Pursuant to section 202(c) of the Procurement Practices Reform Act of 2010, as amended, D.C. Official Code § 2-352.02(c), the following contract summary is provided:

# **COUNCIL CONTRACT SUMMARY**

# (Standard and multiyear)

**WMATA FY 2022 through 2027 Capital Funding Agreement Among the State of Maryland; District of Columbia; Arlington County, Virginia; Fairfax County, Virginia; Loudoun County, Virginia; the City of Alexandria, Virginia; the City of Fairfax, Virginia; and the City of Falls Church, Virginia; And The Washington Metropolitan Area Transit Authority**

1. **The proposed contractor, contract amount, unit and method of compensation, contract term, and type of contract**:

**Proposed Contractor:** Washington Metropolitan Area Transit Authority (WMATA)

**Original Contract Amount:** $631,346,120

**Total Contract Amount**: $631,346,120

**Unit and Method of Compensation:**  Payment to the contract is task established under the Washington Metropolitan Area Transit Authority Fiscal Year 2021 Capital Funding Agreement Emergency Act of 2020

**Term of Agreement:** July 1, 2021 – June 30, 2027

**Type of Contract:** Not Applicable

1. **The goods or services to be provided, the methods of delivering goods or services, and any significant program changes reflected in the proposed contract:**

The purpose of this contract action is to enter into a Capital Funding Agreement (CFA) between WMATA and the District Department of Transportation (DDOT). The CFA is provided WMATA with funds ($631,346,120) paid by the District to finance WMATA’s Annual Work Plans for Fiscal Years 2022 through 2027.

Previously, the District entered into an agreement with WMATA for capital funding specific capital projects for FY 2010 through FY 2015. This agreement expired on June 30, 2016. However, that agreement was extended through a First Amendment until June 30, 2017. That agreement was extended through a Second Amendment until June 30, 2018. And the agreement was extended through a Third Amendment until June 30, 2019. Last year, a one-year Capital Funding agreement was created for funding capital projects for FY 2020. And that Capital Funding agreement was extended in a one-year agreement for funding capital projects for FY 2021, while the parties worked out a long-term capital funding agreement to begin in FY 2022. The parties have worked out a six-year capital funding agreement, lasting from July 1, 2021 to June 30, 2027 and is being presented to the Council with this bill and resolution. WMATA is obligated to use the funding to rehabilitate and maintain the WMATA transit system and to replace rail cars, buses, and other key transit assets to avert a transportation crisis threatening the continued health and vitality of the transit system and jeopardizing the public investment.

1. **The selection process, including the number of offerors, the evaluation criteria, and the evaluation results, including the price and technical components:**

This CFA will allow DDOT, representing the District of Columbia government, to fund WMATA in the amount of $631,346,120 for their Annual Work Plans for Fiscal Years 2022 through 2027.

1. **The background and qualifications of the proposed contractor, including its organization, financial stability, personnel, and prior performance on contracts with the District government:**

Pursuant to the interstate compact among the participating jurisdictions to the capital improvement plan, WMATA has sole authority to provide regional transit services.

1. **Performance standards and the expected outcome of the proposed contract:**

WMATA is obligated to use the funding to rehabilitate and maintain the WMATA transit system and to replace rail cars, buses, and other key transit assets to avert a transportation crisis threatening the continued health and vitality of the transit system and jeopardizing the public investment.

**(F) A certification that the proposed contract is within the appropriated budget authority for the agency for the fiscal year and is consistent with the financial plan and budget adopted in accordance with D.C. Official Code §§ 47-392.01 and 47-392.02:**

A funding certification from the Agency Fiscal Officer, Calvin Skinner is attached.

**(G) A certification that the proposed contract is legally sufficient, including whether the proposed contractor has any currently pending legal claims against the District:**

A certification of Legal Sufficiency from the Office of the Attorney General is attached.

**(H) A certification that the proposed contractor is current with its District and federal taxes or has worked out and is current with a payment schedule approved by the District or federal government:**

Not applicable

**(I) The status of the proposed contractor as a certified local, small, or disadvantaged business enterprise as defined in the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq*.):**

Not applicable

**(J) Other aspects of the proposed contract that the Chief Procurement Officer considers significant:**

None

**(K) A statement indicating whether the proposed contractor is currently debarred from providing services or goods to the District or federal government, the dates of the debarment, and the reasons for debarment:**

Not applicable.

**(L) Where the contract, if executed, will be made available online:**

[**http://app.ocp.dc.gov/RUI/information/scf/online\_index.asp**](http://app.ocp.dc.gov/RUI/information/scf/online_index.asp)