

# ENROLLMENT(S)



(5)

# COUNCIL OF THE DISTRICT OF COLUMBIA

## NOTICE

### D.C. LAW 12-181

#### **"Vendor Payment and Drug Abuse, Alcohol Abuse, and Mental Illness Coverage Temporary Act of 1998"**

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198 "the Act", the Council of the District of Columbia adopted Bill No. 12-627, on first and second readings, June 2, 1998 and July 7, 1998, respectively. Following the signature of the Mayor on July 27, 1998, pursuant to Section 404(e) of "the Act", and was assigned Act No. 12-434 and published in the August 21, 1998, edition of the D.C. Register (Vol. 45 page 5948) and transmitted to Congress on January 25, 1999 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 12-181, effective March 26, 1999.



LINDA W CROPP  
Chairman of the Council

#### Dates Counted During the 30-day Congressional Review Period:

Feb. 2,3,4,8,9,10,11,12,22,23,24,25

Mar. 1,2,3,4,5,8,9,10,11,15,16,17,18,19,22,23,24,25

**ENROLLED ORIGINAL**

AN ACT  
D.C. ACT 12-434

*Codification  
District of  
Columbia  
Code  
1999 Supp.*

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 27, 1998

To authorize, on a temporary basis, the District of Columbia government to pay outstanding invoices for goods and services received during Fiscal Years 1995, 1996, 1997, and 1998, through September 30, 1998, for which the required purchase orders or contracts have not been executed or entered into the Financial Management System; and to amend the Drug Abuse, Alcohol Abuse, and Mental Illness Insurance Coverage Temporary Amendment Act of 1998 to change the number of employees necessary to meet the definition of a large employer from 15 to 51 employees.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Vendor Payment and Drug Abuse, Alcohol Abuse, and Mental Illness Coverage Temporary Act of 1998".

Sec. 2. Notwithstanding any other provision of District law, the Mayor may ratify the payment of claims made by the District government ("District"), prior to the effective date of this act, to vendors who provided goods or services to the District without benefit of a written purchase order or contract having been entered into the Financial Management System during Fiscal Years 1995, 1996, 1997, and 1998. The Mayor's ratification may be based on receipt of a certification from the Chief Procurement Officer ("CPO") that the payments were made in good faith pursuant to a written directive from the Financial Responsibility and Management Assistance Authority, and a determination that the vendor presented an invoice for goods or services specifying the dates the goods or services were delivered to and accepted by the District, the quantity of the goods delivered or the nature of the services provided, and the reasonable value of the goods or services to the District.

*Note, Section  
1-1181.5*

Sec. 3. (a) Notwithstanding any other provision of District law, the Mayor may receive claims and cause to be paid, in accordance with the provisions of this act, the claim of a vendor determined to have a valid claim for the value of goods or services provided to the District during Fiscal Years 1995, 1996, 1997, and 1998, through September 30, 1998, without benefit of

**ENROLLED ORIGINAL**

a valid written purchase order or contract having been entered into the Financial Management System.

(b) A vendor who receives a payment in accordance with the provisions of this act shall forfeit any claim for interest pursuant to the District of Columbia Government Quick Payment Act of 1984, effective March 15, 1985 (D.C. Law 5-164; D.C. Code § 1-1171 *et seq.*), and shall not have a cognizable claim or cause of action against the District in any way related to or arising under the provision of the goods or services or the payment of the claim.

(c) After the effective date of this act, a vendor shall be paid only if the CPO, finds that the requirements of subsections (c) and (d) of this section have been met.

(1) For all claims under \$50,000, the vendor shall provide the District with an invoice in sufficient detail to enable the CPO to determine the validity of the claim and that the vendor's request for payment represents the reasonable value of the goods and services received by the District. The invoice shall state the amount requested, the type and quantity of the goods or the nature of the services, and the date when the goods were delivered to the District or the services were rendered, and such other information as the CPO shall require.

(2) For all claims over \$50,000, the vendor shall provide the District with an invoice complying with the requirements of subsection (c)(1) of this section, accompanied by a sworn statement attesting: that goods or services were provided to the District; to the type and quantity of goods or services provided; to the dates the goods and services were provided; and that the District accepted the goods or services.

(3) For claims with a value under \$50,000, the CPO may delegate to the designated contracting officers authority to determine whether the vendor's invoice is correct, and if so, to certify that funds are available to pay the claim and to determine that the goods or services are of satisfactory quality and quantity and that the payment requested by the vendor represents the reasonable value of the goods or services received by the District.

(4) For claims with a value over \$50,000, the CPO may delegate to the designated contracting officers authority to determine whether the vendor's sworn statement is correct, and if so, to certify that funds are available to pay the claim and to determine that the goods and services are of satisfactory quality and quantity, and that the payment requested by the vendor represents the reasonable value of the goods or services received by the District.

(d) The District shall not make a payment pursuant to section 3 until the claimant executes a release, in a form the Mayor shall approve, which states that the payment to be received by the vendor is in full satisfaction of the claim, and that the vendor forever releases the District from any further liability for the value of the goods or services included in the claim.

Sec. 4. The Council, through this act, neither ratifies any payments made to vendors without properly executed contracts, nor authorizes the District or any of its agencies to exceed its budget authority for any fiscal year.

**ENROLLED ORIGINAL**

Sec. 5. This act shall have no adverse fiscal impact. The District intends to use funds which have already been appropriated in its Fiscal Year 1995, 1996, 1997, and 1998 budgets to make payment and resolve the claims.


Sec. 6. (a) Section 2(a) of the Drug Abuse, Alcohol Abuse, and Mental Illness Insurance Coverage Temporary Amendment Act of 1998, effective May 8, 1998 (D.C. Law 12-108; D.C. Code § 35-2301 note), is amended by striking the figure "15" and inserting the figure "51" in its place.

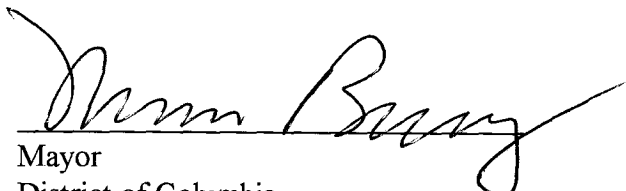
Note, Section  
35-2301

(b) There is no fiscal impact for the amendment of section (a) of this section. The amendment corrects a transposition that was enacted into law when the Council adopted the Drug Abuse, Alcohol Abuse, and Mental Illness Insurance Coverage Temporary Amendment Act of 1998.

Sec. 7. (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), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), 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. Code § 1-233(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

  
Mayor  
District of Columbia

APPROVED: July 27, 1998



## COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD TWELVE

## RECORD OF OFFICIAL COUNCIL VOTE

Docket No.

B12-627

| | ITEM ON CONSENT CALENDAR

☒ ACTION & DATE

ADOPTED FIRST READING, 6-2-98

☒ VOICE VOTE  
RECORDED VOTE ON REQUEST

APPROVED

CATANIA AND THOMAS

ABSENT

| | ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote      AB - Absent      NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date

☒ ITEM ON CONSENT CALENDAR☒ ACTION & DATE

ADOPTED FINAL READING, 7-7-98

☒ VOICE VOTE  
RECORDED VOTE ON REQUEST

APPROVED

ABSENT

ALL PRESENT

| | ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote      AB - Absent      NV - Present not voting

CERTIFICATION RECORD

Secretary to the Council

Date

| | ITEM ON CONSENT CALENDAR

| | ACTION &amp; DATE

☐ VOICE VOTE  
RECORDED VOTE ON REQUEST

ABSENT

| | ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote      AB - Absent      NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date