

UNIVERSITY OF THE DISTRICT OF COLUMBIA



COUNCIL CONTRACT SUMMARY

Pursuant to D.C. Official Code § 2-301.05a(c) (1), the following is provided:

(A) The name of the contractor, contract amount, unit and method of compensation, contract term, and type of contract:

Contractor: [REDACTED]

Contract No.: GF-2014-B-0194

Contract Amount: \$5,350,000.00

Unit and Method of Compensation: Payment will be made based upon completion of work on a progress based construction schedule.

Performance Period: 220 Calendar Days from Receipt of Written Notice-to-Proceed (NTP)

Contract Type: Invitation for Bid

(B) The goods or services to be provided, including a description of the economic impact of the proposed contract, the social impact of the proposed contract, the method of delivering goods or services, and any significant program changes reflected in the proposed contract:

Goods and services to be provided: The University of the District of Columbia has a need for a contractor to provide all labor, materials, equipment and supervision for the SEAS Laboratory Renovation Project, Building 32/42. The project is located at 4200 Connecticut Avenue, NW, Washington, DC 20008.

Economic Impact: The University of the District of Columbia (UDC) is the District's only public higher education institution. It is a vital resource for affordable and quality education for many District residents and is crucial for future economic growth within the city. The upgrading of facilities and services is important in attracting and maintaining students and quality faculty members.

Social Impact The project is aligned with the University's mission of providing higher education programs that encourage, promote and increase student enrollment and student retention. The School of Engineering and Applied Science program's vision beyond maintaining it's ABET accreditation is to become an

area leader in engineering research. These academic objectives are also seen to have a significant economic impact on the District in terms of increased revenue from research grants as well as increasing the variety and level of skill in the District's employment base. The renovated areas will allow for an increase in student enrollment, grant research, teacher and student retention and ultimately boost graduation rates. As these elements are improved the production of new professionals into the District workplace will provide for and infusion of new tax dollar revenue.

(C) The selection process, including the number of offerors, the evaluation criteria, and the evaluation results, including price and technical components:

- Pursuant to 8 DCMR 3057.2, each contract shall be awarded to the responsible and responsive bidder whose bid meets the requirements set forth in the IFB, and is the lowest bid price or lowest evaluated bid price, considering only price and price related factors included in Solicitation No. GF-2014-B-0194.
- IFB No. GF-2014-B-0194, was issued in the Set-Aside Market with requirement to subcontract at least 35% of the dollar volume to firms that are certified by the Department of Small and Local Business Development (DSLBD) on January 15, 2014, for the SEAS Laboratory Renovation Project, Building 32/42. Bids opened on February 18, 2014 with receipt of two (2) bids.
- The selection process was based on the lowest responsive & responsible bidder with the lowest evaluated bid price.

The following are the two (2) firms that were considered for award and their evaluated bid prices:

Contractor	Price Proposal	DSLBD Preference Point	DSLBD Certification	Evaluated Price Proposal
Consys, Inc.	\$4,197,786.00	9	2 LBE; 3 SBE; 2 DBE, 2 DZE	\$3,819,985.26
[REDACTED]	\$5,350,000.00	12	2 LBE; 3 SBE; 2 DBE, 2 DZE, 5 ROB	\$4,708,000.00

(D) The background and qualifications of the proposed contractor, including its organization, financial stability, personnel, and prior performance on contracts with the District of Columbia government:

[REDACTED] hereafter referred to as the Forney Enterprise Inc., has the financial resources adequate to perform the contract in accordance with Title 8, DCMR Section 3057.2 (a). This conclusion is based on an audited financial statement accompanied with an independent auditors report presented by Bell & Frech, LLC, Certified Public Accountants. It is noteworthy that [REDACTED] financial statements indicates total assets in the amount of \$10,171,479.00 as of December 31, 2012, which is an decreased from 10,547,077.00 in 2011. Forney Enterprise, Inc. financial statement also indicates gross profits in the amount of \$2,673,864.00 as of December 31, 2012, which is increased from \$2,517,042.00 from 2011. Forney Enterprise, Inc. total net income of \$764,810.00 as of December 31, 2012, increased from \$351,829.00 in 2011. [REDACTED] total stockholders' equity in 2012 is \$4,908,085.00 increased from \$4,200,790.00 from 2011.

Also, this conclusion is based on the business information report received from Dun & Bradstreet on March 27, 2014 which indicates that the Contractor is rated 1R3, a small business with limited credit. Dun and Bradstreet also searched public records and found that the Contractor has two public filings. The Contract Specialist requested that the Contractor to provide information/status on the public filings. The President, of [REDACTED] responded and provided documentation from Dun and Bradstreet that confirmed that the filings are incorrect and will be removed from the file.

The Contractor provided a bid guarantee of 5% of the total contract price at the time of bid submission. At the time of contract award, the Contractor is required to provide a 100% performance bond and 50% payment bond in the total amount payable under the terms of the contract.

A pre-award reference check of the Contractor has been conducted which determined that the Contractor has the ability to comply with the required performance of this contract as demonstrated by its previous experience on large scale projects for District agencies.

[REDACTED], hereafter referred to as the [REDACTED] has the financial resources adequate to perform the contract in accordance with Title 8, DCMR Section 3057.2 (a). This conclusion is based on an audited financial statement accompanied with an independent auditors report presented by Cohn Reznick, Certified Public Accountants. It is noteworthy that [REDACTED], financial statement indicates total assets in the amount of \$8,697,713.00 as of August 31, 2013. [REDACTED] total net income is \$1,340,552.00 as of August 31, 2013. [REDACTED] total stockholders' equity in 2013 is \$8,697,713.00.

Also, this conclusion is based on the business information report received from Dun & Bradstreet on March, 2014 which indicates that the Contractor is rated 1R4, a small business with limited credit. Dun and Bradstreet also searched public records and found that the Contractor has five public filings. The Contract Specialist requested that the Contractor to provide information/status on the

public filings. The President, of [REDACTED] Inc., responded and provided documentation from Dun and Bradstreet that confirmed that the filings are incorrect and will be removed from the file.

The Contractor provided a bid guarantee of 5% of the total contract price at the time of bid submission. At the time of contract award, the Contractor is required to provide a 100% performance bond and 50% payment bond in the total amount payable under the terms of the contract.

A pre-award reference check of the Contractor has been conducted which determined that the Contractor has the ability to comply with the required performance of this contract as demonstrated by its previous experience on large scale projects for District agencies.

(E) Performance standards and expected outcomes of the proposed contract:

Performance standards under this proposed contract consist of strict adherence to the terms and conditions of the IFB set forth in Section C, Scope of Work, Specifications and Drawings and the Standard Contract Provisions for Construction dated March, 2011.

(F) A certification that the proposed contract is within the appropriated budget authority for the University of the District of Columbia for the fiscal year and is consistent with the financial plan and budget adopted in accordance §§ 47-392.01 and 47-392.02:

A certification of funding memorandum from the Office of the Chief Financial Officer dated April 10, 2014, attached under Tab E.

(G) A certification that the proposed contract is legally sufficient and has been reviewed by the University of the District of Columbia, Office of the General Counsel, including whether the proposed contractor has any currently pending legal claims against the District:

The proposed contract was reviewed by the Office of the General Counsel and deemed legally sufficient. There is no knowledge of any claim(s) by the Contractor against the District.

(H) A certification that the proposed contractor is current with its District and Federal Taxes and Licensing Laws or has worked out and is current with a payment schedule approved by the District or Federal government:

The University obtained verification from the Office of Tax and Revenue and the Department of Employment Services (DOES) Tax Division certifying that the Contractors are in compliance.

(I) The status of the proposed contractor as a certified local, small, or disadvantaged business enterprise:

The Contractor is a Local Business Enterprise (LBE), Small Business Enterprise (SBE), Disadvantaged Business Enterprise (DBE) and a Local Business Enterprise with its principal offices located in an Enterprise Zone (DZE).

- (J) Other aspects of the proposed contract that the Contracting Officer deems significant:**

None

- (K) A statement indicating whether the proposed contractor is currently debarred from providing services to any governmental entity (federal, state, or municipal), the dates of the debarment, and the reason for debarment:**

As of March 27, 2014, the Contractor's name does not appear on the District or Federal Government Excluded Parties List Systems and the Contractor certified that they have no legal claim(s) against the District of Columbia.



CAPITAL PROCUREMENT DIVISION

GF-2014-C-0194

SEAS Laboratory Renovation Project, Building 32/42

STATEMENT REGARDING CONFLICTS OF INTEREST

Certification of "Non Disclosure of Information" relating to the vendor's submissions and selection process for the SEAS Laboratory Renovation Project:

1. In accordance with the current District laws, regulations, directives and instructions pertaining to conflicts of interest, I hereby certify that:
 - a. I have notified the Contracting Officer of any real or apparent situation or affiliation that may constitute a direct and/or indirect conflict of interest under referenced laws, regulations, directives and instructions.
 - b. I, my spouse, my minor children, my immediate household members, or my partner, have no interest in or affiliation or association with any individual, firm, or organization, which may benefit from the outcome of these proceedings.
2. I am not aware of any circumstances which would impair my exercise of independent judgment or my impartiality with respect to my duties in support of the subject procurement.
3. I further certify that I understand my obligations and responsibility under the applicable laws, regulations, directives and instructions not to discuss, divulge or otherwise disclose any information, procedures, correspondence, documentation, evaluation or other data pertaining to this acquisition, except as approved by the Contracting Officer in writing, or as requested by law.
4. I understand that this certification will be made part of the source selection record and the official contract file and does not relieve me of the responsibility for any other disclosure or certification requirements required by law, regulation, or other directives.

I AGREE TO THE ABOVE STATED CONDITIONS AND CERTIFICATION OF NO CONFLICT OF INTEREST CONFIDENTIALITY AS STATED.

Print Name

Signature

Date