

**DETERMINATION AND FINDINGS
FOR
SOLE SOURCE PROCUREMENT**

1. **Authorization**¹

- D.C. Code § 34-801
- D.C. Code § 34-804
- 15 D.C.M.R. § 3700

2. **Minimum Need:**

The Office of the People's Counsel requests the services of Goldblatt Martin Pozen, LLP (the Firm or GMP).

3. **Estimated Fair and Reasonable Price:**

\$21,000

4. **Facts That Justify a Sole Source Procurement:**

- A. The Office of the People's Counsel ("OPC" or "Office") is an independent agency of the District of Columbia government. By law, it is the advocate for consumers of natural gas, electric and telephone services in the District. District of Columbia law designates the Office as a party to all utility-related proceedings before the Public Service Commission. The Office also represents the interests of District ratepayers before federal regulatory agencies. The Office is authorized to investigate the operation and valuation of utility companies independently of any pending proceedings.

The law firm will provide legal advice and recommendations to the People's Counsel and the Deputy People's Counsel on variety of personnel related matters, including general employee and personnel matters, interactions with the District Office of Attorney General, DCHR, and other District and federal administrative agencies as needed and requested. GMP has already been providing these services for the last six months and the work is not complete yet.

B. Given their familiarity with the facts and circumstances involved with the issue of the OPC personnel the Firm is uniquely qualified to assist the Office of the People's Counsel to run the smooth operation.

C. It is for the reasons outlined herein; it is recommended that GMP's contract be modified on a sole source basis.

5. **Certification by the Contracting Officer:**

I hereby certify that the above facts are accurate and complete.

Frank G. Scott, Jr.
Contracting Officer

Date

DETERMINATION

Based on the above findings and in accordance with the District of Columbia procurement regulations: *DC Law: 34-804*; *DC Law: 34-801*; and *15 DCMR §3700*, I hereby determine that the award of a sole source contract for the services described herein is in the best interest of the Office of the People's Counsel.

Sandra Mattavous-Frye
People's Counsel

Date

DETERMINATION

Based on the above findings and in accordance with the District of Columbia procurement regulations: *DC Law: 34-804*; *DC Law: 34-801*; and *15 DCMR §3700*, I hereby determine that the award of a sole source contract for the services described herein is in the best interest of the Office of the People's Counsel.

ⁱ Procurement authority is vested in the Commission pursuant to § 13 (c) (2) of the Residential Real Property Seller Disclosure, Funeral Services Date Change, and Public Service Commission Independent Procurement Authority Act of 1998 (D.C. Law 12263). The Commission is statutorily exempt from the D.C. procurement rules as set forth in D.C. Official Code § 1-1181 et seq.

D.C. Code § 34-804, hereby established within the Public Service Commission of the District of Columbia, has established by D.C. Code § 34-801, an office to be known as the "Office of the People's Counsel". The Office shall be a party, as of right, in any investigation, valuation, revaluation, or proceeding of any nature by the Public Service Commission of or concerning a public utility operating in the District of Columbia.