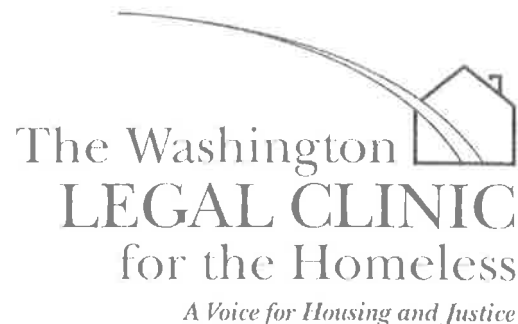


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Kelsey Vaughan
Volunteer Coordinator



**DC Council Committee on Human Services and
Committee on Transportation and the Environment
Public Oversight Roundtable on
Short-Term Family Housing Construction Progress
June 25, 2018
Amber W. Harding**

Good afternoon Chairwomen Nadeau and Cheh and Council members. My name is Amber Harding and I'm an attorney at the Washington Legal Clinic for the Homeless. The Legal Clinic envisions – and since 1987 has worked towards – a just and inclusive community for all residents of the District of Columbia, where housing is a human right and where every individual and family has equal access to the resources they need to thrive.

Bowser Administration officials appear to have purposely misled the Council, the community and, most importantly, homeless families about whether the Wards 7 and 8 DC General replacement shelters would be ready this fall. These same officials have assured families that there will be enough shelter to meet the need when they close DC General this fall. These same officials have assured families that all the construction and demolition at DC General is being done competently and safely, without risking lead poisoning or other irreparable harm. How can families – or any of us – trust these assurances? This hearing presents an opportunity for the Council to figure out who knew what, and when, and the extent of their falsehoods. We ask the Council to demand the resignation of anyone who knew or should have known of the massive incompetence and delays and either did nothing about it, or engaged in the cover-up.

The timing of the replacement shelters coming online is critical, since many plans hinge on that. We want to be clear that our bottom line remains unchanged by the timing of the construction—DC General must close, but not until *all* the replacement shelters are ready. That was, after all, the original plan that we all agreed was best for homeless families. (As Homeward DC states: “When all of the new units are delivered, we can close DC General.”) We also want to be clear that our position is still that no demolition should take place on the DC General campus until the families have moved out, and even then, the process must be done to the highest standard of safety for the sake of the women at Harriet Tubman and the men and women at the DC jail.

It is critical to have this roundtable today, both because this type of incompetence and dishonesty from government officials should not be tolerated, but also because the public needs the Council to shine some real transparency on the DC General closure plan. There are limited ways that the public can really know how the executive is

performing, after all. We have the press, freedom of information requests, public meetings, and Council oversight. But what good are any of those avenues when the Bowser administration flagrantly lies, obfuscates and/or violates open government laws to avoid every attempt at checks and balances?

Perhaps it seems harsh that I am already characterizing the Bowser Administration's statements as lies when they haven't yet testified. Perhaps they were hopeful that they would work out the problems with the sub-contractor and indeed open the shelters on time. But there was no hedging, no qualifying. They did not give anyone *any* indication that the timeline might be drastically different, that they were struggling to work with a completely inexperienced company. They did not say "we hope" that the shelters will be on time or "we're working towards" a fall delivery date. They made strong assured statements, leaving no room for anyone to doubt or question or even help, and then they engaged in a pattern of withholding, of hiding, critical public information that could have pushed a wedge of sunlight in. People with no intent to lie do not speak to 20 people and a PR firm before giving a one sentence statement to the press. People with no intent to lie do not put up every obstacle to FOIA requests they can, lawful or not. They lied. Repeatedly. To all of us. Today we need to learn who knew it was a lie, and who decided this lie must be maintained.

Press

The effort of the press to shine a light on this plan is the only reason we are having this conversation today. This isn't the first time the Washington City Paper has covered potential delays in the construction of DC General replacement shelters. Based on budget data that indicated that very little capital money had been spent on the Wards 4, 7 and 8 shelters, Ms. Baskin reported on April 18th that there was evidence indicating a delay, to which the Department of General Services (DGS) Director stated: "As DGS is responsible for building the new units, I can confirm that construction for all projects is on schedule, including the programs in Wards 4, 7, and 8." (See <https://www.washingtoncitypaper.com/news/housing-complex/article/21001399/nearly-all-dc-general-replacement-sites-are-behind-schedule-says-internal-budget-office-communication>.) It turns out that 20 different DC officials and a PR firm were consulted prior to releasing that one sentence statement.

Freedom of Information Act responses

The City Paper was able to illuminate the problems with the modular contractor via documents received from a Freedom of Information Act (FOIA) request. The Legal Clinic has also been trying to get real information about the DC General replacement plan from DGS and the Department of Human Services (DHS), but less successfully. On February 5, we submitted the attached two FOIA requests to DGS and DHS. We were mainly focused on the safety of the abatement and demolition process at DC General and the projections for family shelter need starting in the fall. Both agencies have been... less than forthcoming. DHS, after several extensions and missed deadlines, stated it had no responsive documents. Then they released a few documents and emails, none substantively responsive and none that we did not already have. Meanwhile, DGS denied our public interest fee waiver (which DHS had granted and which no other agency had ever denied in our 31 years) and charged us over \$1400 for the search. DGS also claimed it needed more than 13 weeks to respond, far outside of the statutory maximum. We have received a few responsive documents, but every email we have received has been completely blacked out, claiming the information within is exempt.¹ (An example is attached.) Nevertheless, just reading the subject lines and recipients of the

¹ Under DC FOIA law, agencies are required to disclose all "reasonably segregable," parts of each document and provide a detailed justification for any particular exemption. See, e.g., *Roth v. U.S. Dep't of Justice*, 642 F.3d 1161, 1167 (D.C.

emails has made it abundantly clear that both DGS and DHS are withholding relevant, non-exempt documents. For instance, one email references a plan for motel space from DHS, a plan that DHS failed to provide us in response to our FOIA.

Families

The members of the public most impacted by this plan, both its timeliness and the quality of the new shelters, are the families who live at DC General and in the hotels. They have been concerned that they won't have anywhere to go when DC General closes or that they will be placed in overcrowded hotels with poor conditions, or hotels far outside the city. The week of January 29, DHS officials met with DC General families and answered questions about the closure plan. On March 28, a DHS official committed to the families at two hotels (with several Council members present) that three of the new shelters would open next fall.

Wards 7 and 8 Short Term Family Advisory Teams

Meanwhile, Bowser officials were demonstrably misleading the Short Term Family Housing Advisory teams in Wards 7 and 8. (There is one such team in each ward that has a DC General replacement shelter, and the members include representatives from the Council, ANCs, civic and business leaders, advocates, and neighbors of the site.) The teams are staffed by DGS, DHS and the Deputy Mayor for Health and Human Services. On February 28, the Ward 8 team heard a presentation on construction progress, summarizing current and projected construction activities in some detail (See

https://dmhhs.dc.gov/sites/default/files/dc/sites/dmhhs/page_content/attachments/Final_W8%20AT%20slide%20deck%202.28.18.pdf, page 7 is attached.) On May 7, the Ward 7 team heard a similar presentation. (See

https://dmhhs.dc.gov/sites/default/files/dc/sites/dmhhs/page_content/attachments/Deck_Ward%207%20Advisory%20Team%20Meeting_May%202018_Final.pdf, page 5 is attached.)

Although I was not at those meetings, I am a member of the Ward 5 team, and generally members of the team are given the status of construction and asked to be the emissaries to their communities, informing neighbors of the site about the next steps and what they can expect to see happening: noise, truck traffic, dust, etc. Wards 7 and 8, advisory teams, however, seem to have been given completely false information, which they in turn brought to their neighbors, neighbors who trust them to provide accurate information. Now they have to inform those neighbors that construction will go until 1AM six or seven days a week for the next three or four months.

DC Council

Throughout this time period, Bowser Administration officials were testifying in front of you at oversight and budget hearings, and even a special oversight roundtable on the plan to close DC General:

- In March, both DGS and DHS provided written responses to oversight questions including:

Cir. 2011). No such justification has been provided here, and it seems unlikely that no parts the emails was nonexempt. See *Judicial Watch, Inc. v. U.S. Dep't of Treasury*, 796 F. Supp. 2d 13, 28 (D.D.C. 2011) (“[a]lthough purely factual information is generally not protected under the deliberative process privilege, such information can be withheld when ‘the material is so inextricably intertwined with the deliberative sections of documents that its disclosure would inevitably reveal the government’s deliberations.’”) (quoting *In re Sealed Case*, 121 F.3d 729, 737 (D.C. Cir. 1997)).

- From DHS oversight answers (question 61, page 65, attached): “By October 2018, three of our new Short-Term Family Housing programs will be open, as well as 26 new apartment-style units – which will ultimately be used as permanent supportive housing, but will serve as additional shelter capacity during this period of transition”
 - From DGS oversight answers (question 59, attached): “Wards 4, 7 and 8 are scheduled for a Fall 2018 delivery.”
- On March 14, at the roundtable on the closure of DC General, both Laura Zeilinger (of DHS) and Brian Butler (of DGS) testified as to the timeline:
 - Zeilinger, when asked for date that the Wards 4, 7 and 8 shelters would be open: “By October. What’s most important is the buildings are fully ready and don’t rush it to pick a date.”
 - Butler, when asked if the shelters would all be opening on the same day: “All opening in October, with Ward 4 happening first, then 7, then 8.”

(Note that “by October” is different than “in October,” but no one seemed to catch the discrepancy at the time.)
- At the April 12 DHS budget hearing, Director Zeilinger made the following statements over the course of the hearing, somewhat paraphrased:
 - Three new shelters and 12th St will open in the fall.
 - DHS anticipates spending \$11.76 million on contracts for services at DC General replacement shelters in FY19.
 - The reduction in the budget for hotels was premised, in part, on the three DC General replacement shelters and the 12th street building coming online in the fall.
 - The projections for length of stay in FY19 are premised on the new family shelters being online, but Dir. Zeilinger assured the Committee that she felt prepared if they “end up” needing more overflow space
 - Regarding the suggested underspending on the replacement shelters and the request for more capital money for FY19, Dir. Zeilinger said that they rely on DGS for cost projections, that the Committee should really ask DGS these questions, but that she spent a lot of time with them and the budget office ensuring that the budget projections were accurate.
 - Dir. Zeilinger then agreed to respond more fully to the questions about replacement shelter spending after the hearing.
- On April 25, Dir. Zeilinger sent a letter to Brianne Nadeau, copied to Deputy Mayor Chung and Director Gillis. (See attached.) In it, she assures Councilmember Nadeau that “The agency [DGS] has indicated that the DC General replacement sites in Wards 4, 7 and 8 are slated to open in the Fall.” However, the letter goes on to give spending and contract updates for Ward 4, 3, 5 and 6. No information is provided on Wards 7 or 8.

- The April 25 letter also states that the guaranteed maximum price (GMP) contracts for Wards 3, 5 and 6 had not yet been finalized—yet the March DGS oversight answers state that “Wards 3, 5 and 6 have begun construction.”

Questions for Bowser Administration

Here are some basic questions that I believe need to be answered today:

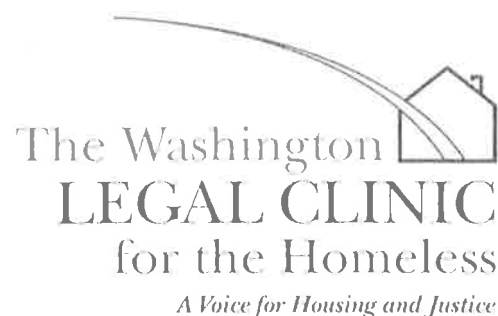
1. Why was Z Modular chosen? Whose responsibility was it to vet the subcontractor? Was it really just a “flashy video” that convinced them to contract with them? Is that their normal business practice?
2. What is the actual status of each replacement shelters? In addition to Wards 7 and 8, are there contracts in place for 3, 5 and 6? Has construction started on those sites or not?
3. If, in order to get the Wards 7 and 8 shelters finished by October they have to work until 1AM six or seven days a week, what are the overtime costs for that? What are the tradeoffs in quality if workers are there for eighteen hour days? What is the impact on neighbors? What is the impact on the FY18 budget?
4. What is the impact on the recently passed FY19 budget if there are significant delays in any of the shelters? On capital spending? On hotel costs? On contracts for replacement shelters and their operating costs?
5. Who was part of the “entire executive leadership team” that Director Gillis briefed on the progress of the shelters?
6. Who is ultimately responsible for the plan to close DC General and open its replacement shelters? The Director to End Homelessness, who apparently also knew that these two shelters were behind schedule? The Director of DHS? The Director of DGS? The City Administrator? The Deputy Mayor? Assuming any one of them claims to have known nothing about the problems with the sub-contractor, is ignorance a defense to responsibility for anyone charged with closing DC General responsibly?

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Max Tipping
Spitzer Fellow
Kelsey Vaughan
Volunteer Coordinator



February 5, 2018

By Electronic Mail

Camille D. Sabbakhan
Department of General Services
2000 14th Street, NW, 8th Floor
Washington, DC 20009
Email: foia.dgs@dc.gov
Phone: (202) 727-2800

Re: Freedom of Information Act Request

Dear Ms. Sabbakhan:

Pursuant to the District of Columbia Freedom of Information Act ("FOIA"), DC Official Code §§ 2-531, *et seq.*, I write on behalf of the Washington Legal Clinic for the Homeless ("WLCH") to request information, as described in detail further below, from the District of Columbia Department of General Services ("DGS") on the planned closure, abatement and deconstruction of the shelter for homeless families that is currently operated at the former DC General Hospital ("DC General Shelter"), as well as nearby buildings.

We hereby request all records relating to:

1. Contracts, memoranda of understanding, or other written agreements between DGS and any contractors, subcontractors, industrial hygienists, and/or other District of Columbia agencies relating to the planned closure, abatement and deconstruction of DC General Shelter and nearby buildings.
2. Emails, attachments to emails, or other written correspondence, from January 1, 2016 to present, relating to the planned closure, abatement and deconstruction of DC General Shelter and nearby buildings.
3. Plans, blueprints, maps, memoranda, studies, analyses, or results of investigations relating to the planned closure, abatement and deconstruction of DC General Shelter and nearby buildings. This request includes, but is not limited to, any records relating to the environmental impact and planned remediation efforts, as well as any records relating to the prior and current use of each building and its timeline for demolition.



Defined Terms

The term "DGS" as used herein refers to the District of Columbia Department of General Services and includes all offices, and all officers, staff, agents, consultants, appointees and employees thereof. It also includes contractors and subcontractors involved in the planned closure, abatement and deconstruction of DC General Shelter and nearby buildings.

The term "records" as used herein includes the original and all non-identical copies, however produced or reproduced, of any written or graphic matter, as well as computer files, including but not limited to writings, handwritings, drawings, graphs, charts, maps, correspondence, faxes, electronic mail (i.e., e-mails), attachments to electronic mail, any other electronic communications, notes of telephone conversations or of meetings or conferences, minutes of meetings, interoffice communications, memoranda, studies, analyses, results of investigations, photographs, sound recordings, electronically stored information, other data compilations from which information can be obtained, and any other documentary material, regardless of physical form or characteristics.

The term "relating to" as used herein means addressing, constituting, mentioning, discussing, describing, reflecting, identifying, dealing with, consisting of, explaining, referring to, containing, enumerating, or in any way concerning or pertaining to, in whole or in part, directly or indirectly.

FOIA Response

We believe that these records are not exempt from disclosure. If DGS should deny access to any records covered by this request, however, please describe in detail each of those records and specify the statutory basis claimed for denial as well as any reasons for asserting that claim. As you know, FOIA provides that if only a portion of a record is exempt from release, all reasonably segregable portions shall be provided. Thus, if DGS asserts that a portion of a record that we have requested is exempt, please provide us with a copy of the remainder of the record. If DGS asserts that the exempt portions cannot be reasonably redacted, please state in detail the reasons for that assertion.

Please provide the requested material at the earliest possible date, and, in any event, please provide as complete a response as possible to this request within the fifteen (15) day period prescribed by D.C. Code § 2-532(c). Please forward currently available records as soon as possible and others as they become available.

Fee Waiver

WLCH is a 30-year-old nonprofit organization dedicated to providing free, comprehensive legal services to low- and no-income individuals and families throughout the District of Columbia. WLCH provides services to help our clients gain access to housing, shelter, and life-saving services.

WLCH intends to use the requested records to benefit the general public by sharing the records with interested residents and community groups, and by making the records available for public inspection. WLCH intends to analyze and disclose relevant portions of the information received to our clients, representatives and members of the District of

Columbia Government, and the general public. This increased access to the records will allow more informed community feedback about the planned closure, abatement and deconstruction of DC General Shelter and nearby buildings.

WLCH requests a waiver of any fees that may apply pursuant to D.C. Code § 2-532(b). Waiver of any fees is (1) in the public interest because it is likely to contribute significantly to public understanding of the planned closure, abatement and deconstruction of DC General Shelter and nearby buildings, and (2) not in the commercial interest of WLCH or its clients. We also would accept documents via email (max.tipping@legalclinic.org) to reduce costs associated with copying.

I look forward to receiving a response to our request within fifteen business days or earlier, if possible. Please contact me at (202) 328-5514 or via e-mail at max.tipping@legalclinic.org if you have any questions concerning this request. Thank you for your assistance in this matter.

Respectfully submitted,

Max Tipping

Max Tipping

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Spitzer Fellow
Rebeca Vaughan
Volunteer Coordinator



February 5, 2018

By Electronic Mail

Robert Warren
64 New York Avenue, NE, Suite 6100
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Robert.Warren@dc.gov
Phone: (202) 671-4452
Fax: (202) 671-4454

Re: Freedom of Information Act Request

Dear Mr. Warren:

Pursuant to the District of Columbia Freedom of Information Act ("FOIA"), DC Official Code §§ 2-531, *et seq.*, I write on behalf of the Washington Legal Clinic for the Homeless ("WLCH") to request information, as described in detail further below, from the District of Columbia Department of Human Services ("DHS") on the planned closure, abatement and deconstruction of the shelter for homeless families that is currently operated at the former DC General Hospital ("DC General Shelter"), as well as nearby buildings.

We hereby request all records relating to:

1. Contracts, memoranda of understanding, or other written agreements between DHS and any contractors, subcontractors, and/or other District of Columbia agencies relating to the planned closure, abatement and deconstruction of DC General Shelter and nearby buildings.
2. Emails, attachments to emails, or other written correspondence, from January 1, 2016 to present, relating to the planned closure, abatement and deconstruction of DC General Shelter and nearby buildings.
3. Plans, graphs, charts, maps, memoranda, studies, analyses, or results of investigations relating to the planned closure, abatement and deconstruction of DC General Shelter and nearby buildings, including, but not limited to:
 - a. Plans for transitioning families out of DC General Shelter between now and the planned closure.



- b. Plans for operating the family shelter system after DC General Shelter is closed but before the new replacement units are available, including where homeless families will be placed when they are in need of shelter and how many families are expected to be in need of shelter.
- c. The average length of stay of families in emergency shelters, disaggregated by whether the family is staying at DC General Shelter, a motel, or an apartment-style shelter.
- d. For each month from October 2016 to present, the number of families that applied for shelter, the number of families found eligible for shelter, and the number of families placed in shelter.
- e. Any increases in housing, motel, and prevention resources that DHS anticipates being necessary in order to close DC General Shelter, disaggregated by resource.

Defined Terms

The term "DHS" as used herein refers to the District of Columbia Department of Human Services and includes all offices, and all officers, staff, agents, consultants, appointees and employees thereof. It also includes contractors, such as The Community Partnership for the Prevention of Homelessness, and subcontractors involved in the planned closure, abatement and deconstruction of DC General Shelter and nearby buildings.

The term "records" as used herein includes the original and all non-identical copies, however produced or reproduced, of any written or graphic matter, as well as computer files, including but not limited to writings, handwritings, drawings, graphs, charts, maps, correspondence, faxes, electronic mail (i.e., e-mails), attachments to electronic mail, any other electronic communications, notes of telephone conversations or of meetings or conferences, minutes of meetings, interoffice communications, memoranda, studies, analyses, results of investigations, photographs, sound recordings, electronically stored information, other data compilations from which information can be obtained, and any other documentary material, regardless of physical form or characteristics.

The term "relating to" as used herein means addressing, constituting, mentioning, discussing, describing, reflecting, identifying, dealing with, consisting of, explaining, referring to, containing, enumerating, or in any way concerning or pertaining to, in whole or in part, directly or indirectly.

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with a copy of the remainder of the record. If DHS asserts that the exempt portions cannot be reasonably redacted, please state in detail the reasons for that assertion.

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WLCH requests a waiver of any fees that may apply pursuant to D.C. Code § 2-532(b). Waiver of any fees is (1) in the public interest because it is likely to contribute significantly to public understanding of the planned closure, abatement and deconstruction of DC General Shelter and nearby buildings, and (2) not in the commercial interest of WLCH or its clients. We also would accept documents via email (amber@legalclinic.org) to reduce costs associated with copying.

I look forward to receiving a response to our request within fifteen business days or earlier, if possible. Please contact me at (202) 328-5503 or via e-mail at amber@legalclinic.org if you have any questions concerning this request. Thank you for your assistance in this matter.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Amber W. Harding', with a long, sweeping horizontal line extending to the right.

Amber W. Harding

From: [Butler, Brian \(DGS\)](#)
To: [Cevasco, Jenna \(DHS\)](#); [Keene, Jamie \(EOM\)](#); [Burton, JocCole \(DGS\)](#)
Cc: [Licklider, Jeff \(DGS\)](#); [Taylor-Lowe, Dora \(DHS\)](#); [Kelly, Lisaf \(DHS\)](#); [Melder, Jay \(EOM\)](#); [Handerhan, Larry J. \(DHS\)](#)
Subject: RE: DCG deconstruction
Date: Monday, February 05, 2018 3:06:49 PM

Please see below. Let me know if this answers your questions.

Thanks

Brian

From: Cevasco, Jenna (DHS)
Sent: Monday, February 05, 2018 2:29 PM
To: Butler, Brian (DGS) <brian.butler@dc.gov>; Keene, Jamie (EOM) <jamie.keene@dc.gov>; Burton, JocCole (DGS) <joccole.burton@dc.gov>
Cc: Licklider, Jeff (DGS) <jeff.licklider@dc.gov>; Taylor-Lowe, Dora (DHS) <dora.taylor-low@dc.gov>; Kelly, Lisaf (DHS) <lisaf.kelly@dc.gov>; Melder, Jay (EOM) <jay.melder@dc.gov>; Handerhan, Larry J. (DHS) <larry.handerhan@dc.gov>
Subject: Re: DCG deconstruction

Just reviving this email chain. Team DGS, can you help with my questions?

Jenna Grant Cevasco
(202) 255-1031

On Feb 1, 2018, at 1:52 PM, Cevasco, Jenna (DHS) <jenna.cevasco@dc.gov> wrote:

DC
Official
Code §
2-534 (a)
(4)
Deliberative
process
reflecting
inter-
agency or
intra-
agency
memoranda
or letters

[REDACTED]

[REDACTED]

DC Official
Code § 2-534
(a)(4)
Deliberative
process
reflecting
inter-agency
or intra-
agency
memoranda
or letters



[REDACTED]

From: Butler, Brian (DGS)

Sent: Thursday, February 01, 2018 9:58 AM

To: Keene, Jamie (EOM); Burton, JocCole (DGS); Cevalasco, Jenna (DHS)

Cc: Licklider, Jeff (DGS); Taylor-Lowe, Dora (DHS); Kelly, Lisaf (DHS); Melder, Jay (EOM)

Subject: RE: DCG deconstruction

[REDACTED]

[REDACTED]

DC Official
Code §
2-534 (a)
(4)
Deliberative
process
reflecting
inter-
agency or
intra-
agency
memorand
a or letters

[REDACTED]

[REDACTED]




Brian Butler
Project Manager

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Capital Construction Services - CCS
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DC Official
Code § 2-534
(a)(4)
Deliberative
process
reflecting inter-
agency or intra-
agency
memoranda or
letters

From: Keene, Jamie (EOM)
Sent: Wednesday, January 31, 2018 10:15 AM
To: Burton, JocCole (DGS) <joccole.burton@dc.gov>; Cevasco, Jenna (DHS) <jenna.cevasco@dc.gov>
Cc: Butler, Brian (DGS) <brian.butler@dc.gov>; Licklider, Jeff (DGS) <jeff.licklider@dc.gov>; Taylor-Lowe, Dora (DHS) <dora.taylor-low@dc.gov>; Kelly, Lisaf (DHS) <lisaf.kelly@dc.gov>; Melder, Jay (EOM) <jay.melder@dc.gov>
Subject: RE: DCG deconstruction



From: Burton, JocCole (DGS)
Sent: Wednesday, January 31, 2018 10:08 AM
To: Cevasco, Jenna (DHS)
Cc: Butler, Brian (DGS); Licklider, Jeff (DGS); Taylor-Lowe, Dora (DHS); Kelly, Lisaf (DHS);

Melder, Jay (EOM); Keene, Jamie (EOM)
Subject: Re: DCG deconstruction

+ Jay and Jamie

Sent from my iPhone, please excuse any typos.

~jc

JocCole "JC" Burton, LEED AP BD+C

Chief Project Delivery Officer

Department of General Services

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On Jan 31, 2018, at 9:54 AM, Cevalco, Jenna (DHS) <jenna.cevasco@dc.gov> wrote:

The WLC for the homeless is basically saying our clients already have health risks (high rates of asthma) and we are putting them further at risk by doing this work where they are living.

Jenna Grant Cevalco
(202) 255-1031

On Jan 31, 2018, at 9:49 AM, Butler, Brian (DGS) <brian.butler@dc.gov> wrote:

Thanks Jenna

DC Official Code §
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or letters

Thanks

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-----Original Message-----

From: Cevalco, Jenna (DHS)
Sent: Wednesday, January 31, 2018 9:44 AM
To: Burton, JocCole (DGS) <joccole.burton@dc.gov>;
Butler, Brian (DGS) <brian.butler@dc.gov>; Licklider,
Jeff (DGS) <jeff.licklider@dc.gov>
Cc: Taylor-Lowe, Dora (DHS) <dora.taylor-low@dc.gov>; Kelly, Lisaf (DHS)
<lisaf.kelly@dc.gov>
Subject: DCG deconstruction

JC, Brian, Jeff:

DC Official Code § 2-534 (a)(4) Deliberative
process reflecting inter-agency or intra-agency
memoranda or letters

Jenna Grant Cevalco
(202) 255-1031



Ward 8

★ ★ ★ GOVERNMENT OF THE DISTRICT OF COLUMBIA
MURIEL BOWSER, MAYOR

A FRESH START TO ENDING FAMILY HOMELESSNESS

Construction Progress Update

• Current Construction Activities

- Winter 2017/2018 (December/January/February) — Site excavation, Soil bearing prep, Concrete activities (Footings, Foundation Walls, Columns for basement, Slab on Grade, First Floor Elevator Deck), Utilities (Below slab Mechanical, Electrical and Plumbing rough-ins), Foundation waterproofing/drainage.

• Projected Construction Activities

- Spring 2018 (March/April/May) — Erect steel framing for podium, Modular erection (Set modular units, MEP tie-ins, Install Stairs and Elevators, Roofing, Windows/Storefront/Entrances, Green Roof installation.
- Summer 2018 (June/July) — Pour Retaining Walls, Set Rooftop units, Curb & Gutter/Asphalt, Begin Interior Finishes, Begin Commissioning.
- Fall 2018 (August/September) — Exterior finishes completed, Interior finishes completed, Site Improvements/Hardscape/Landscape, Playground Equipment & Site Furnishings, FF&E installed, Commissioning complete, Substantial completion, Final completion and Closeout.

• Provider on-boarded and Good Neighbor Agreement signed (Summer 2018)



Ward 7

★ ★ ★ GOVERNMENT OF THE DISTRICT OF COLUMBIA
MURIEL BOWSER, MAYOR

A FRESH START TO ENDING FAMILY HOMELESSNESS

Construction Progress Update

- Current Construction Activities

- Spring 2018 (April/May/June)– Erect steel framing for podium, Modular erection (Set modular units), MEP tie-ins, Install Stairs and Elevators, Roofing, Windows/Storefront/Entrances, Green Roof installation, Pour Retaining Walls, Set Rooftop units, Curb & Gutter/Asphalt, Begin Interior Finishes, Begin Commissioning.

- Projected Construction Activities

- Summer 2018 (July/August/September) – Exterior finishes completed, Interior finishes completed, Site Improvements/Hardscape/Landscape, Playground Equipment & Site Furnishings, FF&E installed, Commissioning complete, Substantial completion, Final completion and Closeout.

c. Identify the specific facility or program identified in the complaint/HSRA violation.

Please see Attachments 59a and 59b - FY17 and FY18 Complaint Violations.

d. Provide the outcomes or corrective actions to address each complaint/HSRA violation.

| Complaint by Dispositions | Number of Complaints | |
|----------------------------------|---|---|
| | FY 2018 to Date October 1, 2017-January 17, 2018 | FY 2017 October 1, 2016-September 30, 2017 |
| Additional Information Needed | 0 | 0 |
| No Action Required | 9 | 4 |
| No Further Action Required | 2 | 17 |
| Open | 0 | 0 |
| Referred | 0 | 3 |
| Resolved | 0 | 0 |
| Substantiated | 0 | 6 |
| Unfounded | 2 | 18 |
| Unsubstantiated | 0 | 1 |
| TOTAL | 13 | 49 |

e. Provide the median response time of responding to complaints and the longest response time.

In FY17, the median response time was fifteen (15) calendar days and the longest response time was one hundred sixteen (116) days. In the first quarter of FY18 the median response is ten (10) days and the longest response time is thirty-three (33) calendar days.

60. Has DHS issued an annual report regarding the Office of Shelter Monitoring to the ICH for FY17? If not, when will it be released?

No, the annual report will be complete by March 30, 2018.

DC GENERAL SHELTER REPLACEMENT

61. Please provide an update regarding any progress on the plan to replace DC General, including the most up-to-date timeline for the completion of replacement shelters and the closure of DC General.

For nearly ten years, the Department of Human Services (DHS) has used the former DC General Hospital to provide families experiencing homelessness with a safe place to stay while they secure permanent housing. The facility is large and outdated, making it a difficult to provide necessary services. It is also expensive and challenging to maintain.

In February 2016, Mayor Bowser laid out an eight-ward strategy to close DC General and replace it with smaller, service-enriched, community-based Short-Term Family Housing programs before the end of 2018. This plan is well underway, and though we will not have all Short-Term Family Housing buildings online in the original timeframe, we will deliver on the commitment to close DC General this fall.

Beginning in May, DHS will gradually step down its use of the hospital buildings. The best way to do that – with the least disruption for our families – is to ramp down new placements at DC General. As families exit DC General to permanent housing, the census at the shelter will decline. By October 2018, three of our new Short-Term Family Housing programs will be open, as well as 26 new apartment-style units at 4300 12th Street, SE – which will ultimately be used as permanent supportive housing, but will serve as additional shelter capacity during this period of transition. Additionally, the Department will continue its practice of using motels to provide overflow capacity as necessary, while we continue to decrease the census and reduce our lengths of stay.

Following is a list of locations for the short-term family housing programs, along with the scheduled delivery dates.

| <i>Ward</i> | <i>Address</i> | <i>Construction Start</i> | <i>Projected Program Open Date</i> |
|-------------|------------------------------|---------------------------|--|
| 1 | 2500 14th Street, NW* | Jan-19 | Spring 2020 |
| 2 | 810 Fifth Street, NW | | The Patricia Handy Place for Women opened in early 2016, and serves more than 200 women per night. |
| 3 | 3320 Idaho Avenue, NW | Nov-17 | Summer 2019 |
| 4 | 5505 Fifth Street, NW | Jul-17 | Fall 2018 |
| 5 | 1700 Rhode Island Avenue, NE | Nov-17 | Summer 2019 |
| 6 | 850 Delaware Avenue, SW | Jul-17 | Summer 2019 |
| 7 | 5004 D Street, SE | Jun-17 | Fall 2018 |
| 8 | 4225 6th Street, SE | Nov-17 | Fall 2018 |

INTERIM ELIGIBILITY PLACEMENT

62. How many families have been placed in an Interim Eligibility (“IE”) Placement to date in FY18? What is the average length of stay in an IE placement?

In FY18 through February 7, 2018, 47 families have been placed in Interim Eligibility. The average length of stay in FY18 is six (6) days.

63. Please list the number and percent of families who:

a. Were found eligible following an IE placement;

In FY18 through February 7, 2018, 27 families (57%) were deemed eligible for placement.

59. Please list DGS's three biggest priorities for FY 2018 and explain the intended impact of each.

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*Responses to FY2017 Performance Oversight Questions
Department of General Services*

RESPONSE:

- **Improving Project Delivery Focusing on School Modernization and Short Term Family Housing Projects** – In FY17, DGS established a Chief Project Delivery Officer (CPDO) position to oversee the various important school modernization and Short Term Family Housing projects. The DC General Shelter is on track for closing by November 1, 2018. Wards 4, 7 and 8 are scheduled for a Fall 2018 delivery. Wards 3, 5 and 6 have begun construction. In FY18, this new leadership role will continue to deliver on the agency's capital projects. The addition of this role will lead to improved relationships with our primary partner agencies (DCPS, DMHHS, DHS), improved processes and procedures, as well as increased due-diligence during the planning and construction project phases.
 - i. **Intended Impact:** On-time and on-budget project delivery is a core mission of the agency. Increasing the confidence of DGS stakeholders is accomplished by delivering all projects, ensuring school projects are delivered during the summer months, and maintaining a high level of fiscal responsibility.



April 25, 2018

Transmitted via Email

Brianne K. Nadeau
Chairperson, Committee on Human Services
Council of the District of Columbia
1350 Pennsylvania Avenue, NW
Washington, DC 20004

Councilmember Nadeau:

I am writing as a follow up to the Department of Human Services' (DHS) FY19 Budget Oversight Hearing, which was held on April 12, 2018. Both DHS and the Department of General Services (DGS) share your commitment to ensuring that these new Short-term Family Housing programs open on time and within budget – and we continue to work with urgency to deliver on this commitment. Please find the requested information below.

Q1: The agency has indicated that the DC General replacement sites in Wards 4, 7, and 8 are slated to open in the Fall. For the Ward 4 replacement site, the plan was to spend \$19.15M by the end of FY18. But as of March 19, there was about \$6.5M in unspent, unencumbered funds (34.6% of the project's total). \$6.15M was to be spent in FY18 alone- so since we are halfway through the fiscal year, we might expect to see that the agency had spent about half the budget authority. Instead, it seems there is some leftover money from FY17 with none of the FY18 budget spent or encumbered. Please explain.

The total of the cost of constructing the Ward 4 site is \$15.9 million; this project will deliver under budget. The Department of General Services (DGS) anticipates using the additional \$3.2 million to cover a shortfall associated with the Ward 5 site.

Q2: As for the short-term family housing scheduled to open after 2018, the following seems to be true:

- a. Ward 3: Of the \$17.25 million that was supposed to be spent on this project by the close of FY18, \$5.19 million of it (30%) has not been spent or encumbered.
- b. Ward 5: Of the \$12.75 million that was supposed to have been spent on this project by the end of FY 18, \$3.765 million of it (29.5%) has neither been spent nor encumbered.
- c. Ward 6: Of the \$14.8 million that should be spent on this project by the end of FY18, \$3.58 million of it (24.0%) has neither been spent nor encumbered.

Can you confirm these breakdowns and elaborate on the timeline for spending and completion?

DGS is finalizing the designs and negotiating the guaranteed maximum price (GMP) contract for the Ward 3, 5, and 6 sites. These negotiations will be completed in the next several months, and they expect the full budget allotment to be required. In general, construction spending ramps

up closer to the end of a project. The spending patterns seen in Wards 3, 5, and 6 are in line with those trends.

Q3: An additional \$22 million was added to the capital plan for Wards 1, 3, 5, and 6 sites. Please outline the spend plan for these additional resources.

As you know, the Ward 1 site will include 15 units of Permanent Supportive Housing (PSH) for seniors and upgrades to the Rita Bright Youth and Family Centers. We are excited about the opportunity to add PSH and to enhance an existing community asset that had not been budgeted for when the plan was developed in 2016. Of the \$22 million, \$10.8 million will support these new programs in Ward 1. An additional \$11.8 million will be used to complete projects in Wards 3, 5, and 6. There are four factors that contribute to increased costs:

- Previously unknown site conditions. This includes the discovery of unsuitable soils, which resulted in changes to the foundation systems, and hazardous materials, which were discovered during abatement, and needed to be removed. These types of developments and cost adjustments are standard processes in construction projects.
- Scope changes. This includes clarifying the security infrastructure requirements for the program (for example installing swipe cards on all doors), the addition of a health clinic to the Ward 6 site, providing space to Unity Health Clinic in Ward 6 during development of the site to ensure continuity of health services for residents, changes to the requirements for a backup generator, and work required to maintain the existing cell tower on the Ward 5 site.
- Unforeseen changes to respond to requests from regulatory and advisory agencies. The District works hard to be responsive to recommendations and requirements made by the Commission on Fine Arts, the Historic Preservation Office, and the Board of Zoning Adjustment, but there are costs associated with these changes.
- Market conditions. The initial budget for Short-term Family Housing was developed in early 2016, prior to the development of schematic designs for the projects. Since then, the DC construction market has grown rapidly, creating a competitive construction market, a shortage of skilled labor, and continued upward pressure on construction costs. Average prices for leading construction firms in the region have increased four to five percent over the past two years, and these increases are expected to continue into 2018.

If you have any questions or require additional information, please do not hesitate to reach out to me.

Sincerely,



Laura Green Zeilinger
Director

Cc: HyeSook Chung, Deputy Mayor, Health and Human Services
Greer Johnson Gillis, Director, Department of General Services