


Government of the District of Columbia
Office of the Chief Financial Officer



Jeffrey S. DeWitt
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Jeffrey S. DeWitt
Chief Financial Officer 

DATE: July 5, 2018

SUBJECT: Fiscal Impact Statement - Public-Private Partnership Amendment Act of 2018

REFERENCE: Draft Introduction as shared with the Office of Revenue Analysis on June 27, 2018

Conclusion

Funds are sufficient in the fiscal year 2018 budget and fiscal year 2019 through fiscal year 2022 budget and financial plan to implement the bill.

Background

The bill clarifies¹ that the Office of Public-Private Partnerships (OP3) may delegate its contracting officer functions to the Office of Contracting and Procurement (OCP). OP3 already uses OCP for its expertise and experience in developing procurement rules and guidelines. The bill will give OP3 the ability to use OCP in the same manner as other agencies in the District.

The bill also changes the Council review process for public-private partnership Request for Proposals (RFP). OP3 must transmit a proposed resolution to Council in order to receive approval of a public-private partnership RFP.² The bill revises the requirement by only requiring Council approval of a draft RFP's core elements. A draft RFP's core elements include a detailed description of the scope of the proposed public-private partnership project, the criteria for evaluation and selection of a proposal, and a high-level summary of the material terms and technical requirements of the public-private partnership agreement. Council will have 45 days to review the core elements of a draft public-private partnership RFP before it is deemed approved.

¹ By amending Section 201(f) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.01(f)).

² Section 110 of the Public-Private Partnership Act of 2014, effective March 11, 2015 (D.C. Law 20-228; D.C. Official Code § 2-273.05).

The Honorable Phil Mendelson

FIS: "Public-Private Partnership Amendment Act of 2018" Draft Introduction as shared with the Office of Revenue Analysis on June 27, 2018

Financial Plan Impact

Funds are sufficient in the fiscal year 2018 budget and fiscal year 2019 through fiscal year 2022 budget and financial plan to implement the bill. No additional resources are required to implement the bill. Since OP3 is not obligated to delegate its contracting officer functions there is no cost; however, if OP3 decides to delegate functions, OCP may request that the agency provide intra-District funds to hire a full-time employee(s) to manage the contracting function. Changing the draft public-private partnership RFP review process does not have a cost to OP3.