

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend An Act Making appropriations to provide for the expenses of the government of the District of Columbia for fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes, to authorize the Mayor to enter into an agreement with a Business Improvement District or DC Surface Transit Inc. for maintenance and improvement of public space or to engage in public space planning activities.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Public Space Maintenance Contracting Authorization Amendment Act of 2014”.

Sec. 2. The text under the heading “ASSESSMENT AND PERMIT WORK” of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes, approved August 7, 1894 (28 Stat. 247; D.C. Official Code § 9-401.06), is amended as follows:

- (a) The first paragraph is designated as subsection (a).
- (b) The second paragraph is designated as subsection (b).
- (c) A new subsection (c) is added to read as follows:

“(c)(1) Notwithstanding the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), the Mayor may enter into an agreement, excluding grant agreements, with a BID corporation, as defined in section 2(4) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.02(4)), or with DC Surface Transit Inc., a nonprofit corporation in the District of Columbia, to maintain or improve public space, such as sidewalks and signage, within the boundaries of the BID, as defined in section 2(7) of the Business Improvement District Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.02(7)), or to engage in public space planning activities in the District.

“(2) The Mayor shall pay or reimburse to a BID corporation or DC Surface Transit Inc. for reasonably incurred expenses in maintaining or improving public space or for engaging in planning activity under this subsection for services customarily provided by the District to any similar geographic area pursuant to section 20(a) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.20(a)).

“(3) An agreement with a BID corporation or DC Surface Transit Inc. made pursuant to this subsection to complete work in public space shall contain provisions requiring adequate insurance and indemnification.

“(4)(A) An agreement with a BID corporation or DC Surface Transit Inc. made pursuant to this subsection shall not exceed \$250,000 for a single fiscal year; provided, that a multiyear agreement shall be allowed, subject to annual appropriation.

“(B) Beginning October 1, 2015, the amount referenced in subparagraph (A) of this paragraph shall be indexed by the percentage that the average of the Consumer Price Index for the Washington-Baltimore Metropolitan Statistical Area for all-urban consumers published by the Department of Labor, as of the close of the 12-month period ending on March 31 (“Consumer Price Index”) for the preceding fiscal year, exceeds the Consumer Price Index for the fiscal year beginning October 1, 2014, and each succeeding fiscal year.”.

**Sec. 3. Fiscal impact statement.**

The Council adopts the fiscal impact statement in the committee report 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. 4. Effective date.**

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.

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia