

A RESOLUTION

**Proposed
Resolution
20-1106**

**See Emergency
D.C. Act 20-476
20 DCStat 4400**

To declare the existence of an emergency with respect to the need to approve Modification Nos. 4-6 to Contract No. NFPHC-121 between the Not-for-Profit Hospital Corporation (“NFPHC”) and Washington Imaging Associates of Maryland d/b/a Progressive Radiology to provide, in consultation with the NFPHC, radiology services at United Medical Center, and to authorize payment for the services received and to be received under the contract modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modification Nos. 4-6 to Contract No. NFPHC-121 Approval and Payment Authorization Emergency Declaration Resolution of 2014”.

**Modification
Nos. 4-6 to
Contract No.
NFPHC-121
Approval and
Payment
Authorization
Emergency
Declaration
Resolution of
2014**

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 4-6 to Contract No. NFPHC-121 (“Contract”) between the NFPHC and Washington Imaging Associates of Maryland d/b/a Progressive Radiology (“Progressive”) to provide, in consultation with the NFPHC, radiology services at United Medical Center, and to authorize payment for the services received and to be received under the contract modifications.

(b) After a competitive procurement under the NFPHC procurement rules, the NFPHC awarded Progressive a letter contract on July 13, 2011. A letter contract was used to allow Progressive to begin providing this critical service yet provided ample time for the parties to definitize the Contract. The letter contract had an initial period of 9 months and a value of \$912,450.

(c) Modification No. 1, deemed approved by the Council on April 12, 2012, was the definitized Contract that was submitted to and approved by Council for the base year contract period of July 13, 2011, to July 12, 2012 (CA19-307, approved by Council).

(d) Modification No. 2, effective July 27, 2012, exercised option year one of the Contract for an amount of \$1,364,900 for the period July 13, 2012, to July 12, 2013 (A19-426, approved by Council).

(e) Modification No. 3, deemed approved by Council on July 4, 2013, exercised option year two of the Contract for an amount of \$1,364,900 for the period July 4, 2013, to July 3, 2014 (CA20-124, approved by Council).

(f) Modification No. 4, effective July 4, 2014, exercised the first 3 months of option year three of the Contract for an amount of \$341,224.98 for the period July 4, 2014, to October 3, 2014, to allow the NFPHC time to negotiate focused performance metrics for insertion into the Contract.

(g) Modification No. 5, effective October 1, 2014, exercised an additional month of option year three of the Contract for an amount of \$113,741.66 for the period October 4, 2014,

to November 3, 2014, to allow time for NFPHC to request Council approval for the entire option year three as a tipping contract.

(h) Proposed Modification No. 6, will exercise the remaining 8 months of option year three of the Contract for an amount of \$909,933.36 for the period of November 4, 2014, to July 3, 2015, thereby bringing the total value of option year three to \$1,364,900.

(i) Emergency approval of Modification Nos. 4-6 for a total value of \$1,364,900 for the Contract option year three is necessary so that NFPHC can continue to support the program. Without this approval, Progressive cannot be paid for these critical services provided and to be provided in excess of \$1 million.

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 Modification Nos. 4-6 to Contract No. NFPHC-121 Approval and Payment Authorization Emergency Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.