



Office of Contracting and Procurement  
Division of Capital Procurement  
P-Card Management Division

December 15, 2016

Dr. Elaine Crider  
Chair – Board of Trustee  
University of the District of Columbia  
4200 Connecticut Avenue  
Washington, DC 20008

Dr. Crider:

The following package is submitted in support of the request that the University of the District of Columbia Board of Trustee authorize the construction contract for Bertie Backus Campus, contract number GF-2015-C-0034. The package includes a Council Summary, Funding Certification (FIS), and Resolution letter documents. The construction contract value will be \$1,797,786.00. The associated support documentation has been reviewed by the University's Office of the General Council resulting in the attached Resolution. The funding has been reviewed and secured by the University's Chief Financial Officer resulting in the attached Fiscal Impact Statement.

My office is available to answer questions regarding this package.

Respectfully,

Mary Ann Harris  
Director of Contracting and Procurement/Chief Contracting Officer  
Office of Contracting and Procurement

## COUNCIL CONTRACT SUMMARY

Pursuant to the D.C. Procurement Practices Reform Act of 2010 Section 202(c), the following is provided:

**(A) The name of the contractor, contract amount, unit and method of compensation, contract term, and type of contract:**

Contractor:	Consys Inc.
Contract No.:	GF-2015-C-0034
Contract Amount:	\$1,797,786.00
Unit and Method of Compensation:	Progress payments will be made on the contract based on Executed Schedule of Values
Contract Term:	Commence on the date specified in the Notice to Proceed and complete within 180 calendar days from the starting date.
Contract Type:	Firm Fixed Price

**(B) The goods or services to be provided, the method of delivering goods or services, and any significant program changes reflected in the Proposed contract:**

Goods and services to be provided: The University of the District of Columbia (UDC) has a need for a qualified contractor to provide all labor, materials, equipment and supervision to repair and renovate the approximately 6,700 square foot Auditorium at the Bertie Backus Campus. The project shall include architectural, mechanical, and plumbing (MEP), Security, telecommunications and audio visual systems. The Bertie Backus Campus is located at 5171 South Dakota Avenue NE Washington, D.C. 20017.

Program Changes: There are no significant program changes in the contract.

**(C) The selection process, including the number of offerors, the evaluation criteria, and the evaluation results, including price and technical components:**

The selection process was Competitive Sealed Bids pursuant to Title 8 DCMR §3016 (Competitive Sealed Bids), and §3057 (Contractor Responsibility).

On June 17, 2015 the UDC Office of Contracts and Procurement issued and administered Invitation for Bids (IFB) No. GF-2015-B-0034 to purchase the services required. The IFB was designated to the Small Business Enterprise (SBE) Market with a 35% Set Aside requirement for D.C. Department of Small and Local Business Development (DSLBD) Certified Business Enterprises (CBE). It was advertised in the Washington Examiner on June 17, 2015 and posted on the UDC Website June 19, 2015. There were four amendments to the solicitation. Bids were due and received on August 3, 2015 not later than 2:00 p.m. As shown in Table 1 Consys Inc. submitted the lowest bid at \$1,797,786.00, the second lowest bidder was Winmar Inc. at \$2,200,000.00, the third lowest bidder was The Bennett Group at \$2,252,665.23, and the fourth lowest bidder was District Veterans Contracting Inc. at \$2,547,472.00

**Table 1**

<b>BIDDER</b>	<b>BID SUBMITTED</b>	<b>LSDBE %</b>	<b>EVALUATED BID</b>
Consys Inc.	\$1,797,786.00	9	\$1,635,985.26
Winmar Inc.	\$2,200,000.00	9	\$2,002,000.00
The Bennett Group	\$2,252,665.23	10	\$2,027,399.00
District Veterans Contracting Inc.	\$2,547,472.00	11	\$2,267,250.00

The period of performance is from the date specified in the Notice to Proceed (NTP) until not later than 180 calendar days afterward. Beneficial occupancy shall be made ready not later than 140 calendar days from the starting date in the NTP.

Below is an abstract of the bids received.

**(D) The background and qualifications of the proposed contractor, including its organization, financial stability, personnel, and prior performance on contracts with the District of Columbia government:**

A pre-award survey disclosed that the contractor has:

- a. Adequate financial resources, credit or the ability to obtain such resources as required during the performance of the contract based on an Independent Accountants' Review Report dated June 8, 2015 as of December 31, 2014 and 2013 which states that the contractor has a revolving line of credit at a financial institution with a borrowing limit of \$ 2,000,000.00 and annual interest rates of 7%. The outstanding balance at December 31, 2014 and 2013 was \$1,550,000.00 and \$1,250,000.00 respectively. The contractor submitted a bid bond and has agreed to performance and payment bonds prior to award. Additionally, a Dun & Bradstreet Report dated November 6, 2015 gives the contractor a narrative viability score of "low risk."

- b. The ability to comply with the required or proposed delivery or performance schedule, taking into consideration all existing commercial and governmental business commitments based on past performance evaluations from:
- i. Daniel Simmons  
District of Columbia Housing Authority  
Type of Service Provided: Design Build and Permit Expediting  
Evaluation: Excellent
  - ii. Marvin J. King  
District of Columbia Courts  
Type of Service Provided: General Contracting  
Evaluation: Excellent
  - iii. Alex Garrett, Capital Program Administrator  
University of the District of Columbia  
Type of Service Provided: Installation of Green Roof/Greenhouse Renovation  
Evaluation: Good
- c. The necessary organization, experience, accounting and operational control, technical skills or the ability to obtain them based on the rating of "Good" on the past performance evaluation submitted by its former clients listed above. Additionally, the contractor is a certified by the Department of Small and Local Business Development as a certified business enterprise.
- d. Compliance with applicable District licensing and tax laws and regulations based on:
- i. The DC Department of Employment Services' certification that the contractor is in compliance with D.C. Unemployment Insurance tax laws and regulations.
  - ii. The DC Office of Tax & Revenue's certification that the contractor is registered to conduct business with the District and that it is in good standing with the District.
- e. A satisfactory record of integrity and business ethics based on:
- i. The contractor is not listed on the District Government debarred list;
  - ii. The contractor is not listed on the Federal Government debarred list; and
  - iii. The UDC Office of Contracts and Procurement has no knowledge that the contractor has an unsatisfactory record of integrity or business ethics.

- f. The necessary production, construction and technical equipment and facilities or the ability to obtain them based on the past performance evaluations referenced in Section 4(b) above.
- g. Other qualifications and eligibility criteria necessary to receive an award under applicable laws and regulations based on:
  - 1. Consys Inc. has entered into a First Source Employment Agreement with the DC Department of Employment Services relative to the contract proposed.
  - 2. The Office of Human Rights has certified that Consys Inc.'s EEO Employer Information Report and agreements comply with the requirements of Mayor's Order 85-85.
  - 3. Consys Inc. has submitted a sub-contracting plan certifying that 35% of the work will be set-aside to BMD, Inc., which is a District certified small business enterprise (CBE #LSDZV68718092016).

**(E) Performance standards and expected outcomes of the proposed contract:**

The required performance standards under the proposed contract consist of strict adherence to the terms and conditions of Invitation for Bids No. GF-2015-B-0034, including the Standard Contract Provisions for use with District of Columbia Government Construction Projects, Revised January 2007.

**(F) A certification that the proposed contract is within the appropriated budget authority for the agency for the fiscal year and is consistent with the financial plan and budget adopted in accordance §§ 47-392.01 and 47-392.02:**

The Chief Financial Officer for UDC has certified that the proposed contract is within the appropriated budget authority for the agency for the fiscal year and is consistent with the financial plan and budget adopted in accordance with §§47-392.01 and 47-392.02.

**(G) A certification that the proposed contract is legally sufficient and has been reviewed by the Office of the General Counsel, including whether the proposed contractor has any currently pending legal claims against the District:**

The UDC Office of General Counsel has deemed the proposed contract legally sufficient. UDC has no knowledge of any claim(s) by Consys Inc. against the District.

**(H) A certification that the proposed contractor is current with its District and Federal Taxes or has worked out and is current with a payment schedule executed by the District or Federal government:**

Verification statements were obtained from DC Office of Tax and Revenue and the Department of Employment Services indicating the contractor's compliance with District tax laws.

**(I) The status of the proposed contractor as a certified local, small, or disadvantaged business enterprise:**

Consys Inc. is a Local Business Enterprise (LBE), Small Business Enterprise (SBE) and Resident-owned Business (ROB).

**(J) Other aspects of the proposed contract that the Contracting Officer deems significant:**

There are no other aspects of the proposed contract that the Contracting Officer deems significant.

**(K) Procurement Chronology**

On May 22, 2015 the Office of Contracts and Procurement received a request from Alan Walsh, Project Manager in the UDC Office of Facilities and Real Estate Capital Construction Division, requesting that an Invitation for Bids be issued for the renovation of the Bertie Backus Auditorium. The request was accompanied by an independent government cost estimate, requisition, drawings and specifications. It was assigned to James Jenkins, Contract Specialist.

On June 16, 2015 the Chief Contracting Officer approved for Invitation for Bids number GF-2015-B-0034 to be issued to purchases the services required.

On June 17, 2015 the Invitation for Bids was published in the Washington Times Newspaper.

On June 19, 2015 the Invitation for Bids was posted on the UDC website.

On June 26, 2015 a Pre-Proposal Conference was conducted at the UDC Van Ness Campus and facilitated a site visit for prospective bidders.

On July 1, 2015 Amendment No. 1 to the solicitation was issued to extend the bid submission date to July 24, 2015 not later than 2:00 p.m. and extend the Beneficial Occupancy days from 114 to 140 from the starting date specified in the Notice to Proceed.

On July 22, 2015 Amendment No. 2 to the solicitation was issued to extend the bid submission date to July 31, 2015 not later than 2:00 p.m. and provide answers to questions submitted by prospective bidders.

On July 24, 2015 Amendment No. 3 to the solicitation was issued to provide answers to questions submitted by prospective bidders.

On July 30, 2015 Amendment No. 4 to the solicitation was issued to provide a Flow Test Report and Project Drawing referenced in Amendment #3, question #8 and to extend to bid submission date to August 3, 2015 not later than 2:00 p.m.

On August 3, 2015 bids were received from the following and Consys Inc. evolved as the apparent lowest bidder:

On August 4, 2015 action on the solicitation was suspended due to the dollar amount.

On October 22, 2015 the Office of Tax and Revenue certified that Consys Inc. is in compliance with D.C. tax laws and regulations.

On October 27, 2015 pre-award activity on the solicitation resumed as follows:

- a. Business Clearance Memorandum (BCM) initiated for the UDC Board of Trustees to consider approval of the proposed contract.
- b. The Office of Human Rights approved the contractor's Affirmative Action Plan.
- c. The Department of Employment Services certified that the contractor is in compliance with Unemployment Insurance Tax law and regulations.
- d. The Department of Employment Services approved the contractor's First Source Employment Agreement.
- e. A Determination and Findings of responsibility was prepared for the contracting officer's approval following a pre-award survey.
- f. A Determination and Findings of Price Reasonableness was prepared for the contracting officer's approval following price analysis.

**A statement indicating whether the proposed contractor is currently debarred from providing services to any governmental entity (federal, state or municipal), the dates of the debarment, and the reason for debarment.**


As of January 7, 2016, Consys Inc.'s name does not appear on the federal or District Excluded Parties List/System.



Donald L. Rickford  
Chief Financial Officer

Office of the Chief Financial Officer

TO: Mary Ann Harris  
Director, Contracting & Procurement  
University of the District of Columbia

FROM: For Donald L. Rickford   
Chief Financial Officer  
University of the District of Columbia

DATE: December 04, 2015

RE: Funding Certification for Construction of Backus Auditorium Renovation Phase III

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This is to certify that funds are available in the amount of \$1,797,786.00 of the FY16 Capital Budget for the Office of the VP of Real Estate & Facilities Management for Solicitation No.:GF-2015-C-0034. The funds for the Construction of Bertie Backus Auditorium Renovation Phase III are available under Index CP34D and Account Code 713165. The vendor for the renovation is

Consys Inc.

If you have any questions please contact David Franklin at 202-274-5706.



**BOARD OF TRUSTEES**

**UNIVERSITY OF THE DISTRICT OF COLUMBIA**

**UDC Resolution No. 2016-\_\_**

**SUBJECT: Approval of Proposed Contract number GF-2015-R-0035 for construction work for Bertie Backus Auditorium Renovation Phase III**

**WHEREAS**, pursuant to D.C. Official Code § 38-1241.01, the University of the District of Columbia has the authority and responsibility to implement its capital procurement program; and

**WHEREAS**, the administration has presented a proposed contract for the award of construction contract number GF-2015-C-0034 for Bertie Backus Auditorium Phase III; and

**WHEREAS**, the Board has received all terms of the contract, as well as all necessary certifications from the administration; and

**WHEREAS**, the Board is satisfied that the proposed contract represents the proper culmination of the University's procurement process and represents the best value to the University;

**NOW THEREFORE, BE IT RESOLVED** that the University of the District of Columbia is hereby authorized to forward to the Council of the District of Columbia for its approval of the proposed contract number GF-2015-C-0035 for the award of construction work for Bertie Backus Auditorium Renovation Phase III.

Submitted by the Operations Committee:

\_\_\_\_\_  
Date

Approved by the Board of Trustees:

\_\_\_\_\_  
Date

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Dr. Elaine A. Crider  
Chairperson of the Board