

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE CHIEF FINANCIAL OFFICER
DETERMINATION AND FINDINGS
FOR
CONTRACTOR'S RESPONSIBILITY**

AGENCY: Office of the General Counsel (OGC)

CONTRACT NO: CFOPD-17-C-025C

CONTRACTOR: Nixon Peabody LLP

CAPTION: Bond Counsel Legal Services

1. AUTHORIZATION:

27 DCMR § 2200.4; PPRA § 301 (D.C. Official Code §2-353.01)

2. MINIMUM REQUIREMENTS:

The Office of Chief Financial Officer ("OCFO"), Office of Contracts on behalf of the Office of the General Counsel ("OGC"), has a requirement for a contractor(s) to provide Bond Counsel Legal Services for the District.

3. ESTIMATED REASONABLE COST:

The estimated contract total price is not to exceed \$950,000.00

4. FACTS WHICH JUSTIFY CONTRACTOR'S RESPONSIBILITY:

The contractor has:

- (a) the financial resources adequate to perform the contract or the ability to obtain them;
- (b) the ability to perform the proposed schedules, taking into consideration all existing commercial and governmental business commitments;
- (c) a satisfactory performance record, as depicted in their past performance references;
- (d) a satisfactory record of integrity and business ethics, as depicted in their past performance references;
- (e) a satisfactory record of compliance with the law, including licensing and tax laws, labor laws, civil rights laws and First Source Employment Act;
- (f) the necessary organization, experience, accounting and operational controls, and technical skills, or the ability to obtain them;
- (g) the necessary production, construction, and technical equipment and facilities or the ability to obtain them;

- (h) not exhibited a pattern of overcharging the District;
- (i) the contractor does not have an outstanding debt with the District or Federal government in delinquent status of more than the greater of \$1,000 or 1% of the contract value, up to \$25,000; and
- (j) the contractor is otherwise qualified and is eligible to receive an award under applicable laws and rules.

5. **CERTIFICATION BY THE CONTRACT SPECIALIST:**

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

6/28/17
Date

Carla Roane
Carla Roane
Contract Specialist

DETERMINATION:

Based on the above findings, it is hereby determined that the Contractor is responsible in accordance with the applicable regulations set forth above and award of the proposed contract extension with Nixon Peabody LLP is in the best interest of the Government of the District of Columbia.

June 28, 2017
Date

Anthony A. Stover
Anthony A. Stover, CPPO
Contracting Officer