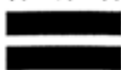


GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Attorney General

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ATTORNEY GENERAL
KARL A. RACINE

November 18, 2020

The Honorable Phil Mendelson, Chairman
Council of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Avenue, N.W., Suite 504
Washington, D.C. 20004

Dear Chairman Mendelson:

Enclosed for consideration and approval by the Council of the District of Columbia is proposed emergency legislation, the "Contract No. DCCB-2020-F-0026 with Edelson PC Approval and Payment Authorization Emergency Act of 2020" and accompanying emergency declaration resolution ("legislation") to approve the award of the proposed definitive multiyear Contract Number DCCB-2020-F-0026 with Edelson PC.

The not-to-exceed contract amount is fifty-five million dollars (\$55,000,000). The base period of performance is from date of award through five years thereafter.

This contract will definitize the letter contract awarded on July 31, 2020. OAG requires outside legal counsel to assist the Public Advocacy Division with consumer protection litigation against Facebook, Inc. for violations of the District's Consumer Protection Procedures Act (CPPA) by failing to take appropriate steps to maintain and protect consumers' data, including failing to properly police third party applications using the Facebook platform.

I am available to discuss any questions you may have regarding the proposed definitive contract. To facilitate a response to any questions you may have, please have your staff contact Aurélie Mathieu, Assistant Attorney General for Policy and Legislative Affairs, at 202-230-2342 or Janice Parker Watson, Contracting Officer, at 202-442-9882. I look forward to favorable consideration of this contract.

Sincerely,

Karl A. Racine/by JP

KARL A. RACINE
Attorney General

Enclosures



Chairman Phil Mendelson
at the request of the Attorney General

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To approve, on an emergency basis, multi-year Contract No. DCCB-2020-F-0026 with Edelson PC to provide outside legal counsel services to assist the Office of the Attorney General with its consumer protection litigation against Facebook, Inc., and to authorize payment for the goods and services received and to be received under that contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the "Contract No. DCCB-2020-F-0026 with Edelson PC, Approval and Payment Authorization Emergency Act of 2020".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves multiyear Contract No. DCCB-2020-F-0026 with Edelson PC to provide outside legal counsel to assist the Office of the Attorney General with its consumer protection litigation against Facebook, Inc., and authorizes payment in the not-to-exceed amount of \$55,000,000 for the goods and services to be received under the contract. Contract No. DCCB-2020-F-0026 is a contingency fee contract with a cost reimbursement component,

1 with fees calculated as a percentage of any monetary award Edelson PC obtains on behalf
2 of the District, payable only upon the District's receipt of such an award.

3 Sec. 3. The Council adopts the fiscal impact statement provided by the Chief
4 Financial Officer as the fiscal impact statement required by section 4a of the General
5 Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C.
6 Official Code § 1-301.47a).

7 Sec. 4. This act shall take effect following approval by the Mayor (or in the
8 event of veto by the Mayor, action by the Council to override the veto), and shall remain
9 in effect for no longer than 90 days, as provided for emergency acts of the Council of the
10 District of Columbia in section 412(a) of the District of Columbia Home Rule Act,
11 approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).