

**A RESOLUTION**

**Proposed  
Resolution  
20-899**

**See Emergency  
D.C. Act 20-406  
20 DCStat 3886**

*To declare the existence of an emergency with respect to the need to approve the Amended and Restated Basic Ordering Agreement for Fiscal Year 2014 DCPS and DPR Small Construction Projects Contract No. DCAM-14-CS-0001A, including Task Order No. 001, between the District of Columbia government and Blue Skye Construction, LLC, and to authorize payment to Blue Skye Construction, LLC, in the amount of \$811,554 with a not-to-exceed amount of \$10 million for the goods and services received and to be received under this contract and task order.*

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Amended and Restated Basic Ordering Agreement for Fiscal Year 2014 DCPS and DPR Small Construction Projects Contract No. DCAM-14-CS-0001A, including Task Order No. 001, Approval and Payment Authorization Emergency Declaration Resolution of 2014”.

**Amended and  
Restated Basic  
Ordering  
Agreement for  
Fiscal Year  
2014 DCPS  
and DPR  
Small  
Construction  
Projects  
Contract No.  
DCAM-14-  
CS-0001A,  
including  
Task Order  
No. 001,  
Approval and  
Payment  
Authorization  
Emergency  
Declaration  
Resolution of  
2014**

Sec. 2.(a) There exists an immediate need to approve the Amended and Restated Basic Ordering Agreement for Fiscal Year 2014 DCPS and DPR Small Construction Projects Contract No. DCAM-14-CS-0001A, including Task Order No. 001, and to authorize payment in the amount of \$811,554 with a not to exceed amount of \$10 million for the goods and services received and to be received under this contract and task order.

(b) Task Order No. 001 was issued pursuant to the Basic Ordering Agreement for Fiscal Year 2014 DCPS and DPR Small Construction Projects Contract No. DCAM-14-CS-0001A (“Initial Contract”), which was competitively bid and issued with a minimum value of \$50. As the Initial Contract did not authorize any specific work or constitute a guarantee that any work would be assigned to Blue Skye Construction, LLC, no Council approval was required. Task Order No. 001 was then issued for \$811,554, and since the aggregate value of the Initial Contract and Task Order No. 001 was less than \$1 million, no Council approval was required.

(c) Subsequently, the Initial Contract’s terms and conditions were amended and restated, resulting in the issuance of the Amended and Restated Basic Ordering Agreement for Fiscal Year 2014 DCPS and DPR Small Construction Projects (“Contract”) with an established not-to-exceed value of \$10 million. All future work, if any, under the Contract will be awarded and released through individual project task orders, based on a competitive bidding process, as set forth in Section 1.2 of the Contract. Task orders may be issued up to the maximum not-to-exceed amount of \$10 million, which will cause the aggregate value of the Contract and task order to exceed the \$1 million threshold under 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 the Amended and Restated Basic Ordering Agreement for Fiscal Year 2014 DCPS and DPR Small Construction Projects Contract No. DCAM-14-CS-0001A,

including Task Order No. 001, in the amount of \$811,554 with a not-to-exceed amount of \$10 million is necessary to compensate Blue Skye Construction, LLC for work completed and to be completed pursuant to the Contract and task order.

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 Amended and Restated Basic Ordering Agreement for Fiscal Year 2014 DCPS and DPR Small Construction Projects Contract No. DCAM-14-CS-0001A, including Task Order No. 001, Approval and Payment Authorization Emergency Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.