

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 Change Order No. 6 to Contract No. DCAM-16-CS-0032 with MCN Build, Inc., for the modernization of Watkins Elementary School, and to authorize payment in the amount of \$1,753,916.00 for the goods and services received under the change order.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Change Order No. 6 to Contract No. DCAM-16-CS-0032 Approval and Payment Authorization Emergency Declaration Resolution of 2018.”

Sec. 2 (a) There exists an immediate need to retroactively approve Change Order No. 6 to Contract No. DCAM-16-CS-0032 with MCN Build, Inc. to authorize payment in the amount of \$1,753,916.00 for design-build services received under the change order in connection with the modernization of Watkins Elementary School.

(b) On July 1, 2016, the underlying contract was deemed approved by the Council as CA21-0423 in an initial not-to-exceed amount of \$32,000,000.

1 (c) The Department subsequently submitted Change Order Nos. 1 through 5, in an
2 aggregate amount of \$6,356,819.20, which were collectively approved by Council as Act
3 Number A22-0062, increasing the total contract amount from \$32,000,000 to
4 \$38,356,819.20.

5 (d) Change Order No. 6, in the amount of \$1,753,916.00, causes the aggregate
6 value of the contract to increase from \$38,356,819.20 to \$40,110,735.20 for goods and
7 services already received.

8 (e) Because Change Order No. 6 exceeds \$1 million, Council approval of the
9 Change Order No. 6 is now required pursuant to section 451 of the District of Columbia
10 Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-
11 204.51) and notwithstanding section 202(a) of the Procurement Practices Reform Act of
12 2010 (“PPRA”), effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-
13 352.02(a) *et seq.*).

14 Sec. 3. The Council of the District of Columbia determines that the
15 circumstances enumerated in section 2 constitute emergency circumstances making it
16 necessary that the “Change Order No. 6 to Contract No. DCAM-16-CS-0032 Approval
17 and Payment Authorization Emergency Act of 2018” be adopted after a single reading.

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