# DETERMINATION AND FINDINGS FOR

**SOLE SOURCE PROCUREMENT**

## Authorizationi

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

## Minimum Need

The Office of the People’s Counsel for the District of Columbia (“OPC” or “Office”) requests the services of Duncan & Allen, LLP in providing professional legal counsel and recommendations to the People’s Counsel and the Deputy People’s Counsel as well as the Litigation Services Division on a variety of utility-related matters; including, but not limited to, assistance in responding to inquiries from the Council of the District of Columbia and other critical stakeholders that which would require a thorough and timely response.

## Estimated Fair and Reasonable Price

The total contract (“not–to–exceed”) price is $12,000.

## Facts That Justify a Sole Source Procurement

1. The Office of the People’s Counsel for the District of Columbia (“OPC” or “Office”) is an independent agency of the District of Columbia Government. By law, it advocates for consumers of natural gas, electric, and landline telephone services in the District. District of Columbia law designates the Office as a party to all utility-related proceedings before the District of Columbia Public Service Commission (“PSC” or “DC PSC” or “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.
2. The Office of the People’s Counsel already has an established contract with Duncan & Allen, LLP to retain their legal services and expertise in representing the Office’s interests in all utility-related matters. At this time, OPC believes that a contract amendment is needed to secure further funding to retain their legal counsel and services about OPC’s petition to investigate generator interconnection rules and some limited work about Verizon’s price cap plan.
3. Duncan & Allen, LLP provides legal services—mainly representing state consumer advocates' needs, municipally owned, and cooperatively owned electric utilities, and other regulatory and public entities. The attorneys at Duncan & Allen, LLP are experienced and familiar with addressing the concerns of the Office based on a longstanding relationship assisting the Office in such matters makes them uniquely qualified based on their experience and understanding of the tasks.
4. Given Duncan & Allen, LLP’s expertise in overseeing the legal interests of the Office and derivatively that of District utility ratepayers, and given their longstanding working relationship with the Office in providing expert legal services, they are uniquely and exclusively qualified to handle any issue that would and/or could potentially arise that would require prompt legal action and review. Based on the nature and complexity of the issues at hand and the familiarity of the tasks to be performed within the timeframe required, OPC believes it is justified in awarding a sole source contract to Duncan & Allen, LLP to retain their legal advice and recommendations further.
5. It is for the reasons outlined herein that it is recommended that a sole source contract be awarded to Duncan & Allen, LLP.

## Certification by the Contracting Officer

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

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Cherry Belle Date

Contracting Officer

# 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 D.C.M.R. §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.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Naunihal Gumer Date

Director, Regulatory Finance