

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to amend the Electric Company Infrastructure Improvement Financing Act of 2014 to clarify the requirements related to the utilization of certified business enterprises and procurements for certain architectural and engineering services.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Power Line Undergrounding Program Certified Business Enterprise Utilization Emergency Declaration Resolution of 2018”.

Sec. 2. (a) The Council previously approved legislation to authorize certain actions related to the undergrounding of certain power lines within the District.

(b) The authorizing legislation established a goal that 100% of the construction contracts for the undergrounding project be awarded to “District businesses”.

(c) The reference to “District businesses”, rather than “certified business enterprises” (CBEs) has created confusion about the intent of the goal.

(d) In addition, existing law limits the ability to provide CBE set-asides or preference points for certain contracts related to the undergrounding project.

(e) The District Department of Transportation (“DDOT”) and the Office of Contracting and Procurement (“OCP”) are preparing significant solicitations related to the undergrounding project.

33 (f) The inability to provide certain CBE preferences is limiting the ability of
34 DDOT and OCP to maximize the utilization of CBEs on the undergrounding project.

35 (g) An amendment to existing law is therefore needed to maximize CBE
36 utilization on the undergrounding project and to clarify the intent of the existing “District
37 business” goal.

38 Sec. 3. The Council of the District of Columbia determines that the
39 circumstances enumerated in section 2 constitute emergency circumstances making it
40 necessary that the Power Line Undergrounding Program Certified Business Enterprise
41 Utilization Emergency Act of 2018 be adopted after a single reading.

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