**DETERMINATION AND FINDINGS**

**FOR A**

**SPECIAL PILOT PROJECT**

**CONTRACT NO.:** DCEB-2019-C-2006

**CAPTION:** Compliance Project Pilot

**PROPOSED CONTRACTOR:** Metropolitan Strategies & Solutions LLC

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

**FINDINGS**

**1. AUTHORIZATION:**

D.C. Official Code § 2-354.08, 27 DCMR 2900 and 2901

**2. MINIMUM NEED:**

The Office of Deputy Mayor for Planning and Economic Development (DMPED) has a minimum need to improve how it tracks and enforces Certified Business Enterprise (CBE) spending and First Source Agreements at Walter Reed Development Project and other projects receiving District government funding.

**3. PERIOD OF PERFORMANCE:**

Date of award through One Year

**4. ESTIMATED REASONABLE PRICE:**

$25,000.00

**5. FACTORS WHICH JUSTIFY SOLE SOURCE PROCUREMENT:**

1. Capturing required CBE and First Source Agreement data is problematic because these programs currently use a manual labor-intensive process. DMPED believes that a new software solution will enhance the efficiency and accuracy of compliance monitoring.
2. Metropolitan Strategies & Solutions LLC (MSS) has developed a proprietary state of the art system for sourcing, procurement, monitoring and tracking CBE/DBE contracts, and resident work for development. An executive dashboard and web portal has been developed to allow up-to-the minute information on the state of the program.
3. Through the proposed special pilot project, Metropolitan Strategies & Solutions LLC will create and maintain compliance status reports in its proprietary online compliance tracking system, as well as assist and support DMPED with identifying CBE opportunities to enhance CBE participation.
4. Metropolitan Strategies & Solutions LLC has monitored projects ranging in size from the $2 billion Anacostia Waterfront Initiative (AWI) managing DBE compliance for CH2m Hill/DDOT, to managing the $100 million Blumeyer Hope VI Housing Development project in St. Louis funded by HUD.
5. The experience of the CBE contractor will assist the District with ensuring relevant project information is recorded in the agency’s project pipeline and that CBE related dollar amounts are properly captured and recorded. The approach as mentioned earlier cannot be reasonably acquired through a competitive solicitation because the entity named has direct and long-term experience with the requirement and can provide advantages to implement the proposed pilot in a timely manner and at a reduced cost.
6. Since this is a new approach, it is advisable that pilot entity work closely with the project managers to increase the accuracy of the project pipeline database, generate CBE related data, and increase the accuracy of the reported CBE and pipeline data.
7. As this is a methodology never implemented for the real estate program, the use of a pilot program is the best means for the District to test this process and make a determination if it proves beneficial for the District. Therefore, the use of a comprehensive procurement is not recommended, as there is a host of proven CBE vendors who can manage this pilot and there is no assurance that there will be a further need for this type of engagement program.
8. The term of the contract is reasonable as it will produce findings during the current fiscal year.
9. The price of the pilot is reasonable based on the scope of work the District requires.
10. DMPED has identified a CBE entity capable with the appropriate staff complement to engage and complete the requirements of this pilot program.

**6.**  **CERTIFICATION BY CONTRACTING OFFICER**

I hereby certify that the above findings have been reviewed and certify that they are sufficient to justify the use of the pilot method of procurement under the cited authority. I certify that the Notice of intent award a pilot contract was published in accordance with 27 DCMR true and correct to the best of my knowledge. Further, I certify that the notice on intent to award a special pilot contract was published in accordance with 27 DCMR 2900 and that no response was received. I recommend that the Deputy Mayor for Planning and Economic Development approve the use of the pilot program procurement method for the proposed contract award.

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Date Jacque McDonald, CPPO, CPPB, SPSM, MBA, MST

Director, Contracts, Procurement, and Grants

**7. CERTIFICATION BY AGENCY HEAD:**

Based on the above findings and in accordance with cited authority, I hereby determine that it is not feasible or practical to invoice a competitive solicitation process under §408 of the District of Columbia Procurement Practices and Reform Act of 2010 (D.C. Law 12-124; D.C. Official Code §1-616.51. Accordingly, I determine that the District is justified in utilizing the special pilot method of procurement.

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Date Brian T. Kenner, Deputy Mayor