

**DETERMINATION AND FINDINGS  
FOR  
EMERGENCY PROCUREMENT**

**CONTRACT NO.:** DCEB-2023-C-2005

**CAPTION:** **EMERGENCY WHARF FISH MARKET PIERS –  
REPLACEMENT DESIGN SCHEMATIC DRAFT**

**CONTRACTOR:** Moffatt & Nichol

**PROGRAM AGENCY:** Office of the Deputy Mayor for Planning and Economic  
Development (DMPED)

**FINDINGS**

**1. AUTHORIZATION:**

D.C. Official Code § 2-354.05, 27 DCMR §4719, and PPRA §405(d); *Emergency Procurements*

**2. MINIMUM NEED:**

The Government of the District of Columbia, Office of the Deputy Mayor for Planning and Economic Development (DMPED) has an immediate need for the above-named contractor to provide an emergency replacement design schematic draft for the Fish Market Pier at the Wharf. The period of performance shall be no more than ninety (90) days from March 14, 2024, through June 12, 2024.

**3. ESTIMATED FAIR AND REASONABLE PRICE:**

\$152,588.00

**4. FACTORS WHICH JUSTIFY AN EMERGENCY PROCUREMENT:**

The above-named contractor has the unique skills and abilities to perform this technical and specialized service to DMPED. Moffatt & Nichol provides engineering and consulting services to clients in the marine terminal, transportation, energy, environmental, federal, and urban development markets around the world.

Further, the proposed contractor has been involved in the Wharf development since inception, including Recreation Pier, coupled with the adjacent 7th Street Park. The Recreation Pier’s configuration was designed to arc and dip softly at its midpoint toward the water, before rising at its terminus, creating multiple vantage points and varied opportunities for engaging with the water. The pier is supported on 99 steel pipe pile each driven to a different elevation to support the complex curvature of the pier. The skeleton of the pier is comprised of precast bent caps and

precast panels, each custom designed, fabricated and installed to flow with the alignment of the pier. The pier is clad in a sustainable timber product called Kebony which ages into a classic gray as the pier weathers. One of kind features include hoop-shaped swings, a specially commissioned 500,000 BTU fire feature, stainless and timber railing, custom steel pergola structure, dock house, and curved floating dock. Functionally the pier serves the general public providing access to the river and most importantly providing key ADA features that allow both access to the end of the pier and a specially designed ADA kayak launch to access the water.

Lastly, this contractor provided DMPED with an inspection and structural analysis report in 2024 on these same Fish Market Piers. The findings in the report informed the District that the presently-accessible areas of the West Pier require urgent attention as it poses a risk and danger for the public. Therefore, a replacement pier is needed to replace the West Pier.

**5. CERTIFICATION BY AGENCY HEAD:**

To the best of my knowledge and belief, I certify that the statements are true, correct, and complete and that the information given herein is true and accurate. Moreover, I understand that making a false statement is punishable by criminal penalties pursuant to D.C. Official Code § 22-2405 et sq. (2001). I understand that any information I give may be investigated as allowed by law or regulation.

March 14, 2024

Date

*Dr. Jacque McDonald*

Nina Albert, Deputy Mayor

**6. CERTIFICATION BY CONTRACT SPECIALIST**

I have reviewed the above findings and certify that they are sufficient to justify the use of the emergency procurement method to award the captioned contract to the above-referenced Contractor. In addition, please be advised that the Agency’s notice of the captioned emergency contract must be posted on the Agency’s website no more than seven (7) days after the contract is awarded. Given the preceding, I recommend that the Office of the Deputy Mayor for Planning and Economic Development’s Director of Contracts, Procurement, and Grants and Chief Procurement Officer approve the use of the emergency procurement method for this proposed procurement action.

March 14, 2024

Date

*Juva J. Hepburn*

Juva J. Hepburn  
Contract Specialist

**DETERMINATION**

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive bidding process under either Section 402 or

403 of the District of Columbia Procurement Practice Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code §2-354.02 or 2-354.03). Accordingly, I have reviewed the above findings and certify that they are sufficient to justify the use of the emergency procurement method under the cited authority. I certify that the emergency procurement notice of contract award will be published in accordance with Section 405(f) of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Official Code §2-354.05). In conclusion, as the Office of the Deputy Mayor for Planning and Economic Development (“DMPED”), Chief Procurement Officer, I hereby approve the use of the Emergency Procurement method as the only viable method of procurement to provide an emergency replacement design schematic draft for the Fish Market Pier at the Wharf.

March 14, 2024

Date

*Dr. Jacque McDonald*

Dr. Jacque McDonald, NIGP-CPP, CPPO, CPPB  
Director, Contracts, Procurement, and Grants