

**DETERMINATION AND FINDINGS
FOR A
SOLE SOURCE PROCUREMENT**

REQUISITION No.: RQ844304

CAPTION: Capital Development Advisory Assistance

PROPOSED CONTRACTOR: Amber Real Estate, LLC

PROGRAM AGENCY: Department of Health Community Health Administration (DOH-CHA)

1. AUTHORIZATION: D.C. Official Code §2-354.04, 27 DCMR 1304 and 1700

2. MINIMUM NEED:

The District of Columbia Department of Health Community Health Administration (CHA) is seeking the services of a qualified Contractor to provide real estate advisory services to support the management of ongoing development projects to expand access to primary medical care in underserved areas of the District.

3. ESTIMATED REASONABLE PRICE:

The estimated reasonable price is \$50,000.00.

4. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT:

CHA is responsible for the management, oversight and implementation of targeted healthcare capital development and construction under the Healthy Communities Revitalization/Capital Health Project (HCRP).

The requested Contractor has satisfactorily performed the required services from 2008-2012 through a MOU with the Deputy Mayor for Planning and Economic Development's Office; from 2012-2013 through a purchase order with DOH; and is therefore intimately involved and familiar with this requirement. In this final phase of these construction projects, replacing the current Contractor would lead to an interruption of construction and cause irreparable harm to the progress of the remaining projects. Any such disruption will prevent the District from effectively overseeing the development, construction and completion of three active capital projects for which the District currently has invested and/or obligated approximately \$33 million.

No market research was conducted because this Contractor has been working alongside the District on this project for multiple years, and in the final phase of this project, it would be impossible for another Contractor to readily become acclimated to the extent that Amber Real Estate, LLC, has become during their tenure on this project. The intellectual property developed between the District and Amber Real Estate would take months to transfer to any other contractor and would cost the District an upwards of \$100,000.00 to complete such a transaction.

It will not be economical to use any other method of procurement which could result in higher costs and a longer procurement period, causing unacceptable delays. The District DOH recommends approval of a Sole Source procurement to ensure continuity of operations for a

critical project procurement that supports the District's need for healthcare capital development and construction.

5. CERTIFICATION BY AGENCY HEAD

I hereby certify that the above findings are true, correct and complete.

Date

Joxel Garcia, MD, MBA
Acting Director
Department of Health

5. CERTIFICATION BY CONTRACTING OFFICER

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the notice of intent to award a sole source contract was published in accordance with Section 404(c) of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Official Code §2-354.04) and that no response was received. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

Date

Frederick A. Dorsey
Contracting Officer
Department of Health

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354.02 or 2-354.03). Accordingly, I determine that the District is justified in using the sole source method of procurement.

Date

James D. Staton, Jr.
Chief Procurement Officer