

COUNCIL OF THE DISTRICT OF COLUMBIA  
**COMMITTEE ON FACILITIES AND PROCUREMENT**

ROBERT C. WHITE, JR., CHAIR

**MEMORANDUM**

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**TO:** Chairman Phil Mendelson  
**FROM:** Councilmember Robert C. White Jr.  
Chair, Committee on Facilities and Procurement   
**DATE:** October 1, 2020  
**RE:** Requests for the October 6, 2020 Legislative Meeting

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I request that the following measures be agendized for the October 6, 2020 Legislative Meeting:

Emergency Legislation at the Request of the Mayor

- “Modification Nos. 3 and 4 to Contract No. DCAM-18-CS-0059 with Keystone Plus Construction Corporation, Approval and Payment Authorization Emergency Declaration Resolution of 2020”
- “Modification Nos. 3 and 4 to Contract No. DCAM-18-CS-0059 with Keystone Plus Construction Corporation, Approval and Payment Authorization Emergency Act of 2020”

This measure would approve Modification No. 3 and 4 to the contract with Keystone Plus Construction Corporation for design-build services for Eastern Market Metro Park (EMMP). The aggregate amount of Modification No. 1 through 3 was less than \$1 million, thus Council’s approval was not required. Modification No. 3 increased the previously approved contract amount by \$900,559.67 and established the Guaranteed Maximum Price (GMP) for Phase I in the amount of \$6,400,559.67. Modification No. 4, in the amount of \$7,246,736.22, will establish the GMP for Phase II and increase the contract NTE amount to \$13,647,295.89. The aggregate increase to the Contract’s NTE amount, via Modification No. 3 and 4, would be \$8,147,295.89. These modifications are necessary to authorize the continuation of Phase I and II of this project to include architectural, urban design, engineering, consulting, construction and related services for the redevelopment and revitalization of the EMMP. The EMMP project consists of developing six land parcels to provide an improved public space for the community. This is a tipping contract request.

- “Contract No. DCAM-20-AE-0007 with DLR Group of DC, P.C. Approval and Payment Authorization Emergency Declaration Resolution of 2020”
- “Contract No. DCAM-20-AE-0007 with DLR Group of DC, P.C. Approval and Payment Authorization Emergency Act of 2020”

The proposed contract with DLR Group of DC, P.C. for architectural/engineering services and to compensate the contractor for services provided for this project in the aggregate amount of \$2,784,300.00 is for the modernization of Smothers Elementary School located in Ward 7. Once completed, the school will be in line with DCPS educational specifications. This modernization will address ADA requirements, expanded square footage in classrooms to create an adequate learning environment, expand the gym and cafeteria to allow for use of this space simultaneously during the school day, and provide the integrated design of additional rooms to allow for special

projects, collaborative work, and individual pull-out instruction. The selected contractor is a small business certified by DSLBD.

This contract was initiated as a letter contract. The project now requires approval for the definitized contract.

Bell Architects, PC and Newman Architects, PC filed a protest challenging the excluded parties from participating in the solicitation. On March 3, 2020, the Department filed separate motions to dismiss the protests as moot because the District accepted, and was evaluating, the protesters' responses to the solicitations. Subsequently, the CAB dismissed the protest with prejudice.

- “Contract No. DCAM-20-AE-0008 with Shinberg Levinas Architectural Design, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2020”
- “Contract No. DCAM-20-AE-0008 with Shinberg Levinas Architectural Design, Inc. Approval and Payment Authorization Emergency Act of 2020”

The proposed contract with Shinberg Levinas Architectural Design, Inc. for architectural/engineering Services in the aggregate amount of \$3,871,848.00 establishes the contract value and design fee for the project to renovate and modernize the design for School-within-School at Goding Elementary School located in Ward 6. This school has yet to receive a complete modernization. Once completed, the school will be line with DCPS educational specifications, and have an increased capacity of 350 students. The selected contractor is a small business certified by DSLBD.

This contract was initiated as a letter contract. The project now requires approval for the definitized contract.

As with the above contract, Bell Architects, PC and Newman Architects, PC also filed a protest challenging the exclusion of parties from participating in this solicitation. On March 3, 2020, the Department filed separate motions to dismiss the protests as moot because the District accepted, and was evaluating, the protesters' responses to the Solicitations. As previously noted, the CAB dismissed the protest with prejudice.