

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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District of
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Official Code*

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To amend, on a temporary basis, the Department of Youth Rehabilitation Services Establishment Act of 2004 to require the Mayor, or the Mayor's designee, to exercise contracting and procurement authority independent of the District of Columbia Procurement Practices Act of 1985 for the purposes of completing the Oak Hill Youth Center capital project to build a new facility for the rehabilitation of youth held in secure confinement, and to establish criteria to be considered by the Mayor, or the Mayor's designee, in awarding a contract for project design or construction; and to amend the District of Columbia Procurement Practices Act of 1985 to provide an exemption for the construction of a new facility for the rehabilitation of youth held in secure confinement.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Oak Hill Construction Streamlining Temporary Amendment Act of 2006".

Sec. 2. Section 107 of the Department of Youth Rehabilitation Services Establishment Act of 2004, effective April 12, 2005 (D.C. Law 15-335; D.C. Official Code § 2-1515.07), is amended by adding a new subsection (c) to read as follows:

*Note,
§ 2-1515.07*

"(c) Notwithstanding the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*), the Mayor, or the Mayor's designee, shall, subject to budget authority appropriated in an approved multiyear capital budget plan, exercise all contracting and procurement authority necessary to construct a new facility for the rehabilitation of youth held in secure confinement while committed to the District, pursuant to the Detention and Commitment Facilities Improvement Act of 2004, effective March 17, 2005 (D.C. Law 15-261; D.C. Official Code § 24-941); provided, that the Mayor, or the Mayor's designee, shall consider the following criteria in awarding a contract for project design or construction to an offeror:

"(1) The timeliness with which the offeror can reasonably and satisfactorily fulfill the obligations of the proposed contract;

"(2) The offeror's proposed price;

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“(3) The offeror’s technical approach and demonstrated expertise acquired from experience designing or constructing model, rehabilitation-oriented facilities for the detention or commitment of securely confined youth; and

“(4) The offeror’s status as a business enterprise certified pursuant to section 2361 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.31).”.

Sec. 3. Section 320 of the District of Columbia Procurement Practices Act of 1985, effective April 12, 1997 (D.C. Law 11-259; D.C. Official Code § 2-303.20), is amended by adding a new subsection (s) to read as follows:

**Note,
§ 2-303.20**

“(s) Nothing in this act shall affect the authority of the Mayor, or the Mayor’s designee, to exercise procurement authority necessary to construct a new facility for the rehabilitation of youth held in secure confinement while committed to the District, pursuant to the Detention and Commitment Facilities Improvement Act of 2004, effective March 17, 2005 (D.C. Law 15-261; D.C. Official Code § 24-941).”.

Sec. 4. Fiscal impact statement.

The Council adopts the March 7, 2006 fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

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Mayor
District of Columbia