

**DETERMINATION AND FINDINGS  
FOR  
SOLE SOURCE PROCUREMENT**

1. **Authorization**<sup>i</sup>

- DC Official Code §2-303.05 (a)(l)
- 27 DCMR §1702

2. **Minimum Need:**

The Office of the People's Counsel requests the services of WMATA to assist the Office of the People's Counsel to provide various transit services to eligible employees of the Office of the People' Counsel (OPC).

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

\$25,000.00

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

A. The Office of the People's Counsel "OPC" 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 Office would like to use the services of WMATA to implement a Public Transit Fringe Benefit Program for eligible employees of OPC.

The purpose of the program is to offer employees an incentive to use mass transportation to limit fuel use and reduce air pollution and traffic congestion in the surrounding jurisdictions. The program subsidizes part of the monthly public transit costs of employees between their residence and OPC's offices on a monthly basis.

B. WMATA is the Washington Metropolitan Area Transit Authority that oversees public transportation in the surrounding jurisdictions and it is for this reason that the Office would like to use the service of WMATA to implement the Public Transit Fringe Benefit Program for OPC.

C. It is for the reasons outlined herein that it is recommended that a sole source contract be awarded to **WMATA**.

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

<sup>i</sup> 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 12-263). The Commission is statutorily exempt from the D.C. procurement rules as set forth in D.C. Official Code § 1-1181 et seq.

DC Law: 34-804, hereby established within the Public Service Commission of the District of Columbia, has established by DC Law: 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.

15 DCMR §3700: Public Utilities and Cable Television- Public Service Commission Rules of Practice and Procedure