

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Contracting and Procurement



COUNCIL CONTRACT SUMMARY

Pursuant to section 202(c) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code §2-351.01), the following contract summary is provided:

- (A) **The proposed contractor, contract amount, unit and measure of compensation, contract term, and type of contract;**

Contractor: C&D Tree Service, Inc.

Contract Number: DCKA-2009-C-0123

Modification Amount: **\$1,051,200.00**
\$ 400,000.00 (Modification 12)
\$ 651,200.00 (Modification 13)

Method of compensation: Payment to the contractor is based on the unit prices established under the contract

Period of Performance: **February 9, 2014 through February 8, 2015**
February 9, 2014 through March 10, 2014 (Mod 12)
March 11, 2014 through February 8, 2015 (Mod 13)

Type of Contract: Requirements Contract

- (B) **The goods or services to be provided, including a description of the economic impact of the proposed contract, the social impact of the proposed contract, the methods of delivering goods or services, and any significant program changes reflected in the proposed contract:**

An Invitation for Bids (IFB) was issued and advertised in the Washington Times on October 6, 2009 (See Exhibit I). It was posted to the OCP web site on October 6, 2009. Thirty (30) companies received the solicitation. The solicitation was structured to allow for four (4) aggregate award groups consisting of two wards each. The wards, assigned to each aggregate award group, correspond to the four teams DDOT uses to assign resources and manage assets. Each aggregate award group was awarded to the contractor who was the lowest responsive, responsible bidder for that specific group. The bids were opened on November 3, 2009.

C&D Tree Service, Inc. was determined to be the second lowest bidder for each aggregate award group and was awarded the contract on February 9, 2010, due to

the lowest bidder being deemed non-responsive. Contract DCKA-2009-C-0123 was awarded on February 9, 2010 in the amount of \$1,500,400.00 for the period of one year; with four (4) one-year options.

Due to time restraints and conflicting priorities, a partial option for the period of February 9, 2014 through March 10, 2014 was issued in the amount of \$400,000.00 (\$100,000.00 for each Aggregate Award Group 1 through 4) by Modification 12. It was the Contracting Officer's intent to submit to the Council, a package for passive approval which would exercise of the remainder of the option period for the total amount, which exceeds \$1million. However, it was determined that the initiation of an option period prior to receipt of Council approval, regardless of the amount expended, constitutes a retroactive action. Upon this clarification, the Contracting Officer issued Modification 13 which exercised the remainder of the option period in the amount of \$651,200.00 and now, submits this package to the Council for retroactive approval.

(C) **The selection process, including the number of offerors, the evaluation criteria, and the evaluation results, including price and technical components;**

On October 6, 2009, the Office of Contracting and Procurement (OCP) on behalf of DDOT, issued on Invitation of Bids (IFB) No. DCKA-2009-B-0123, for Tree Removal Services in the open market. The IFB required OCP to award a requirements contract with payments based on firm fixed unit prices. OCP's award was based on the lowest responsive, responsible bidder and whether the contractor is certified as Local, Small and Disadvantaged Business Enterprise (LSDBE) from the Department of Local and Small Business Development (DLBD).

This procurement was structured into four aggregate award groups consisting of two wards each. The wards assigned to each aggregate award group correspond to the wards within each of the four teams DDOT uses to assign resources and manage assets. The contract was awarded to C&D on February 9, 2010.

(D) **The background and qualifications of the proposed contractor, including its organization, financial stability, personnel, and prior performance on contacts with the District government;**

C&D has the necessary organization, experience, technical skills and accounting and operational controls needed to perform the requirements of the contract. This is demonstrated by its satisfactory performance during the base year and the two previous option years of the contract.

C&D is a privately owned company. The District has awarded a number of contracts to C&D. Some of these contracts are as follows:

<u>Contract Number</u>	<u>Description</u>	<u>Amount</u>
1. DCKA-2013-D-0010-A04	Emergency Tree & Debris Removal	\$997,700.00
2. DCKA-2010-C-0219	Tree Planting	\$747,311.00
3. DCKA-2008-D-0050-A02	Pruning Service	\$367,500.00

(E) Performance standards and expected outcomes of the proposed contract;

The contractor is required to make delivery as set forth in Section C of the Solicitation and Scope/Specification. Adherence to these performance standards should result in safe delivery of services and is expected to continue into Option Year 4.

(F) 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 §§ 47-392.01 and 47-392.02;

The Office of the Chief Financial Officer certified the availability of \$1,051,200.00 in funding to meet obligations in FY 2014 to cover this important aspect of the District's tree service endeavor.

(G) A certification that the proposed contract is legally sufficient and has been reviewed by the Office of the Attorney General, including whether the proposed contractor has any currently pending legal claims against the District;

Certification of legal sufficiency by the Office of the Attorney General is attached.

(H) A certification that the proposed contractor is current with their District and federal taxes or has worked out and is current with a payment schedule approved by the District or federal government;

Contractor is in compliance with both District and Federal taxes. See Attachments C and D.

(I) The status of the proposed contractor as a certified local, small, or disadvantaged business enterprise;

None

- (J) **Other aspects of the proposed contract that the Chief Procurement Officer deems significant; and**

None

- (K) **A statement indicating whether the proposed contractor is currently debarred from providing services to any governmental entity (federal, state, or municipal), the dates of the debarment, and the reasons for debarment.**

A search of the Office of Contracting and Procurement and Federal Excluded Parties List as of April 29, 2014 did not reveal C&D's name on the debarred list.

- (L) **Where the contract, if executed, will be made available online:**

http://app.ocp.dc.gov/RUI/information/scf/online_index.asp

DISTRICT OF COLUMBIA



Office of Tax and Revenue
Collection Division

1101 4th Street SW steW600
Washington, DC 20024

OFFICE OF TAX AND REVENUE
TAX VERIFICATION RESPONSE

REQUESTOR: DEBORAH BRYANT

AGENCY: DDOT

VENDOR NAME: C & D TREE SERVICE, INC FEIN: 54-1036985

TO BE COMPLETED BY THE OFFICE OF TAX & REVENUE

The prospective contractor **is in compliance** with the filing and payment requirements of the District of Columbia tax laws. DCKA2010C0219

The prospective contractor/individual **is not liable** for the tax filing requirements of the District of Columbia.

The prospective contractor **is not in compliance** with the tax filing and payment requirements of the District of Columbia Tax Law. The contractor may obtain details of the tax deficiency and make arrangements to correct this by contacting the Revenue Officer whose signature appears below.

The prospective contractor has **recently been registered** with the District of Columbia and has not incurred any liabilities so far.

Our records indicate that the prospective contractor **is not registered** to do business in the District of Columbia. Please contact the Office of Tax and Revenue, Customer Service Office at (202) 727-4829 to request a form FR-500 (Combined Registration Application) which must be fully completed and submitted to the address indicated on the form *Office of Tax and Revenue, PO Box 470 Washington, DC 20044-0470* or register online at: https://www.taxpaverservicecenter.com/FR500_Instructions.isp.

Theresa Boyd-Palmy
Collections Manager

4/10/2014
Date

Carolyn Powell
Carolyn Powell
Senior Revenue Officer

202-442-6588
Telephone Number

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF EMPLOYMENT SERVICES
Office of Unemployment Compensation/Tax Division



REVISED

TAX VERIFICATION RESPONSE - DOES

CONTRACT SPECIALIST: DEBORAH BRYANT

AGENCY: DDOT

VENDOR NAME: C & D TREE SERVICE INC

D.C.DOES SUI ACCOUNT #: 121506

FEDERAL ID #: 541036985

TO BE COMPLETED BY THE DEPARTMENT OF EMPLOYMENT SERVICES TAX DIVISION

THE DEPARTMENT OF EMPLOYMENT SERVICES CERTIFIES THAT:

The prospective Contractor is "IN COMPLIANCE" with the tax filing and payment requirements of the District of Columbia Unemployment Tax Laws or is in compliance with an established payment plan.

The prospective Contractor is "NOT IN COMPLIANCE" with the tax filing and payment requirements of the District of Columbia Unemployment Tax Laws. The Contractor may obtain details of the tax deficiency and make arrangements to correct this deficiency by contacting the tax enforcement officer whose name and telephone number follow:

Tax Enforcement Officer: Doris Artis

Phone #: (202) 741-8693

Comments

SIGNATURE

UI Tax Officer

TITLE

4/22/2014

DATE

(202)-698-3564

TELEPHONE/FAX NUMBER

This response/certification is valid for 90 days from the date specified above.

ATT: Compliance Officer
Office of Unemployment Compensation - Tax Division - 4058 Minnesota Avenue, NE, Washington, DC 20019

For more information, please go to the DOES Web Site at <http://www.does.dc.gov/>

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



Government Services Cluster

FINANCIAL PLAN AND BUDGET CERTIFICATION

Contract No.: DCKA-2009-C-0123
Contract Name: Tree Removal Services
Contractor: C&D Tree Service, Inc.
Maximum Contract Amount: \$1,051,200.00
Funding Source: 0330
Organization Code: KA0
Year of Appropriation: 2003

I, Calvin Skinner, Agency Chief Financial Officer, hereby certify that the above referenced contract for services is consistent with the applicable approved financial plan and budget.

CS

Calvin Skinner
Agency Chief Financial Officer

5/2/14
Date

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Attorney General



Legal Counsel Division

MEMORANDUM

**TO: Lolita S. Alston
Director
Office of Legislative Support**

**FROM: Janet M. Robins
Deputy Attorney General
Legal Counsel Division**

DATE: May 15, 2014

**SUBJECT: Legal Sufficiency Review of Draft Bill, "Contract No. DCKA-2009-C-0123
Modification Nos. 12 and 13 Approval and Payment Authorization
Emergency Act of 2014
(AE-14-273)**

This is to Certify that this Office has reviewed the above-referenced emergency bill and emergency declaration resolution and found them to be legally unobjectionable. If you have any questions in this regard, please do not hesitate to call me at 724-5524.



Janet M. Robins