

A RESOLUTION

25-206

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2023

To declare the existence of an emergency with respect to the need to approve Modification Nos. 15, 16, 17, 18, 19, 20, 21, 22, and 23 to Contract No. CW36154 with WM Recycle America, LLC to transport, process, and market recyclables from the District’s residential recycling drop-off facilities, and to authorize payment for the goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modification Nos. 15, 16, 17, 18, 19, 20, 21, 22, and 23 to Contract No. CW36154 with WM Recycle America, LLC Approval and Payment Authorization Emergency Declaration Resolution of 2023”.

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 15, 16, 17, 18, 19, 20, 21, 22, and 23 to Contract No. CW36154 with WM Recycle America, LLC to transport, process, and market recyclables from the District’s residential recycling drop-off facilities and to authorize payment for the goods and services received under the modifications.

(b) By Modification No. 15, dated August 14, 2020, the Office of Contracting and Procurement (“OCP”), on behalf of the Department of Public Works (“DPW”), extended Contract No. CW36154 for the period September 1, 2020 through September 30, 2020, in the not-to-exceed amount of \$977,000.

(c) By Modification No. 16, dated September 24, 2020, OCP, on behalf of DPW, extended Contract No. CW36154 for the period October 1, 2020 through January 31, 2021, in the not-to-exceed amount of \$2,500,000.

(d) By Modification No. 17, dated November 17, 2020, OCP, on behalf of DPW, extended Contract No. CW36154 for the period February 1, 2021 through March 31, 2021, in the not-to-exceed amount of \$800,000.

(e) Modification No. 18 was an administrative modification.

(f) By Modification No. 19, dated March 23, 2021, OCP, on behalf of DPW, extended Contract No. CW36154 for the period April 1, 2021 through April 30, 2021, in the not-to-exceed amount of \$400,000.

(g) By Modification No. 20, dated April 30, 2021, OPC, on behalf of DPW, extended Contract No. CW36154 for the period May 1, 2021 through April 30, 2022, in the not-to-exceed amount of \$5,834,400.

ENROLLED ORIGINAL

(h) By Modification No. 21, dated April 29, 2022, OCP, on behalf of DPW, extended Contract No. CW36154 for the period May 1, 2022 through December 31, 2022, in the not-to-exceed amount of \$3,889,600.

(i) By Modification No. 22, dated December 27, 2022, OCP, on behalf of DPW, extended Contract No. CW36154 for the period January 1, 2023 through June 30, 2023, in the not-to-exceed amount of \$2,917,200.

(j) By Modification No. 23, dated May 2, 2023, OCP, on behalf of DPW, extended Contract No. CW36154 for the period July 1, 2023 through September 30, 2023, in the not-to-exceed amount of \$1,458,600.

(k) Council approval is required by section 451(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(b)), because the contract is in excess of \$1 million during a 12-month period.

(l) Approval on an emergency basis is necessary to allow the timely continuation of and payment for these vital services.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification Nos. 15, 16, 17, 18, 19, 20, 21, 22, and 23 to Contract No. CW36154 with WM Recycle America, LLC Approval and Payment Authorization Emergency Act of 2023 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.