



DETERMINATION AND FINDINGS FOR AN EMERGENCY CONTRACT

CONTRACT NO: GAGA-2019-E-0006
REQUISITION NO: RK135183
CAPTION: DCIAA Middle Schools Athletics Transportation
AGENCY: DCIAA Athletics Department
PROPOSED CONTRACTOR: Battle's Transportation, Inc.

FINDINGS

1. AUTHORIZATION:

D.C. Official Code § 2-354.05; 27 DCMR § 1702 (Emergency Procurements)

2. MINIMUM NEED:

The District of Columbia Public Schools (DCPS), Office of Contracts and Acquisitions (OCA), on behalf of the DCIAA Athletics Department is seeking a Contractor to provide transportation services for the students and staff of DCPS that are participating in a full range of organized athletics program through the District of Columbia Interscholastic Athletic Association (DCIAA). DCIAA provides athletic education and programming to all eligible students of DCPS and is an essential, and integral part of the education of those students. In order to ensure that all eligible students can participate equally and without barrier, the agency must provide transportation to and from events.

There is an immediate need for services that cannot be met through normal procurement methods. Therefore, this emergency procurement action must be executed. The selected vendor shall meet the following minimum requirements:

- a. Be compliant with District certification requirements as prescribed under Title 18 DCMR Vehicles and Traffic;
- b. Have a sufficient number of school buses to respond to scheduled trips as communicated weekly by DCIAA Athletic Department;
- c. Have a Certificate of Necessity from the Washington Metropolitan Transit Commission;
- d. Possess, maintain and keep in full force during the term of the contract, at its own costs and expense, insurance coverage at the limits prescribed by the District Office of Risk Management; and

e. Shall ensure that every driver meets the required DCPS administered background check, finger printing, and criminal background check requirements prior to providing the services under this Emergency Contract.

A 'Notice To Proceed (NTP)' was executed on October 01, 2019. The period of performance for this emergency contract shall be from October 01, 2019 thru January 06, 2020.

The Office of Contracting and Acquisitions (OCA) is in process of advertising a solicitation for competitive proposals and plans to award a contract for a term of one (1) base year with four one-year each option by the conclusion of this emergency purchase order.

3. ESTIMATED REASONABLE COST:

Based on the historical data and existing transportation contract(s), and informal research of rates for the required services, the estimated reasonable cost of the emergency contract is \$256,791.44.

4. FACTS THAT JUSTIFY EMERGENCY PROCUREMENT:

The primary purpose of this contract is to continue providing transportation service for participating student-athletes to and from athletic events in and around the Washington, DC metropolitan area and various out-of-town locations. The District of Columbia Interscholastic Athletic Association (DCIAA) volumes are at higher level and have been increased between 2014 up to this date.

The District of Columbia Public Schools (DCPS), DCIAA awarded the contract number GAGA-2014-C-0061A to Battle's Transportation, Inc., and GAGA-2014-C-0061B to Miles Away Charters, LLC which both ended on September 30, 2019. The ever-increasing level of participating student-athletes and additional different sports necessitated DCPS Office of the Contracts and Acquisitions (OCA) to award two (2) new contracts to handle this surge. Thus, the solicitation was named DCIAA Transportation for Expansion Athletics.

OCA awarded two contracts numbers GAGA-2018-C-0007 to Battle's Transportations, Inc, and GAGA-2018-C-0008 to Rom Charters, LLC., with one (1) base year and four (4) one-year option periods. DCPS OCA partially exercised the Option Year One for these two contracts until January 06, 2019 so the DCIAA transportation can continue. However, the above-mentioned contracts did not cover all of the original sports and schools that were covered by the original solicitation awarded to Miles Away Transportation LLC in Contract GAGA-2014-C-0061B.

The other certified business enterprise vendors who have contracts with similar scopes – Battles' Transportation, Inc., and Rome Charters, LLC – do not have the capacity to handle what they have currently been awarded *and* the remaining balance of schools and sports that were covered by Miles Away Transportation, LLC. In order to continue serving all the DCPS students under DCIAA program, this emergency contract is being issued to allow:

Battle’s Transportation, Inc., to continue serving the student that they served under expired contract number GAGA-2015-C-0061A and provide time for the DCPS OCA to proceed with awarding a new comprehensive contract to serve DCPS student athletics under DCIAA program.

Given the DCPS mission and goal on serving all students in ways that will impact their overall welfare and set a path for their success an emergency procurement is warranted. OCA issue a Request for Proposals (RFP) on October 31, 2019 with the effective date of October 01, 2019, and this ongoing competitive procurement process that can take time.

DCPS OCA is diligently focused on awarding a competitive contract to responsive, responsible contractor(s) who will provide the most valuable services to DCPS, DCIAA Athletic Department in accordance with all the Federal, State, local and DCPS laws and regulations.

5. CERTIFICATION BY AGENCY DIRECTOR:

I hereby certify that the above findings are true, correct and complete to the best of my knowledge.

Dwayne Foster
Director, DCIAA Athletic Department

Date

6. DETERMINATION

Based upon the authorities, findings and in accordance with D.C. Official Code § 2-354.05; 27 DCMR § 1702 (Emergency Procurements), I hereby determine that the proposed emergency procurement is in the best interest of the District of Columbia.

Candace A. Butler
Chief Procurement Officer

Date