

**DETERMINATION AND FINDINGS
FOR
SOLE SOURCE PROCUREMENT**

Agency: Department on Disability Services
Requisition No.: RQ750619
Caption: Residential Habilitation Services
Contractor: Jewish Foundation for Group Homes (JFGH)

FINDINGS

1. Authorization:

D.C. Official Code §2-354.04, 27 DCMR 1802.7

2. Minimum Need:

The Department on Disability Services (“DDS”) has a need to continue to provide Residential Habilitation services for Mr. Gary Harmatz, during FY12 pursuant to a Settlement Agreement made between Miriam Alpern (mother) and the District of Columbia dated July 23, 1999.

3. Estimated Fair and Reasonable Price:

The estimated fair and reasonable price is \$4,981.85 per month or \$59,782.20 annually.

4. Facts That Justify Use of a Sole Source:

- A. On July 23, 1999, the District of Columbia and Miriam Alpern entered into a Settlement Agreement. *In the Matter of Gary Harmatz*, Mental Retardation No. 40-88 before the Mental Health Branch of the Superior Court of the District of Columbia. The settlement agreement stated on page two, paragraph two that the District shall promptly let a sole source contract with JFGH for payment for the services provided to Gary Harmatz.
- B. The Settlement Agreement further states on page six, paragraph 17 that the parties agree that the state in which Gary Harmatz is placed does not invalidate the Agreement so long as Miriam Alpern remains a resident of the District of Columbia. If Miriam Alpern is a resident of the District of Columbia at the time of her death, terms of the Agreement shall survive her death and remain in full force and effect.
- C. Mr. Gary Harmatz has been a resident of JFGH continuously since May 27, 1997.

5. Other

The District shall not be responsible for payment of any day programs in which Gary Harmatz is enrolled while in JFGH, according to the settlement. The District is only responsible for 85% and Miriam Alpern shall pay the District 15% of the amount paid by the District to JFGH.

Certification of Findings

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

Scotti Matthews
Contract Administrator

Date

DETERMINATION

Based on the finding above I hereby determine that the services may be acquired on a sole source basis.

Janice Parker Watson
Contracting Officer

Date