

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 10.
PARKS, PUBLIC BUILDINGS, GROUNDS,
AND SPACE.

CHAPTER 5A.
DEPARTMENT OF GENERAL SERVICES.

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DISTRICT OF COLUMBIA OFFICIAL CODE
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SERVICES.

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CHAPTER 5A. DEPARTMENT OF GENERAL SERVICES.

§ 10-551.01. DEPARTMENT OF GENERAL SERVICES; ESTABLISHMENT.

(a) There is established, as a subordinate agency within the executive branch of the District government, the Department of General Services ("Department"), which shall be headed by a Director who shall carry out the functions and authorities assigned to the Department.

(b) The functions of the Department shall be to:

- (1) Manage the capital improvement and construction program for District government facilities, including the modernization or new construction of District facilities by approving and authorizing decisions at every stage of modernization and new construction, including planning, design, procurement, and construction, in accordance with the approved Capital Improvement Plan;
- (2) Acquire real property, by purchase or lease, for use by the District government;
- (3) Manage space in buildings and adjacent areas operated and leased by the District government, assist District agencies in implementing space plans, and administer the employee parking program;
- (4) Provide building services for facilities owned and occupied by the District government, including engineering services, custodial services, security services, energy conservation, utilities management, maintenance, inspection and planning, and repairs and non-structural improvements;
- (5) Administer the disposition of District real and personal property through sale, lease, or other authorized method, and to exercise other acquisition and property disposition authority delegated by the Mayor; and
- (6) Manage data and information needs pertaining to real property, including maintaining inventory records for tracking and controlling District-owned, controlled, and leased space.

(Sept. 14, 2011, D.C. Law 19-21, § 1022, 58 DCR 6226.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 1002 of Fiscal Year 2012 Budget Support Emergency Act of 2011 (D.C. Act 19-93, June 29, 2011, 58 DCR 5599).

Legislative History of Laws

Law 19-21, the "Fiscal Year 2012 Budget Support Act of 2011", was introduced in Council and assigned Bill No. 19-203, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on May 25, 2011, and June 14, 2011, respectively. Signed by the Mayor on July 22, 2011, it was assigned Act No. 19-98 and transmitted to both Houses of Congress for its review. D.C. Law 19-21 became effective on September 14, 2011.

Miscellaneous Notes

Short title: Section 1021 of D.C. Law 19-21 provided that subtitle C of title I of the act may be cited as "Department of General Services Establishment Act of 2011".

§ 10-551.02. ORGANIZATION.

There are established 6 primary organizational functions in the Department as follows:

- (1) Agency Management, which shall include the staff and organizational units needed to carry out the overall plan and direction for the Department, including coordination and management for information technology, resource allocation, human resources, procurement, fixed -cost forecasting for District facilities, and the administrative functions of the Department;

- (2) Capital Construction, which shall:
- (A) Implement and oversee the Department's capital improvement program for District government facilities; and
 - (B) Execute the capital budget program, which includes the rehabilitation of existing real property facilities and construction of new facilities supporting the District;
- (3) Portfolio Management, which shall coordinate:
- (A) Lease administration;
 - (B) Allocation of owned and leased properties to District agencies;
 - (C) Property acquisition and disposition; and
 - (D) Rent collection from entities leasing District-owned or leased properties;
- (4) Facilities Management, which shall coordinate the day-to-day operations of District-owned properties by:
- (A) Maintaining building assets and equipment;
 - (B) Performing various repairs and non-structural improvements; and
 - (C) Providing janitorial, trash and recycling pickup, postal, and engineering services; provided, that the District of Columbia Public Schools ("DCPS") shall remain responsible for providing janitorial services at DCPS facilities;
- (5) Contracting and Procurement, which shall provide services and support in procuring for the District:
- (A) The construction, architecture, and engineering services;
 - (B) The facilities maintenance and operation services;
 - (C) The real estate asset management services, including leasing and auditing;
 - (D) The utility contracts;
 - (E) The security services; and
 - (F) Such other services necessary or desirable to improve the effectiveness of the Department and advance the purposes of this chapter; and
- (6) Protective Services Police Department, which shall coordinate, manage, and provide the security and law enforcement requirements for District government facilities.

(Sept. 14, 2011, D.C. Law 19-21, § 1023, 58 DCR 6226; Sept. 26, 2012, D.C. Law 19-171, § 70(a), 59 DCR 6190.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 19-171, in par. (5)(F), validated a previously made technical correction.

Emergency Act Amendments

For temporary (90 day) addition, see § 1003 of Fiscal Year 2012 Budget Support Emergency Act of 2011 (D.C. Act 19-93, June 29, 2011, 58 DCR 5599).

Legislative History of Laws

For history of Law 19-21, see notes under § 10-551.01

Law 19-171, the "Technical Amendments Act of 2012", was introduced in Council and assigned Bill No. 19-397, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on March 20, 2012, and April 17, 2012, respectively. Signed by the Mayor on May 23, 2012, it was assigned Act No. 19-376 and transmitted to both Houses of Congress for its review. D.C. Law 19-171 became effective on September 26, 2012.

§ 10-551.03. DIRECTOR; APPOINTMENT.

- (a) The Director shall manage and administer the Department and all functions and personnel assigned thereto, including the power to redelegate to other employees and officials of the Department powers and authority as in the judgment of the Director are warranted in the interests of efficiency and sound administration.
- (b) The Director shall be appointed by the Mayor with the advice and consent of the Council pursuant to § 1-523.01(a) and shall have extensive experience in construction project management or real property management.

(Sept. 14, 2011, D.C. Law 19-21, § 1024, 58 DCR 6226.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 1004 of Fiscal Year 2012 Budget Support Emergency Act of 2011 (D.C. Act 19-93, June 29, 2011, 58 DCR 5599).

Legislative History of Laws

For history of Law 19-21, see notes under § 10-551.01

§ 10-551.04. TRANSFERS.

(a) All functions assigned, authorities delegated, positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available to the Department of Real Estate Services and the Office of Public Education Facilities Modernization are transferred to the Department.

(b) All functions assigned, authorities delegated, positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available for capital construction and real property management functions of other subordinate executive branch agencies, except for the District Department of Transportation, as the Mayor considers necessary to effectuate this chapter, are transferred to the Department.

(c) All functions assigned, authorities delegated, positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available to the Deputy Mayor for Planning and Economic Development for its asset management program, including the DC USA Garage, are transferred to the Department; provided, that with respect to funds which are deposited or held in special purpose revenue funds and fund the asset management program, the Deputy Mayor for Planning and Economic Development shall enter into a memorandum of understanding with the Department to pay for the asset management program, including the DC USA Garage, from such special purpose revenue funds.

(Sept. 14, 2011, D.C. Law 19-21, § 1025, 58 DCR 6226; Sept. 26, 2012, D.C. Law 19-171, § 70(b), 59 DCR 6190.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 19-171, in subsec. (b), validated a previously made technical correction.

Emergency Act Amendments

For temporary (90 day) addition, see § 1005 of Fiscal Year 2012 Budget Support Emergency Act of 2011 (D.C. Act 19-93, June 29, 2011, 58 DCR 5599).

Legislative History of Laws

For history of Law 19-21, see notes under § 10-551.01

For history of Law 19-171, see notes under § 10-551.02.

§ 10-551.05. INVENTORY OF REAL PROPERTY ASSETS.

(a) The Department shall maintain an inventory of all real property assets, based upon information provided by each District department, agency, and instrumentality under the executive control of the Mayor. The inventory shall be maintained by the Department on a centralized automated database. Information contained in the database for each property shall include the following:

- (1) A detailed description of each real property asset;
- (2) Facility condition assessments, which shall contain a proposed or actual annual budget for maintenance and deferred maintenance, and a detailed description and estimate of any needed repairs;
- (3) The street address of the property;
- (4) The property's square and lot number;
- (5) The current and prospective future use of the property;
- (6) The area of the property in square feet and, if improved, the gross floor area, including the subsurface area and the number of stories of any building on the property;

- (7) The current assessed value of the property and any improvements;
- (8) The Ward and Advisory Neighborhood Commission boundary within which the property is located; and
- (9) Whether the real property is located within a historic district or is designated as a registered historic landmark under District or federal laws and, if so, the designation.

(b) The Department shall make available to the public on its website a database of information of the inventory of all real property assets in a form substantially similar to that as maintained and used by the Department.

(c) The Department shall maintain a facilities condition assessment of all District-owned assets under the control of the Mayor on a rolling basis of over 5 years.

(d) This section shall apply to improved commercial real property assets, whether occupied or unoccupied, and all real property assets that the Mayor has determined to be no longer needed for educational purposes and for which jurisdiction has been transferred to the Department of Real Estate Services for disposal.

(e) The Director shall submit to the Council an annual report indicating the changes in inventory no later than 30 days after the beginning of the fiscal year.

(f) For the purposes of this section, the term "real property asset" means real property titled in the name of the District or in which the District has an interest or jurisdiction and includes all structures of a permanent character erected thereon or affixed thereto.

(Sept. 14, 2011, D.C. Law 19-21, § 1026, 58 DCR 6226.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 1006 of Fiscal Year 2012 Budget Support Emergency Act of 2011 (D.C. Act 19-93, June 29, 2011, 58 DCR 5599).

Legislative History of Laws

For history of Law 19-21, see notes under § 10-551.01

§ 10-551.06. GREEN BUILDING PRIORITY.

Priority consideration for the District government's facility needs shall be given to buildings fulfilling or exceeding the LEED-NC 2.2 standard or the LEED-CS 2.0 standard at the silver level. For purposes of this subsection, the terms "LEED-CS" and "LEED-NC" shall have the same meanings as provided in § 6-1451.01(28) and (30), respectively.

(Sept. 14, 2011, D.C. Law 19-21, § 1027, 58 DCR 6226.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 1007 of Fiscal Year 2012 Budget Support Emergency Act of 2011 (D.C. Act 19-93, June 29, 2011, 58 DCR 5599).

Legislative History of Laws

For history of Law 19-21, see notes under § 10-551.01

§ 10-551.07. REPRESENTATIVE PROGRAM.

(a) The Director may contract for the services of a representative to provide real estate brokerage or real estate consulting services.

(b) Each contract for the services of a representative shall be awarded on a competitive basis to a qualified real estate professional in accordance with applicable procurement regulations.

(c) The representative shall perform an analysis of all aspects of the proposed contract or real estate transaction, including the costs and benefits, and shall negotiate on behalf of the District; provided, that the representative shall not bind the District, and the terms of the contract shall be approved by the Director and, if applicable, by the Council.

(d) Fees paid for the services of a representative may be paid by either party in a transaction, either as a percentage of the total contract value or a fixed dollar amount, according to the terms of the contract as negotiated between the District and the representative.

(Sept. 14, 2011, D.C. Law 19-21, § 1028, 58 DCR 6226.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 1008 of Fiscal Year 2012 Budget Support Emergency Act of 2011 (D.C. Act 19-93, June 29, 2011, 58 DCR 5599).

For temporary (90 day) addition of section, see § 1022 of Fiscal Year 2013 Budget Support Emergency Act of 2012 (D.C. Act 19-383, June 19, 2012, 59 DCR 7764).

For temporary (90 day) addition of section, see § 1022 of Fiscal Year 2013 Budget Support Congressional Review Emergency Act of 2012 (D.C. Act 19-413, July 25, 2012, 59 DCR 9290).

Legislative History of Laws

For history of Law 19-21, see notes under § 10-551.01

§ 10-551.07A. ESTABLISHMENT OF THE FACILITIES SERVICE REQUEST FUND.

(a) There is established within the General Fund of the District of Columbia a lapsing account to be known as the Facilities Service Request Fund ("Fund"). All funds received by the Department from non-District government tenants in District government facilities for facility-related services, including maintenance, janitorial, security, construction, or other services, provided by the Department in accordance with this subtitle shall be deposited into the Fund.

(b) All funds deposited into the Fund, and any interest earned on those funds, shall revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of each fiscal year.

(c) The Fund shall be administered by the Department, and shall be used for facility-related services at real property owned or leased by the District of Columbia and under the control of the Department.

(Sept. 14, 2011, D.C. Law 19-21, § 1028a, as added Sept. 20, 2012, D.C. Law 19-168, § 1022, 59 DCR 8025.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For history of Law 19-168, see notes under § 10-166.01.

Miscellaneous Notes

Short title: Section 1021 of D.C. Law 19-168 provided that subtitle C of title I of the act may be cited as "Facilities Service Request Fund Establishment Amendment Act of 2012".

§ 10-551.08. RULES.

The Mayor, pursuant to subchapter I of Chapter 5 of Title 2, shall issue rules to implement the provisions of this chapter, including rules for the valuation of the factors to be considered under § 50-551.06.

(Sept. 14, 2011, D.C. Law 19-21, § 1029, 58 DCR 6226.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 1009 of Fiscal Year 2012 Budget Support Emergency Act of 2011 (D.C. Act 19-93, June 29, 2011, 58 DCR 5599).

Legislative History of Laws

For history of Law 19-21, see notes under § 10-551.01

Delegation of Authority

Delegation of Rulemaking Authority to the Department of General Services, see Mayor's Order 2011-168, October 5, 2011 (58 DCR 8842).

§ 10-551.09. TRANSITION.

To facilitate the establishment of the Department, the City Administrator is authorized to coordinate and implement the transition process for the Department. The City Administrator shall transmit to the Council,

which shall approve or disapprove by resolution, an implementation plan for the new agency no later than September 1, 2011. The plan shall:

- (1) Include an organizational chart;
- (2) Identify redundant positions and functions; and
- (3) Include a plan for transferring employees that details how many employees will be required to re-apply for new positions.

(Sept. 14, 2011, D.C. Law 19-21, § 1030, 58 DCR 6226.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 1010 of Fiscal Year 2012 Budget Support Emergency Act of 2011 (D.C. Act 19-93, June 29, 2011, 58 DCR 5599).

Legislative History of Laws

For history of Law 19-21, see notes under § 10-551.01

§ 10-551.10. SEE FOREVER FOUNDATION--EVANS CAMPUS.

The Department shall have the authority to direct and manage the modernization or new construction of the See Forever Foundation--Evans Campus, as authorized funds become available.

(Sept. 14, 2011, D.C. Law 19-21, § 1031, 58 DCR 6226.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 1011 of Fiscal Year 2012 Budget Support Emergency Act of 2011 (D.C. Act 19-93, June 29, 2011, 58 DCR 5599).

Legislative History of Laws

For history of Law 19-21, see notes under § 10-551.01