

A RESOLUTION

25-444

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 5, 2024

To declare the existence of an emergency with respect to the need to approve Contract No. CW103314 with Henry’s Soul Café, Inc., and Modification Nos. 1, 2, 3, 4, and 5, and to authorize payment for the goods and services received and to be received under the contract and modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Contract No. CW103314 with Henry’s Soul Café, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2024”.

Sec. 2. (a) There exists an immediate need to approve Contract No. CW103314 with Henry’s Soul Café, Inc., and Modification Nos. 1, 2, 3, 4 and 5 and to authorize payment for the goods and services received and to be received under the contract and modifications.

(b) On November 1, 2022, the Office of Contracting and Procurement (“OCP”), on behalf of the Department of Human Services, executed Contract No. CW103314 with Henry’s Soul Café, Inc., for emergency meal services for migrant families and individuals from the Arizona-Mexico and Texas-Mexico borders, with a base period of November 1, 2022 through September 30, 2023, in the not-to-exceed amount of \$4,000,000.

(c) Modification No. 1 was an administrative modification.

(d) By Modification No. 2, dated September 30, 2023, the OCP, on behalf of the Department of Human Services, extended the base period by one month to October 31, 2023, at no cost to the District.

(e) By Modification No. 3, OCP partially exercised option year one of the contract for the period November 1, 2023 through February 14, 2024, in the not-to-exceed amount of \$950,000.

(f) Proposed Modification No. 4 would exercise the remainder of option year one of the contract for the period February 15, 2024 through October 31, 2024, in the not-to-exceed amount of \$3,802,840, thereby increasing the total not-to-exceed amount of option year one to \$4,752,840.

(g) Modification No. 5 deleted Section B.4 (Price Schedule) in its entirety and replaced it with revised section B.4, as can be seen in Attachment A to the concomitant legislation (Bill 25-

ENROLLED ORIGINAL

707) submitted to the Office of the Secretary on February 28, 2024. The Option year two and three price schedules are deleted in their entirety.

(h) Under section 451 of the Home Rule Act (D.C. Official Code § 1-204.51), Council approval is necessary as the base period and the modifications are both in excess \$1 million during separate 12-month periods.

(i) Approval is necessary to allow the continuation of these vital services. Without this approval, Henry's Soul Café, Inc. cannot be paid for goods and services provided in excess of \$1 million for the contract period November 1, 2022 through October 31, 2023, or the contract period November 1, 2023 through October 31, 2024.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CW103314 with Henry's Soul Café, Inc. Approval and Payment Authorization Emergency Act of 2024 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.