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8 A PROPOSED RESOLUTION
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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to amending the Procurement Practices Reform Act of 2010 and the Office of Public-Private Partnership Act of 2014 to allow the Office of Public-Private Partnerships to delegate its contracting authority for public-private partnership agreements to the Office of Contracting and Procurement, and to require any employee of the Office of Contracting and Procurement exercising such delegated authority to comply with provisions of the Office of Public-Private Partnership Act of 2014 and any regulations promulgated to effectuate it.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Office of Public-Private Partnerships Delegation of Authority Emergency Declaration Resolution of 2018”.

Sec. 2.(a) The Office of Public-Private Partnerships (OP3), located within the Office of the City Administrator, was established to facilitate public-private partnership projects in the District independent of the authority of the Chief Procurement Officer (CPO) and the Procurement Practices Reform Act of 2010 (PPRA).

(b) OP3 has worked with the CPO to leverage the Office of Contracting and Procurement’s considerable expertise in all aspects of contracting and procurement, including development of requests for proposals through a Memorandum of Understanding,

37 (c) The PPRA gives the CPO authority to conduct procurements and award contracts on
38 behalf of an independent agency, such as OP3, so long as the CPO follows the requirements of
39 the PPRA. However, the OP3 enabling statute specifically exempts OP3 procurements from the
40 PPRA.

41 (d) To ensure that the existing partnership between OCP and OP3 can continue, the
42 “Office of Public-Private Partnerships Delegation of Authority Emergency Act of 2018” must be
43 approved on an emergency basis to make explicit the authority of OCP to conduct procurements
44 on behalf of OP3 through an amendment to the PPRA and the OP3 enabling statute..

45 Sec. 3. The Council of the District of Columbia determines that the circumstances
46 enumerated in section 2 constitute emergency circumstances making it necessary that the “Office
47 of Public-Private Partnerships Delegation of Authority Emergency Act of 2018” be approved on
48 an emergency basis.

49 Sec. 4. Effective date.

50 This resolution shall take effect immediately.