

**THE OFFICE OF CONTRACTING AND PROCUREMENT**

---

**NOTICE OF EMERGENCY RULEMAKING**

---

The Chief Procurement Officer of the District of Columbia, pursuant to authority granted by section 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 § 2-302.04 (2001)), and Mayor's Order 2002-207 (dated December 18, 2002), hereby gives notice of the adoption of the following emergency rules to amend Chapter 20 of Title 27 of the District of Columbia Municipal Regulations (Contracts and Procurements). The rules are intended to amend a section of Chapter 20 concerning special contracting methods which would allow the District to extend an existing contract for more than five (5) years on recurring and continuing services requirements.

The rules were approved as emergency and proposed rules on November 21, 2005, and published in a Notice of Emergency and Proposed Rulemaking in the *D. C. Register* on December 30, 2005, at 52 DCR 11301. No changes have been made to the rules as proposed. As the emergency rules expired on March 21, 2006, action was taken on March 20, 2006 to adopt the following rules on an emergency basis effective on that date. Without these emergency rules, the Office of Contracting and Procurement will not be able to extend several city-wide contracts that are critical to the needs of District residents.

All these contracts provide services that impact the environment and welfare of District residents. Adoption of these emergency rules to amend Chapter 20 is thus necessary for the immediate preservation of the public peace, health, safety or welfare, in accordance with District law as codified at D. C. Official Code § 2-505(c)(2001). These emergency rules will remain in effect up to one hundred twenty (120) days from the date of adoption, unless earlier superseded by another rulemaking notice or by publication of a Notice of Final Rulemaking in the *D. C. Register*.

**SPECIAL CONTRACTING METHODS**

*Section 2005.6 is amended to read as follows:*

**2005 USE OF OPTIONS**

2005.6 The basic period in a contract for services or supplies shall not exceed one (1) year, unless the contract is funded from an appropriation that is available for more than one (1) year or is a multiyear contract for which funds would otherwise be available for obligation only within the fiscal year for which appropriated pursuant to District law codified at D. C. Official Code § 1-204.51(c). The total of the basic and option periods in a contract for services or supplies shall not exceed five (5) years except as follows:

- (a) a contract for city-wide telecommunications systems may exceed five years but shall not exceed ten years;
- (b) a contract for evidenced traffic violations systems provided to the Metropolitan Police Department may exceed five years but shall not exceed seven years and two months;
- (c) a contract for ticket processing provided to the Department of Motor Vehicles may exceed five years but shall not exceed seven years;
- (d) a contract for medical and mental health services provided to the Department of Corrections may exceed five years but shall not exceed six years;
- (e) a contract for any supplies or services may exceed five years where awards for recurring or continuing supply or service requirements may be delayed but shall not exceed five years and six months; and
- (f) a contract for a Medicaid Management Information System (MMIS) provided for the Department of Health may exceed five years but shall not exceed seven years.