

OFFICE OF
MARY M. CHEH

Councilmember, Ward 3 | Chair, Committee on Transportation & the Environment

MEMORANDUM

To: Chairman Phil Mendelson
FROM: Councilmember Mary M. Cheh
DATE: July 6, 2017
SUBJECT: Requests for the July 11, 2017 Legislative Meeting

I request that the following emergency measures be agendized for the July 11, 2017 legislative meeting:

- Grocery Store Restrictive Covenant Prohibition Congressional Review Emergency Declaration Resolution of 2017
- Grocery Store Restrictive Covenant Prohibition Congressional Review Emergency Amendment Act of 2017

This legislation would prohibit owners of grocery stores from imposing restrictive covenants that prohibit the subsequent use of real property as a grocery store in a contract for sale, lease or transfer of real property being used as a grocery store. The Council passed emergency legislation on May 2, and temporary legislation on May 16; however due the Congressional review period, the temporary legislation will not become effective prior to the expiration of the emergency legislation. For this reason, a congressional review emergency is necessary.

- Fort Dupont Ice Arena Programming Emergency Declaration Resolution of 2017
- Fort Dupont Ice Arena Programming Emergency Act of 2017
- Fort Dupont Ice Arena Programming Temporary Act of 2017

This emergency and temporary legislation would authorize the Department of Parks and Recreation (DPR) to issue a grant for the purposes of distributing funds allocated to it for programming for low-income children at the Fort Dupont Ice Arena. DPR's budget includes \$235,000 in recurring funds for this purpose; however, the agency lacks the grant-making authority funds it needs to distribute the funds. Emergency legislation is necessary to provide DPR limited grant-making authority for the purpose of making this grant.

At the request of the Mayor, I request that the following emergency measures be agendized for the July 11, 2017 legislative meeting:

- PR22-380 - Change Order Nos. 1 through 6 to Contract No. DCAM-14-CS-0140 Approval and Payment Authorization Emergency Declaration Resolution of 2017

- B22-360 - Change Order Nos. 1 through 6 to Contract No. DCAM-14-CS-0140 Approval and Payment Authorization Emergency Act of 2017

This legislation would approve Change order Nos. 1 through 6 to Contract No. DCAM-14-CS-0140 with Tompkins Builders, Inc., and increase the not-to-exceed amount of the contract by \$1,324,373 to \$7,708,526. The contract is for modernization work at the Frienship Recreation Center, and the increases to the contract are primarily due to the repositioning of the building site to accommodate DC Water and US Army Corps of Engineers requirements for stormwater and sewage infrastructure.

- PR22-386 - Change Order Nos. 4 and 5 to Contract No. DCAM-14-CS-0098 Approval and Payment Emergency Declaration Resolution of 2017
- B22-364 - Change Order Nos. 4 and 5 to Contract No. DCAM-14-CS-0098 Approval and Payment Emergency Act of 2017

This legislation would approve Change Order Nos. 4 and 5 to Contract No. DCAM-14-CS-0098 with GCS-Sigal, LLC, and increase the total amount of the contract by \$4,432,612 to \$165,407,612. The contract is for design-build services for the modernization of the Duke Ellington School of the Arts. Change Order No. 4 increased the contract by \$994,205 due to design and construction of gender-neutral bathrooms, and Change Order No. 5 will increase the contract by \$3,438,407 to include construction of terrazzo flooring and upgrades to finishes, enclosures of entry vestibules, as well as increased permit costs.

- PR22-387 - Change Order Nos. 3 through 7 to Contract No. DCAM-16-CS-0074 Approval and Payment Authorization Emergency Declaration Resolution of 2017
- B22-365 - Change Order Nos. 3 through 7 to Contract No. DCAM-16-CS-0074 Approval and Payment Authorization Emergency Act of 2017

This legislation would approve Change Order Nos. 3 through 7 to Contract No. DCAM-16-CS-0074 with W.M. Schlosser Co., Inc., and increase the not-to-exceed amount of the contract by \$6,955,761 to \$33,662,849. The contract is for construction management services related to development of the future DC United Soccer Stadium site. Change Orders 3 through 7 are necessary primarily due to a revised scope of work for the contract, including increased size of bioretention and planters, modified underdrains, traffic signals and streetlights, changed fence design, change in type and quantity of pavers and gutters, and increased quantity of trees.

- PR22-379 - Modifications to Contract No. DCKA-2012-C-0089 with Capital Paving of D.C., Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2017
- B22-359 - Modifications to Contract No. DCKA-2012-C-0089 with Capital Paving of D.C., Inc. Approval and Payment Authorization Emergency Act of 2017

This legislation would approve Modification Nos. 20, 23, 24, and 25 to Contract No. DCKA-2012-C-0089 with Capital Paving of D.C., Inc., to exercise option year 4 of the contract in the amount of \$11,145,855, from April 9, 2017 to April 8, 2018. The contract is for restoration and paving of local streets.

- PR22-373 - Modification No. 1 to Contract No. DCKA-2016-C-0048 with Vanasse Hangen Brustlin, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2017
- B22-356 - Modification No. 1 to Contract No. DCKA-2016-C-0048 with Vanasse Hangen Brustlin, Inc. Approval and Payment Authorization Emergency Act of 2017

This legislation would approve Modification No. 1 to Contract No. DCKA-2016-C-0048 with Vanasse Hangen Brustlin, Inc., and increase the not-to-exceed amount of the contract from \$993,178.43 to \$4,100,000. The contract is for the National Environmental Policy Act study of the Long Bridge Project for the District Department of Transportation.

- PR22-377 - Modification Nos, 6, 7, 8, 9, 13, 14, 15 and 16 to Contract No CW32705 with Tetra Tech, Inc., Approval and Payment Authorization Emergency Declaration Resolution of 2017
- B22-357 - Modification Nos, 6, 7, 8, 9, 13, 14, 15 and 16 to Contract No CW32705 with Tetra Tech, Inc., Approval and Payment Authorization Emergency Act of 2017

This legislation would approve Modification Nos. 6, 7, 8, 9, 13, 14, 15, and 16 to Contract No. CW32705 with Tetra Tech, Inc. to exercise option year two of the contract in the not-to-exceed amount of \$10,000,000. The contract is for services related to the Anacostia River Toxics Remediation, including follow-up testing of the Anacostia River, data validation of samples already collected, drafting the remedial investigation report, developing and implementing monitoring and sampling plans for the Anacostia watershed, updating models, conducting natural resource damage assessment activities, and feasibility studies, and assisting the Department of Energy and Environment in regulatory review, public comment, and community outreach.

- Modification Nos. 49 and 50 to Contract No. DCKA-2011-C-0121 with Ratp Dev McDonald Transit Approval and Payment Authorization Emergency Act of 2017
- Modification Nos. 49 and 50 to Contract No. DCKA-2011-C-0121 with Ratp Dev McDonald Transit Approval and Payment Authorization Emergency Act of 2017

This legislation would approve Modification Nos. 49 and 50 to Contract No. DCKA-2011-C-0121 with Ratp Dev McDonald Transit to exercise option period 1 in the amount of \$40,474,750 between July 6, 2017 and July 5, 2022. The contract is for streetcar operations and maintenance, including all day-to-day functions of the streetcar.

Draft copies of the legislation and contract summaries are attached or available on ims.dccouncil.us. Please contact Nicole Rentz in my office at 724-8062 or nrentz@dccouncil.us if you have any questions.