

ENROLLED ORIGINAL

A RESOLUTION

17-211

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To declare the existence of an emergency with respect to the need to approve modifications to Contract No. DCJA-2006-D-SC01 for emergency shelter services to homeless residents of the District of Columbia and to authorize payment for services received and to be received under that contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Contract No. DCJA-2006-D-SC01 Approval and Payment Authorization Emergency Declaration Resolution of 2007".

Sec. 2. (a) There exists an immediate need to approve modification Nos. 8, 9, 10, 11, 12, 13, and 14 and proposed modification No. 15 to Contract No. DCJA-2006-D-SC01 for emergency shelter services to homeless residents of the District of Columbia and to authorize payment for services received and to be received under that contract.

(b) On November 26, 2006, the Council approved the exercise of option year one of Contract No. DCJA-2006-D-SC01 with The Community Partnership for the Prevention of Homelessness ("TCP") to provide emergency shelter services to homeless residents of the District of Columbia in the amount of \$28,483,602.99. The option was awarded to TCP on November 29, 2006.

(c) Modification No. 8, dated December 13, 2006, added shelter services in the amount of \$168,000.

(d) Modification No. 9, dated January 10, 2007, added shelter services in the amount of \$2,000.

(e) Modification No. 10, dated February 23, 2007, added shelter services in the amount of \$32,075.

(f) Modification No. 11, dated February 26, 2007, added shelter services in the amount of \$5,909,652.

(g) Modification No. 12, dated January 26, 2007, added shelter services in the amount of \$60,000.

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(h) Modification No. 13, dated February 26, 2007, added shelter services in the amount of \$83,000.

(i) Modification No. 14, dated March 16, 2007, added shelter services in the amount of \$696,000.

(j) Modification No. 15, in the amount of \$2.995 million, is now necessary for additional shelter services during option year one.

(k) Council approval is necessary as these modifications increase the contract by more than \$1 million during a 12-month period and to allow the continuation of these vital services and ensure the safety and security of the District's homeless residents. Without Council approval, TCP cannot be paid for services provided in excess of \$8,965,727.

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 Modifications to Contract No. DCJA-2006-D-SC01 Approval and Payment Authorization Emergency Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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17-212

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To declare the existence of an emergency with respect to the need to approve Contract No. DCAM-2007-C-0081 for the Eastern Market Stabilization and Demolition Project and to authorize payment for the services received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCAM-2007-C-0081 Approval and Payment Authorization Emergency Declaration Resolution of 2007".

Sec. 2. (a) There exists an immediate need to approve Contract No. DCAM-2007-C-0081 for the Eastern Market Stabilization and Demolition Project in an amount not to exceed \$1.5 million for the 120-day period of the contract and to authorize payment for the services received under the contract.

(b) On April 30, 2007, a 3-alarm fire at the historic Eastern Market, a Capitol Hill landmark, gutted the interior of the structure, displacing 14 private merchants. Eastern Market is one of the buildings in the Office of Property Management's ("OPM") portfolio of owned and leased buildings. The aftermath of the fire created an immediate threat to the safety and welfare of the community and general public due to falling building debris and the potential for collapse of the entire structure. As an outcome of this unfortunate accident, it was crucial that the Office of Contracting and Procurement ("OCP"), on behalf of OPM, immediately enter into a contract for stabilization and demolition of certain sections of the Eastern Market, as well as to design and install a weather-proof temporary roof.

(c) On April 30, 2007, OCP awarded a 60-day letter contract in the amount of \$750,000 to allow the stabilization and demolition to commence. The letter contract stated that the District intended to award a definitive contract in an amount not to exceed \$1.5 million and for a contract period of 120 days (inclusive of the letter contract amount and 60-day contract period). OCP is in the process of negotiating the final terms and amount of the definitive contract, which will not exceed the \$1.5 million amount set forth in the letter contract. Stabilization and demolition work commenced immediately upon the award of the letter contract on April 30, 2007.

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(d) Approval is necessary to allow the continuation of these critical services to stabilize and preserve the remaining portions of this historic structure and to ensure the safety and security of the Eastern Market community, the general public, and District government employees as they pass by, work near, or work on the Eastern Market site.

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 Contract No. DCAM-2007-C-0081 Approval and Payment Authorization Emergency Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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17-213

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To declare the existence of an emergency with respect to the need to approve Contract No. DCAM-2007-C-2103, a multiyear contract with PEPCO Energy Services, Inc., for the purchase of natural gas supply services for the use of the District.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCAM-2007-C-2103 (Delivery of Natural Gas Supply Services) Emergency Declaration Resolution of 2007".

Sec. 2. (a) The Office of Contracting and Procurement, on behalf of the District of Columbia, conducted a reverse auction on Monday, June 4, 2007, by which prospective vendors submitted bids below the utilities' Standard Offer Service price as filed with the Public Service Commission.

(b) Immediate Council approval of Contract No. DCAM-2007-C-2103 (Delivery of Natural Gas Supply Services) is necessary to prevent the District from incurring significant cost associated with holding an energy contract open.

(c) Due to the volatility of the natural gas market, suppliers add a premium to the price of natural gas for every day the price is held for a customer. The premium is the price paid for protecting the supplier from risk that the market price may change. Thus, the longer the time period between the date of the contract award and final Council approval, the higher the total cost to the District. If the District were to delay approval of Contract No. DCAM-2007-C-2103, it will incur an otherwise avoidable additional cost in excess of \$3 million.

(d) To realize the significant savings, the Council of the District of Columbia must approve Contract No. DCAM-2007-C-2103 immediately. The contract is in the amount of \$25,364,000 for fiscal year 2008, and has a 3-year base period from December 1, 2007, with 2 one-year options.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCAM-2007-C-2103 (Delivery of Natural Gas Supply Services) Emergency Approval Resolution of 2007 be adopted on an emergency basis.

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Sec. 4. This resolution shall take effect immediately.

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To approve multiyear Contract No. DCAM-2007-C-2103 with PEPCO Energy Services, Inc., for the purchase of natural gas supply services for the use of the District.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCAM-2007-C-2103 (Delivery of Natural Gas Supply Services) Emergency Approval Resolution of 2007".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), the Council of the District of Columbia approves Contract No. DCAM-2007-C-2103, a multiyear agreement, with PEPCO Energy Services, Inc., for natural gas supply services for the District. The contract is in the amount of \$25,364,000, and has a 3-year base period with 2 one-year options.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. This resolution shall take effect immediately.

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17-215

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To declare the existence of an emergency with respect to the need to approve Contract No. POAM-2005-C-0100B for legal services in support of the District's eminent domain litigation concerning the Ballpark site, and to authorize payment for the services received under that contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. POAM-2005-C-0100B Approval and Payment Authorization Emergency Declaration Resolution of 2007".

Sec. 2. (a) There exists an immediate need to approve Contract No. POAM-2005-C-0100B for legal services in an amount of \$2.2 million for the first option year and the amount of \$1.6 million for the second option year in support of the District's eminent domain litigation concerning the Ballpark site and to authorize payment for the services received under that contract.

(b) On October 17, 2005, the Office of Contracting and Procurement, on behalf of the Office of the Attorney General for the District of Columbia, awarded this contract, with 4 one-year options, to Venable, LLP to provide legal services in support of the District's eminent domain litigation to determine the amount of just compensation due to the owners of parcels of land on the Ballpark site. The maximum value for these services for the base year was established as \$950,000. Payments for services rendered pursuant to adjusted billings during the base year totaled \$945,762.01, of which approximately \$616,441.00 were for services performed pursuant to purchase orders.

(c) The District exercised its option to extend the contract for the first option year effective October 17, 2006, again at a maximum price of \$950,000. Invoiced charges for services rendered through March 6, 2007, total \$1,250,564.40, payments for which have not been made and which require Council approval.

(d) The District intends to increase the maximum amount for option year one from \$950,000 to \$2.2 million and to increase the amount for option year 2 from \$950,000 to \$1.6 million so that option year 2 may be exercised at the increased rate prior to expiration of option year one.

(e) The Venable law firm has been actively and fully engaged in extensive discovery

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and in the various court appearances and motions required to fully protect the District in this case, in which the landowners seek substantial additional compensation payments from the District. Discovery is ongoing and may be extended. Whether extended or not, continued active participation by Venable in completing discovery is essential. Thereafter, following usual trial practice, the District expects that the parties will file and need to respond to a variety of motions and to participate in the Superior Court's mediation process. Uninterrupted continuation of legal services by Venable through trial is required to best protect the interests of the District in this case involving multiple parties.

(f) Council approval is necessary to allow the District to continue to receive the benefit of these legal services in its eminent domain litigation to determine just compensation due for properties on the Ballpark site.

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 Contract No. POAM-2005-C-0100B Approval and Payment Authorization Emergency Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To declare the existence of an emergency with respect to the need to approve a contract with Turner Construction Company to renovate certain athletic facilities at various high schools to ensure that the facilities are ready for the 2007/08 school year.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "High School Athletic Field Renovation Emergency Declaration Resolution of 2007".

Sec. 2. (a) The athletic facilities at Wilson Senior High School, Coolidge Senior High School, Dunbar Senior High School, Roosevelt Senior High School, and McKinley Technology School are in disrepair and need to be renovated to host athletic events during the 2007/08 school year and beyond.

(b) On May 21, 2007, the District of Columbia Public Schools entered into a Memorandum of Understanding with the District of Columbia Sports and Entertainment Commission ("Sports Commission") pursuant to which the Sports Commission has agreed to undertake the renovation of the high school athletic facilities.

(c) Subsequent to the execution of the Memorandum of Understanding, the Sports Commission negotiated a design/build agreement with Turner Construction Company in which Turner Construction Company has agreed to renovate the athletic fields, including the installation of artificial turf and a new track, press box, scoreboard, and lighting towers.

(d) For the work to be completed in time for the beginning of the 2007/08 school year, Turner Construction Company must be authorized to purchase the artificial turf and lighting towers, and to otherwise begin preconstruction activities immediately.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitutes emergency circumstances making it necessary that the High School Athletic Field Renovation Contract Emergency Approval Resolution of 2007 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

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17-217

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To approve, on an emergency basis, Contract CA17-160 with Turner Construction Company for renovation of athletic fields at 5 high schools, which was submitted to the Council by the District of Columbia Sports and Entertainment Commission on May 31, 2007.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "High School Athletic Field Renovation Contract Emergency Approval Resolution of 2007".

Sec. 2. (a) Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), the Council approves Contract CA17-160, which was submitted to the Council by the District of Columbia Sports and Entertainment Commission on May 31, 2007.

Sec. 3. The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the District of Columbia Sports and Entertainment Commission and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To declare the existence of an emergency with respect to the need to approve the expenditure of additional certified revenue for the rebuilding of Eastern Market and the Georgetown Public Library; and to exempt dislocated interior market tenants at Eastern Market from the remittance of corporate and unincorporated business taxes and sales taxes from February 1, 2007 through April 30, 2007.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Eastern Market and Georgetown Public Library Disaster Relief Emergency Declaration Resolution of 2007".

Sec. 2. (a) There exists an immediate need to approve the expenditure of additional revenue, available through a revised quarterly revenue estimate, for the rebuilding of Eastern Market and the Georgetown Public Library and to authorize the exemption from the remittance of corporate and unincorporated business taxes and sales taxes by interior vendors of Eastern Market.

(b) On April 30, 2007, Eastern Market and the Georgetown Public Library were devastated by three-alarm fires. Eastern Market, the 134 year-old market in the heart of the Capitol Hill neighborhood, is known throughout the District for its food, flowers, and vibrant flea market. The Georgetown Public Library, a 1935 Georgian revival mansion, a hisorical building itself, is known for its local historical collection.

(c) Eastern Market and the Georgetown Public Library are not only important to the residents of those neighborhoods but to every District resident, and to visitors to the District. The District government needs to rebuild these landmark institutions immediately.

(d) Additionally, the devastating fire at the Eastern Market on April 30, 2007, has had a serious impact on the financial condition of the interior market tenants at Eastern Market. To preserve the businesses of these dislocated tenants, the District government needs to provide immediate financial relief. One method of providing relief would be to exempt the vendors from the payment of certain taxes.

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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 Eastern Market and Georgetown Public Library Disaster Relief Emergency Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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17-219

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To declare the existence of an emergency with respect to the need to approve the sale of certain abandoned and deteriorated real property owned by the District of Columbia, which real property is located at 744 Harvard Street, N.W., 1428 Perry Place, N.W., 1222 4th Street, N.W., 1320 Trinidad Avenue, N.E., 1800 M Street, N.E., and 627 14th Place, N.E., Washington, D.C., and designated for assessment and taxation purposes as Square 2887, Lot 0186, Square 2688, Lot 0029, Square 0513, Lot 0903, Square 4063, Lot 0130, Square 4445, Lot 0124, and Square 1051, Lot 0091, respectively.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Blighted Real Property Disposition Emergency Declaration Resolution of 2007".

Sec. 2. (a) Pursuant to section 433 of the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, effective April 19, 2002 (D.C. Law 14-114; D.C. Official Code § 42-3171.03) ("Act"), the Mayor transmitted to the Council a request for Council approval for the disposition of the properties located at 744 Harvard Street, N.W., 1428 Perry Place, N.W., 1222 4th Street, N.W., 1320 Trinidad Avenue, N.E., 1800 M Street, N.E., and 627 14th Place, N.E., Washington, D.C., and designated for assessment and taxation purposes as Square 2887, Lot 0186, Square 2688, Lot 0029, Square 0513, Square 4063, Lot 0130, Square 4445, Lot 0124, and Square 1051, Lot 0091, respectively ("Properties"). The Properties were abandoned or deteriorated properties acquired by the Mayor for the public purpose of eliminating slum and blight pursuant to the Act. The disposition of the Properties pursuant to the Act shall be subject to the various terms and conditions set forth in the request transmitted to the Council.

(b) The District government has received numerous complaints from the adjacent neighbors to these Properties regarding the unsafe conditions of the Properties due to their deteriorated nature. The conditions of these Properties directly threaten and adversely impact the health and safety of the adjacent property owners and neighbors. For these reasons, the neighbors have requested that these Properties be disposed of immediately to protect the residents of the District.

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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 Blighted Real Property Disposition Emergency Approval Resolution of 2007 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-220

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To approve, on an emergency basis, the sale of certain abandoned and deteriorated real property owned by the District, which real property is located at 744 Harvard Street, N.W., 1428 Perry Place, N.W., 1222 4th Street, N.W., 1320 Trinidad Avenue, N.E., 1800 M Street, N.E., and 627 14th Place, N.E., Washington, D.C., and designated for assessment and taxation purposes as Square 2887, Lot 0186, Square 2688, Lot 0029, Square 0513, Lot 0903, Square 4063, Lot 0130, Square 4445, Lot 0124, and Square 1051, Lot 0091, respectively.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Blighted Real Property Disposition Emergency Approval Resolution of 2007".

Sec. 2. (a) Pursuant to section 433 of the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, effective April 19, 2002 (D.C. Law 14-114; D.C. Official Code § 42-3171.03) ("Act"), the Mayor transmitted to the Council a request for Council approval for the disposition of the Properties. The Properties were abandoned or deteriorated property acquired by the Mayor for the public purpose of eliminating slum and blight pursuant to the Act. The disposition of the Properties pursuant to the Act shall be subject to the following terms and conditions, in addition to such other terms and conditions as the Mayor deems necessary and appropriate:

- (1) The Properties shall be sold to Developers selected by the Mayor by negotiated sale;
- (2) The Properties shall be developed as single family homes;
- (3) Upon completion of development, the Properties shall be sold to Eligible Purchasers;
- (4) The District shall reserve the right to reacquire any Properties for which the Developer fails to complete the development, as stated in paragraph (6) of this subsection;
- (5) Each Developer shall execute an LSBDE MOU and First Source Agreement, as defined in subsection (b) of this section, acceptable to the Mayor for the construction of the Properties;
- (6) Each Developer shall have up to 360 days from the date of the negotiated sale

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to obtain regulatory approval for the construction and development of that Developer's Properties, and from the date of regulatory approval, the Developer shall have an additional 360 days to complete construction and development of the Properties; and

(7) The Developer shall cause any Affordable Unit developed and sold to be affordable to persons with incomes at or below either 80% or 60% of the area median income.

(b) For the purposes of this section, the term:

(1) "Developer" means a person or entity that develops real estate for commercial or residential use.

(2) "Eligible Purchaser" means a household consisting of one or more individuals who purchases or rents a property or unit created as a result of the authorization pursuant to this resolution and certifies that the household intends to use the unit as the household's primary residence.

(3) "First Source Agreement" means an agreement with the Department of Employment Services governing certain obligations of the Developer of the Properties pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor's Order 83-265 (November 9, 1983), regarding job creation and employment generated as a result of the construction contemplated in this resolution.

(4) "LSDBE MOU" means an agreement with the Department of Small and Local Business Development governing certain obligations of the Developer of the Properties under the Small, Local, and Disadvantaged Business Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*), requiring contracting and employment of local, small businesses for at least 50% of all the pre-construction and construction of the improvements contemplated in this resolution.

(5) "Properties" means:

(A) 744 Harvard Street, N.W., Washington, D.C. (Square 2887, Lot 0186);

(B) 1428 Perry Place, N.W., Washington, D.C. (Square 2688, Lot 0029);

(C) 1222 4th Street, N.W., Washington, D.C. (Square 0513, Lot 0903);

(D) 1320 Trinidad Avenue, N.E., Washington, D.C. (Square 4063, Lot 0130);

(E) 1800 M Street, N.E., Washington, D.C. (Square 4445, Lot 0124); and

(F) 627 14th Place, N.E., Washington, D.C. (Square 1051, Lot 0091).

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the Office of the Mayor and the Chief Financial Officer.

Sec. 4. The Council adopts the fiscal impact statement of the Chief Financial Officer 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)).

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Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-221

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To declare the existence of an emergency with respect to the need to approve the sale of certain abandoned and deteriorated real property owned by the District of Columbia, which real property is located at 1915 6th Street, N.W., and 902-904 T Street, N.W., and designated for assessment and taxation purposes as Square 3091, Lot 0818, and Square 0362, Lot 0234, respectively.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Second Blighted Real Property Disposition Emergency Declaration Resolution of 2007".

Sec. 2. (a) Pursuant to section 433 of the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, effective April 19, 2002 (D.C. Law 14-114; D.C. Official Code § 42-3171.03) ("Act"), the Mayor transmitted to the Council a request for Council approval for the disposition of real property located at 1915 6th Street, N.W., and 902-904 T Street, N.W., and designated for assessment and taxation purposes as Square 3091, Lot 0818, and Square 0362, Lot 0234, respectively ("Properties"). The Properties were abandoned or deteriorated properties acquired by the Mayor for the public purpose of eliminating slum and blight pursuant to the Act. The disposition of the Properties pursuant to the Act shall be subject to the various terms and conditions set forth in the request transmitted to the Council.

(b) The District government has received numerous complaints from the adjacent neighbors to these Properties regarding the unsafe conditions of the Properties due to their deteriorated nature. The conditions of these Properties directly threaten and adversely impact the health and safety of the adjacent property owners and neighbors. For these reasons, the neighbors have requested that these Properties be disposed of immediately to protect the residents of the District.

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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 Second Blighted Real Property Disposition Emergency Approval Resolution of 2007 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-222

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To approve, on an emergency basis, the sale of certain abandoned and deteriorated real property owned by the District of Columbia, which real property is located at 1915 6th Street, N.W., and 902-904 T Street, N.W., and designated for assessment and taxation purposes as Square 3091, Lot 0818, and Square 0362, Lot 0234, respectively.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Second Blighted Real Property Disposition Emergency Approval Resolution of 2007".

Sec. 2. (a) Pursuant to section 433 of the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, effective April 19, 2002 (D.C. Law 14-114; D.C. Official Code § 42-3171.03) ("Act"), the Mayor transmitted to the Council a request for Council approval for the disposition of the Properties. The Properties were abandoned or deteriorated property acquired by the Mayor for the public purpose of eliminating slum and blight pursuant to the Act. The disposition of the Properties pursuant to the Act shall be subject to the following terms and conditions, in addition to such other terms and conditions as the Mayor deems necessary and appropriate:

(1) The Properties shall be sold to Developers selected by the Mayor by negotiated sale;

(2) The Properties shall be developed as single family homes or condominiums;

(3) Upon completion of development, the Properties shall be sold to Eligible

Buyers;

(4) The Developer shall cause any Affordable Unit developed and sold to be affordable to persons with incomes at or below either 80% or 60% of the area median income;

(5) The District shall reserve the right to reacquire any Properties for which a Developer fails to complete the development, as stated in paragraph (7) of this subsection;

(6) Each Developer shall execute an LSBDE MOU and First Source Agreement, as defined in subsection (b) of this section, acceptable to the Mayor for the construction of the Properties;

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(7) Each Developer shall have up to 360 days from the date of the negotiated sale to obtain regulatory approval for the construction and development of that Developer's Properties; and from the date of regulatory approval, each Developer shall have an additional 360 days to complete construction and development of that Developer's Properties;

(8) Each Developer shall be current on any obligations outstanding to any agency or entity of the District government, whether or not related to this disposition or this property, including all local taxes and charges affecting the Developer; and

(9) Each Developer that purchases one or more of the Properties shall be validly organized, existing, and in good standing to do business in the District of Columbia;

(b) For the purposes of this section, the term:

(1) "Affordable Unit" means a unit to be sold to a household whose income is equal to, or less than, the maximum area median income ("AMI") percentage set forth for that unit, with AMI being the periodic AMI calculation provided by the Department of Housing and Urban Development ("HUD") as a direct calculation without taking into account any adjustments made by HUD for the program it administers.

(2) "Developer" means a person or entity that develops real estate for commercial or residential use.

(3) "Eligible Buyer" means a household consisting of one or more individuals that purchases the property as its primary residence and certifies that the household intends to use the property as the household's primary residence. For all Affordable Units, the term "Eligible Buyer" shall also mean a household meeting the income restrictions of an Affordable Unit.

(4) "First Source Agreement" means an agreement with the Department of Employment Services governing certain obligations of the Developers of the Properties pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor's Order 83-265 (November 9, 1983), regarding job creation and employment generated as a result of the construction contemplated in this resolution.

(5) "LSDBE MOU" means an agreement with the Department of Small and Local Business Development governing certain obligations of the Developer of the Properties under the Small, Local, and Disadvantaged Business Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*), requiring contracting and employment of local, small businesses for at least 50% of all the pre-construction and construction of the improvements contemplated in this resolution.

(6) "Properties" means:

- (A) 1915 6th Street, N.W., Washington, D.C. (Square 3091, Lot 0818); and
- (B) 902-904 T Street, N.W., Washington, D.C. (Square 0362, Lot 0234).

Sec. 3. The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Office of the Mayor and the Chief Financial Officer.

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Sec. 4. The Council adopts the fiscal impact statement of the Chief Financial Officer 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. 5. This resolution shall take effect immediately.

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A RESOLUTION

17-223

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To declare the existence of an emergency with respect to the need to clarify the equitable real property tax relief provided to Unfoldment, Inc.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Unfoldment, Inc., Equitable Real Property Tax Relief Clarification Emergency Declaration Resolution of 2007".

Sec. 2 (a) On February 28, 2007, a Superior Court of the District of Columbia judge denied a motion to set aside judgment brought by the tax sale purchaser of property located at 546 Newcomb Street, S.E., lot 804, square 5984 (Civil Action No. 04-3388 L (RP)). The Council believes that the court's decision was based on a misunderstanding of the intent of legislation passed by the Council regarding the status of unpaid taxes on the property.

(b) Legislation is needed to immediately clarify that the Council intended to forgive the unpaid taxes and associated charges for the property located at 546 Newcomb Street, S.E., lot 804, square 5984, and that the Chief Financial Officer should cancel the tax sale of the property.

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 Unfoldment, Inc., Equitable Real Property Tax Relief Clarification Emergency Amendment Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-224

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To declare the existence of an emergency with respect to the need to approve the multiyear Contract No. GAFM-2007-C-0215A with Turner Construction Company for construction services for the Phelps-Spingarn Modernization Project for the modernization of Phelps Career Technology Center and preparation of Spingarn Senior High School to serve as a swing space for high school modernizations.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Turner Construction Company Contract No. GAFM-2007-C-0215A Emergency Declaration Resolution of 2007".

Sec. 2. (a) The District of Columbia Public Schools requires the services of a contractor for the Phelps-Spingarn Modernization Project for the:

- (1) Renovation of the 1960's High Bay Building;
- (2) Restoration and renovation of the 1930's classroom building;
- (3) New interior configuration and exterior façade replacement for the 1970's

building;

- (4) Addition of a new administration wing;
- (5) Addition of a new common walkway open skylight facility;
- (6) Full integration of 3 existing structures and one new structure;
- (7) Demolition of the existing mechanical electrical and plumbing systems and the installation of new energy-efficient electrical and plumbing systems; and
- (8) New fire sprinkler systems for the modernization of the Phelps Career Technology Center.

(b) On May 30, 2007, the Board of Education approved Contract No. GAFM-2007-C-0215A, with a period of performance of 760 days after issuance of the Notice to Proceed, with the Turner Construction Company for the provision of construction services for the modernization of the Phelps Career Technology Center and preparation of the Spingarn Senior High School to serve as a swing space for high school modernizations in the amount of \$48,444,900.

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 Turner Construction Company Contract No. GAFM-2007-C-0215A Emergency Approval Resolution of 2007 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-225

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To approve, on an emergency basis, the multiyear Contract No. GAFM-2007-C-0215A with the Turner Construction Company for construction services for the Phelps-Spingarn Modernization Project for the modernization of the Phelps Career Technology Center and preparation of Spingarn Senior High School to serve as a swing space for high-school modernizations.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Turner Construction Company Contract No. GAFM-2007-C-0215A Emergency Approval Resolution of 2007".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), the Council approves Contract No. GAFM-2007-C-0215A, a multiyear agreement, in the amount of \$48,444,900, with the Turner Construction Company for construction services for the Phelps-Spingarn Modernization Project for the modernization of the Phelps Career Technology Center and preparation of Spingarn Senior High School to serve as a swing space for high-school modernizations.

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Board of Education and to the Office of the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer 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. 5. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-226

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To declare the existence of an emergency with respect to the need to approve the multiyear Contract No. GAFM-2007-C-0267A with Heery International, Inc., for construction services for the modernization of the Alice Deal Middle School.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Heery International, Inc., Contract No. GAFM-2007-C-0267A Emergency Declaration Resolution of 2007".

Sec. 2. (a) The District of Columbia Public Schools requires the services of a contractor for the modernization of the Alice Deal Middle School for the:

(1) Construction of:

(A) A new gymnasium;

(B) A new cafeteria;

(C) A new boiler room;

(D) New mechanical systems; and

(E) New auditorium seats;

(2) Demolition of an existing boiler room and a northwest wing;

(3) Renovation of west and east wings and the main building; and

(4) Re-grading of the site for a new athletic field.

(b) On May 30, 2007, the Board of Education approved Contract No. GAFM-2007-C-0267A, with a period of performance of 760 days after issuance of the Notice to Proceed, with Heery International, Inc., for the provision of construction services for the modernization of the Alice Deal Middle School in the amount of \$51,283,529.

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 Heery International, Inc., Contract No. GAFM-2007-C-0267A Emergency Approval Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-227

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To approve, on an emergency basis, the multiyear Contract No. GAFM-2007-C-0267A with Heery International, Inc., for construction services for the modernization of the Alice Deal Middle School.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Heery International, Inc., Contract No. GAFM-2007-C-0267A Emergency Approval Resolution of 2007".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), the Council approves Contract No. GAFM-2007-C-0267A, a multiyear agreement, in the amount of \$51,283,529, with Heery International, Inc., for construction services for the modernization of the Alice Deal Middle School.

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Board of Education and to the Office of the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer 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. 5. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-228

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To declare the existence of an emergency with respect to the need to approve modifications to Contract No. DCHC-2007-C-0030 for the District's Medicaid point-of-sale pharmacy claims adjudication services, and to authorize payment for the services received and to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Contract No. DCHC-2007-C-0030 Approval and Payment Authorization Emergency Declaration Resolution of 2007".

Sec. 2. (a) There exists an immediate need to approve Contract No. DCHC-2007-C-0030, modification Nos. 2, 3, and 4 and proposed modification No. 5 for the District's Medicaid point-of-sale pharmacy claims adjudication services and to authorize payment for the services received and to be received under the contract.

(b) On September 30, 2006, the Office of Contracting and Procurement awarded Contract No. DCHC-2007-C-0030 to First Health Services Corporation on a sole-source basis for the District's Medicaid point-of-sale pharmacy claims adjudication services for a base period of 6 months, from October 1, 2006, through March 30, 2007, in the amount of \$597,355.61.

(c) Modification No. 2, dated March 28, 2007, in the amount of \$95,559.27, extended these services from April 1, 2007, until April 30, 2007.

(d) Modification No. 3, dated April 30, 2007, in the amount of \$95,559.27, extended these services from May 1, 2007, until May 31, 2007.

(e) Modification No. 4, dated May 30, 2007, in the amount of \$95,559.27, extended these services from June 1, 2007, until June 30, 2007.

(f) Modification No. 5, in the amount of \$310,677.80, is now necessary to exercise the remainder of the 6-month option period from July 1, 2007, through September 30, 2007.

(g) Council approval is necessary as these modifications increase the total contract amount to more than \$1 million during a 12-month period and to allow the continuation of these vital services and ensure the safety and security of District residents. Without this approval, First Health Services Corporation cannot be paid for services provided in excess of \$1 million.

ENROLLED ORIGINAL

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 Modifications to Contract No. DCHC-2007-C-0030 Approval and Payment Authorization Emergency Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.