



2019 MAR 26 PM 3:02
OFFICE OF THE
SECRETARY

MURIEL BOWSER
MAYOR

MAR 26 2019

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Suite 504
Washington, D.C. 20004

**Reference: District of Columbia Department of General Services
Change Order Nos. 3 through 5 to
Contract No. DCAM-18-CS-0005 with Fort Myer Construction Corporation
Approval and Payment Authorization Emergency Act of 2019
Contract Number: DCAM-18-CS-0005
Contractor: Fort Myer Construction Corporation**

Dear Chairman Mendelson:

Pursuant to D.C. Official Code § 1-204.51(b), the Department of General Services ("DGS" or the "Department") hereby submits to the Council of the District of Columbia for its review and approval the attached proposed emergency legislation, "Change Order Nos. 3 through 5 to Contract No. DCAM-18-CS-0005 with Fort Myer Construction Corporation Approval and Payment Authorization Emergency Act of 2019", to authorize payment to the Contractor for the goods and services received under these change orders based on revised scopes of work pursuant to the underlying Contract for St. Elizabeths East Campus Infrastructure Improvements - Temporary Surface Parking Lots, Contract No. DCAM-18-CS-0005 (the "Contract") with Fort Myer Construction Corporation (the "Contractor").

Change Order Nos. 3 and 4 authorized the Contractor to continue providing design-build services for the construction of three temporary surface parking lots on St. Elizabeths East Campus at the Dorothea Dix Administration Building ("DDX"), R.I.S.E Demonstration Center ("RISE Center"), and Parcel 15 ("P-15", and collectively the "Project") located at 2730 Martin Luther King, Jr. Ave, SE in Washington DC 20032. Proposed Change Order No.5 is based on required changes to the scope of work and previously established but deferred scopes of work for the Project, which has been substantially completed. Council action is necessary to authorize the increase to the Contract's Lump Sum Price, via Change Order Nos. 3 through 5, in the aggregate

The Honorable Phil Mendelson

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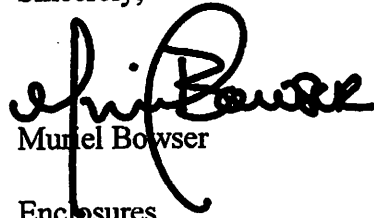
amount of \$1,831,729; thereby increasing the total Contract value to \$13,590,796. Thus, the Department is seeking the Council's approval for this action.

The Chief Financial Officer has certified that the necessary funding for the above-referenced contract actions is available for FY 2019.

In addition to Change Order Nos. 3 and 4 and proposed Change Order No. 5, attached are: (i) a contract summary; (ii) a fiscal certification; (iii) memoranda and/or certifications of legal sufficiency; (iv) a Clean Hands certification for the Contractor; (v) a proposed emergency declaration; and (vi) proposed legislation.

If you have any questions regarding this matter, please feel free to contact Keith A. Anderson, the Department's Director, or George G. Lewis, the Department's Associate Director of Contracts and Procurement, at (202) 727-2800.

Sincerely,



Muriel Bowser

Enclosures


Chairman Phil Mendelson
at the request of the Mayor

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10 A PROPOSED RESOLUTION
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14 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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18 To declare the existence of an emergency with respect to the need to approve Change
19 Order Nos. 3 through 5 to Contract No. DCAM-18-CS-0005 with Fort Myer
20 Construction Corporation, increasing the aggregate Contract value to
21 \$13,590,796, and authorizing payment to Fort Myer Construction Corporation for
22 goods and services received under these change orders.
23

24 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that
25 this resolution may be cited as the “Change Order Nos. 3 through 5 to Contract No.
26 DCAM-18-CS-0005 with Fort Myer Construction Corporation Approval and Payment
27 Authorization Emergency Declaration Resolution of 2019”.

28 Sec. 2.(a) There exists an immediate need to approve Change Order Nos. 3
29 through 5 to the Contract for St. Elizabeths Infrastructure Improvements – Temporary
30 Parking Lots (DCAM-18-CS-0005) (the “Contract”) between the Department of General
31 Services (the “Department”) and Fort Myer Construction Corporation (the “Contractor”),
32 which would increase the maximum aggregate value of the Contract to \$13,590,796, and
33 authorize payment to the Contractor for goods and services already received under these
34 change orders.

1 (b) On December 17, 2018, the Department executed Change Order No. 3, in the
2 amount of \$995,000, which authorized changes to the scope of work of the Contract,
3 thereby increasing the total Contract value from \$11,759,067 to \$12,754,067. On
4 February 28, 2019, the Department executed Change Order No. 4, a zero dollar change
5 order that extended the Contract’s term but did not increase the total Contract value. The
6 aggregate value of Change Order Nos. 3 and 4 was less than \$1 million; thus, Change
7 Order Nos. 3 and 4 did not require Council approval.

8 (c) Proposed Change Order No. 5, in the amount of \$836,729, provides for
9 further changes to the scope of work and increases the total value of the Contract from
10 \$12,754,067 to \$13,590,796 for goods and services already received. The aggregate
11 increase to the total Contract value, via Change Order Nos. 3 through 5, is \$1,831,729, an
12 amount in excess of \$1,000,000 during a 12-month period; therefore, Council approval of
13 Change Order Nos. 3 through 5 is required pursuant to section 451 of the District of
14 Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official
15 Code § 1-204.51).

16 Sec. 3. The Council of the District of Columbia determines that the
17 circumstances enumerated in Section 2 constitute emergency circumstances making it
18 necessary that the “Change Order Nos. 3 through 5 to Contract No. DCAM-18-CS-0005
19 with Fort Myer Construction Corporation Approval and Payment Authorization
20 Emergency Act of 2019” be adopted after a single reading.

21 Sec. 4. This resolution shall take effect immediately.