

Intent to Award Sole Source Contracts

Title	Intent to Award Sole Source Contract Extension-Determination and Findings
Notice Date	September 27, 2013
Response Due Date	October 7, 2013
Contract Number	CFOPD-08-C-046B
Contract Description	<p>Disclosure Counsel Services</p> <p>Description: The Government of the District of Columbia (District), Office of the Chief Financial Officer's (OCFO), Office of General Counsel (OGC) has an immediate need for representation in connection with the disclosure of information to the investment community in conjunction with each bond and note issuance on an on-going basis by developing, implementing, and updating comprehensive written policies to provide continuing disclosure in compliance with the Securities and Exchange Commission Rule 15c2-12 and any other applicable continuing disclosure requirements. The contractor will provide disclosure counsel services in conjunction with each bond and note issuance by the District.</p>
Vendor Name	Edwards, Wildman, and Palmer LLP
Procuring Agency	Office of the Chief Financial Officer, Office of Contracts
Point of Contact	Anthony A. Stover, Contract Specialist anthony.stover@dc.gov 202-442-7122

**Government of the District of Columbia
Office of the Chief Financial Officer
Determination and Findings
for a
SOLE SOURCE EXTENSION OF CONTRACT**

CONTRACT NUMBER: CFOPD-08-C-046B
CONTRACTOR: Edwards, Wildman, and Palmer LLP
CAPTION: Disclosure Counsel Services
PROGRAM AGENCY: Office of the General Counsel (OGC)
CONTRACTING AGENCY: Office of Contracts

1. AUTHORIZATION

D.C. Official Code §2-354.04; 27 DCMR 1304, 1700, 1701 and 2005.6(b)

2. MINIMUM NEED

The Government of the District of Columbia (District), Office of the Chief Financial Officer's (OCFO), Office of General Counsel (OGC) has an immediate need for representation in connection with the disclosure of information to the investment community in conjunction with each bond and note issuance on an on-going basis by developing, implementing, and updating comprehensive written policies to provide continuing disclosure in compliance with the Securities and Exchange Commission Rule 15c2-12 and any other applicable continuing disclosure requirements.

3. ESTIMATED REASONABLE PRICE

This is an indefinite-quantity contract which requires the District to order and the contractor to furnish at least the stated minimum quantity of services in the amount of \$1,000. The contractor shall also be required to furnish, if and as ordered via task order, any additional quantities, not to exceed a stated maximum of \$950,000. Funds shall be obligated at the time orders are issued under the contract. The contract price is based on the agency's usage and the contractor's rate which was determined as reasonable at the time of contract award based on the competition.

4. **FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT**

Edwards, Wildman, and Palmer LLP was awarded Contract No. CFOPD-08-C-046B to provide bond counsel services in connection with taxable and tax-exempt capital and operational borrowings of the District. The contract term ends November 19, 2013.

In preparation for a replacement contract, OGC is developing requirements based on latest changes to the procurement regulations and audit findings. The improved requirements will be procured through a competitive process with an anticipated contract effective date of April 1, 2014. The District has a critical need for uninterrupted services, as the OGC on behalf of the District continuously issue bonds and notes that require continuing disclosure counsel services as required by the Securities and Exchange Commission (SEC). Edwards, Wildman, and Palmer LLP has the capacity to provide immediate and consistent services; as such, a market survey was not conducted.

Therefore, it is necessary to extend the contract through March 31, 2014, to allow for continuity of service and to allow time for the completion of the competitive procurement process for a new contract with modern requirements.

5. **CERTIFICATION BY AGENCY HEAD**

I hereby certify that the above findings are true, correct and complete.

Stephen B. Lyons
Deputy General Counsel
Office of the General Counsel

Date

6. **CERTIFICATION BY CONTRACTING OFFICER**

I have reviewed the above findings and certify that they are sufficient to justify the sole source extension of this contract under the cited authority. I recommend that the Director approve the sole source extension of this contract.

Drakus Wiggins, CPPB
Contracting Officer
Office of Contracts

Date

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354.02 or 2-354.03). Accordingly, I determine that it is in the best interest of the District and the District is justified in using the sole source method of procurement to extend the contract term beyond the total term specified in the contract, pursuant to 27 DCMR § 2005.6(b).

Joseph Giddis
Director
Office of Contracts






Date

DRAFT







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<input type="checkbox"/>	 CFOPD-08-C-028 - Cost Allocation Plan - Notice of Intent Sole Source DF.pdf View Download	Title: Intent to Award Sole Source Contract Extension -- Determination and Findings for Financial Advisory Services -- Document #: CFOPD-08-C-028 - Due Date: December 29, 2013 -- POC: (email – carla.roane@dc.gov or telephone 202-442-6452)	103k	v. 1	Dec 19, 2013, 12:06 PM	Doretha Johnson (OCFO)
<input type="checkbox"/>	 CFOPD-08-C-031A - Medicaid Audit Services - Notice of Sole Source 2 - DF.pdf View Download	Title: Notice of Intent to Award Sole Source Contract - Document #: CFOPD-08-C-031A - Due Date: March 28, 2014 - POC: Anthony Stover (email – anthony.stover@dc.gov telephone 202-442-7122)	265k	v. 1	Mar 18, 2014, 4:31 PM	Doretha Johnson (OCFO)
<input type="checkbox"/>	 CFOPD-08-C-031A - Medicaid Audit Services - Notice of Sole Source - DF.pdf View Download	Title: Intent to Award Sole Source Contract Extension - Determination and Findings for Medical Audit Services -- Document #: CFOPD-08-C-031A -- Due Date: October 21, 2013 -- POC: Anthony Stover (email – Anthony.stover@dc.gov telephone 202-442-7122)	162k	v. 1	Oct 11, 2013, 12:43 PM	Dorothy Whisler (OCFO)
<input type="checkbox"/>	 CFOPD-08-C-031A - Medicaid Audit Services - Williams, Adley & Company, LLP - Notice of Sole Source DF.pdf View Download	Title: Intent to Award Sole Source Contract Extension - Determination and Findings for Medical Audit Services - Document #: CFOPD-08-C-031A - Due Date: September 26, 2014 - POC: Peter Lloyd (email	1063k	v. 1	Sep 16, 2014, 5:44 PM	Doretha Johnson (OCFO)







– peter.lloyd@dc.gov telephone
202-442-6431)



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<input type="checkbox"/>	 CFOPD-08-C-040E - Bond Counsel Services - Notice of Sole Source Extension and DF.pdf View Download	Title: Intent to Award Sole Source Contract Extension -- Determination and Findings for Bond Counsel Services -- Document #: CFOPD-08-C-040E -- Due Date: October 7, 2013 -- POC: Anthony Stover (email – anthony.stover@dc.gov or telephone 202-442-7122)	266k	v. 1	Sep 27, 2013, 5:02 PM	Dorothy Whisler (OCFO)
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<input type="checkbox"/>	 CFOPD-08-C-046B Disclosure Counsel Services - Notice of Sole Source Extension and	Title: Intent to Award Sole Source Contract Extension -- Determination and Findings for	265k	v. 1	Sep 27, 2013, 5:01 PM	Dorothy Whisler (OCFO)

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<input type="checkbox"/>	 CFOPD-08-C-048 - ITS Maintenance Services - Revenue Solutions Inc. - Notice of Sole Source Extension and DF.pdf View Download	Notice of Sole Source Extension and DF -- ITS Maintenance Services - Revenue Solutions Inc.	266k	v. 1	Dec 23, 2013, 5:01 PM	Doretha Johnson (OCFO)
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<input type="checkbox"/>	 CFOPD-09-C-014B - DC 529 College Savings Plan Consulting Services - Notice of Sole Source D&F.pdf View Download	Notice of Sole Source D&F -- DC 529 College Savings Plan Consulting Services	148k	v. 1	Aug 14, 2014, 5:20 PM	Doretha Johnson (OCFO)
<input type="checkbox"/>	 CFOPD-09-C-018 - Website Development - Notice of Sole Source Extension and DF 2.pdf View Download	Title: Intent to Award Sole Source Contract Extension Determination and Findings for Web Design and Development Services -- Document #: CFOPD-09-C-018 -- Due Date: April 30, 2014 -- POC: Anthony Stover (email – anthony.stover@dc.gov or telephone 202-442-7122)	260k	v. 1	Apr 21, 2014, 11:54 AM	Doretha Johnson (OCFO)
<input type="checkbox"/>	 CFOPD-09-C-023 - Master Trust Custodian Services - State Street Bank & Trust - Notice of Sole Source and D&F.pdf View Download	Notice of Sole Source & D&F- Master Trust Custodian Services - State Street Bank & Trust	911k	v. 1	Sep 24, 2014, 4:53 PM	Doretha Johnson (OCFO)

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<input type="checkbox"/>	 CFOPD-14-C-011 - Data Protection Netbackup Upgrade - Supretech, Inc - Notice of Sole Source Extension D&F.pdf View Download	Title: Intent to Award Sole Source Contract Extension - Determination and Findings for Data Protection NetBackup Upgrade - Document #: CFOPD-14-C-011 - Due Date: May 9, 2015 - POC: Peter Lloyd (email – peter.lloyd@dc.gov telephone 202 442-6431)	3503k	v. 1	Apr 30, 2015, 2:12 PM	Doretha Johnson (OCFO)
<input type="checkbox"/>	 CFOPD-14-C-041 - Building Maintenance and Repair Services - Notice of Sole Source - DF.pdf View Download	Title: Intent to Award Sole Source Contract - Determination and Findings for Building Maintenance Repair Services -- Document #: CFOPD-14-C-41 -- Due Date: June 1, 2014 -- POC: Peter Lloyd (email – Peter.Lloyd@dc.gov telephone 202-442-6431)	181k	v. 1	May 22, 2014, 5:23 PM	Doretha Johnson (OCFO)
<input type="checkbox"/>	 CFOPD-14-F-068 - Maintenance & License Renewal Services - Notice of Intent to Award Sole Source - DF.pdf View Download	Title: Intent to Award Sole Source D&F - Maintenance & License Renewal Services - Document #: CFOPD-14-F-068 - Due Date: September 26, 2014@ 2:00 pm EST - POC: Crystal Farmer-Linder (email: crystal.farmer-linder2@dc.gov or telephone (202-442-6424)	250k	v. 1	Sep 16, 2014, 10:54 AM	Doretha Johnson (OCFO)
<input type="checkbox"/>	 DCKV-2007-C-001 - DMV Collections Services - Notice of Sole Source D&F.pdf View Download	Title: Notice of Intent to Award Sole Source Contract Extension - Document No.: DCKV-07-C-001 - Due Date: July 12, 2014 - POC: Carla Roane email: Carla.Roane@dc.gov Telephone: 202-442-6452	77k	v. 1	Jul 2, 2014, 3:30 PM	Doretha Johnson (OCFO)
<input type="checkbox"/>	 RQ839896 - Maintenance and Repair - Notice of Sole Source - DF.pdf View Download	Title: Intent to Award Sole Source Procurement -- Determination and Findings for Maintenance and Repairs -- Document #: RQ839896 -- Due Date: September 30, 2014 -- POC: Sharon Guilford (email – Sharon.guilford@dc.gov or telephone 202-442-8070)	67k	v. 1	Jan 8, 2014, 4:59 PM	Doretha Johnson (OCFO)

<input type="checkbox"/>	 RQ853954 - Notice of Sole Source - Vornado.pdf View Download	Title: Intent to Award Sole Source Contract Determination and Findings for Battery Replacement Services -- Document #: RQ853954 -- Due Date: September 5, 2014 -- POC: Anthony Stover (email – anthony.stover@dc.gov or telephone 202-442-7122)	261k	v. 1	Aug 26, 2014, 5:04 PM	Doretha Johnson (OCFO)
<input type="checkbox"/>	 RQ854394 - Consulting Services - Notice of Sole Source - DF.pdf View Download	Title: Intent to Award Sole Source Procurement -- Determination and Findings for Consulting Services -- Document #: RQ854394 -- Due Date: September 15, 2014 -- POC: Sharon Guilford (email – Sharon.guilford@dc.gov or telephone 202-442-8070)	160k	v. 1	Sep 4, 2014, 4:13 PM	Doretha Johnson (OCFO)

Comments

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