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Chairman Phil Mendelson  
at the request of the Mayor

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To approve, on an emergency basis, Modification Nos. 02 and 03 to Contract No. DCKA-2012-C-0089 with Capitol Paving of D.C., Inc. to provide pavement restoration services for local streets, and to authorize payment for the services received and to be received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the “Modification Nos. 02 and 03 to Contract No. DCKA-2012-C-0089 for Local Pavement Restoration Services Payment Approval and Payment Authorization Emergency Act of 2014”.

Sec. 2. 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), and notwithstanding the requirements of section 202 of the District of Columbia Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), Modification No. 02 and Modification No. 03 to Contract No. DCKA-2012-C-0089 with Capitol Paving of D.C., Inc., to provide for pavement restoration services for the District’s Department of Transportation are approved and payment in the

1 amount of \$11,145,855.00 is authorized for services received and to be received under  
2 the contract.

3       Sec. 3. The Council adopts the fiscal impact statement provided by the Chief  
4 Financial Officer as the fiscal impact statement required by section 602(c)(3) of the  
5 District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C.  
6 Official Code § 1-206.02(c)(3)).

7       Sec. 4. This act shall take effect following approval by the Mayor (or in the  
8 event of veto by the Mayor, action by the Council to override the veto), and shall remain  
9 in effect for no longer than 90 days, as provided for emergency acts of the Council of the  
10 District of Columbia in section 412(a) of the District of Columbia Home Rule Act,  
11 approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

Chairman Phil Mendelson  
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to approve Modification Nos. 02 and 03 to Contract No. DCKA-2012-C-0089 with Capitol Paving of D.C., Inc. and authorize the payment for the 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 “Modification Nos. 02 and 03 to Contract No. DCKA-2012-C-0089 for Local Pavement Restoration Services Payment Approval and Payment Authorization Emergency Declaration Resolution of 2014”.

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 02 and 03 to Contract No. DCKA-2012-C-0089 (“Contract”) with Capitol Paving of D.C., Inc. (“Capitol Paving”) for pavement restoration of various local streets on behalf of the District Department of Transportation (“DDOT”) and to authorize payment for the services received and to be received under the Contract.

(b) On March 27, 2014, the DDOT’s Contracting Officer partially exercised Option Year 1 under the Contract for the period of April 9, 2014, through June 9, 2014, for certain pavement restoration services. On May 23, 2014, DDOT’s Contracting Officer

1 executed Modification No. 03, which exercised the remainder of Option Year 1 under the  
2 Contract and extended the Contract performance period from June 10, 2014, through  
3 April 8, 2015. The contract ceiling for Option Year 1 under Modification No. 03 is  
4 \$11,145,855.00.

5 (c) Council approval is necessary because these contract actions are for more  
6 than \$1,000,000 during a 12-month period. Approval is necessary to allow the  
7 continuation of these vital services, and to allow Capitol Paving to continue performance  
8 under the Contract.

9 Sec. 3. The Council of the District of Columbia determines that the  
10 circumstances enumerated in section 2 constitute emergency circumstances making it  
11 necessary that “Modification Nos. 02 and 03 to Contract No. DCKA-2012-C-0089  
12 Payment Approval and Payment Authorization Emergency Declaration Resolution of  
13 2014” be adopted after a single reading.

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