

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Executive Office of Mayor Muriel Bowser



Office of the City Administrator

**MEMORANDUM**

**TO:** Mayor Muriel Bowser

**THROUGH:** Rashad M. Young, City Administrator 

**FROM:** George A. Schutter, Chief Procurement Officer, Office of Contracting and Procurement

**DATE:** March 31, 2016

**SUBJECT:** Procurement Accountability Review Board After-Action Report (Rpt. No. 4)

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The purpose of this memorandum is to provide an After-Action Report following the March 17, 2016 meeting of the Procurement Accountability Review Board (PARB).

The March 17 meeting was the fourth meeting of the PARB. Under Mayor's Order 2015-165, the PARB is charged with examining four issue areas: (1) contracts that required retroactive approval by the Council; (2) noteworthy decisions by the Contract Appeals Board; (3) audit findings; and (4) other matters specifically referred to the Board. Only one contract has required retroactive Council approval since the Board's last meeting in November. There were, however, no decisions by the Contract Appeals Board or audit findings that warranted examination since PARB's last meeting.

The Board reviewed three issues significant to the District's procurement process: (1) the retroactive contract action pertaining to the Child and Family Services Agency (CFSA); (2) updates on outstanding after-action items from the Board's previous meetings; and (3) the Office of Contracting and Procurement's (OCP) revised training and certification program. Each of these issues is discussed in detail below.

**I. CFSA RETROACTIVE CONTRACT ACTION**

The sole retroactive contract action considered by the PARB was CFSA's contract with the National Center for Children and Families (NCCF). This issue involved the exercise of Option Year Two of the contract. The PARB began its consideration of this contract by reviewing the timeline of events pertaining to CFSA's attempted exercise of Option Year Two of the NCCF contract. To summarize, there was insufficient time to obtain Council approval of Option Year Two. As a result, CFSA exercised a partial option as a stop-gap measure to prevent the interruption of vital services.



A second partial option was subsequently exercised after the resubmitted Option Year Two was not moved at Council, this time as a tipping action. Option Year Two therefore now requires retroactive Council approval.

The PARB identified inter-agency planning and coordination as the primary root cause that led to the NCCF contract to require retroactive approval. The Board also noted that there were numerous holidays that occurred during this time period. Representatives from CFSA, the Office of the City Administrator (OCA), and the Office of Policy and Legislative Affairs (OPLA) provided information and insights into circumstances surrounding this contract.

Based on this information and its examination of Option Year Two, the Board made several recommendations to prevent a similar occurrence in the future. These recommendations are outlined in Section V below.

## **II. UPDATES ON AFTER-ACTION ITEMS**

The PARB requested four updates on previous after-action items that are still pending. These updates are discussed individually below.

### ***A. DHS Contract with the Community Partnership***

At the October 5, 2015 PARB meeting, the Department of Human Services (DHS) presented on several issues relating to its contract with The Community Partnership for the Prevention of Homelessness (“TCP”), which is for the provision of a continuum of vital services for homeless children and families. Two contract modifications were executed last year to pay invoices, as funding was not fully certified at the beginning of the year. However, these modifications were not completed in time for passive Council review and, therefore, required emergency legislation.

The DHS Director, Chief Operating Officer, and DHS procurement staff have thoughtfully prepared a plan to disaggregate the TCP contract into separate procurements. DHS proposes using different procurement methods to acquire various parts of the continuum of care provided to District residents, including: third-party management, direct procurements, and grants. DHS is currently at various stages of procuring services or hiring staff to ensure all vehicles are in place to provide a full continuum of services to District residents. The agency is also examining the possibility of realigning contract years to begin February, as TANF rollover dollars used to fund the contract are certified in January of each year.

### ***B. OCTO IT Staff Augmentation Solicitation***

As discussed at the June 16, 2015 PARB meeting, the Office of the Chief Technology Officer (OCTO) has been working on a new scope of work for an information technology staff augmentation (ITSA) contract. OCTO’s aim is to include the following requirements in the new solicitation: that the prime contractor be a registered staff augmentation firm with IT staffing expertise; enhanced performance standards and evaluations including compliance reports; and a limit of one tier subcontracting. Presently, OCTO and OCP are on track to secure a new contract by the end of the current fiscal year.



### ***C. MPD Police and Fire Clinic Solicitation***

As discussed at the November 23, 2015 PARB, two sole-source procurements extended the Metropolitan Police Department's (MPD) contract with PFC Associates, LLC to operate the Police and Fire Clinic through June 30, 2016. These "stop-gap" procurements were necessary to provide additional time to remedy deficiencies in the scope of work regarding performance-based metrics. Since November, MPD and OCP have been meeting regularly on this procurement and the revised solicitation was issued on March 14, 2016.

One question raised by MPD was the feasibility of having liquidated damages for missed performance metrics built into the new Police and Fire Clinic contract. OCP and MPD will be looking into this matter.

### ***D. Executive Procurement Seminar***

OCP reported to the PARB that as of March 14, 2016, 45 Directors have attended an Executive Procurement Seminar and six new directors have not yet attended the training. OCP will be reaching out to new directors to attend a future seminar.

## **III. LARGE AND MISSION-CRITICAL DASHBOARD**

OCP provided a demonstration of its Large and Mission-Critical Dashboard to the PARB. OCP also reported to the PARB that out of 230 procurements with a value of \$1 million or greater, currently 55 have been completed. OCP will be sending notices to agencies that currently have large or mission-critical procurements in the planning phase.

## **IV. PROCUREMENT TRAINING AND CERTIFICATION**

Lastly, OCP provided a presentation on its revamped training and certification program. In short, OCP has revamped its training program to bridge the gap between the acquisition of information and its actual use on the job. Three tiers of certification—based on the values of quality, integrity, and efficiency—have been developed and procurement professionals will be required to obtain and maintain a certification in a specific tier depending on their job classification.

## **V. RECOMMENDATIONS AND FOLLOW-UPS:**

The PARB made the following recommendations and deliverables:

### **Regarding the CFSA Retroactive Contract Action:**

- CFSA will develop an internal tracking and escalation plan that identified key points of contacts at the Office of the Chief Financial Officer (OCFO), the Office of the Attorney General (OAG), and the OCA;
- CFSA will use milestone planning in line with the escalation plan and will avail itself of OCP-developed management tools;
- OPLA will examine the timelines associated with the exercise of Option Year 2; and
- OPLA and CFSA will establish ongoing communication on procurement matters.



**Regarding Previous PARB After-Action Items:**

- OCP and MPD will be jointly examining the feasibility of using liquidated damages as part of the Police and Fire Clinic contract;
- OCA will be encouraging new agency directors to attend an Executive Procurement Seminar; and
- OCP will be scheduling additional Executive Procurement Seminars.

**Regarding the Large and Mission-Critical Dashboard:**

- OCP will be sending notices to agencies that currently have large or mission-critical procurements in the planning phase.

**Regarding the Procurement Training and Certification:**

- OCP and OCA will discuss developing training for non-procurement professionals on the District's legislative and regulatory processes.

If you have any additional questions, or would like further briefing from staff on this matter, please do not hesitate to contact me at [George.Schutter@dc.gov](mailto:George.Schutter@dc.gov) or 202.724.4242.

cc: Kevin Donahue, Deputy City Administrator / Deputy Mayor for Public Safety, Justice & Operations  
Nelsie L. Birch, Director of Agency Operations, Office of the City Administrator

