

DETERMINATION AND FINDINGS
FOR
SOLE SOURCE FOLLOW-ON PROCUREMENT

Agency: Department of Public Works
Contract: CW20202
Contractor: Lucky Dog, Inc.
Caption: Solid Waste Hauling and Disposal Services

Findings

1. Authorization

D.C. Code Section 2-354.04, 27 DCMR 1304, 1700, 1701 and 2005.2(b).

2. Minimum Need

The Office of Contracting and Procurement on behalf of the Department of Public Works (DPW) Solid Waste Management Administration (SWMA) (“the District”) has a continuing need for the current contractor to continue to provide hauling and disposal of municipal solid waste inclusive of white goods and tires to licensed solid waste disposal facilities until a new contract is awarded on or before October 31, 2018. The period of performance for Modification No. 19 is from June 1, 2018 through October 31, 2018 This is for a Sole Source D&F follow-on procurement to continue services.

3. Estimated Reasonable Cost

The estimated reasonable price is \$1,612,250.00 based on Option Year Two (2) pricing.

4. Facts that Justify a Sole Source Procurement:

In deciding to extend the contract past the five (5) year threshold, we have taken into account the District’s need for continuity of service and the potential cost of disrupting operations. The District requires continuity of services because of the following reasons:

1. The final option of the current contract, Option Year Two (2), expires May 31, 2018. Extending the contract with Lucky Dog, Inc. assures SWMA can continue to provide hauling and disposal services to the citizens of the District of Columbia without disruption.

2. The current contractor, Lucky Dog, Inc. is familiar with SWMA's day to day operations, to include, the pick-up and disposal of waste. Continuing hauling and disposal services with the current contractor assures no lapse or delay in services. Competing and awarding this requirement to a new contractor requires a bid with a shortened solicitation publishing date, leaving little to no time to obtain adequate competition and subsequent training & transition without the risk of waste and disposal services not being efficiently processed for the public beginning June 1, 2018.
3. The Agency is currently resoliciting to replace the current contract. The solicitation no. Doc360610, was issued January 11, 2018. The requirements were recently revised and following feedback from the vendor community and in an effort to encourage competition, the solicitation is extended until May 31, 2018. Considering the solicitation will not be awarded prior to the contract expiring and continuing these services without delay is needed, it is in the District's best interest to extend services with Lucky Dog, Inc.
4. For the reasons stated above, the District did not conduct a market survey.

5. CERTIFICATION BY THE AGENCY DIRECTOR:

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

Date

Christopher Shorter, Director
Department of Public Works

7. CERTIFICATION BY THE CONTRACTING OFFICER:

I reviewed the above findings and certify that they are sufficient to justify the use of a sole source method of procurement under the cited authority. I certify that the notice of intent to award a sole source contract was published on OCP's website in accordance with the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-354.04 (2011 Repl.)) (Act) and applicable provisions of this chapter that provide legal authority for the sole source procurement and no responses were received. I hereby certify that the above findings are correct and complete to the best of my knowledge.

Date

Courtney B. Lattimore
Chief Contracting Officer

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