

A RESOLUTION

20-146

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 4, 2013

To declare the existence of an emergency with respect to the need to approve Change Order No. 2 to the Contract for Design-Build Services for the Phase 1 Modernization of Leckie Elementary School between the District of Columbia government and Forney Enterprises, Inc., Contract No. DCAM-12-M-1031F-FM, and to authorize payment to Forney Enterprises, Inc., in the amount of \$1,833,339.67 for the goods and services received under this change order.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Change Order No. 2 to Contract No. DCAM-12-M-1031F-FM Approval and Payment Authorization Emergency Declaration Resolution of 2013”.

Sec. 2.(a) There exists an immediate need to approve Change Order No. 2 to Contract No. DCAM-12-M-1031F-FM for design-build services, additional project scope, outstanding change requests, and the close-out of the Phase 1 project at Leckie Elementary School and to authorize payment in the aggregate amount of \$1,833,339.67 for the goods and services received under this change order.

(b) The Council of the District of Columbia previously approved Contract No. DCAM-12-M-1031F-FM (CA 19-0349) with a guaranteed maximum price (“GMP”) of \$4,239,245. Change Order No. 1 was an administrative change that did not increase the Contract’s GMP. Change Order No. 2 in the amount of \$1,833,339.67 causes the aggregate value of change orders issued after the Council’s approval to exceed the \$1 million threshold pursuant to D.C. Official Code § 1-204.51; thus, Council approval is required. Of this increase to the Contract’s GMP, \$440,000 was previously authorized by a partial release of work under Change Order No. 2 and is included in the \$1,833,339.67 total.

(c) Approval of Change Order No. 2 in the aggregate amount of \$1,833,339.67 is necessary to compensate Forney Enterprises, Inc., for work completed at Leckie Elementary School.

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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 Order No. 2 to Contract No. DCAM-12-M-1031F-FM Approval and Payment Authorization Emergency Act of 2013 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.