

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

**CONTRACT NO:** DCKA-2017-T-0092

**CAPTION:** K Street Transitway 30% Design Update

**PROPOSED CONTRACTOR:** Rummel, Klepper & Kahl, LLP (RK&K)

**PROGRAM AGENCY:** District Department of Transportation (DDOT)

**AUTHORITY**

D.C. Code § 2-354.04, 27 DCMR 1304, 1700 and 1701

**FINDINGS**

**1. MINIMUM NEED:**

The Government of the District of Columbia, Department of Transportation (“District”) has an immediate need for the Proposed Contractor to provide design services for the above-captioned project. The project is a local capital project funded by local capital funds. The proposed period of performance is three hundred sixty-five (365) days from the Date of Award.

**2. ESTIMATED FAIR AND REASONABLE PRICE:**

The estimated fair and reasonable price is **\$648,150**.

**3. FACTS JUSTIFYING SOLE SOURCE PROCUREMENT:**

- (a) The Proposed Contractor completed 30% design documents for the above-referenced project in 2010, as the result of a Task Order awarded from DCFA POKA-2006-T-0073-CB contract. The District intends to use this concept design to solicit final design documents for the project. The 30% design documents must be updated to meet current regulations, including the 2017 DDOT Design and Engineering Manual, in order to move forward with the final design.
- (b) As the Engineer of Record for the project, the Proposed Contractor became fully responsible for preliminary design of the subject street section that will be the source of the future solicitation for final design.

- (c) The Proposed Contractor led stakeholder coordination and documented feedback from parties along the corridor, and therefore has unique and specific project and corridor knowledge.
- (d) The Proposed Contractor collected information on traffic volumes, transit operations, and other multimodal considerations, including public and stakeholder input. The background knowledge on the conditions of the corridor and relationships with stakeholders will be critical to efficiently updating the design.
- (e) As the Engineer of Record, the Proposed Contractor is the only one capable of modifying the conceptual design so that it may proceed to final design, without shifting associated liability to the District.
- (f) For the above-stated reasons, the District did not conduct a market survey.

**CERTIFICATION BY CHIEF ENGINEER**

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Dawit Muluneh, P.E.  
Chief Engineer, DDOT

**CERTIFICATION BY AGENCY HEAD**

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jeffrey M. Marootian  
Director, DDOT

**CERTIFICATION BY CONTRACT SPECIALIST**

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kara A. O'Donnell  
Contract Specialist  
Office of Contracting & Procurement (OCP)

**CERTIFICATION BY CONTRACTING OFFICER  
AND RECOMMENDATION**

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

\_\_\_\_\_  
William E. Sharp, Jr.  
Contracting Officer, OCP

**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

\_\_\_\_\_  
George A. Schutter, III  
Chief Procurement Officer