GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Real Estate Services

REQUEST FOR QUALIFICATION STATEMENTS FOR DESIGN, ENGINEERING AND INSTALLATION OF A RAINWATER HARVEST REUSE SYSTEM WITH ADVANCED HARVEST CONTROLLERS AND FULL DEPTH AND FRICTION COURSE PERMEABLE PAVING INCLUDING LONG TERM MONITORING SETUP AT TWO DISTRICT FIREHOUSES ANNOUNCEMENT NO.: DCKG-2009-R-0029

1.0 Background Information

The Government of the District of Columbia, Department of Real Estate Services, Contracting and Procurement is requesting on behalf of The District Department of the Environment (DDOE), technical proposals from selected architect and engineer (A/E) firms to design, engineer and install a rainwater harvest reuse system with advanced harvest controllers and full depth and friction course permeable paving including long term monitoring setup at two District firehouse. The work shall include the preparation of drawings and specification, obtaining necessary permits, and constructing of two comparative rainwater harvest reuse downspouts, and store in cisterns in accordance with the Scope of Work in **Attachment A**. This procurement is being funded by the District of Columbia with funds made available by the American Recovery and Reinvestment Act of 2009, P.L. 111-5 (Recovery Act). The Contractor will be subject to the additional requirements included on **Attachment B**.

2.0 Evaluation and the Selection Process

Following submission of the technical proposals, the District will evaluate the information using specified evaluation criteria and will rank the firms from the most qualified to the least qualified to perform the work and begin contract price negotiations with the firm ranked the highest. Should the District and the highest ranked firm fail to successfully reach agreement through negotiations in a reasonable period of time, the District retains the unilateral right to cease negotiations and to immediately commence negotiations with the next highest ranked firm.

3.0 Technical Proposal Evaluation

The following evaluation criteria, listed in descending order of importance, will be used to evaluate technical proposals:

a. Professional qualifications necessary for satisfactory performance of the required services. **20 points**

b. Specialized experience and technical competence including familiarity with and experience of designs, engineering, and installation of rainwater harvest reuse system. **20 points**

c. Key Personnel-shall be senior personnel who have experience in designing projects requiring similar design scope and budget. Availability and experience of the key individuals assigned to this project will be evaluated. **15 points**

d. Past performance on contracts with the District, other government entities, and private industry in terms of cost control, quality of work and compliance with performance schedules. **15 points**

e. Proposed management plan to include an organized chart and addresses management approach, team organization, quality control procedures, cost control mechanisms, "in-house" disciplines, specialty consultants and subcontractors, the percentage of time each individual will devote to the project, customer servicing, technological support mechanism (CADD, Project Management software, etc.), and as well as the coordination of all resources to achieve project objectives. **15 points**

f. Experience in obtaining plan review permits as well as the firm's general approach to, and relationship with "external input" to the design process, DC agencies, and other outside organizations. **15 points**

4.0 Legal/Compliance Requirements:

a. This architect-engineer selection shall be in accordance with the provisions of 27 DCMR, Chapter 26.

b. Firms are referred to the D.C. Code that specifies legal requirements pertaining to providing professional engineering services in the District of Columbia. Refer to Chapter 6, "District of Columbia Professional Corporation Act" and Chapter 23 "Professional Engineer's Registration Act" of the D.C. Code.

c. Contracts to be awarded as a result of this Request will include the requirements contained in the Mayor's Order 92-138 that sets goals for service contractor's employments of District of Columbia residents, and sanctions for failure to achieve those goals. Responding firms should assure themselves that they are fully aware of the requirements of the Mayor's Order 92-138.

d. Prior to entering into a contract with the District of Columbia as a result of this Request, firm(s) selected for contract award shall assure the District by submitting duly sign company's EEO policy statement that they are an Equal Opportunity Employer as defined by Federal and District of Columbia Laws.

e. If Offeror plans to subcontract any portion of this work to other firms, at least 35% of the dollar volume of the work shall be subcontracted to firms that are Small Business Enterprises (SBE) certified by the Department of Small and Local Business Development (DSLBD) under the provisions of the "Small, Local and Disadvantaged Business Enterprise Development and Assistance Act of 2005" (the Act), Title II, Subtitle N, of the "Fiscal Year 2006 Budget Support Act of 2005", as amended. If there are insufficient qualified SBE that are certified to completely fulfill this requirement, then the subcontracting requirement may be satisfied by subcontracting 35% of the dollar volume to any certified business enterprise provided however, that all reasonable efforts shall be made to ensure that qualified SBE's are significant participants in the overall subcontracting work. **Approval of the firm's subcontracting plan by the Contracting Officer is a necessary condition for contract award.**

5.0 Technical and Fee Proposal Submission Requirements:

Offerors shall include the following in their technical submittals:

a. GSA Standard Form 330 Parts 1&2 listing three (3) projects performed within the last five years that are relevant to the requirements of this Request with verifiable references including up-to-date names and phone numbers of contacts of those projects.

b. Summary qualifications and experience of staff members who would be assigned to the project including proposed subcontracts, teaming arrangements, etc.

c. Narrative and illustrative materials necessary to adequately address the evaluation criteria.

The total amount of material submitted should not exceed 7, two-sided, 8 1/2" x 11" pages, or 15 surfaces, letters, illustrative materials and other supplemental information included. No fold-out sheets.

Offerors shall also submit a fee proposal.

Offerors shall submit an original and 3 copies of the technical proposal and an original copy of the price proposal to:

Tonya Mills
Contracting Specialist
Department of Real Estate Services
2000 14th Street, NW 5th Floor
Washington, D.C. 20009

Each proposal shall be submitted in a sealed envelope conspicuously marked <u>on the outside</u>:

Proposal in Response to: Ann# DCKG-2009-R-0029
"Design, Engineering and Installation of a Rainwater Harvest Reuse System-FEMS"

These materials must be submitted by **2:00 p.m. local time on November 23, 2009**, for consideration. Documents received after this time will not be considered. Absolutely no electronic submissions will be accepted. However, firms may be asked to provide electronic copies of their proposals in PDF format subsequent to the formal submission. For technical questions or clarification, please contact Rebecca Stack at (202) 727-5160. For contractual questions or clarification, please contact Tonya Mills at (202) 671-2255 or email at tonya.mills@dc.gov.

Sincerely,

Diane Wooden

Diane Wooden
Contracting Officer

cc: Rebecca Stack (DDOE)
Debor Dosunmu (DRES)

Appendix:

- A-Scope of Work

DISTRICT DEPARTMENT OF THE ENVIRONMENT
WATERSHED PROTECTION DIVISION

SCOPE OF WORK FOR THE DESIGN, ENGINEERING AND INSTALLATION OF A RAINWATER HARVEST REUSE SYSTEM WITH ADVANCED HARVEST CONTROLLERS AND FULL DEPTH AND FRICTION COURSE PERMEABLE PAVING INCLUDING LONG TERM MONITORING SETUP AT TWO DISTRICT FIREHOUSES.

The purpose of this project is to prepare drawings and specifications, obtain necessary permits, and construct two comparative rainwater harvest reuse system that will capture stormwater runoff from District Fire Engine House roof downspouts, store in cisterns, to be available for Fire Engine House needs. Each site will include advanced harvest controllers. One site will include a full depth permeable paving overflow area and one site will include a friction course permeable paving overflow area. Engineering, designs and installation will include necessary components for long term monitoring of flows and water quality at each site.

The District Department of the Environment Watershed Protection Division (DDOE WPD) will coordinate the design and construction of a harvest reuse permeable overflow pilot project for two selected District Fire Engine Houses for the District's Fire and Emergency Medical Services (Fire & EMS). This is part of an ongoing effort by the Watershed Protection Division to support District Agencies' efforts to provide better environmental stewardship at their building sites through low impact development. This scope of work is for the design, permitting, and construction of this project. A harvest reuse system with advanced harvest controllers and full depth and friction depth permeable overflow areas links several innovative low impact development practices to provide greater stormwater retention options to property owners then seen with individual low impact development practices. Designing the sites to accommodate long term comparative monitoring of water quality and quantity will provide the District with the opportunity to collect performance data on full depth and friction depth permeable overflow areas to better inform future design standards. Friction depth permeable paving is of particular interest because of its lower cost and the ability to use this approach in situations where sub surface infiltration is not an option.

Background

Urbanization creates impervious surfaces with buildings, roadways, sidewalks and other built elements. These impervious surfaces are not able use rainfall as the trees, meadows, soils and similar pervious surfaces did before construction. The District of Columbia moves rain water off impervious surfaces through two types of stormwater conveyance systems. One third of the District is part of the Combined Sewer System (CSS). The rest of the District is on the Municipal Separate Storm Sewer System (MS4). In the CSS portion of the District, stormwater runoff from rooftops, roadways sidewalks and other impermeable surfaces is directed, through plumbing, into pipes below ground where it mixes with sewage and is then conveyed to the District's Wastewater Treatment Plant, Blue Plains. Typically, over sixty rainfall events per year exceed the existing capacity of the CSS and by pass treatment, directly discharging the mix of raw sewage and stormwater to the Anacostia River, the Potomac River and the streams and creeks that feed them. CSS overflow events are the main source of nutrient loads and bacteria contamination in the District's Rivers and a significant cause for water quality that does not meet District standards.

In the MS4, stormwater is kept separate from sewage however the energy of the stormwater as it is discharged through stormwater outfalls into the receiving streams and rivers is highly erosive and carries elevated pollutant loads. The source of pollutants from impervious surfaces can come from various sources, including atmospheric deposition, vehicle exhaust and fluid leakage, abrasion from the friction between tires and roads, deicing activities and pavement itself. The force of large stormwater runoff volumes erodes the receiving stream banks

contributing greatly to high loads of total suspended solids in the waterways. The receiving stream's water quality is, again, negatively affected by elevated levels of metals, bacteria, and organics that do not meet District standards.

DDOE WPD has developed Watershed Implementation Plans (WIPs) for each of the District's impaired watersheds. Retrofitting property held by District Agencies is one of the primary methods identified to meet restoration goals in the WIPs. If a property is engineered to manage its stormwater onsite stormwater runoff volumes delivered to the both the CSS and the MS4 can be significantly reduced, thereby reducing CSS overflow events and the erosive energy at outfalls in the MS4 as well as those pollutant loads.

The DDOE WPD is encouraging projects demonstrating innovative storm water control retrofits, also known as Low Impact Development (LID), in the District. The intention of LID, just like any traditional storm water control technique, is to detain the first flush of storm water, decrease total runoff, and filter storm water in order to reduce the load of non-point source pollution entering District waters. LID is unique in that it is non-structural (minimum of concrete, pipes and heavy infrastructure) and it treats storm water at the lot-level (where the rain falls). LID makes use of a site's landscaped features and its built surfaces by disconnecting and decreasing its imperviousness and directing stormwater runoff to storage and reuse options, as well as infiltrating and evapo transpiring it through soils and plants. The extra benefits that LID technologies provide include increased aesthetic appeal and habitat creation, air pollution abatement, heat-island mitigation, reduced building heating and cooling costs, water conservation, among others.

At sites where infiltration is not an option the District is interested in evaluating the friction depth permeable paving approach also known as permeable friction course (PFC). PFC overlays are used regularly in many locations throughout the U.S. including California, Massachusetts, Georgia, Texas, and Utah, as well as internationally. Use is typically motivated by safety and sound concerns. The PFC paving approach incorporates a pervious top course over a standard impermeable paving base. The pervious course leads to shorter stopping distances for cars, quicker surface drying periods and less spray during precipitation events as well as more muffled sounds in general. Studies in highway applications have shown that PFC can provide stormwater runoff mitigation as well by significantly reducing the amount of pollutants discharged from paved areas through; however, the performance of the material has not been extensively studied relative to water quality performance and volume retention in low-volume roads and parking areas. If found to be efficacious this approach may offer a low cost retrofit strategy for existing built environments to better manage their stormwater runoff.

Fire & EMS and DDOE are evaluating Fire Engine Houses throughout the District for opportunities to retrofit the sites to provide onsite stormwater management. Fire & EMS has identified several Fire Engine Houses, in both the CSS and the

MS4, with existing paving needs. Prime candidates for this project include Engine House 25 at Martin Luther king Avenue and Alabama Avenues SE and Engine House 3 at 439 New Jersey Avenue NW. Alternate sites also under consideration for this project include Engine 15, at 2101 14th Street SE. and Engine 33 at 101 Atlantic Street, SE. This project will link Fire & EMS' capitol paving projects needs with the environmental goal of onsite stormwater management to demonstrate retrofitting LID practices can provide water quality improvements by reducing the volume of water leaving the site as well as the improvements to the quality of the water leaving the site.

The District Department of the Environment (DDOE) will support the District Fire and Emergency Medical Services (Fire & EMS) Department's efforts to "go green" by providing Stimulus Act funds for a roof top rain water harvest & reuse program. This project will take an integrated site design approach directing roof runoff to cisterns that can be used to prime tanks on fire trucks and for truck washing. Truck wash runoff will be directed to areas paved with full depth and friction depth permeable paving systems. Advanced harvest controllers at each site will be used to minimize the bypass of stormwater runoff while maximizing water for reuse. This project will reduce the Fire & EMS's needs for potable water. It will diminish the impact on aquatic life by reducing the amount of polluted stormwater rushing to local streams during storm events.

The aim of this project is to demonstrate this technology as an alternative solution to traditional, more costly, and less ecologically friendly approaches to stormwater storage and conveyance.

There are two governmental agencies involved in this project, the District Department of the Environment and the District Fire and Emergency Medical Services. A letter of cooperation between these two agencies has been executed for this project. This scope of work covers the complete engineering, design and construction for retrofitting two District Fire Engine Houses with harvest/reuse systems with advanced harvest controllers and full depth and friction depth permeable overflow areas as well as monitoring setups to allow for long term comparative evaluations of the sites. This scope of work includes full and complete engineering designs, permitting, construction management and implementation, and warrantee of work of two years for the each site.

Project Tasks

Task 1 – Design & Construction Management
The overall supervision and management of the project design and construction is included in this task. This includes project planning, budgeting, scheduling, and performance. Some of the major activities provided by this task include.

- Coordination with DDOE project manager and Fire & EMS staff
- Attendance of kick off meeting to cover the tasks described below.
- Up to 8 conference calls to discuss project progress.
- Review/revision times for two sets of response to comments/suggestions from District staff during design process at 30% and 80% concept plan stages.
- Documentation of meetings though minutes and dispersal of meeting minutes to all project partners.
- Pre-construction meeting with sub contractors and DDOE and Fire & EMS staff at each site prior to construction to discuss the design plans, specifications, regulatory requirements and controls, coordination with Engine House operations, schedules, and general questions.
- Construction oversight during major phases of construction.
- Daily field logs and photo documentation for each site visit as well as equipment installation, an archive of the complete photo log will be provided in digital format to DDOE and Fire & EMS at the end of the project.
- As Build Design Drawings in AutoCAD that reflect all changes made in the field during construction.
- Establish and maintain lines of communication with DDOE project manager.
- Prepare schedule and update progress made towards this schedule on a monthly basis in writing.
- Other management tasks as necessary.

Task 2 – Evaluate and Select Sites for Project
<u>Subtask 2a</u> – Review and record existing information for the site including locations and depths of sanitary and storm sewers and utilities, FEMA flood plain mapping, and surveys of land plats and ownership points.

<u>Subtask 2b</u> – Perform field reconnaissance site visits of existing conditions at each of the sites Fire & EMS has identified as capitol paving projects, prime candidate locations include Engine House 3 and Engine House 25, and alternate locations include Engine House 6 and Engine House 15. Survey the potential project sites to identify the drainage area and all existing conditions needed to develop design plan. Conduct infiltration tests and studies of area geology, soil types, and depth of the water will only be necessary if full depth permeable paving is planned and as required by permit reviewers.

<u>Subtask 2c</u> – Water Budget Analysis

Task 3 – Concept Design Plan (30% Design) for Harvest/Reuse/Controller/Permeable/Monitoring Plans

Subtask 3a – Prior to starting detailed design documents the contractor will meet with DDOE to outline recommendations for the harvest/reuse project including:

- Location maps showing exiting conditions as determined through existing documents and field reconnaissance; and
- Proposed harvest/reuse/controller/permeable/monitoring plan including preliminary cost estimates and drawings based upon design criteria established through discussions with DDOE.

Subtask 3b – A conceptual plan will incorporate these key elements,

- Standard and pervious pavement including full depth permeable and friction course depth permeable (PFC);
- Above and below ground storage tanks for rainwater harvesting and non potable reuse needs;
- Identify electrical components, pumps, filters and other design elements required to use stored water;
- Identify access to stormwater storage tanks or cisterns to maintain pumps, electrical systems and to clean out settled particles as needed. This may require a manhole and an access ladder or may come as a prefabricated component of a cistern;
- Advanced harvest controller overview to minimize bypass of runoff while maximizing water for reuse; and
- A conceptual level monitoring design plan that identifies where and how critical water quality and flow monitoring equipment will be installed. Features in this monitoring design plan will include means of stormwater runoff capture (trench drains, subsurface drains etc.), runoff storage (using rainwater harvesting systems as storage for captured runoff to be tested for water quality) and types and locations for monitoring equipment to be installed. The monitoring design plan will also include methods for continuous flow monitoring of all inputs and outputs to the harvesting systems.

Task 4 – Permitting Level Design Plan (80% Design) for Harvest/Reuse/Controller/Permeable/Monitoring Plans

Incorporate comments from 30% review session with DDOE WPD and Fire & EMS and add details to support elements outlined in Subtask 3b. Bring project plans to 80% completion. Hold pre-review session with DDOE Technical Branch Services Plan Reviewer for compliance with stormwater regulations when plans are at 65% completion.

Task 5 – Final design (100%) for Harvest/Reuse/Controller/Permeable/Monitoring Plans

Incorporate comments from 80% review session with DDOE WPD and Fire & EMS and add final details consistent with permit review comments to support elements outlined in Subtask 3b. Hold pre-review session with DDOE Technical

Branch Services Plan Reviewer for compliance with stormwater regulations when plans are at 95% completion. Bring project plans to 100% completion

Task 6 – Specifications for Harvest/Reuse/Controller/Permeable/Monitoring Plans
Subtask 6a – Prepare specification packages to accompany construction drawings for each Engine House site. Specification packages shall include description of existing site conditions, a technical memorandum giving the design over view and identifying best material examples, material specifications for all components in Subtask 3b, outline a material submittal review process, submittal forms for specified materials.

Subtask 6b – Prepare final monitoring design plan as outlined in Subtask 3b.

Subtask 6c – Prepare maintenance manual for property owner of all components detailed in Final Specification Package.

Task 7 – Obtain Necessary Permits for Construction
Harvest/Reuse project designs will have to go through the DDOE, Watershed Protection Division Technical Branch Services plan review process and complete any necessary permit applications. The DDOE will not waive permits but will provide assistance in obtaining permits. DDOE WPD Technical Branch Services plan reviewers should be consulted at the 65% and 95% design stages.

Other construction permits may be required including, but not limited to, permits for staging equipment in public space and traffic management. The contractor will be required to examine which permits will be needed for this project and work to obtain them.

Task 8 – Construct the Harvest/Reuse project with advanced controllers and full depth and friction depth permeable over flow areas with long term monitoring setups.
Subtask 8a – A comprehensive operations plan will be developed by the contractor and/or sub contractor. The operations plan will include an erosion control plan, an access plan, identification of the contractor staging area(s), specified work zone limits, and safety regulations. The operations plan will address prevention of damage to property and lands outside of the accepted limits of disturbance. The operations plan will spell out coordination plan with Fire House Chief so as not to interfere with Engine House operational needs. The operations plan will also address the timing of each phase of construction, and specify the size and type of materials and machinery needed for the work.

Subtask 8b – Using the construction drawing and specifications from the design documents and operations plan accepted by the project partners, the contractor and/or their sub contractor(s) will install the *Harvest/Reuse/Controller/Permeable/Monitoring* at the selected project sites.

The contractor will have a construction foreman who is on-site daily to oversee the installation work. The foreman duties shall include:

- Making sure that appropriate erosion and sediment control measures are installed and maintained;
- Identification of the locations and requirements for contractor storage/lay down areas, site access, and limits of construction.
- Checking to see that the materials used meet the standards of the design specifications;
- Ensuring that the structures installed are within the specifications included in the design documents;
- Ensuring DDOE WPD Enforcement and Inspection inspectors are notified at appropriate stages of construction so that onsite inspections occur when required; and
- Making certain that the operations plan is followed and work is contained to within the limits of disturbance so that the environmental impact to the site is minimized.

Task 9 - Warrantee

By accepting this contract, the receiving party agrees to provide a 2 year warrantee for the work completed through this contract. This warrantee includes:

- Addressing any unanticipated erosion problems that result from the project;
- Ensuring cisterns, filters, pumps and other harvest/reuse components perform as specified;
- Ensuring full depth and friction course permeable paving infiltrates as specified; and
- Ensuring monitoring setup remain functional as specified.

PROVISIONS APPLICABLE TO PROCUREMENTS UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT

ATTACHMENT B

PROVISIONS APPLICABLE TO PROCUREMENTS UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT

I. APPLICABILITY OF THE AMERICAN RECOVERY AND REINVESTMENT ACT

This procurement is being funded by the District of Columbia with funds made available by the American Recovery and Reinvestment Act of 2009, P.L. 111-5 (Recovery Act), and is subject to the reporting and operational requirements of the Recovery Act. All contractors and subcontractors are subject to audit by appropriate federal and District entities. The District has the right to cancel, terminate or suspend the contract if the Contractor or any subcontractor fails to comply with the reporting or operational requirements of the Recovery Act, as it may be amended.

II. REPORTING

1. In addition to the other reporting requirements in this contract, the Contractor shall comply with all reporting requirements of the Recovery Act, as follows:

(a) *Definitions*. As used in this clause—

"Contract" means a mutually binding legal relationship obligating the seller to furnish the supplies or services (including construction) and the buyer to pay for them. It includes all types of commitments that obligate the Government to an expenditure of appropriated funds and that, except as otherwise authorized, are in writing. In addition to bilateral instruments, contracts include (but are not limited to) awards and notices of awards; job orders or task letters issued under basic ordering agreements; letter contracts; orders, such as purchase orders, under which the contract becomes effective by written acceptance or performance; and bilateral contract modifications.

"First-tier subcontract" means a subcontract awarded directly by a prime contractor whose contract is funded by the Recovery Act.

"Jobs created" means an estimate of those new positions created and filled, or previously existing unfilled positions that are filled, as a result of funding by the Recovery Act. This definition covers only prime contractor positions established in the United States and outlying areas. The number shall be expressed as "full-time equivalent" (FTE), calculated cumulatively as all hours worked divided by the total number of hours in a full-time schedule.

"Jobs retained" means an estimate of those previously existing filled positions that are retained as a result of funding by the Recovery Act. This definition covers only prime contractor positions. The number shall be expressed as FTE, calculated cumulatively as all hours worked divided by the total number of hours in a full-time schedule.

"Total compensation" means the cash and noncash dollar value earned by the executive during the Contractor's past fiscal year of the following (for more information see 17 CFR 229.402(c)(2)):

(1) *Salary and bonus*.

(2) *Awards of stock, stock options, and stock appreciation rights*. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance

with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.

(3) *Earnings for services under non-equity incentive plans*. Does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.

(4) *Change in pension value.* This is the change in present value of defined benefit and actuarial pension plans.

(5) *Above-market earnings on deferred compensation which is not tax-qualified*.

(6) *Other compensation*. For example, severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property if the value for the executive exceeds $10,000.

(b) This contract requires the Contractor to provide products and/or services that are funded under the Recovery Act. Section 1512(c) of the Recovery Act requires each contractor to report on its use of Recovery Act funds under this contract. These reports will be made available to the public.

(c) Reports from contractors for all work funded, in whole or in part, by the Recovery Act, and for which an invoice has been submitted are due no later than 5th calendar day after the end of each month.

(d) Unless otherwise directed by the Contracting Officer, the Contractor shall report the following information, using the online reporting tools available at www.reporting.dc.gov :

(1) The contract and order number, as applicable.

(2) The amount of Recovery Act funds invoiced by the Contractor for the reporting period.

(3) A list of all significant services performed or supplies delivered, including construction, for which the Contractor invoiced in the previous month.

(4) Program or project title, if any.

(5) A description of the overall purpose and expected outcomes or results of the Contract, including significant deliverables and, if appropriate, associated units of measure.

(6) An assessment of the Contractor's progress towards the completion of the overall purpose and expected outcomes or results of the contract (*i.e.*, not started, less than 50 percent completed, completed 50 percent or more, or fully completed). This covers the contract (or portion thereof) funded by the Recovery Act.

(7) Names and total compensation of each of the five most highly compensated officers of the Contractor for the calendar year in which the contract is awarded if—

(i) In the Contractor's preceding fiscal year, the Contractor received—

(A) 80 percent or more of its annual gross revenues from federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements; and

(B) $25,000,000 or more in annual gross revenues from federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements; and

(ii) The public does not have access to information about the compensation of the senior executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. §§78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986.

(8) For subcontracts valued at less than $25,000 or any subcontracts awarded to an individual, or subcontracts awarded to a subcontractor that in the previous tax year had gross income under $300,000, the Contractor shall only report the aggregate number of such first tier subcontracts awarded in the quarter and their aggregate total dollar amount.

(9) For any first-tier subcontract funded in whole or in part under the Recovery Act, that is over $25,000 and not subject to reporting under paragraph 8, the Contractor shall require the subcontractor to provide the information described in (i), (ix), (x), and (xi) below to the Contractor for the purposes of the quarterly report. The Contractor shall advise the subcontractor that the information will be made available to the public as required by section 1512 of the Recovery Act. The Contractor shall provide detailed information on these first-tier subcontracts as follows:

(i) Unique identifier (DUNS Number) for the subcontractor receiving the award and for the subcontractor's parent company, if the subcontractor has a parent company.
(ii) Name of the subcontractor.
(iii) Amount of the subcontract award.
(iv) Date of the subcontract award.
(v) The applicable North American Industry Classification System (NAICS) code.
(vi) Funding agency.
(vii) A description of the products or services (including construction) being provided under the subcontract, including the overall purpose and expected outcomes or results of the subcontract.
(viii) Subcontract number (the contract number assigned by the prime contractor).
(ix) Subcontractor's physical address including street address, city, state, and country. Also include the nine-digit zip code and congressional district if applicable.
(x) Subcontract primary performance location including street address, city, state, and country. Also include the nine-digit zip code and congressional district if applicable.
(xi) Names and total compensation of each of the subcontractor's five most highly compensated officers, for the calendar year in which the subcontract is awarded if—
(A) In the subcontractor's preceding fiscal year, the subcontractor received—
(1) 80 percent or more of its annual gross revenues in federal contracts (and subcontracts), loans, grants (and subgrants), and cooperative agreements; and
(2) $25,000,000 or more in annual gross revenues from federal contracts (and subcontracts), loans, grants (and subgrants), and cooperative agreements; and
(B) The public does not have access to information about the compensation of the senior executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. §§78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986.

(10) A narrative description of the employment impact of work funded by the Recovery Act. This narrative should be cumulative and only address the impact on the Contractor's workforce. At a minimum, the Contractor shall provide—

(i) A brief description of the types of jobs created and jobs retained. This description may rely on job titles, broader labor categories, or the Contractor's existing practice for describing jobs as long as the terms used are widely understood and describe the general nature of the work; and
(ii) An estimate of the number of jobs created and jobs retained by the prime contractor. A job cannot be reported as both created and retained.

(11) A unique identifier for each of the Contractor's employees working on a project funded by the Recovery Act. The unique identifier will be the employee's last name combined with the last three numbers of their social security number.

(12) Total hours worked on work funded by the Recovery Act by each employee utilizing the unique identifier.

2. The Contractor shall designate a responsible contact person who will ensure that the data described in Section II.1 is reported by the required time. The Contractor designates the following person as the contact person:

Name: _____
Title: _____
Address: _____
_____
Telephone: _____
Email address: _____

3. A cumulative amount from all the reports submitted for this contract will be maintained by the District's on-line reporting tools.

4. The Contractor shall not use Recovery Act funds to meet the cost of its tracking and reporting requirements under its Recovery Act contracts.

III. POSTING AVAILABLE JOB OPENINGS

The Contractor shall promptly post all new job openings on the District Department of Employment Services' website at www.dcnetworks.org.

IV. ACCESSIBILITY TO RECORDS REQUIREMENTS

1. Pursuant to section 1514 of the Recovery Act, the Contractor agrees to allow any appropriate federal entity, including an inspector general:
   a) access to examine any records of the Contractor and any subcontractor pursuant to this contract that pertain to, and involve transactions relating to, this Contract or any subcontract under this Contract; and
   b) to interview any officer or employee of the Contractor, or any subcontractor, regarding such transactions.

2. Pursuant to section 902 of the Recovery Act, the Contractor agrees to allow the Comptroller General and his representatives:

a) access to examine any records of the Contractor or any of its subcontractors that directly pertain to, and involve transactions relating to the Contract or subcontract under this Contract; and

b) to interview any officer or employee of the contractor or any of its subcontractors regarding such transactions.

IV. EQUAL EMPLOYMENT OPPORTUNITIES

In addition to the District's equal opportunity requirements, the Contractor shall comply with, and require its subcontractors to comply with, all of the following federal laws for equal employment opportunities, if applicable:

Titles VI and VII of the Civil Rights Act of 1964
Equal Pay Act of 1962
Age Discrimination in Employment Act of 1967
Title IX of the Educational Amendments of 1972
Section 504 of the Rehabilitation Act of 1973
Age Discrimination Act of 1975
Titles I and V of the Americans with Disabilities Act of 1990
Fair Housing Act
Fair Credit Reporting Act
Equal Educational Opportunities Act
Uniform Relocation Act

V. WHISTLEBLOWER PROTECTIONS

1. Pursuant to Section 1553 of the Recovery Act, the Contractor and all subcontractors are prohibited from discharging, demoting or otherwise discriminating against any employee of the Contractor or any subcontractor as a reprisal for disclosing any of the following information that the employee reasonably believes is evidence of:

a) gross mismanagement of the Contract related to Recovery Act funds;

b) gross waste of Recovery Act funds;

c) a substantial and specific danger to public health or safety related to the implementation or use of Recovery Act funds;

d) an abuse of authority related to the Contract, including the competition for or negotiation of the contract, related to Recovery Act funds; or

e) a violation of law, rule or regulation related to Recovery Act funds.

2. The inspector general shall receive and investigate all complaints alleging a violation of Paragraph 1 of this section.

3. All contractors and subcontractors receiving Recovery Act funds shall post a notice of employee rights as described in Paragraph 1 of this section in conspicuous locations with other required employee rights information.

VI. ADDITIONAL PROVISIONS APPLICABLE TO CONSTRUCTION CONTRACTS

1. **Department of Labor Wage Determinations**

a) The Contractor and its subcontractors shall pay all laborers and mechanics wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (Davis-Bacon Act). With respect to the labor standards, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code. The Contractor shall be bound by the wage rates for the term of the Contract.

b) All rulings and interpretations of the Davis-Bacon and related Acts contained in 20 CFR Parts 1, 3 and 5 are herein incorporated by reference in this Contract.

2. Buy American

a) Pursuant to Section 1605 of the Recovery Act, the Contractor and all subcontractors must use steel, iron and manufactured goods that have been produced in the United States, unless the Government determines one of the following:

(i) The use of those materials would be inconsistent with the public interest;
(ii) That there is an insufficient quantity or quality of steel, iron or relevant manufactured goods that were produced in the United States; or
(iii) The use of those materials would increase the cost of the project by more than twenty-five percent (25%).

b) The Contractor may seek a waiver from the Buy American requirements by appealing to the appropriate agency under the rules at 2 CFR Part 176.

VI. PROVISIONS APPLICABLE TO SUBCONTRACTORS

The Contractor shall provide a copy of this Attachment B to all of its subcontractors under this Contract.