252 or the Department of Employment Services on (202) 671-1880.

Please note: *This fact sheet is for informational purposes only as required by Section 106 of the Living Wage Act. It should not be relied on as a definitive statement of the Living Wage Act or any regulations adopted pursuant to the law.*