

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. 03 and 04 to Contract No. DCAM-20-NC-RFP-0001D, between the Department of General Services and RBK Construction, Inc., increasing the Contract's Option Year 1 aggregate not-to-exceed amount to \$3,474,733.00, and authorizing payment to RBK Construction Inc., for goods and services received and to be received under these modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as "Modification Nos. 03 and 04 to Contract No. DCAM-20-NC-RFP-0001D with RBK Construction, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2021".

Sec. 2 (a) There exists an immediate need to approve Modification Nos. 03 and 04 to Contract No. DCAM-20-NC-RFP-0001D (the "Contract") between the Department of General Services (the "Department") and RBK Construction, Inc. (the "Contractor") to increase the Contract's Option Year 1 aggregate not-to-exceed ("NTE") amount to \$3,474,733, and to authorize payment to the Contractor for goods and services received and to be received under the modifications.

1 (b) On May 31, 2021, the Department executed Modification No. 03 to exercise a
2 portion of Option Year 1, with an NTE amount of \$727,718.44, from June 1, 2021
3 through July 31, 2021. The proposed Modification No. 04, with an NTE amount of
4 \$2,747,014.56, would exercise the remaining portion of Option Year 1 and authorize the
5 continuation of services from August 1, 2021 through May 31, 2022.

6 (c) Modification No. 03 and proposed Modification No. 04 would increase the
7 Contract's Option Year 1 aggregate NTE amount by \$2,747,014.56, from \$727,718.44 to
8 \$3,474,733, an amount in excess of \$1 million during a 12-month period. Thus, Council
9 approval of the proposed Modification No. 04 is required pursuant to section 451 of the
10 District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C.
11 Official Code § 1-204.51), and the requirements of section 202 of the Procurement
12 Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official
13 Code § 2-352.02).

14 (d) In addition, Council approval of the proposed Modification No. 04 is
15 necessary to authorize the continuation of comprehensive city-wide landscaping
16 maintenance and supplemental landscaping services and compensate the Contractor for
17 services to be provided under proposed Modification No. 04.

18 Sec. 3. The Council of the District of Columbia determines that the
19 circumstances enumerated in section 2 constitute emergency circumstances making it
20 necessary that the "Modification Nos. 03 and 04 to Contract No. DCAM-20-NC-RFP-
21 0001D with RBK Construction, Inc. Approval and Payment Authorization Emergency
22 Act of 2020" be adopted after a single reading.

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