

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
District of Columbia Public Schools (DCPS)**



Public Hearing on

B25-0069 – the “District of Columbia Public Schools Procurement
Authority Amendment Act of 2023”

Testimony of
Dr. Lewis D. Ferebee
Chancellor
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Before the
Committee on Public Works and Operations
Councilmember Brianne K. Nadeau, Chairperson

May 25, 2023
10:00 am
via Zoom Video Conference



Good morning, Chairperson Nadeau, Chairman Mendelson, members of the Council, and staff. I am Dr. Lewis D. Ferebee, Chancellor for the District of Columbia Public Schools (DCPS), and I am thankful for the opportunity to testify before you today on Bill B25-0069, the “District of Columbia Public Schools Procurement Authority Amendment Act of 2023.”

In February, I testified before the Committee of the Whole. I would like to begin by reiterating that DCPS fully respects the role of Council approval in the contract review process, and on behalf of the district, I sincerely apologize for DCPS’ noncompliance with the requirements to submit contracts for approval. It was unacceptable. I take this issue very seriously and am committed to ensuring our process is fully corrected moving forward.

It is important that I address DCPS’ overall procurement improvement efforts before addressing our position on the bill that is the topic of today’s hearing.

Over the past few months, we have been working urgently to completely overhaul our contracting practices. We have been fortunate to have the full support and guidance of the Office of Contracting and Procurement (OCP) in this work, who you will hear from today. I am pleased to share more today about the steps we have taken.

First, we have implemented disciplinary measures to address instances where our staff did not adhere to contracting requirements. Additionally, ongoing investigations regarding this matter are underway.

I want to be clear: We will be holding ourselves accountable for the failures to comply with the District’s contract submission and approval requirements.

Furthermore, we have commenced a comprehensive review of contracts valued at or exceeding \$1 million, starting with the active contracts for Fiscal Year 2023. This evaluation seeks to identify any contracts that have not yet been submitted for the Council’s review in alignment with the District’s procurement laws.

Utilizing the structure of the Mayor’s Procurement Accountability Review Board, we completed our review of Fiscal Years 2021, 2022, and 2023 contracts valued at or above \$1 million and also developed a comprehensive action plan to ensure systemic compliance with the assistance of OCP. Over the course of the past few months, we have taken the following steps:

- We have begun preparing retroactive packages in collaboration with OCP and the Office of the Attorney General, prioritizing direct service contracts with a goal of preventing harm to students.
- OCP has trained our management team in best practices in acquisition planning and contract management tracking tools and systems, with a focus on OCP’s Council package tracker.



- We have completed an acquisition planning process for all procurements valued at more than \$100,000 and above for FY23 and 24 using a tool which calculates standardized lead times and identifies all responsible parties for each contract.
- We have instituted a standard system for maintaining electronic copies of all contract documents.
- Senior leadership holds procurement meetings every other day to support prioritization and monitor progress.
- DCPS leadership and procurement teams meet with OCP leadership three times per week to receive guidance and technical assistance.
- We have initiated a weekly check-in process to monitor progress on all contracts valued at or above \$1 million, as well as smaller priority contracts for summer and school year 23-24 opening.
- We are developing a standardized escalation protocol to support early alerts, ensure course correction, and reinforce accountability.
- We have contracted with a consultant to create Standard Operating Procedures aligned with OCP guidance, and to ensure role clarity and clear performance metrics.
- We have created an internal team to support filling key procurement vacancies, secured three detailed OCP employees, and plan to further augment support through an OCP temporary staffing contract.

While this work is underway, we also look forward to benefitting from a third-party audit led by the Deputy Mayor for Education's office, which we anticipate being completed this fall. We will incorporate insights and recommendations as we continue to build our systems and structures to ensure continued compliance moving forward.

We believe that with the ongoing support of OCP, DCPS can create a strong system of contract management strengthened by a series of annual reviews, which will ensure refinement and accountability. We also believe that it is critical that DCPS retains its independent contracting authority. This authority supports thousands of small purchases, including tutoring services, sports equipment, before and after school enrichment programming, and PARCC assessment snacks annually for all 117 DCPS schools plus Central Services.

A dedicated procurement team which understands the unique context of our schools and the needs of our students is critical for effective school operations. Our procurement team is uniquely structured to support the school year and fiscal year while OCP's support of other agencies is structured solely around the fiscal year. Any shift of authority would significantly disrupt core operations and services to students.

Let me reiterate that DCPS is committed to improving our procurement practices to ensure we are in alignment with the law.

Thank you for the opportunity to testify today. I am available to answer your questions at this time.

