

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF GENERAL SERVICES



Contracts & Procurement

**DETERMINATION AND FINDINGS  
FOR  
EMERGENCY PROCUREMENT**

**Agency:** Department of General Services  
**Caption:** Fire Alarm System Expansion  
DC General East Wing Public Shelter  
**Contractor:** Simplex Grinnell LP (Simplex)

**FINDINGS**

**1. AUTHORIZATION:**

D.C. Code Section 2-354.05 and 27 DCMR Chapter 47, Section 4719.

**2. MINIMUM NEED:**

The Department of General Services (DGS) has an immediate need for Simplex to perform an assessment and upgrade of the Fire Alarm System located on the 1<sup>st</sup> floor of the East Wing at the DC General Public Shelter due to continuous extensive vandalism to the system. Simplex will need to replace all defective fire alarm system devices and replace all defective wiring on all the occupied upper floors of the East Wing of the public shelter. Currently the Fire Alarm will not pass DCRA Third Party Inspection Testing due to the Trouble Readings.

**3. ESTIMATED FAIR AND REASONABLE PRICE:**

The estimated fair and reasonable price is up to \$34,635.95

**4. FACTS WHICH JUSTIFY AN EMERGENCY PROCUREMENT:**

The purpose of this emergency procurement is to prevent the imminent threat to public health, welfare, and safety of the residents, staff and the general public at the shelter. Presently the facility is under the Fire Marshall ordered FIRE WATCH, and the Fire Marshall is threatening to shut down the Public Shelter if the facility is not immediately

brought into compliance with the fire code. It is the mission of DGS to provide first rate maintenance at District Government facilities and to elevate the quality of life for its citizens.


In accordance with D.C. Code § 10-551.01(b)(4) (The Department of General Services Establishment Act of 2011), the Department of General Services is responsible for providing building services for facilities owned and occupied by the District government. These services to include fire alarm safety at all municipal facilities owned and occupied by the District Government. The Facility Management Division (FMD) provides management, maintenance and engineering services for over three hundred (300) owned and leased properties.

An emergency contract with Simplex Grinnell, LP is needed to prevent the serious and imminent threat to the health and safety of the residents, staff and the general public. A competitive procurement process is not practicable under these circumstances because a new contract cannot be competitively bid and awarded in time to have a Contractor in place to provide the immediate fire alarm safety requirements to ensure compliance with Fire Marshall and DCRA Third Party Inspection. Failure to meet Fire Marshall and DCRA immediate requirements would quickly create potentially life threatening conditions for residents, staff and the general public.

**5. CERTIFICATION BY THE PROGRAM MANAGER :**

I hereby certify that the above findings are correct and complete.


11/10/2016  
Date

  
Emmanuel Nnoli, PE  
Capital Construction Division

**DETERMINATION**

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354.02 or 2-354.03) or the competitive solicitation process under the applicable Department of General Services Procurement Rules for Construction and Related Services (27 DCMR Chapter 47); and failure to start the immediate fire alarm systems assessment and upgrade poses an imminent threat to the health and safety of the residents, staff and the general public. Accordingly, I determine that the District is justified in using the emergency method of procurement to provide the required emergency fire alarm systems for the Public Shelter until such time as a contract can be competitively bid.

11/10/16  
Date

  
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George G. Lewis, CPPO  
Interim Associate Director of C&P