

THE OFFICE OF CONTRACTING AND PROCUREMENT**NOTICE OF EMERGENCY RULEMAKING**

The Chief Procurement Officer of the District of Columbia ("CPO"), pursuant to authority granted by sections 202 and 204 of the District of Columbia Procurement Practices Act of 1985 ("PPA"), effective February 21, 1986, D.C. Law 6-85, D.C. Official Code §§ 2-302.02 and 2-302.04 (2006 Repl.), section 1103(b) of the PPA (D.C. Official Code § 2-311.03(b)), and Mayor's Order 2002-207, dated December 18, 2002, hereby gives notice of the adoption on July 18, 2007 of the following amendment to Chapter 21 of Title 27 of the District of Columbia Municipal Regulations (Contracts and Procurements). This rulemaking is intended to amend Chapter 21 of Title 27 D.C. Municipal Regulations ("DCMR"), which chapter concerns required sources of supplies and services, to establish a sales discount on all sales made under contracts awarded under the District of Columbia's multiple award schedule procurement program, also known as the D.C. Supply Schedule ("DCSS"). The emergency rule will allow the CPO to charge and collect, on a quarterly basis, from contractors awarded contracts in the DCSS, a sales discount in the amount of one percent (1%), on all sales, purchase orders, delivery orders, task orders, and purchase card transactions made under contracts awarded under the DCSS.

The rules were originally adopted as emergency and proposed rules on March 22, 2007 and published in the *D.C. Register* on April 13, 2007, at 54 DCR 3316. The emergency rule expires on July 20, 2007. The proposed rule has been submitted to the Council of the District of Columbia for its review pursuant to section 205(b) of the PPA (D.C. Official Code § 2-302.05(b)), and will be published in the *D.C. Register* after either Council approval or expiration of a 60-day Council review period. No changes have been made to the rule as originally adopted.

Emergency rulemaking is necessary because, without the rule, the CPO may not charge and collect the sales discount from DCSS contractors, which funds pay the costs of operating the DCSS program. The emergency rule will remain in effect up to one hundred twenty (120) days from date of adoption, unless earlier superseded by another rulemaking notice or by publication of a Notice of Final Rulemaking in the *D.C. Register*.

Chapter 21, (Required Sources of Supplies and Services) of Title 27 DCMR, (Contracts and Procurement) is amended by adding a new section 2106 to read as follows:

**2106 SALES DISCOUNT UNDER MULTIPLE AWARD SCHEDULE
PROCUREMENT PROGRAM**

- 2106.1 The Chief Procurement Officer may charge and collect, on a quarterly basis, a sales discount in the amount of one percent (1%), on all sales, purchase orders, delivery orders, task orders, and purchase card transactions invoiced under contracts awarded under the District of Columbia's multiple award schedule procurement program, also known as the District of Columbia Supply Schedule.