

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

CONTRACT NO.: DCEB-2012-B-0003

CAPTION: Appraisal Services – Expert Witness

PROPOSED CONTRACTOR: SC&H Group LLC

PROGRAM AGENCY: Office of the Deputy Mayor for Planning
and Economic Development

FINDINGS

1. AUTHORIZATION:

D.C. Official Code § 2-354.04, 27 DCMR 1304 and 1702

2. MINIMUM NEED:

The Government of the District of Columbia, Office of the Deputy Mayor for Planning and Economic Development has a minimum need for a contractor to provide expert witness and appraisal services relative to the Skyland Shopping Center project. The proposed term for the contract is one year from date of award.

3. ESTIMATED REASONABLE PRICE:

\$50,000.00 (NTE)

4. FACTORS WHICH JUSTIFY SOLE SOURCE PROCUREMENT:

Beginning in 2005, the District condemned certain property and leasehold interests at the Skyland Shopping Center located in Ward 8. In response, certain property owners and tenants filed lawsuits against the District, challenging its taking of property and/or leasehold interests. While the majority of these cases have been resolved, some cases remain unresolved.

To support the District's efforts, the District would like to contract, via a Blanket Purchase Agreement (BPA), with SC&H Group, LLC, more specifically, David C. Lennhoff as an expert witness. Mr. Lennhoff prepared appraisals and provided expert testimony to support and explain the findings in his appraisals performed for the Skyland Shopping Center project while employed PGH Consulting. Since Mr. Lennhoff has the historical knowledge of the work performed, it would be prudent for the District to contract with Mr. Lennhoff through SC&H Group. No other individual has the amount of knowledge and background relating to the matter at hand. Additionally, in almost all cases, Mr. Lennhoff is responsible for preparing the original appraisal that was submitted to the DC Court system on behalf of the District to support its case.

The District's intent is to continue utilizing the services of Mr. Lennhoff's firm in their legal efforts relative to the Skyland Shopping Center. Mr. Lennhoff's use as an expert in these cases is critical.

Finally, D.C. Code 2-354.13 (3) exempts from all competition, requirements for expert witnesses (such as appraisers) whose testimony is needed in connection with court proceedings.

5. CERTIFICATION BY AGENCY HEAD:

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

Date

Victor L. Hoskins, Deputy Mayor

6. 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 27 DCMR 1304.

Date

Jacque McDonald, CPPO, CPPB, SPSM, MBA, MST
Director, Contracts and Procurement

7. 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 bidding process under either Section 402 or 403 of the District of Columbia Procurement Practice 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

Jacque McDonald, CPPO, CPPB, SPSM, MBA, MST
Director, Contracts and Procurement