

A RESOLUTION

21-760

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 20, 2016

To declare the existence of an emergency with respect to the need to approve the exercise of Option Year 2 via Modification No. 2 to Contract No. DCAM-14-NC-0133C with RSC Electrical & Mechanical Contractors, Inc. for HVAC capital improvement services, and to authorize payment in the not-to-exceed amount of \$8 million for the goods and services received and to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Exercise of Option Year 2 via Modification No. 2 to Contract No. DCAM-14-NC-0133C Approval and Payment Authorization Emergency Declaration Resolution of 2016”.

Sec. 2. (a) There exists an immediate need to approve the exercise of Option Year 2 via Modification No. 2 to Contract No. DCAM-14-NC-0133C (“Contract”) with RSC Electrical & Mechanical, Inc. for HVAC capital improvement services, and authorize payment in the not-to-exceed amount of \$8 million for the goods and services received and to be received under the contract.

(b) The Contract with RSC Electrical & Mechanical Contractors was initially deemed approved by the Council (CA20-0497) with an established not-to-exceed amount of \$3 million and 2 one-year options to extend the Contract term. In Fiscal Year 2015, all work under the Contract was awarded and released through individual project task orders, based on a competitive bidding process, as set forth in section 1.2 of the Contract. Task orders could be issued up to the maximum not-to-exceed amount of \$3 million.

(c) The base year of the Contract ended September 30, 2015. In Fiscal Year 2016, the Department of General Services partially executed Option Year 1, effective through December 31, 2015, with a not-to-exceed amount of \$975,000. The partial option period was extended by Change Order No. 2 through February 15, 2016, with no increase in the not-to-exceed amount. The partial option period was extended again by Change Order No. 3 through April 15, 2016, with no increase in the not-to-exceed amount. The partial option period was extended again by Change Order No. 3.5 through June 15, 2016, with no increase in the not-to-exceed amount. The partial option period was extended again by Change Order No. 4 through July 25, 2016, with no increase in the not-to-exceed amount. In Change Order No. 5, the remainder of Option Year 1 was exercised with Council approval (A21-0457), extending the period of performance through September 30, 2016, with a not-to-exceed amount of \$5 million. Option Year 2 was partially

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exercised via Modification No. 1, which extended performance through December 31, 2016, with a not-to-exceed amount of \$950,000 during the option period. For the full exercise of Option Year 2, Modification No. 2 now requires Council approval 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). The terms and conditions of the Contract have not changed. The not-to-exceed value of Option Year 2 would be increased to \$8 million. The full exercise of Option Year 2 is bilateral.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Exercise of Option Year 2 via Modification No. 2 to Contract No. DCAM-14-NC-0133C Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.