

A RESOLUTION

**Proposed
Resolution
20-778**

**See Emergency
D.C. Act 20-359
20 DCStat 3350**

To declare the existence of an emergency with respect to the need to approve Change Orders Nos. 001 and 002 to Contract No. DCAM-12-M-1031H-FM with MCH Build, LLC, for design-build services for Powell Elementary School, and to authorize payment to MCN Build, LLC, in the aggregate amount of \$20,446,980.57 for the goods and services received and to be received under these change orders.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Change Orders Nos. 001 and 002 to Contract No. DCAM-12-M-1031H-FM Approval and Payment Authorization Emergency Declaration Resolution of 2014”.

**Change
Orders Nos.
001 and 002 to
Contract No.
DCAM-12-M-
1031H-FM
Approval and
Payment
Authorization
Emergency
Declaration
Resolution of
2014**

Sec. 2. (a) There exists an immediate need to approve Change Orders Nos. 001 and 002 to Contract No. DCAM-12-M-1031H-FM for design-build services for Powell Elementary School in the aggregate amount of \$20,446,980.57 and to authorize payment for the goods and services received and to be received under these change orders.

(b) The underlying contract was competitively bid, awarded to MCN Build, LLC, and previously approved by the Council with a Phase A guaranteed maximum price of \$6,322,891 (CA20-0106). Thereafter, the Department of General Services issued Change Order No. 001. Change Order No. 001 was under \$1 million; thus, Change Order No. 001 did not require Council approval.

(c) Change Order No. 002 will cause the aggregate value of change orders issued after Council’s approval of the contract to exceed the \$1 million threshold pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Approval of Change Orders Nos. 001 and 002 in the aggregate amount of \$20,466,980.57 is necessary to compensate MCN Build, LLC for work completed and to be completed pursuant to Change Order Nos. 001 and 002 to Contract No. DCAM-12-M-1031H-FM for design-build services at Powell Elementary School.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Change Orders Nos. 001 and 002 to Contract No. DCAM-12-M-1031H-FM Approval and Payment Authorization Emergency Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.