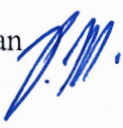


COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
1350 Pennsylvania Avenue, NW
Washington, DC 20004

MEMORANDUM

TO: Nyasha Smith, Secretary to the Council

FROM: Phil Mendelson, Chairman 

DATE: May 9, 2023

RE: **Request to Agendize for the May 16, 2023 Legislative Meeting**

This memorandum is to request that the following measures be placed on the agenda for the May 16, 2023 Legislative Meeting, at the request of the Mayor:

- **PR 25-206, Contract No. GAGA-2022-C-0186 with Tamah, LLC Approval and Payment Authorization Emergency Declaration Resolution of 2023**
- **Bill 25-263 Contract No. GAGA-2022-C-0186 with Tamah, LLC Approval and Payment Authorization Emergency Act of 2023**

- **PR 25-207, Contract No. GAGA-2022-C-0048 with Security Assurance Management, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2023**
- **Bill 25-264, Contract No. GAGA-2022-C-0048 with Security Assurance Management, Inc. Approval and Payment Authorization Emergency Act of 2023**

- **Contract No. GAGA-2022-C-0016 with Milestone Therapeutic Services Approval and Payment Authorization Emergency Declaration Resolution of 2023**
- **Contract No. GAGA-2022-C-0016 with Milestone Therapeutic Services Approval and Payment Authorization Emergency Act of 2023**

The District of Columbia Public Schools (DCPS) seeks Council approval of retroactive contracts. DCPS has shared a list of 36 retroactive contracts that will be submitted to the Council for review, the total of which is \$269.6 million, and many of which are retroactive to fiscal year 2021 – a practice which is not acceptable.

However, DCPS has pleaded that three of the current contracts face imminent cutoff due to non-payment since DCPS's misfeasance was uncovered by the Committee of the Whole. The first contract is with Tamah, LLC for school day paraprofessional aides and nurses dedicated to specific students who have disabilities. Tamah, LLC is a locally owned certified business enterprise. The contract has a base period of June 27, 2022 to September 30, 2022, with an option period from October 1, 2022 through September 30, 2023. The not-to-exceed amount for the base year is \$1,798,725 and the option period is \$4,551,238.50. I will note that this contract was sent by the Executive to the Council for its mandatory review ten months after the contract was entered into.

The second contract is with Security Assurance Management (SAM) for DCPS school security guards who support weapons abatement, visitor entry management, building and grounds patrol, and conflict de-escalation. SAM is a locally owned certified business enterprise. The contract has a base period of July 9, 2022 to September 30, 2022, with an option period from October 1, 2022 through September 30, 2023. The not-to-exceed amount for the base year is \$5,669,260 and the option period is \$23,769,885. This contract was sent by the Executive to the Council for its mandatory review eight months after the contract was entered into.

The third contract is with Milestone Therapeutic Services for special education services for students with Individualized Education Programs. Milestone is a locally owned certified business enterprise. The total contract value for the base and option period is \$7,496,292. This contract is pending transmittal by the Executive to the Council for its mandatory review ten months after the contract was entered into. The contract backup will be circulated under separate cover by noon on Thursday, May 11, 2023.

While I am planning further hearings on DCPS's remaining outstanding contracts, I am moving the Tamah, SAM, and Milestone contracts now because they have received no payments since the Chief Financial Officer put a freeze on any voucher payments for unapproved contracts. The halt in payments has produced cashflow concerns for the vendors, DCPS reports that the vendors have stated clearly that they may not make payroll in the coming weeks, and services may be stopped if approval of the contracts does not occur. Thus, I am reluctantly moving to approve these three contracts now so the vendors may be compensated for the services rendered to date.

Copies of the measures are attached. Please call me or Evan Cash, Committee and Legislative Director if you have any questions at (202) 724-7002.

cc: All Councilmembers
Council Officers