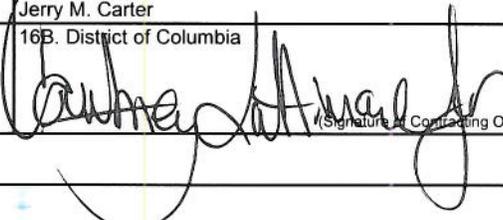


AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. Contract Number DCKA-2012-B-0071	Page of Pages 1 27
2. Amendment/Modification Number 3	3. Effective Date See box 16C	4. Requisition/Purchase Request No.	5. Solicitation Caption AD Program/ Capital Bikeshare Stat.	
6. Issued By: Department of Transportation Office of Contracting and Procurement 55 M Street, SE, Suite 714 Washington, DC 20003		Code	7. Administered By (If other than line 6) Department of Transportation Office of Contracting and Procurement 55 M Street, Suite, SE, Suite 714 Washington, DC 20003	
8. Name and Address of Contractor (No. Street, city, country, state and ZIP Code)			(X)	9A. Amendment of Solicitation No. DCKA-2012-B-0071
				9B. Dated (See Item 11) 8/9/2012
				10A. Modification of Contract/Order No.
				10B. Dated (See Item 13)
Code	Facility			
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS				
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended. <input checked="" type="checkbox"/> is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment: (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or fax which includes a reference to the solicitation and amendment number. FAILURE OF YOUR ACKNOWLEDGEMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by letter or fax, provided each letter or telegram makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.				
12. Accounting and Appropriation Data (If Required)				
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14				
A. This change order is issued pursuant to: (Specify Authority) The changes set forth in Item 14 are made in the contract/order no. in item 10A.				
B. The above numbered contract/order is modified to reflect the administrative changes (such as changes in paying office, appropriation date, etc.) set forth in item 14, pursuant to the authority of 27 DCMR, Chapter 36, Section 3601.2.				
C. This supplemental agreement is entered into pursuant to authority of:				
D. Other (Specify type of modification and authority)				
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.				
14. Description of amendment/modification (Organized by UCF Section headings, including solicitation/contract subject matter where feasible.) Solicitation DCKA-2012-B-0071 is hereby amended as follows: 1) Responses to bidders questions are provided on pages 1 through 6 Attachment #1 2) The attendee list from the pre-bid meeting Wednesday, July 18, 2012 11:00 AM provided as Attachment # 2 3) Listing of excluded bike stations is provided as Attachment # 3 4) District Regulations (10 DCMR Chap. 25 of the DC Municipal Regs.) are provided as Attachment # 4				
Except as provided herein, all terms and conditions of the document referenced in Item (9A or 10A) remain unchanged and in full force and effect				
15A. Name and Title of Signer (Type or print)			16A. Name of Contracting Officer Jerry M. Carter	
15B. Name of Contractor		15C. Date Signed	16B. District of Columbia	16C. Date Signed
(Signature of person authorized to sign)				8/9/12
		(Signature of Contracting Officer)		

ATTACHMENT 1

QUESTIONS AND RESPONSES

- Q.1 In section C.5.2, please confirm that the MOU with ALTA may be provided to DDOT post-award by the winning bidder, and is not a required part of the bid submission.
- A.1 **The MOU is not required with a bid submission**
- Q.2 With respect to the evaluation and selection criteria to be applied in this IFB process, and specifically section L.1.2, please confirm the respective weight to be given to each of the lump sum investment and the quarterly revenue percentage, in order to arrive at the highest bidder.
- A.2 **Section L.1.2- The District intends to award a single contract resulting from the solicitation to the responsive and responsible bidder. As per L.1.2 there is no respective weighted evaluation criteria for the CLIN items- the solicitation is based on the highest revenue and the lump sum investment.**
- Q.3 As a follow-on to the previous question, we wanted to point out that the highest quarterly revenue percentage may not actually deliver the highest ongoing quarterly revenues to DDOT. Because different bidders' sales forces will vary in ability, it's very possible that one company's 50% produces a very different revenue number than another company's 50%. Assume by way of illustration that a higher performing company's 50% produces higher revenues for DDOT than a lesser performing company's 70%. In this example, if OCP/ DDOT were to have selected the 70% offer simply because it is higher than the 50% offer, it would be selecting the less valuable option. How does OCP/ DDOT intend to evaluate the different percentage offers and sales forces in order to avoid this potential outcome?
- A.3 **Refer to A.2 above.**
- Q.4 Is it the District's intention to use the amounts bid for Option Years as a basis for negotiation? That is, when it comes time to exercise option year one, for example, will the Lump Sum Investment and Quarterly Fee be reviewed by both parties for acceptability?
- A.4 **No, the District will make award without discussions with bidders (no negotiation). Similarly, the option periods shall be exercisable at the amounts specified in the terms of the basic contract.**

- Q.5** For Contractors using FedEx to delivery their response, please confirm proper delivery address. Once FedEx confirms delivery, should Contractors call you to ensure that delivery in fact has been properly made?
- A.5** All bids, regardless of carrier should be sent to the following address:
As stated in Section A-8 of the solicitation.
DDOT/ Bid Room
C/O Bernetha Armwood
2000 14th street, NW, 3rd floor, Washington, DC 20009
- Q.6** Can we provide a "naming rights" partner to the system. If so, what will they get? Re-naming of the program and bike ads and what else?
- A.6** Naming rights are not a part of this solicitation.
- Q.7** Will the questions that are asked by all respondents be published along with the answers this week so that we can have all of the info for the August 17 deadline?
- A.7** Responses will be provided in sufficient time for bidders to respond by the August 17, 2012 deadline.
- Q.8** Solicitation, Offer, and Award. Should the Solicitation, Offer, and Award Form be submitted with the response? If so, what Items should be completed? Should this Form be the top page of our submittal?
- A.8** The form (section A) should be submitted with the bid response. It does not have to be the top page. All attachments that are not included by reference from Section J should be submitted with bids. Where the information is not available (such as contract number)- that information can be completed should you receive the award).
- Q.9** Solicitation, Offer, and Award. If Amendments to the IFB are issued, is it sufficient to acknowledge the Amendment in Item 14 alone or does a bidder also need to attach an acknowledgment form that would be part of the Amendment?
- A.9** Bidders shall demonstrate acknowledgement of amendments both in Section 14 and by attaching a copy of the amendment to the bid package
- Q.10** B.3.1 A discussion of the total projected revenue will require the bidder to develop an attachment. How should this be submitted (i.e. attached to the back of Page 2 or appended to the back of the entire submittal?)

- A.10** **Supporting documentation should be attached to a completed Section B, as per section L.2.11b of the solicitation**
- Q.11** **B.4 Is a subcontracting plan required to respond to this IFB? If so, can this be deleted as a requirement for submittal and changed to being submitted within a designated time period after notice of award? Inasmuch as this is a revenue contract, is the requirement for a subcontracting plan even applicable? Comment: the 35% figure may be completely unachievable given the Scope of Services.**
- A.11** **Yes, a plan is required and should be submitted to the best of your firm's ability to adhere to the standard.**
- Q.12** **C.1 Is the intent of the five bullet points concluding this Section (C.1) to limit the types of advertising (i.e. since a Chocolate Drink product has nothing to do with mobility or congestion, is that an unacceptable advertiser?).**
- A.12** **No, these bullets represent the benefits that prospective advertisers could realize as a result of participation in this program.**
- Q.13** **C.3.1 Can the successful bidder retrofit the station panel to accommodate different media so long as the information panel is preserved?**
- A.13** **With the approval of DDOT, the successful bidder may retrofit the station panel to accommodate different media, at no cost to DDOT or the bike system operator . The information panel must be preserved.**
- Q.14** **C.5.4 If a backlighting retrofit is desired, must all 132 Stations be completed within six (6) months or can this be done over the first year of the Base Period?**
- A.14** **Backlighting must be completed within six (6) months as per Section C.5.5**
- Q.15** **F.2.1 Are extensions by mutual consent? After the District sends a notice of its intent to extend, what is the procedure if the contractor does not desire to exercise the option?**
- A.15** **Options are exercised unilaterally by the District. A letter would be sent expressing the District's intent to exercise an option no less than 30 days prior to the renewal date. (Section F.2.1)**

- Q.16** Would the Report referenced in this Section F.3 be expected with the contractor's last quarterly fee submittal at the end of the Base Period?
- A.16** The report (Ad plan) is due quarterly, before advertisements are posted (Section C.5.3).
- Q.17** If a subcontracting plan must be submitted with the bid, where in the submittal should this appear?
- A.17** The subcontracting plan should be included as an attachment to the bid submittal.
- Q.18** How many days after notice of award does the successful bidder have to provide proof of insurance?
- A.18** Certificate of Insurance must be provided prior to award as coverage shall be for the duration of the entire contract period of performance.
- Q.19** L.2.1.1 Is this an all inclusive list? For instance, I do not see the Subcontracting Plan mentioned.
- A.19** The subcontracting plan should be included with the bid submission. Section L.2.1.1 is revised to read as follows:
- A. Signed copies of all amendments, if any;**
 - B. Completed Section B and supporting documents, if any;**
 - C. Three (3) completed Past Performance Evaluation Forms, provided as Attachment J.10 to the solicitation;**
 - D. EEO Information and Mayor's Order 85-85;**
 - E. First Source Agreement;**
 - F. Bidder/Offeror Certification Form; and**
 - G. Subcontracting Plan Form.**
- Q.20** L.2.1.1 Are Past Performance Evaluation Forms similar to letters of reference? Can letters of reference (addressed directly to the Contracting Officer) be substituted? Can letters of reference be attached to the Forms or can letters of reference be used to transmit the Form? Where should the completed Form(s) be attached to the bid?
- A.20** Three (3) completed Past Performance Evaluation are required with the bid submission. Letters of reference can be submitted attached to the forms as supporting documentation.

Q.21 L2.2 Does the sentence “Each bidder shall return the complete solicitation as its bid.” indicate that the District is expecting the entire solicitation document (all 147 pages of the download plus additional information the bidder attaches) to be returned as the bid? Or is the District expecting only the documents indicated in L.2.1.1?

A.21 Provide solicitation pages 1-46 (all sections), all required attachments.

Q.22 If bidders hand deliver, are they provided a time stamped document indicating timely delivery/acceptance? If using a common carrier (like FedEx) to deliver, is there a procedural difference than if bidder hand delivers?

A.22 All bids, regardless of method of delivery, will be time stamped upon receipt.

Q.23 If bidders do not currently possess a DC Business License, how does the bidder certify that it will obtain such license? Comment: can't the document be modified to simply state that proof of license must be provided within so many days of contract award? Same applies to Clean Hands Certification.

A.23 Bidders must have a Business License upon award. In addition, a Contractor cannot be determined responsible for award consideration unless the District can obtain proof, via the Clean Hands Certification process, that the prospective contractor has complied with the filing requirements of the District of Columbia tax laws as set forth by the Department of Tax and Revenue, and that the prospective contractor has paid taxes due to the District of Columbia or is in compliance with any payment agreement with the Office of Tax and Revenue.

Q.24 When is the bid opening scheduled and what is the procedure for attending?

A.24 SCHEDULED FOR August 17, 2012 @ 2:00 PM- OPEN TO THE PUBLIC AT THE REEVES CENTER:
DDOT/ Bid Room
C/O Bernetha Armwood
2000 14th street, NW, 3rd floor, Washington, DC 20009

Q.25 Why are the option years included in the evaluation?

A.25 To determine highest revenue

Q.26 J.3 Are any Forms in this Section to be completed with the bid submission?

A.26 PLEASE REFER TO A.8

Q.27 J.4 Are any Forms in this Section to be completed with the bid submission?

A.27 PLEASE REFER TO A.8

Q.28 J.7 Are any Forms in this Section to be completed with the bid submission?

A.28 PLEASE REFER TO A.8

Q.29 Is this Section applicable to this IFB? If so, what Form(s) are required to be completed and submitted with the bid submission?

A.29 No, the Cost/Price Certification is not needed. Section J.8 is revised to read "Reserved."

Q.30 J.9 Is the Bidder/Offeror Certification Form to be completed and submitted with the bid submission?

A.30 PLEASE REFER TO A.8

Q.31 J.11 I cannot find Page 40 in the IFB but assume it's a Page in this Section. Please describe and/or graphically depict what (if any) standard lighting/illumination is built in to the Stations and what the lighting pattern/intensity is.

A.31 Appendix 1 on page 42. There is no electrical sourced illumination built into the stations. Currently the stations are powered by solar energy. The power source to backlight the stations must be portable and the illumination shall not project light beyond a five (5) foot area surrounding the panel. Upon DDOT written approval, the Contractor shall have 6 months from the date of the award to complete the retrofit.

Q.32 Section L2.1.1. of the IFB requires respondents to submit three completed past performance evaluation forms. Would the District accept letters of recommendation from past partners in lieu of completed forms?

A.32 Please use past performance evaluation provided as attachment J.10

Forms are alternatively provided at:

<http://ocp.dc.gov/DC/OCP/Vendor+Support+Center/Solicitation+Attachments/Solicitation+Attachments>

ATTACHMENT 2

ATTACHMENT 3

Advertising on current or future stations located on National Park Service (NPS) or General Services Administration (GSA) property is not permissible. Current stations located on NPS and GSA property include:

**19TH & e Street NW
14th & D St. NW / Ronald Reagan Building
Ohio Dr. & West Basin Dr. SW ? MLK & FDR
Memorials
Jefferson Dr. & 14th St. SW
Jefferson Memorial
White House (17th & State Pl., NW)
Kennedy Center**

In addition, advertising on panels located in residentially zoned areas pursuant to the District's Zoning Regulations are prohibited.

Current stations located in residentially zoned areas:

**11 th & Kenyon St., NW
New Hampshire Ave. & T St. NW
39th & Calvert St. NW / Stoddert
Lincoln Park / 13th & East Capitol
St., NE
D St. & Maryland Ave NE**

Moreover, advertising is prohibited on the stations located in Galludet University's Property (8th and Florid Avenue, NE) and the Washington Hospital Center (1st and Washington Hospital Center, NW).

For those stations located in historic districts, the Contractor shall comply with rules and regulations (Chap 10-C25 of the Municipal regulations) governing the placement of advertisements in historic districts

ATTACHMENT 4

2500 GENERAL PROVISIONS

- 2500.1 This chapter addresses historic preservation requirements for signage and related building features, including awnings, canopies, and marquees, which typically serve as locations for signage.
- 2500.2 Signs, awnings, canopies, and marquees on historic property shall comply with the requirements of this chapter and the applicable provisions of the D.C. Building Code.
- 2500.3 Signage and related building features subject to review under the Shipstead-Luce Act or the Old Georgetown Act shall be submitted to the Commission of Fine Arts for review before a permit is issued, and shall comply with applicable sections of the D.C. Building Code, including the specific limitations pertinent to those review areas.
- 2500.4 The Historic Preservation Review Board and Historic Preservation Office may also review signage and related building features subject to the jurisdiction of the Commission of Fine Arts.
- 2500.5 Signage and related building features in the Chinatown Overlay District are subject to review by the Chinatown Steering Committee pursuant to 10 DCMR B, Chapter 24.
- 2500.6 Signage and related building features located in or projecting into public space are subject to review by the Public Space Committee of the District Department of Transportation pursuant to 24 DCMR, Chapters 1 and 2.
- 2500.7 As provided in 10 DCMR C § 9900, terms specific to this chapter are defined in § 2599. Other terms used throughout subtitle C of title 10 DCMR are defined in Chapter 99.

SOURCE: Notice of Final Rulemaking published at 57 DCMR 2281 (March 19, 2010); as corrected by Errata Notice published at 58 DCR 11084 (December 23, 2011).

2501 PERMIT REQUIREMENTS

- 2501.1 Notwithstanding the limitations and exemptions stated in the D.C. Building Code, a permit is required for the erection, painting, repainting, placement, replacement, hanging, rehang, alteration, repair, or change of a sign larger than one square foot (1 sq. ft.) in size on the exterior of a building on historic property or located within the first eighteen inches (18 in.) inside a glazed opening of a building on historic property.
- 2501.2 Signs on historic property that are not subject to regulation under the D.C. Building Code or required to meet the permit requirements stated in the D.C. Building Code shall be issued permits based on their compliance with the requirements of this chapter.
- 2501.3 Notwithstanding the other requirements of this chapter, signs bearing non-commercial statements of fact, belief, or personal or political opinion that are posted on privately owned historic property shall be issued permits if the proposed method of installation would not destroy or irreparably damage the historic property and would not prevent the maintenance of the property in good repair as provided in § 10b of the Act. Such signs shall remain subject to the requirements and prohibitions applicable to dangerous and obstructive signs in 12 DCMR A § 3107.13 and 3107.14.
- 2501.4 A permit is required for the erection, placement, replacement, hanging, rehang, alteration, refacing, repair, or change of an awning, canopy, or marquee on historic property.
- 2501.5 A permit is required for a permanent sign on historic property relating to the sale, rental, lease, or management of the premises.
- 2501.6 A permit is not required for a temporary real estate sign on historic property six square feet (6 sq. ft.) in area or less, or any sign on historic property that is one square foot (1 sq. ft.) in area or less.
- 2501.7 A permit application for a sign, awning, canopy, or marquee on historic property shall comply with the application requirements of the D.C. Building Code and §§ 306 through 313 of this subtitle, and shall include the following:
- (a) A completed D.C. Application for Construction Permit on Private Property and D.C. Application for Public Space (if applicable), signed by the applicant or building owner;
 - (b) Good quality photographs of the building or site, showing the entire façade and close-ups of the area where work is proposed, adequate to document the building or site's existing appearance;

- (c) A scaled or dimensioned drawing of the proposed sign, awning, canopy, or marquee accurately indicating dimensions, materials, colors, graphics, copy, type of illumination, and method of attachment;
- (d) Scaled or dimensioned plans, photo illustrations, or elevation drawings as necessary to show the proposed work as it would appear on the building or site;
- (e) A section drawing, if the application is for an awning, canopy, or marquee; and
- (f) If requested, a sample of the finish material(s).

SOURCE: Notice of Final Rulemaking published at 57 DCMR 2281, 2282 (March 19, 2010); as corrected by Errata Notice published at 58 DCR 11084, 11085 (December 23, 2011).

2508 SIGNS FOR HISTORIC RESIDENTIAL PROPERTIES

- 2508.1 Signs are not typically a prominent visual element on historic residential buildings. In order to preserve the character and setting of historic residential buildings, signage on these buildings and in historic residential areas shall not be visually intrusive, overwhelming, or incompatible with the significant historic characteristics of the particular building, site, and context.
- 2508.2 Commercial advertising on historic property in residential and special purpose zoning districts shall comply at a minimum with the pertinent limitations in the D.C. Building Code. The Board may impose further limitations in size or other characteristics if necessary to achieve compatibility with a historic landmark or district.
- 2508.3 Signage for a historic apartment building or an apartment building in a portion of a historic district zoned for residential use shall be limited to the name and address of the building.
- 2508.4 The preferred location for apartment building signage is at the building entrance, either on a canopy, marquee, or adjacent flat wall surface. A small ground-mounted building identification sign may be permitted for a historic apartment building, an apartment building within a historic district, or historic property within a special purpose zoning district.
- 2508.5 A permanent sign on historic property relating to the sale, rental, lease, or management of the premises is limited to two square feet (2 sq. ft.) in size.
- 2508.6 Illuminated signage is discouraged in portions of a historic district zoned for residential use. Illumination may be permitted if it is determined acceptable for the specific building and setting. Any permitted illumination shall consist of soft, steady white light only.

SOURCE: Notice of Final Rulemaking published at 57 DCMR 2281, 2289 (March 19, 2010); as corrected by Errata Notice published at 58 DCR 11084, 11089 (December 23, 2011).

OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

ERRATA NOTICE

The Administrator of the Office of Documents and Administrative Issuances (ODAI), pursuant to the authority set forth in section 309 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1203; D.C. Official Code § 2-559 (2011 Repl.)), hereby gives notice of corrections to the *D.C. Register* published on March 19, 2010, at 57 DCMR 2281. The Historic Preservation Review Board and the District of Columbia Office of Planning issued a Notice of Final Rulemaking creating a new chapter 25 entitled, “Standards for Signs, Awnings, Canopies, and Marquees,” in subtitle A of title 10 of the District of Columbia Municipal Regulations (DCMR).

Subtitle A of title 10 is formerly entitled, “Historic Preservation.” On January 1, 2010, the ODAI issued a Notice of Final Rulemaking re-codifying the DCMR, including title 10. In so doing, ODAI moved the “Historic Preservation” to subtitle C. The re-codification occurred before the Historic Preservation Review Board and the Office of Planning issued the Second Notice of Proposed Rulemaking, proposing to create chapter 25, and the Notice of Final Rulemaking.

In light of the re-codification of the DCMR, this errata notice corrects the Notice of Final Rulemaking published in the March 19, 2010, *D.C. Register* to say that the new chapter 25, “Standards for Signs, Awnings, Canopies, and Marquees,” is added to subtitle C, “Historic Preservation,” of title 10 of the DCMR. This correction does not alter the intent or application of the rulemaking, but rather clarifies where within the DCMR the rules should be codified. In addition, this errata notice fixes the cross-references within the rulemaking so as to avoid any confusion, makes various formatting changes in conformance with ODAI’s drafting rules, and places the DCMR citations in the proper format in accordance with ODAI’s drafting rules.

The corrections are as follows:

1. In § 2500.5, 10 DCMR, Chapter 24, is referenced. Chapter 24, which used to be codified in title 10, was re-codified and placed in subtitle B, “Planning and Development,” when ODAI re-codified the DCMR. Therefore, this cross-reference is corrected to specifically state where within the DCMR chapter 24 is located; so that the entire subsection reads as follows:

2500.5 Signage and related building features in the Chinatown Overlay District are subject to review by the Chinatown Steering Committee pursuant to 10 DCMR B, Chapter 24.

2. In § 2500.7, references to 10A are corrected to reference subtitle C of title 10 DCMR; so that the entire subsection reads as follows:

- 2500.7 As provided in 10 DCMR C § 9900, terms specific to this chapter are defined in § 2599. Other terms used throughout subtitle C of title 10 DCMR are defined in Chapter 99.
3. In § 2501.1, the references to “one (1) square foot” and “eighteen (18) inches” are reformatted in accordance with ODAI’s drafting rules, so that the entire section reads as follows:
- 2501.1 Notwithstanding the limitations and exemptions stated in the D.C. Building Code, a permit is required for the erection, painting, repainting, placement, replacement, hanging, rehanging, alteration, repair, or change of a sign larger than one square foot (1 sq. ft.) in size on the exterior of a building on historic property or located within the first eighteen inches (18 in.) inside a glazed opening of a building on historic property.
4. In § 2501.3, the reference to “12A DCMR § 3107.13 and 3107.14” is corrected to be placed in the proper DCMR format, and the extra period (.) at the end of the last sentence is removed so that the entire subsection reads as follows:
- 2501.3 Notwithstanding the other requirements of this chapter, signs bearing non-commercial statements of fact, belief, or personal or political opinion that are posted on privately owned historic property shall be issued permits if the proposed method of installation would not destroy or irreparably damage the historic property and would not prevent the maintenance of the property in good repair as provided in § 10b of the Act. Such signs shall remain subject to the requirements and prohibitions applicable to dangerous and obstructive signs in 12 DCMR A § 3107.13 and 3107.14.
5. In § 2501.6, the references to “six (6) square feet” and “one (1) square foot” are corrected to be placed in the DCMR format:
- 2501.6 A permit is not required for a temporary real estate sign on historic property six square feet (6 sq. ft.) in area or less, or any sign on historic property that is one square foot (1 sq. ft.) in area or less.
6. The term “title” in § 2501.7 is replaced with “subtitle” so as to properly identify which subtitle is being referenced in the rule.
7. The term “commonly” in the third sentence in subsection 2503.5 is replaced with “common.”
8. In § 2505.3(d), the reference to “ten (10) feet” is placed in the proper DCMR format so that the entire paragraph reads as follows:

(d) Pole-mounted signs more than ten feet (10 ft.) in height; and

9. In § 2507.2 through 2507.7, the paragraphs are placed in proper DCMR format, as well as the following measurement references: (1) “forty-two (42) inches” and “eight (8) feet” in § 2507.2; and (2) “eighteen (18) inches” and three (3) square feet” in § 2507.5(b) and (c), respectively, so that the entire subsection reads as follows:

2507.2 Sign placement shall be consistent with the following criteria and considerations:

- (a) A sign may be placed only on a portion of the building occupied by the person, business, or entity to which it relates;
- (b) A sign band, fascia, or other storefront or building area designed to accommodate signage is the preferred location for sign placement;
- (c) In the absence of a sign band or fascia, a flat continuous wall surface, unbroken by decorative detailing and windows, is an appropriate location for signage;
- (d) A storefront or show window may be an appropriate location for a sign provided it does not visually overwhelm the storefront or obscure its transparency;
- (e) A sign shall not conceal or cover over a character-defining architectural feature, such as a window or door surround, cornice, pilaster, or other decorative or ornamental feature;
- (f) A sign shall not conceal or cover over a window or transom. A window sign within a transom or a channel letter sign on top of a show window may be appropriate provided it does not substantially cover the transom;
- (g) A sign shall not conceal or cover over a significant site or landscape feature. Sign placement shall avoid known or likely archaeological features; and
- (h) A sign shall not project more than forty-two inches (42 in.) beyond the building line or building restriction line. A projecting, hanging, blade, or banner sign shall maintain a minimum clearance of eight feet (8 ft.) above grade.

2507.3 Sign size shall be consistent with the following criteria and considerations:

- (a) A sign shall be sized appropriately for its location on a building or site. Signage in a historic district should be generally consistent

with the prevailing size of comparable signage in the district;

- (b) The maximum size and area limitations established by the D.C. Building Code apply to signs on historic property. Further limitations on size and area may be necessary to achieve compatibility with a historic property or district;
- (c) The appropriate size of a sign on historic property shall be determined by and tailored to the specific characteristics of the building or site, the location of the sign on the building or site, and if applicable, the character of the surrounding historic district;
- (d) A sign installed on a sign band, fascia, or show window shall fit within the area specifically designed for its installation; and
- (e) The aggregate area of all window signs within a storefront or show window shall not exceed twenty percent (20%) of the surface area of that element.

2507.4

Sign material shall be consistent with the following criteria and considerations:

- (a) Signage shall be constructed of durable, exterior-grade materials that will retain a high quality appearance;
- (b) Painted wood or metal, and other sign materials and finishes that are consistent in character with materials and finishes on the affected building, district, or site are encouraged; and
- (c) Shiny plastic and other sign materials and finishes that are not found on or are out of character with the affected building, district, or site are prohibited unless unusual circumstances make them clearly acceptable at the specific building or location.

2507.5

Sign copy shall be consistent with the following criteria and considerations:

- (a) Sign copy shall not detract from the visual character of the historic building or district. Generally, copy should be kept simple and the number of words or symbols should be limited to keep the sign easily legible, graphically clear, and free of clutter;
- (b) Sign copy should be legible but not out of scale for the historic building or district. Lettering shall be no more than eighteen inches (18 in.) in height unless a variation is dictated by the specific characteristics of the building and the placement of the

sign;

- (c) A sign listing services, goods, websites, phone numbers, or other detailed information shall be no larger than three square feet (3 sq. ft.) in size; and
- (d) Signage using Chinese characters and design elements is encouraged in the Chinatown Overlay District.

2507.6

Sign illumination shall be consistent with the following criteria and considerations:

- (a) Sign illumination shall not detract from a historic building or district. At a minimum, illumination of a sign on historic property shall comply with the applicable provisions of the D.C. Building Code;
- (b) Low-level illumination for signage is encouraged as a general principle. Intense or overpowering illumination can render an otherwise compatible sign inappropriate for historic property;
- (c) Sign illumination shall be appropriate for the location, setting and character of the specific building and site. Certain types of facilities, such as theaters and public buildings, may warrant greater levels of illumination;
- (d) The large internally illuminated surface areas of box signs are generally not appropriate for signs on historic property. Internally illuminated channel letter signs are more appropriate and are encouraged as an alternative;
- (e) Signs with a diffused source of illumination, such as halo-lit channel letter signs, are encouraged;
- (f) Any exterior source of illumination shall direct the light onto the sign, and shall be appropriately shielded to prevent light and glare from shining in the eyes of pedestrians;
- (g) Spot lights, hanging lamps, and decorative fixtures may be acceptable methods of external illumination, if the light source is appropriately shielded and of low intensity;
- (h) Sodium vapor, mercury vapor, or other metal halide light sources are generally too bright for illuminating signs on historic property and are not permitted;

- (i) Neon signs may be permitted if appropriate for the building or district. The use of neon or continuous light-emitting diode (LED) strips as decorative trim or as a building outlining element is not permitted except in the Chinatown area of the Downtown Historic District; and
- (j) Sign illumination shall be by steady light only. Pulsing, blinking, or flashing lights are not permitted.

2507.7

Sign installation shall be consistent with the following criteria and considerations:

- (a) Signage shall be installed in a manner that minimizes permanent damage to a building. On masonry buildings, signage shall be attached through mortar joints, rather than through masonry units, whenever possible;
- (b) Signage shall be installed in a neat and workmanlike manner;
- (c) Electrical conduit, transformers, and other electrical equipment for lighting of exterior signs shall be concealed. Raceways shall be as compact as practicable and painted or finished to blend with the wall color behind; and
- (d) Ground-mounted signs shall be installed to avoid damage to known or likely archaeological features.

10. The reference to “two (2) square feet” in § 2508.5 is placed in the proper DCMR format so that the entire subsection reads as follows:

2508.5 A permanent sign on historic property relating to the sale, rental, lease, or management of the premises is limited to two square feet (2 sq. ft.) in size.

11. In § 2509.3, the word “the” is repeated between the terms, “is” and “traditional”. The second term “the” is removed.

12. In § 2509.5, the paragraphs and the reference to “twenty (20) square feet” in paragraph (c) are placed in the proper DCMR format so that the entire subsection reads as follows:

2509.5 Signs for historic institutional properties shall be subject to the following provisions:

- (a) Traditional institutional building signage shall be placed at an architecturally appropriate location like a frieze or wall surface next to or above an entrance. The determination of an appropriate

location is dependent on the architecture of the specific historic building;

- (b) Ground-mounted institutional signs shall be located where they do not obscure public views of the building, its entrance, or other significant architectural or site features. Ground-mounted signs shall not be raised on masonry piers;
- (c) Institutional signage shall be sized appropriately to its location on the historic building or site. A bulletin sign should not exceed twenty square feet (20 sq. ft.) in area, calculated to include any architectural supports such as piers, bases, and frames;
- (d) Institutional signs shall be constructed of materials appropriate for the building, site, or district. Signs of metal, wood, stone and other materials compatible with the building or district are encouraged. Signs of synthetic materials, such as shiny plastic, that are not compatible with the building or district are not permitted; and
- (e) Institutional signs shall be illuminated in a manner consistent with and appropriate for their setting. Internally illuminated signs are prohibited unless unusual circumstances make them clearly compatible with the specific building or location.

13. In § 2510.3, the reference to “ten (10) feet” is placed in the proper DCMR format so that the entire subsection reads as follows:

2510.3 New pole-mounted signs on gas stations or other facilities are not permitted to exceed ten feet (10 ft.) in height. Removal of existing pole-mounted signs and replacement with ground-mounted signs or other appropriate signage is encouraged.

14. In § 2512.1, the “title” is replaced with “subtitle” so as to properly identify which subtitle is being referenced in the rule.

15. The references to “twenty (20) square feet” in § 2512.2 and 2512.3 are placed in the proper DCMR format so that the subsections read as follows:

2512.2 HPO shall routinely approve temporary signage to be installed for less than ninety (90) days or that is less than twenty square feet (20 sq. ft.) in size, provided it is installed in a manner that does not cause permanent damage to historic property.

2512.3 HPO shall review a temporary sign to be installed for more than ninety (90) days or that is more than twenty square feet (20 sq. ft.) in size

according to the standards and criteria for permanent signs. HPO may grant greater flexibility in terms of size, placement, type, shape, material, and copy, provided that the sign is installed in a manner that does not cause permanent damage to historic property.

16. In § 2515.4 through 2515.10 the paragraphs are corrected to be placed in proper DCMR format, as well as the following references: (a) “sixty (60) inches” in § 2515.6(c); (b) “eight (8) feet” in § 2515.6(d); and (c) “twelve (12) inches” in § 2515.8(a); so that the subsections read as follows:

2515.4 Awning location and configuration shall be consistent with the following criteria:

- (a) An awning shall be placed only on a portion of the building occupied by the person, business, or entity to which it relates;
- (b) An awning shall relate to a single architectural feature, whether a storefront, window opening, or door opening. An awning shall not be designed as a continuous element that spans multiple storefronts, window openings, or door openings;
- (c) An awning shall relate to and fit within the masonry opening or frame of the storefront, window, or door where it is located;
- (d) An awning shall not cover or obscure or cover over an ornamental or character-defining feature of a historic property; and
- (e) Excessive use of awnings is inappropriate and can make commercial advertising detract from a historic property. Repetitive awnings used as signage or branding on upper floor windows are not appropriate.

2515.5 Awning type and shape shall be consistent with the following criteria:

- (a) A shed-style awning is generally the most appropriate form for a flat-topped opening. A barrel-vaulted awning is usually appropriate only for an arched opening. A quarter-round awning is typically appropriate only for an architecturally elaborate façade or storefront;
- (b) An awning shall not have a compound shape, such as a shed awning with a barrel-vaulted midsection;
- (c) An awning should not be bulky or boxy in appearance. An open-sided configuration is encouraged in order to make the awning appear lightweight and to increase visibility of the window;

- (d) Operable and retractable awnings are preferred because this reinforces their accessory nature and allows greater visibility of the building when they are raised;
- (e) An awning should be consistent with the prevailing proportions of other awnings in the streetscape. Its angle of slope should be moderate, and neither so steep that the top of the awning looks like a billboard, nor so shallow that the awning looks like a shelf or marquee; and
- (f) The underside of an awning shall not be enclosed or boxed in with fabric or other material, unless justified by the specific circumstances of the building or awning installation.

2515.6 Awning dimensions shall be consistent with the following criteria:

- (a) An awning shall be appropriate in size and scale for the historic building to which it is attached;
- (b) An awning shall be sized to fit the opening where it is installed;
- (c) The projection of an awning shall be appropriate for the building to which it is attached. No awning shall project more than sixty inches (60 in.) beyond the building line or building restriction line; and
- (d) An awning shall maintain a minimum clearance of eight feet (8 ft.) above the ground.

2515.7 Awning materials shall be consistent with the following criteria:

- (a) An awning shall be covered only with canvas, woven acrylic or similar fabric materials. Metal and shiny or glossy materials like vinyl and plastic are not permitted; and
- (b) A single solid color material is preferred for awnings. Striped or patterned awnings are discouraged and are not permitted if they would visually detract from the character of the historic building or district.

2515.8 Awning signage characteristics shall be consistent with the following criteria:

- (a) The valance of an awning is an appropriate location for signage. Signage shall generally be limited to lettering no taller than twelve

inches (12 in.);

- (b) A discreet logo may be allowed on the slope of an awning if also permitted by the building code official; and
- (c) An awning shall not be used as an oversized sign. An awning or pattern of awnings shall not be used to create supergraphics or branding that is overpowering or detracts from the historic character of the building or district.

2515.9 Awning illumination shall be consistent with the following criteria:

- (a) An awning shall not be lighted except as part of general storefront illumination. Translucent backlit awnings and under-mounted lighting of an awning are not permitted;
- (b) A sign on the valance of an awning shall not be illuminated; and
- (c) Unobtrusive storefront lighting fixtures may be attached to the underside of an awning.

2515.10 Awning installation shall be consistent with the following criteria:

- (a) An awning shall be attached to a building in a manner that causes the minimum permanent damage. Typically, an awning should be attached to a window frame or storefront surround; and
- (b) Attachment of awning frames through masonry is prohibited except in unusual circumstances where it is unavoidable due to specific characteristics of the building.

17. In § 2517.3 and 2517.4, the paragraphs are placed in the proper DCMR format, as well as the reference to “eight (8) feet” in § 2517.3(f); so that the subsections read as follows:

2517.3 A canopy shall be consistent with the following criteria:

- (a) An entrance, storefront, or sidewalk café may be an appropriate location for a canopy;
- (b) A canopy shall relate to and fit within the masonry opening or frame of a door or storefront. A barrel-vaulted canopy is only appropriate for an arched opening;
- (c) A canopy shall not conceal or cover over a door surround or other significant architectural feature of a building;

- (d) A shed style canopy should have open sides to increase visibility of the building or its entrance;
- (e) The projection of a canopy shall be proportional to the building and appropriate to the streetscape where it is located;
- (f) A canopy shall maintain a minimum clearance of eight feet (8 ft.) above grade;
- (g) A canopy shall be finished with canvas, woven acrylic or a similar fabric material. Vinyl, plastic, and other shiny or glossy finish materials are not permitted;
- (h) Translucent backlit canopies are not permitted. Under-mounted downlighting may be permitted on opaque canopies; and
- (i) A canopy shall be attached to a building in a manner that does not cause permanent damage. Typically, a canopy should be attached to a door frame or storefront fascia. Attachment of canopy framing through masonry is prohibited unless justified by the specific characteristics of the building.

2517.4 Signage on a canopy shall be consistent with the following criteria and considerations:

- (a) An entrance canopy is an appropriate location for building or occupant identification and the property's address;
- (b) Commercial signage is not permitted on the side of a canopy facing the direction of pedestrian travel along a sidewalk; and
- (c) Signage on a canopy shall not be illuminated.

18. In § 2518.1, the term “only” in between “appropriate” and “for” is removed because it is redundant.

19. In § 2519.4, the paragraphs are corrected to be placed in the proper DCMR format:

2519.4 A marquee is an appropriate location to identify a building, occupant, or address. Signage on a marquee shall be consistent with the following criteria:

- (a) Signage on a marquee shall be commensurate with the nature of the establishment it identifies;
- (b) Signage for an apartment building or public institution should be

restrained and usually not illuminated; and

- (c) Signage for a commercial building or theater may be more prominent and brightly illuminated.

- 20. In the definition for “Building code or D.C. Building Code” in section 9901, the reference to “Title 12A” is reformatting and placed in the proper DCMR format; so that the entire definition reads as follows:

Building code or D.C. Building Code: subtitle A of title 12 of the District of Columbia Municipal Regulations, also known as the Building Code Supplement.

This Errata Notice’s corrections to the final rulemaking published in the *D.C. Register* on March 19, 2010, are non-substantive in nature and do not alter the intent, application, or purpose of the rules. The text of *D.C. Register* published at 57 DCR 2281 (March 19, 2010) is corrected accordingly and in consistence with the Historic Preservation Review Board and the District of Columbia Office of Planning’s initial intent.

Any questions or comments regarding this notice shall be addressed by mail to Victor L. Reid, Esq., Administrator, Office of Documents and Administrative Issuances, 441 4th Street, N.W., Suite 520 South, Washington, D.C. 20001, or via telephone at (202) 727-5090