

**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**1350 Pennsylvania Avenue, N.W.**  
**Washington D.C. 20004**

Memorandum

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To : Members of the Council

From :   
Nyasha Smith, Secretary to the Council

Date : July 12, 2017

Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Committee of the Whole on Tuesday, July 11, 2017. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Accessible and Transparent Procurement Amendment Act of 2017", B22-0395

INTRODUCED BY: Councilmembers McDuffie, R. White, Silverman, Grosso, T. White, Nadeau, Allen, Bonds, and Cheh

CO-SPONSORED BY: Councilmembers Evans, Todd, and Gray

The Chairman is referring this legislation to the Committee of the Whole.

Attachment

cc: General Counsel  
Budget Director  
Legislative Services

1 Brianne Nadeau  
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3 Councilmember Brianne Nadeau  
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Kenyan R. McDuffie  
Councilmember Kenyan R. McDuffie

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6 Charles Allen  
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8 Councilmember Charles Allen  
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Robert White  
Councilmember Robert White

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13 Anita Bonds  
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15 Councilmember Anita Bonds  
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Elissa Silverman  
Councilmember Elissa Silverman

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19 Mary Cheh  
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21 Councilmember Mary Cheh  
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David Grosso  
Councilmember David Grosso

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25 Trayon White  
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27 Councilmember Trayon White  
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30 A BILL  
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35 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
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40 To amend the Procurement Practices Reform Act of 2010 to require all District government  
41 procurement solicitations and contracts to be published on one publicly accessible  
42 internet site.  
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44 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
45 act may be cited as the "Accessible and Transparent Procurement Amendment Act of 2017".

Sec. 2. The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), is amended as follows:

(a) Section 101(b) (D.C. Official Code § 2-351.01(b)) is amended by adding a new paragraph (3A) to read as follows:

“(3A) To provide a single, transparent, easily searchable site where contractors, and the public, can view and respond to all opportunities available from the District government;”.

(b) A new section 101a is added to read as follows:

“Sec. 101a. Procurement opportunities; one site access.

“(a)(1) Within 120 days of the effective date of the Accessible and Transparent Procurement Amendment Act of 2017, as introduced on July 11, 2017 (Bill 22-\_\_\_), the Mayor shall establish a single portal, platform-independent Internet site that provides machine-readable and searchable information on all solicitations and contracts of \$25,000 or more, and related laws, rules, and policies (“SCI website”), which shall be maintained by the OCP.

“(2)(A) Notwithstanding that the solicitation or contract information is on an agency website or otherwise available, the SCI website shall serve as the primary source of information on the goods, services, and construction items that the District government is interested in procuring.

“(B) The Mayor shall require each agency not subject to the authority of the CPO to transmit the information required by this section to the CPO, or other information the CPO considers necessary or appropriate, for posting on the SCI website.

“(b)(1) The SCI website shall be designed so that solicitation and contract information is easily understandable and accessible, with few or no barrier elements between the searcher and the information and, as feasible, enable a search by:

69                   “(A) Keyword;  
70                   “(B) Product;  
71                   “(C) Type of service or NAIC code;  
72                   “(D) Agency; or  
73                   “(E) Other method considered appropriate or desirable for accessibility.

74                   “(2) The CPO may provide additional features on the SCI website, such as  
75 optional registration that would offer time-saving advantages for a frequent searcher and allow  
76 the searcher to create a saved list of contract opportunities; provided, that such registration is  
77 free, or specific search options for opportunities that have been set aside for small, women-  
78 owned, minority-owned, or veteran-owned businesses.

79                   “(c) The CPO shall include on the SCI website:

80                   “(1) Every District government procurement opportunity of \$25,000 or more,  
81 regardless of whether the solicitation or contract is under the administrative authority of the OCP  
82 or independent of the OCP;

83                   “(2) The legal authority and rules that govern procurement for all agencies,  
84 including those exempt from the authority of the CPO;

85                   “(3) The names of all personnel with delegated contracting authority;

86                   “(4) The names and addresses of the awarded contractors;

87                   “(5) A copy of each contract and of any determination or finding, contract  
88 modification, change order, solicitation, or amendment associated with the contract, including  
89 those made by an agency exempt from the authority of the CPO; which information shall remain  
90 available on the SCI website for the duration of the underlying contract or 5 years, whichever is  
91 longer;

92                   “(6) Notwithstanding section 105(c)(2), (3), (7), (9), (11), (13), (14), (15), (16),  
93                   (17), (18), and (19) and section 201(b), upon issuance, all solicitations in a uniform format; and

94                   “(7) A listing of all solicitations issued within the preceding year with a closing  
95                   date of less than 30 days from the date the solicitation was issued.”.

96                   (c) Section 204(b)(14) (D.C. Official Code § 2-352.04(b)(14)) is amended by striking the  
97                   phrase “transparent internet site,” and inserting the phrase “transparent, single portal, platform-  
98                   independent, searchable Internet site,” in its place.

99                   Sec. 3. Fiscal impact statement.

100                   The Council adopts the fiscal impact statement in the committee report as the fiscal  
101                   impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
102                   approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

103                   Sec. 4. Effective date.

104                   This act shall take effect following approval by the Mayor (or in the event of veto by the  
105                   Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
106                   provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
107                   24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
108                   Columbia Register.