

AGENDA - COUNCIL MEETING - TUESDAY - AUGUST 21, 2007 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Berry

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

2:00 P. M. - PUBLIC SPEAKERS - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - AUGUST 22, 2007 - 9:00 A. M.

DESCRIPTIONS OR CAPTIONS OF AGENDA ITEMS WILL BE READ BY THE
CITY SECRETARY PRIOR TO COMMENCEMENT

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 40

MISCELLANEOUS - NUMBERS 1 through 4

1. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **ELECTRICAL BOARD**, for terms to expire January 2, 2009:
 - Position One - **MR. CHRIS J. FAHRENTHOLD**, reappointment
 - Position Three - **MR. HARRY HUGHES**, reappointment
 - Position Five - **MR. LARRY S. NEAL**, reappointment
 - Position Seven - **MR. SANTOSH MUKERJI**, reappointment
 - Position Nine - **MR. CHARLES S. PRICHARD**, appointment

2. REQUEST from Mayor for confirmation of the appointment of **MS. JUNE DEADRICK** to Position Six of the **MILLER THEATER ADVISORY BOARD**, for an unexpired term ending April 24, 2010

MISCELLANEOUS - continued

3. REQUEST from Mayor for confirmation of the appointment of the following to serve as **ADJUDICATION HEARING OFFICERS** for the **PHOTOGRAPHIC TRAFFIC SIGNAL ENFORCEMENT PROGRAM** for two year terms commencing on September 1, 2007:
 MR. MANUEL BARRERA, JR. - Full-Time
 MR. ROBERT HINOJOSA - Full-Time
 MR. JOSE LOPEZ - Part-Time
 MS. BEVERLY SPENCER - Part-Time
 MR. DON BYRNES - Part-Time
 MR. GERARDO CANTU - Part-Time
 MS. SYLVIA CASTILLO - Part-Time
4. RECOMMENDATION from Director Planning & Development Department to designate an Honorary Street Marker for **DR. ELIJAH J. THOMAS - DISTRICT I - ALVARADO**

DAMAGES - NUMBERS 5 and 6

5. RECOMMENDATION from City Attorney for settlement of lawsuit styled **SPELVIN JACKSON, et al v. City of Houston**; in the 269th Judicial District Court of Harris County, Texas; Cause No. 2005-50761 - \$60,000.00 - Property and Casualty Fund
6. RECOMMENDATION from City Attorney for settlement of lawsuit styled **JOSHUA KITLER v. City of Houston**; in the 127th Judicial District Court of Harris County, Texas; Cause No. 2004-43763 - \$140,000.00 - Property and Casualty Fund

ACCEPT WORK - NUMBERS 7 through 9

7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$241,406.90 and acceptance of work on contract with **ACM CONTRACTORS, INC** for Safe Sidewalk Program 02 Project, WBS N-000800-02-4 18.35% under the original contract amount - **DISTRICTS B - JOHNSON and I - ALVARADO**
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,739,543.23 and acceptance of work on contract with **COLLINS CONSTRUCTION, LLC (formerly C AND C SERVICES)** for Water Line Replacement in the Bellfort North Subdivision, WBS S-000035-00B5-4 - 6.07% under the original contract amount **DISTRICT I - ALVARADO**
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,574,501.60 and acceptance of work on contract with **R. K. WHEATON, INC** for Water Line Replacement in Huntington Place Subdivision, WBS S-000035-00C2-4 - 17.80% under the original contract amount - **DISTRICT H - GARCIA**

PROPERTY - NUMBERS 10 through 12

10. RECOMMENDATION from Director Finance & Administration Department for sale of a tax foreclosed property (Cause #2001-54285; Account 116-571-000-0005), described as 1.2977 acres or 56,528 squares of Unrestricted Reserve E of Town & County North, Section 1, a subdivision in Harris County at 0 Lumpkin Rd., Houston, TX 77043, to **HOUSTON COMMUNITY COLLEGE SYSTEM** for zero dollars, inasmuch as there are numerous easements, etc. and no physical access to the property it will be impossible for the property to be developed for commercial or residential purposes - **DISTRICT A - LAWRENCE**
11. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY3-045, located at 10919 Stancliff Road, owned by Natural Earth Products, a Texas general partnership comprised of J. M. Colgin and Tommy Cangelosi, for the **KEEGAN'S BAYOU HIKE AND BIKE TRAIL PROJECT from Brays Bayou to Kirkwood**, N-000420-0025-2-01 **DISTRICT C - CLUTTERBUCK**

PROPERTY - continued

12. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY6-044, located at 7902 Long Point, owned by Tuo Houston Long Point, L.L.C., for the **LONG POINT AT WIRT INTERSECTION IMPROVEMENTS PROJECT from Pine Chase to Johanna, N-000674-0001-2-01 - DISTRICT A - LAWRENCE**

PURCHASING AND TABULATION OF BIDS - NUMBERS 13 through 15

13. **TOTER INCORPORATED** for Automated Refuse Carts from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Solid Waste Management Department - \$888,800.00 - General Fund
14. **FERGUSON WATERWORKS, INC** for Water Service Connection Parts for Department of Public Works & Engineering - \$952,874.65 - Enterprise Fund
15. **MCGARD, LLC** - \$70,804.00 and **METERGUARD, INC** - \$88,332.33 for Water Meter Locking Devices for Department of Public Works & Engineering - Enterprise Fund

ORDINANCES - NUMBERS 16 through 40

16. ORDINANCE **AMENDING SECTION 40-455 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to size requirements for newsracks; containing other provisions relating to the foregoing subject; providing for severability
17. ORDINANCE **AMENDING CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Photographic Traffic Signal Enforcement Systems; containing other provisions relating to the foregoing subject; providing an effective date; providing for severability
18. ORDINANCE approving and authorizing the sale to the State of Texas, of a tract of land containing 1.292 acres (56,279 square feet), more or less, for the construction of a new Texas Department of Transportation Administration Building, 6810 Old Katy Road, being located in the John Reinerman Survey, A-642, Harris County, Texas, Parcel SY7-107; in consideration of the State of Texas' payment of \$450,232.00, and other consideration to the City - **DISTRICT H - GARCIA**
19. ORDINANCE consenting to the creation of the **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 9** and the inclusion of certain land within the district
20. ORDINANCE appropriating \$300,000.00 out of the TIRZ Affordable Housing Fund (Fund 2409) and authorizing issuance of a purchase order to the Land Assemblage Redevelopment Authority ("LARA") to cover costs to promote home ownership opportunities in Houston Hope Areas of the City of Houston
21. ORDINANCE approving and authorizing agreement between the City of Houston and (1) Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square Zone) and Main Street Market Square Redevelopment Authority; (2) Reinvestment Zone Number Seven, City of Houston, Texas (Old Spanish Trail/Almeda Corridors Zone and Old Spanish Trail/Almeda Corridors Redevelopment Authority; (3) Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone) and Greater Greenspoint Redevelopment Authority; (4) Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone) and Old Sixth Ward Redevelopment Authority; (5) Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone) and Fourth Ward Redevelopment Authority; and (6) Reinvestment Zone Number Twenty, City of Houston, Texas (Southwest Houston Zone) and the Southwest Houston Redevelopment Authority providing for payment to the City of the Incremental Costs of Municipal Services relating to each zone - **DISTRICTS B - JOHNSON; D - EDWARDS; F - KHAN; H - GARCIA and I - ALVARADO**

ORDINANCES - continued

22. ORDINANCE de-appropriating \$281,139.91 out of Tax Increment Reinvestment Zone (TIRZ) Affordable Housing Fund (Fund 872) originally appropriated pursuant to Ordinance No. 2005-0887 which authorized spending authority to use the TIRZ Funds to repair homes, as mandated by the U. S. Department of Housing and Urban Development (HUD), through the Texas Local Government Purchasing Cooperative
23. ORDINANCE repealing Ordinance No. 2006-0845 and de-appropriating \$500,000.00 out of Tax Increment Reinvestment Zone (TIRZ) Affordable Housing Fund (Fund 872) originally appropriated pursuant to Ordinance No. 2006-0845 which authorized spending authority to use the TIRZ Funds to repair homes, as mandated by the U. S. Department of Housing and Urban Development (HUD), through the Texas Local Government Purchasing Cooperative
24. ORDINANCE approving and authorizing contract between the City of Houston and **BERING OMEGA COMMUNITY SERVICES**, providing up to \$1,136,500.00 in Housing Opportunities For Persons With AIDS ("HOPWA") Funds for the administration of a tenant based rental assistance and short-term rent, mortgage and utility assistance program - **DISTRICT D - EDWARDS**
25. ORDINANCE awarding contracts to **TIBH INDUSTRIES, INC, JEFFERSON MOWING, JUAREZ MOWING, BIO LANDSCAPE & MAINTENANCE, INC** and **THR ENTERPRISES, INC** for Weed Mowing and Debris Removal Services for Police Department; providing a maximum contract amount - 3 Years with two one-year options - \$5,000,000.00 - General Fund
26. ORDINANCE awarding contract **NIVERCO MEDICAL SERVICES** for Lab Equipment Repairs for Various Departments; providing a maximum contract amount - 3 Years with two one-year options \$831,172.98 - General and Enterprise Funds
27. ORDINANCE awarding contracts to **DRC EMERGENCY SERVICES, LLC** and **OMNI PINNACLE, LLC** for Disaster Debris Removal Services for the Solid Waste Management Department
28. ORDINANCE approving and authorizing Amendment No. 7 to Lease Agreement between the City of Houston and **CROSS CONTINENTS INVESTMENT CO., LLC** for Office Space for the Houston Airport System - **DISTRICT B - JOHNSON**
29. ORDINANCE appropriating \$2,500,000.00 out of Airports Improvement Fund, and approving and authorizing Amendment No. 1 to Contract No. 55521 between the City of Houston and **KELLOGG BROWN & ROOT SERVICES, INC** for Job Order Contracting Services with the Houston Airport System; WBS #A-000348-0001-4-01 (Proj. 516) - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO**
30. ORDINANCE appropriating \$5,877,250.00 out of Airports Improvement Fund, WBS A-000439-0003-4-01 and awarding construction contract to **HONEYWELL INTERNATIONAL, INC** for Security System Upgrades and Modifications at William P. Hobby Airport, (Project 612W); setting a deadline for Honeywell International, Inc's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding Honeywell International, Inc, in default if it fails to meet the deadlines; providing funding for contingencies relating to construction of the facilities financed by such fund - **DISTRICT I - ALVARADO**
31. ORDINANCE approving and authorizing second amendment to contract between the City of Houston and **3D/INTERNATIONAL, INC** (approved by Ordinance No. 05-0924) for Mounted Patrol Facility - Relocation, WBS G-000117-0001-3 and Forestry Complex - Relocation, WBS F-504A17-0001-3 - **DISTRICT A - LAWRENCE**

ORDINANCES - continued

32. ORDINANCE appropriating \$500,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Architectural Services Contract between the City of Houston and **HUITT-ZOLLARS, INC** for the Southern Right of Way and Fleet Maintenance Facility, WBS N-00653C-0001-3; providing funding for the Civic Art Program and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT D - EDWARDS**
33. ORDINANCE appropriating \$1,365,000.00 out of Fire Consolidated Construction Fund; awarding construction contract to **TIMES CONSTRUCTION, INC** for New Addition to Fire Station No. 35, WBS C-000142-0002-4; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and testing services, construction management, Civic Art Program, and contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund - **DISTRICT D - EDWARDS**
34. ORDINANCE appropriating \$17,248,700.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **LEM CONSTRUCTION CO., INC** for Kingwood West Wastewater Treatment Plant Improvements, WBS R-000265-0029-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - WISEMAN**
35. ORDINANCE appropriating \$2,226,858.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **RELIANCE CONSTRUCTION SERVICES, L.P.** for Wastewater Collection System Rehabilitation and Renewal, WBS R-000266-0101-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, project management, and contingencies relating to construction of facilities financed out of the Water & Sewer System Consolidated Construction Fund
36. ORDINANCE appropriating \$2,205,700.00 out of Water & Sewer System Consolidated Construction Fund No. 8500, awarding contract to **MCKINNEY CONSTRUCTION, INC** for Water Line Replacement in Croyden Gardens North West Area, WBS S-000035-00F8-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund No. 8500 - **DISTRICT H - GARCIA**
37. ORDINANCE appropriating \$2,058,260.00 out of Water & Sewer System Consolidated Construction Fund No. 8500; awarding contract to **COLLINS CONSTRUCTION, L.L.C.** for Water Line Replacement in Willow Run South, WBS S-000035-00G1-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund No. 8500 - **DISTRICT B - JOHNSON**

ORDINANCES - continued

38. ORDINANCE appropriating \$2,580,290.00 out of Water & Sewer System Consolidated Construction Fund No. 8500, awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Buxley Area, WBS S-000035-00G2-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund No. 8500
DISTRICT D - EDWARDS
39. ORDINANCE No. 2007-940, passed first reading August 15, 2007
ORDINANCE granting to **AGGREGATE HAULERS, L.P., a Texas Limited Partnership**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **SECOND READING**
40. ORDINANCE No. 2007-841, passed first reading August 15, 2007
ORDINANCE granting to **VEOLIA ES TECHNICAL SOLUTIONS, LLC, a Texas Limited Liability Corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **SECOND READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 41 through 52

41. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$55,827,573.22 and acceptance of work on contract with **THE MORGANTI GROUP, INC** for Consolidated Rental Car Facility (CRCF) at George Bush Intercontinental Airport/Houston, Project 444B - 5.89% over the original contract amount - **DISTRICT B - JOHNSON**
POSTPONED BY MOTION #2007-843, 8/8/07
This was Item 72 on Agenda of August 8, 2007
42. RESOLUTION transferring full maintenance, operation and jurisdiction of Hempstead Highway from IH 610 to 0.10 miles west of W. 18th Street to Interstate Highway System Inventory
DISTRICTS A - LAWRENCE and H - GARCIA
POSTPONED BY MOTION #2007-846, 8/8/07
This was Item 76 on Agenda of August 8, 2007
43. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Joyce Sanders, on behalf of the Estate of Raymond Sanders, for abandonment and sale of excess Yellowstone Street right-of-way from Eastwood Street to the eastern property line of Lot 1, Block 24, in exchange for the conveyance to the City of a utility easement, both located in the Foster Place Subdivision, out of the Washington County R. R. Survey, Parcels SY7-075 and VY8-032 - **STAFF APPRAISERS**
DISTRICT D - EDWARDS - **TAGGED BY COUNCIL MEMBER EDWARDS**
This was Item 7 on Agenda of August 15, 2007

MATTERS HELD – continued

44. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Finance & Administration Department to award to **APPLE GLASS COMPANY** for Automotive Glass for Various Departments - \$552,246.88 General Fund
TAGGED BY COUNCIL MEMBER JOHNSON
This was Item 10 on Agenda of August 15, 2007

45. ORDINANCE **AMENDING CHAPTER 47 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, by adding Article XIII relating to groundwater; providing a process for establishing municipal setting designation ordinances to prohibit certain contaminated groundwater from potable use; containing findings and other provisions relating to the foregoing subject; providing a penalty; providing for severability; providing an effective date
TAGGED BY COUNCIL MEMBERS GARCIA, HOLM, BERRY, WISEMAN and JOHNSON
This was Item 13 on Agenda of August 15, 2007

46. ORDINANCE consenting to the addition of 45.97 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 382**, for inclusion in its district - **DISTRICT E - WISEMAN**
TAGGED BY COUNCIL MEMBER WISEMAN
This was Item 17 on Agenda of August 15, 2007

47. ORDINANCE approving and accepting the **TEXAS DEPARTMENT ON AGING AND DISABILITY SERVICES (DADS) FY2008-2010 Area Plan** on behalf of the **HARRIS COUNTY AREA AGENCY ON AGING (HCAAA)** for Supportive Services, Nutrition Services, Caregiver Programs, Administration, Health Maintenance, State General Revenue, Assisted Living, Ombudsman Activity, and Elder Abuse Prevention; declaring HCAAA's eligibility for such plan funding; authorizing the Director of the Health and Human Services Department of the City of Houston to act as the HCAAA's representative for purposes of the DADS FY2008-2010 Area Plan; authorizing the Director of the Health & Human Services Department of the City of Houston to apply for, accept and expend the DADS FY2008-2010 Area Plan Funds, if awarded, and to apply for, accept and expend all subsequent DADS FY2008-2010 Area Plan Awards, if any, pertaining to the Plan - \$10,376,717.00 - General and Grant Funds
TAGGED BY COUNCIL MEMBER CLUTTERBUCK
This was Item 19 on Agenda of August 15, 2007

48. ORDINANCE awarding contract to **PRECISION PNEUMATICS, INC** for Maintenance and Repair of Air Compressors for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$2,606,831.00 - General and Enterprise Funds
TAGGED BY COUNCIL MEMBER JOHNSON
This was Item 22 on Agenda of August 15, 2007

49. ORDINANCE awarding contract to **BL TECHNOLOGY, INC** for Security System Installation and Repair Services for the General Services Department; providing a maximum contract amount 3 Years with two one-year options - \$16,259,339.00 - General, Grant, Enterprise and Other Funds
TAGGED BY COUNCIL MEMBERS JOHNSON, GARCIA and ALVARADO
This was Item 23 on Agenda of August 15, 2007

50. ORDINANCE appropriating \$208,068.00 out of Water & Sewer System Consolidated Construction Fund and \$168,481.00 out of Drainage Improvement CPaper Series F Fund and approving and authorizing Interlocal Cost Sharing Contract between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 410**, WBS S-000800-0103-4, R-000800-0103-4, M-000800-0103-4 - **DISTRICT E - WISEMAN** - **TAGGED BY COUNCIL MEMBER WISEMAN**
This was Item 27 on Agenda of August 15, 2007

MATTERS HELD – continued

51. RECOMMENDATION from Finance & Administration Department to award to **SAFETY SHOE DISTRIBUTORS, L.L.P.** for Safety Footwear for Various Departments - \$3,902,931.46 minus a commission fee for Internet-based reverse auction services for a net award amount not to exceed \$3,882,931.46 - General, Enterprise, Fleet Management, Park Special Revenue and Storm Water Funds - **POSTPONED BY MOTION #2007-864, 8/15/22**

This was Item 34 on Agenda of August 15, 2007

52. ORDINANCE appropriating \$1,069,642.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **CLEANSERVE, INC** for Sanitary Sewer Cleaning and Television Inspection in support of Rehabilitation, WBS R-000266-0108-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

POSTPONED BY MOTION #2007-863, 8/15/07

This was Item 41 on Agenda of August 15, 2007

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Lovell first

ALL ORDINANCES ARE TO BE CONSIDERED ON AN EMERGENCY BASIS AND TO BE PASSED ON ONE READING UNLESS OTHERWISE NOTED, ARTICLE VII, SECTION 7, CITY CHARTER

NOTE - WHENEVER ANY AGENDA ITEM, WHETHER OR NOT ON THE CONSENT AGENDA, IS NOT READY FOR COUNCIL ACTION AT THE TIME IT IS REACHED ON THE AGENDA, THAT ITEM SHALL BE PLACED AT THE END OF THE AGENDA FOR ACTION BY COUNCIL WHEN ALL OTHER AGENDA ITEMS HAVE BEEN CONSIDERED

CITY COUNCIL RESERVES THE RIGHT TO TAKE UP AGENDA ITEMS OUT OF THE ORDER IN WHICH THEY ARE POSTED IN THIS AGENDA. ALSO, AN ITEM THAT HAS BEEN TAGGED UNDER CITY COUNCIL RULE 4 (HOUSTON CITY CODE §2-2) OR DELAYED TO ANOTHER DAY MAY BE NEVERTHELESS CONSIDERED LATER AT THE SAME CITY COUNCIL MEETING

**NOTICE OF MEETING
OF THE
CITY COUNCIL OF THE CITY OF HOUSTON**

NOTICE is hereby given that a Regular Meeting of the City Council of the City of Houston will be held **TUESDAY, AUGUST 21, 2007 at 1:30 p.m. and WEDNESDAY, AUGUST 22, 2007 at 9:00 a.m.** with the reading of the descriptions, captions or titles of the agenda items by the City Secretary to begin not earlier than 60 minutes before the scheduled commencement, in the Council Chamber, Second Floor, City Hall, 901 Bagby, for the purpose of conducting the regular business and affairs of the City of Houston listed on the attached Agenda.

WITNESS my official signature this the 17th day of AUGUST, 2007.

City Secretary

CERTIFICATE

I certify that the attached notice of meeting was posted on the Bulletin Board of the City Hall of the City of Houston, Texas, on AUGUST 17, 2007 at : p.m.

by _____

for Anna Russell
City Secretary

**CITY COUNCIL CHAMBER – CITY HALL 2nd FLOOR – TUESDAY
AUGUST 14, 2007 - 2:00 P.M.**

AGENDA

2MIN. 2MIN. 2MIN.

3MIN. 3MIN. 3MIN.

NON-AGENDA

2MIN. 2MIN. 2MIN.

3MIN. 3MIN. 3MIN.

MR. JOHN MCKNIGHT – 10927 Ivy Ridge – 77043 – 832-236-7053 – Widening of Brittmore

MR. DELL YORK – Save the city money

MR. BART WOMACK – 8638 Fonte – 77024 – 832-236-5671 – Houston Media Source

MR. STEVEN WILLIAMS – No address – No phone - Collier Librarian, Security return my property two theft in four days

MS. BRENDA SAYERS – 5006 Bataan – 77033 – 713-733-0368 – Identity theft

MR. GIOVANNI CAMPOS – 4114 Hollybrook – 77039 – 713-799-8986 – Violation of Red Light Camera

MR. FRED GALART – 600 Travis #3400 – 77002 – 713-226-1186 – Radio Communication

MR. DECLOIS JARRET – 1950 Arbor – 77004 – 713-820-2899 – Police harassment

MS. CHATAUQUA ALLEN – 26111 Ripley Hill Dr – Richmond – 77469 – 281-726-3917 – Out Reach Program

MR. JOSE RIOS – 110 McCullough – San Antonio – 78215 – 713-946-1173 – Air Pollution

MS. WANDA NOBLES – 12803 Northborough #1806 – 77067 – 281-874-0314 – Problems

MS. JOY KETO – No address – No phone – Homeless in Houston

MR. RODNEY CRIMBLE – 60 Marshall – 77006 – 281-777-6749 – Issues

MS. CHRISTOBAL HINIJOSA – 810 McDaniel – 77022 – 713-742-5458 – Regulation of Mobile Taco Stands

MS. ESTELLA JIMENEZ – 1307 Brooks – 77009 – 832-309-6084 – Regulation of Mobile Taco Stands

MS. HELINDA PATINO – 22008 Wren Rd – New Caney – 77357 – 713-591-1808 – Regulation of Mobile Taco Stands

MS. MARY TORRES – 3205 Hopper Rd – 77093 – 832-659-8094 – Mobile Taco Stands

MS. GLORIA PEREDO – 5910 Cochran – 77009 – 713-498-2210 – Mobile Taco Stands

MS. BLANCA VELASQUEZ – 5947 Belmar – 77033 – 713-734-4027 – Mobile Taco Stands

MR. EDUARDO RODRIGUEZ – 8330 Triola – 77036 – 979-236-2204 – Neighborhood Centers

MR. ALPHONSO FRAGOSO - 8330 Triola – 77036 – 979-236-2204 – Neighborhood Centers

MR. DeANGELO STEWART - 8330 Triola – 77036 – 979-236-2204 – Neighborhood Centers

Speaker List
Continued Page 2
August 21, 2007

PREVIOUS

1MIN.

1MIN.

1 MIN.

MS. KRISTAL CASEY – 1831 Sherwood Forest, No. 22 – 77043 -713-480-3839 – First Annual Community Health and Wellness Fair

PRESIDENT JOSEPH CHARLES - Post Office Box 524373 - 77052-4373 - 832-453-6376 – I'm t/only – o/vs. Presidential candidate on – T/Ballot vs. G/Mafia terrorist imposter candidates



BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

AUG 2 2 2007

August 2, 2007

COPY TO EACH MEMBER OF COUNCIL
CITY OF HOUSTON
AUGUST 6 2007
DATE
COUNCIL

The Honorable City Council
City of Houston

Dear Council Members:

Pursuant to City of Houston Electrical Code Section 203, I am reappointing the following individuals to the Electrical Board, subject to Council confirmation:

- Mr. Chris J. Fahrenthold, reappointment to Position One, for a term to expire January 2, 2009;
- Mr. Harry Hughes, reappointment to Position Three, for a term to expire January 2, 2009;
- Mr. Larry S. Neal, reappointment to Position Five, for a term to expire January 2, 2009;
- Mr. Santosh Mukerji, reappointment to Position Seven, for a term to expire January 2, 2009; and
- Mr. Charles S. Prichard, appointment to Position Nine, for a term to expire January 2, 2009.

The résumés of the appointees are attached for your review.

Sincerely,

Handwritten signature of Bill White in black ink.

Bill White
Mayor

RECEIVED
AUG 3 2007
CITY SECRETARY

BW:CC:jsk

Attachments

cc: Mr. N. A. Weiman, division manager, Code Enforcement, Public Works and Engineering Department



BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

2

AUG 2 2 2007

COPY TO EACH MEMBER OF COUNCIL:
CITY SECRETARY: AUG 2 6 2007
COUNCIL NUMBER: _____
DATE: _____

August 2, 2007

The Honorable City Council
City of Houston

Dear Council Members:

Pursuant to Houston Code of Ordinances, Sections 32-243 through 32-252, I am nominating the following individual for appointment to the Miller Theater Advisory Board, subject to Council confirmation:

Ms. June Deadrick, appointment to Position Six, for an unexpired term to ending April 24, 2010.

The résumé of the nominee is attached for your review.

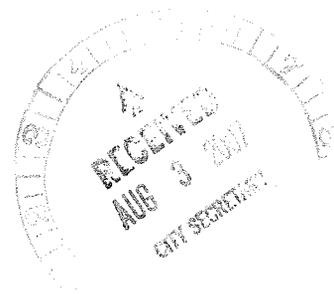
Sincerely,

Bill White
Mayor

BW:CC:rda

Attachments

cc: Ms. Mary Lowery, executive director, Miller Theatre Advisory Board
Mr. Frank Hood, chair, Miller Theatre Advisory Board





BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

3
AUG 22 2007

August 16, 2007

The Honorable City Council
Chief Judge Berta Mejia

Re: Appointments of Full-Time and Part-Time Adjudication Hearing Officers for the Photographic Traffic Signal Enforcement Program

Dear Council Members and Judge Mejia:

Pursuant to Senate Bill 1119, which will be effective September 1, 2007, and the proposed revisions to Article XIX, Chapter 45 of the Houston Code of Ordinances, I am appointing the following individuals to serve as Adjudication Hearing Officers for the Photographic Traffic Signal Enforcement Program for two-year terms, commencing on September 1, 2007, subject to Council confirmation:

Names	Full or Part-Time
Manuel Barrera, Jr.	Full-Time
Robert Hinojosa	Full-Time
Jose Lopez	Part-Time
Beverly Spencer	Part-Time
Don Byrnes	Part-Time
Gerardo Cantu	Part-Time
Sylvia Castillo	Part-Time

The résumés are attached for your review.

Sincerely,

Bill White
Mayor

BW:CC:jsk

Attachments

cc: Marty Stein, agenda director



TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION**

SUBJECT: Request the designation of an Honorary Street Marker for Dr. Elijah J. Thomas.		Category #	Page 1 of	Agenda Item # 4
FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department		Origination Date 8-15-07		Agenda Date AUG 22 2007
DIRECTOR'S SIGNATURE: 40 <i>Marlene L. Gafrick</i>		Council District affected: I		
For additional information contact: Jennifer Ostlind Phone: 7-7871		Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) Approval of a motion designating an Honorary Street Marker for Dr. Elijah J. Thomas.				
Amount and Source of Funding: N/A			F & A Budget:	
SPECIFIC EXPLANATION: The Planning and Development Department received a request for an Honorary Street Marker honoring Dr. Elijah J. Thomas. The Honorary Street Marker will be located on the north side of Owens (see map). We have attached a summary of Dr. Elijah J. Thomas' contributions to the Community. The proposed marker is in compliance with City Council Honorary Marker policy. MLG:JO:Et Attachment: Locator Map Summary of contributions cc: Marty Stein, Agenda Director Anna Russell, City Secretary Michael Marcotte, Director, Public Works and Engineering Arturo Michel, City Attorney Bill Hlavacek, Public Works and Engineering				
F & A Director:		Other Authorization:		Other Authorization:



OAK HILL MISSIONARY BAPTIST CHURCH

435 Owens Street
Houston, Texas 77029
(713) 674-7166

April 20, 2007

Attention: Ms Marlene Gafrick
Planning and Development Department
P.O. Box 1562
Houston, Texas 77251 - 1562



Subject: Honorary Street Marker for DR. Elijah J. Thomas located on Owens Street,
Houston, Texas 77029

Dear Ms Marlene Gafrick,

The pastor and members of the Oak Hill Missionary Baptist Church located at 435 Owens Street, Houston, Texas 77029, respectfully request a honorary marker to be placed on our section of Owens Street leading to our church to recognize our recently deceased pastor of 46 years of faithful service who died on January 23, 2007.

Dr. Elijah J. Thomas was a product of Conroe Normal & Industrial College, Conroe, Texas and was a renowned Educator and Theologian. Also, he has been credentialed as the Dean of two bible colleges in his life time - Conroe Normal & Industrial College, Conroe, Texas and Inter-Baptist Theological Center, Houston, Texas. His special way to preach, teach, reach, counsel and supervise students of biblical studies made him a valuable commodity to not only our church; but community and city. At his 45th pastoral anniversary he was honored by the Mayor of Galena Park and City of Houston, Texas State Senator Gallous, State Representative Harold Dutton and United States Congresswoman Shelia Jackson Lee.

He also served in many capacities throughout the State of Texas and The National Baptist Convention of America, Inc.

Please help us celebrate the life, legacy and work of this dynamic Man of God.

Respectfully submitted,

Dr. Andrew M. Landry, Pastor

23 1993

MOTION NO. 93 1455

MOTION by Council Member Greenwood that the recommendation of the Director of the Planning and Development Department, for approval of policy and procedures for honorary street markers, be adopted, and the policy and procedures for honorary street markers are hereby approved by the City Council, as follows:

Since the Traffic Division of the Department of Public Works and Engineering is responsible for preparing street signs, they will be responsible for the design, installation and fabrication of honorary markers.

In addition, the City Council hereby adopts following minimum standards;

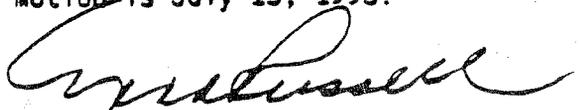
1. All honorary street marker requests be approved by City Council;
2. Honorary markers are for local streets only;
3. Develop a standardized design for the marker approved by the Department of Public Works and Engineering;
4. Limit the number of street signs upon which the honorary marker may be installed. An honorary marker be limited to one block length for one square block; and
5. Continue to use proper names only when the honored person is deceased.

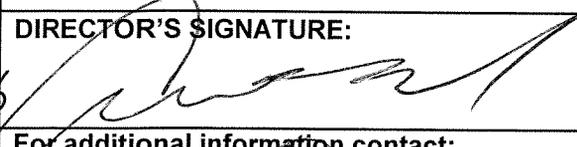
Seconded by Council Member Lee and carried.

Mayor Lanier, Council Members Huey, McGowen, Ryan, Calloway, Mancuso, Goodner, Gorczyński, Reyes, Tinsley, Greenwood, Lee and Robinson voting aye
Nays none
Council Members Hartung and Saenz absent

PASSED AND ADOPTED this 7th day of July, 1993.

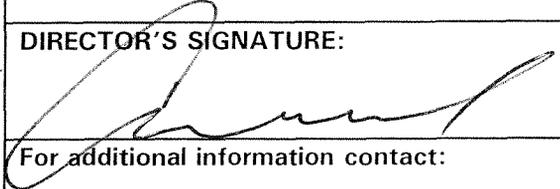
Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is July 13, 1993.


City Secretary

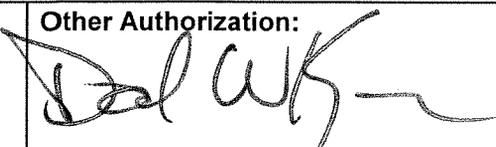
SUBJECT: Cause No. 2005-50761; <i>Spelvin Jackson, et al. v. City of Houston</i> ; In the 269 th Judicial District Court of Harris County, Texas. LD No. 049-0500092-001		Category # 6	Page 1 of 1	Agenda Item # 5
FROM (Department or other point of origin): Legal		Origination Date 8-16-07	Agenda Date AUG 22 2007	
DIRECTOR'S SIGNATURE: 		Council District affected: General		
For additional information contact: Tanya E. Wilder  Phone: 247-1501		Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) Approve the referenced settlement				
Amount of Funding: \$60,000.00 - Property and Casualty Fund (Claims and Judgments)		F & A Budget: 		
SOURCE OF FUNDING: Fund: 1004 <input checked="" type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify)				
SPECIFIC EXPLANATION: FOR SETTLEMENT PURPOSES ONLY				
<p>This is a wrongful death case brought by the parents of Decedent Minor DeMarcus Jackson, eleven years old, who died from head injuries sustained at Trotter Park in Houston on June 14, 2005. He was climbing on a soccer goal in the Park which was not properly anchored. It toppled over and the front top bar fell on him, causing fatal head injuries. Although the goal belonged to a third party, Houston Galaxticos semi-pro soccer team, which had been issued a permit to use Trotter Park for practices, the goal had been inspected by HPARD and approved for use at the Park. The moveable goal was homemade with a very heavy top bar and was not properly anchored at the time of the incident. Plaintiffs have alleged that this was a dangerous condition on City of Houston premises and that the City knew, based on regular inspections, that mobile soccer goals at City parks were often moved and then improperly re-anchored. Liability would arise under Section 101.021(2) of the Tort Claims Act.</p> <p>Damages in the case are the mental anguish and loss of companionship of DeMarcus Jackson's parents, Kimberly Sowell and Spelvin Jackson. The funeral expenses were \$10,971.00.</p> <p>Plaintiffs, Individually and on behalf of the Estate of Demarcus Jackson, have agreed to settle collectively for a total of \$60,000.00, which is recommended as a good settlement for the City and for which approval is requested.</p>				
F&A Director:		Other Authorization:		Other Authorization:

RCC
MS



SUBJECT: Settlement of Lawsuit styled <i>Joshua Kitler v. City of Houston</i> ; in the 127 th Judicial District of Harris County, Texas; Cause No. 2004-43763; LD#062-0400835-001		Category #	Page 1 of 1	Agenda Item # 6
FROM (Department or other point of origin): Legal Department		Origination Date 8/16/07	Agenda Date AUG 22 2007	
DIRECTOR'S SIGNATURE: 		Council District affected: General		
For additional information contact: Jaqueline Leguizamon Phone: (713) 247-2068		Date and identification of prior authorizing Council action: N/A		
RECOMMENDATION: (Summary) Approve the reference settlement				
Amount of Funding: \$140,000.00		F & A Budget: 		
SOURCE OF FUNDING: 1004 [] General Fund [] Grant Fund [] Enterprise Fund				
<input checked="" type="checkbox"/> Other (Specify) Property and Casualty Fund (Claims and Judgments)				
SPECIFIC EXPLANATION: <p style="text-align: center;"><u>FOR SETTLEMENT PURPOSES ONLY</u></p> <p>This case results from a passenger car-police car accident involving a City of Houston police sergeant who was involved in a chase of a suspect on Highway 290 and exited the freeway to continue the chase on the service road. At the intersection of Huffmeister and the service road, Sgt. Michael Breen broadsided a 1996 Black Nissan 200SX, driven by Joshua Kitler. Plaintiff disputes whether Breen had his emergency equipment activated. Plaintiff also argues that Breen went through a red light.</p> <p>Liability arises in this case pursuant to §101.021(1) of the Texas Tort Claims Act. Plaintiffs claim that Breen was at fault for failing to stop at a red light and failing to yield the right of way.</p> <p>As a result of the collision, Plaintiff Joshua Kitler suffered serious injuries. His medical bills were over \$72,000.00.</p> <p>It is my recommendation that this case be settled for One Hundred and Forty Thousand Dollars (\$140,000.00), with warrant being made payable to Plaintiff Joshua Britt Kitler, and his attorneys, Simmons & Fletcher.</p>				
REQUIRED AUTHORIZATION				
F&A Director:		Other Authorization:		Other Authorization:

RK

SUBJECT: Accept Work for Safe Sidewalk Program 02 Project . WBS No. N-000800-02-4.		Page 1 of 2	Agenda Item # 7
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 8/16/07	Agenda Date AUG 22 2007
DIRECTOR'S SIGNATURE: MS  Michael S. Marcotte, P.E., DEE		Council District affected: B, I  	
For additional information contact:  J. Timothy Lincoln, P.E. Senior Assistant Director Phone: (713) 837-7074		Date and identification of prior authorizing Council action:   Ord. #2006-511 dated 05/24/2006	
RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$241,406.90 or 18.35% under the original Contract Amount, accept the Work and authorize final payment.			
Amount and Source of Funding: No additional funding required. Total appropriation of \$396,650.00 from the Street and Bridge Consolidated Construction Fund, Fund No. 437.			
SPECIFIC EXPLANATION:			
PROJECT NOTICE/JUSTIFICATION: This project was part of the Houston Hope and Safe Sidewalk Program and was required to address the health, safety, and welfare of pedestrians.			
DESCRIPTION/SCOPE: This project consisted of construction and replacement of sidewalks of various widths and lengths. Carter and Burgess, Inc designed the project with 150 calendar days allowed for construction. The project was awarded to ACM Contractors, Inc. with an original Contract Amount of \$295,648.00.			
LOCATION: The project area includes various locations in the North and Southeast Houston. The project is located in Key Map grid 454-U & L, 455-U and 465-V.			
CONTRACT COMPLETION AND COST: The Contractor, ACM Contractors, Inc., has completed the Work under the subject Contract. The project was completed within the Contract Time allowed. The final cost of the project, including overrun and underrun of estimated bid quantities will be \$241,406.90, a decrease of \$54,241.10 or 18.35% under the original Contract Amount.			
The decrease in cost is a result of differences between planned and measured quantities. This decrease is primarily due to underrun in Bid Item No. 11- Asphalt concrete pavement for patching; Bid Item No. 12 – 6-inch concrete driveway, including excavation, saw cut, dowels, curb returns and expansion joints; Bid Item No. 26 – Excavation around obstruction; Bid Item No. 27 – Extra hand excavation; Bid Item No. 28 - Extra machine excavation; Bid Item No. 29 – Extra placement of backfill materials; Bid Item No. 30 – Concrete slope paving (4”) per SF of exposed face; Bid Item No. 32 – Hydromulch seeding; Bid Item Nos. 33, 34 & 35 – Clean air incentives; Bid Item No. 37 – Utility reimbursement-Center Point, which were not necessary to complete the Work.			
M/WBE PARTICIPATION: There was no M/WBE goal for this project.			
MSM:DWK:  :JTL:JK:PD:ce			
cc: Daniel W. Krueger, P.E. Michael Ho, P.E. Velma Laws Craig Foster Susan Bandy Waynette Chan Gary Norman Marty Stein File No. SB9214-02			
REQUIRED AUTHORIZATION			CUIC ID# 20PD01
F&A Budget:	Other Authorization:	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division	NOT

**CITY OF HOUSTON
ENGINEERING AND CONSTRUCTION
ENGINEERING BRANCH
SAFE SIDEWALK PROGRAM-02 PROJECT INFORMATION**

GFS NO. N-0800-02-3 FILE NO. SB9214-02

24-Mar-06

Advertise Dates: March 17 & 24, 2006

Pre-Bid

Date: 28-Mar-06

Bid Date: 6-Apr-06

Design

Consultant: Carter & Burgess

City

Project

Manager: Mike Cordova

Project Number	Keyp Map Location	Project Title	Project Limits	Final Design Project Length
Settegast				
8	455-U	8200&8300 blocks of Tate	Haight St to Manton St	1732
9	455-U	8350-8399 Tate	Manton St to Queensland St	328
10	455-U	8400 block of Tate	Queensland St to E Houston St	652
Trinity				
14	454-L	4700&4800 blocks of Denmark Rd	Lavender St to Lockwood Dr	675
15	454-L	4900&5000 blocks of Denmark Rd	Lockwood Dr to Wileyville Rd	714
16	454-H	8800 block of Homestead Rd	Laura Koppe Rd to Leighton St	902
22	454-H	6400 block of Laura Koppe Rd	Compton St to Lanewood Dr	446
26	454-H	6400 block of Laura Koppe Rd	Compton St to Lanewood Dr	446
Clinton Park				
40	495-V	700 block of Fidelity	Delware to Bolden	498
40A	495-V	800 block of Fidelity	Bolden to Dehaven	482
41	495-V	900 block of Fidelity	DeHaven to Carolina	504
		Total		7379

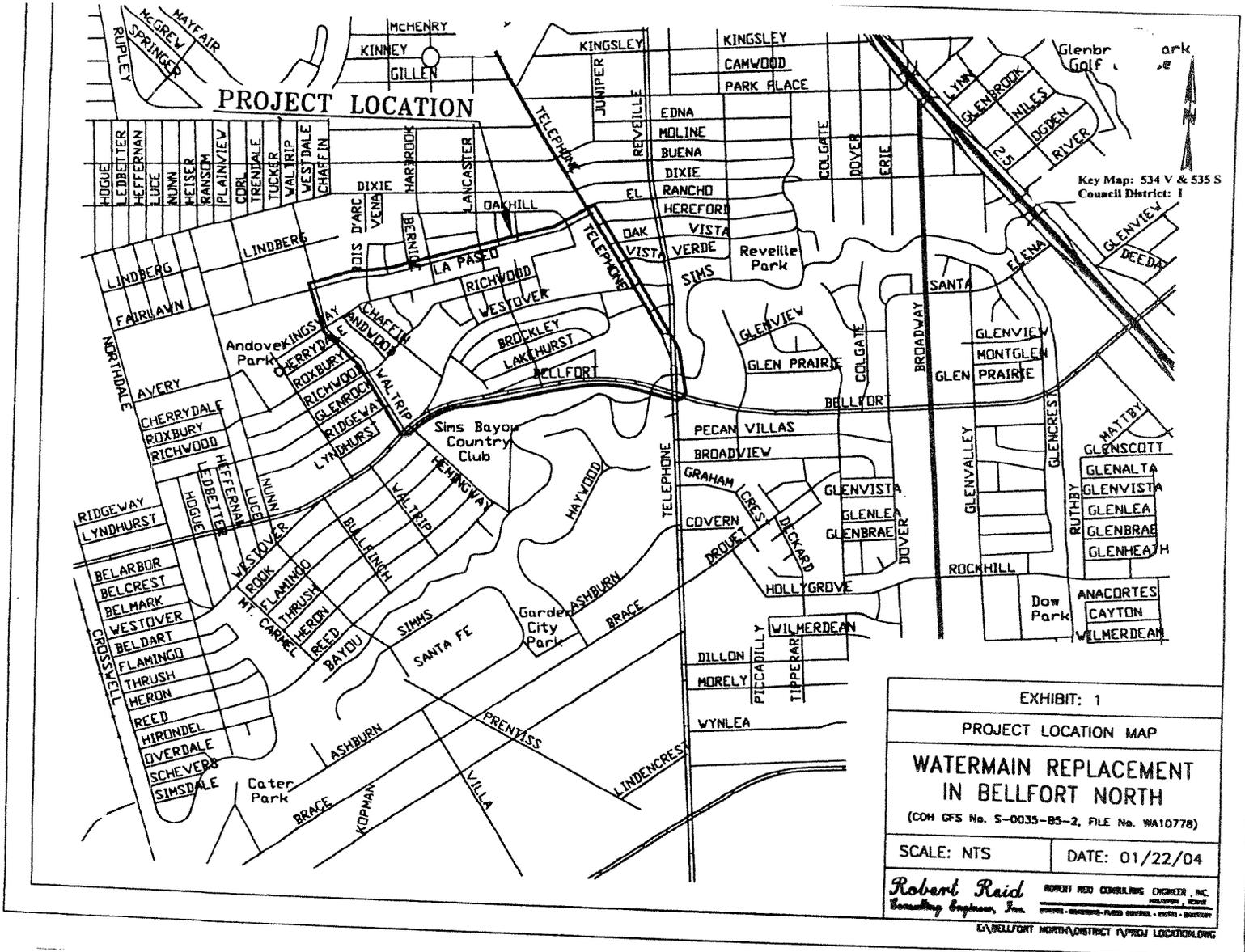
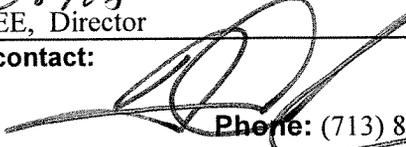


EXHIBIT: 1	
PROJECT LOCATION MAP	
WATERMAIN REPLACEMENT IN BELLFORT NORTH	
(COH GFS No. 5-0035-B5-2, FILE No. WA10778)	
SCALE: NTS	DATE: 01/22/04
Robert Reid Consulting Engineer, Inc. <small>CONSULTING ENGINEERS • ARCHITECTS • PLANNERS • SURVEYORS • ENVIRONMENTAL ENGINEERS</small>	
<small>IN BELLFORT NORTH, DISTRICT 4 (PROJ) LOCATION LONG</small>	

SUBJECT: Accept Work for Water Line Replacement in Huntington Place Subdivision. WBS No. S-000035-00C2-4.	Page 1 of 1	Agenda Item # 9
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8-16-07	Agenda Date AUG 22 2007
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council Districts affected: H
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For additional information contact: J. Timothy Lincoln, P.E. Senior Assistant Director  Phone: (713) 837-7074	Date and Identification of prior authorizing Council Action: Ord. #05-1387 dated 12/20/2005 
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RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$1,574,501.60 or 17.80% under the original Contract Amount, accept the Work, and authorize final payment.

Amount and Source of Funding: No additional funding required.
 Original appropriation of \$2,190,200.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund, Fund No. 755.

F&A Budget:

SPECIFIC EXPLANATION:

PROJECT NOTICE/JUSTIFICATION: This Project was part of the City's Water Line Replacement Program. This program is required to replace and upgrade water lines within the City to increase circulation and availability of water.

DESCRIPTION/SCOPE: The project consisted of replacement of 23,898 linear feet of 6-inch, 8-inch, and 12-inch water lines with all related appurtenances in Huntington Place Subdivision. DeAnda Engineering, Inc. designed the project with 300 calendar days allowed for construction. The project was awarded to R.K. Wheaton, Inc. with an original Contract Amount of \$1,915,359.00.

LOCATION: The project area is generally bound by Creston on the north, Kelley on the south, Jensen on the east, and Gold on the west. The project is located in Key Map grids 453-R and 454-N.

CONTRACT COMPLETION AND COST: The Contractor, R.K. Wheaton, Inc. has completed the Work under the subject contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order No. 1 is \$1,574,501.60, a decrease of \$340,857.40 or 17.80% under the original Contract Amount.

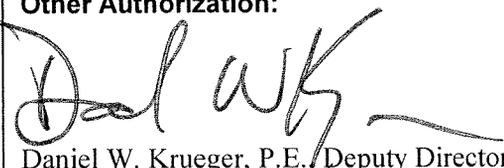
The decreased cost is a result of the differences between planned and measured quantities and previously approved Change Order No. 1. This decrease is primarily a result of an underrun in Base Unit Item No. 16 – Remove Existing Pavements, Driveways, Sidewalks (all Thickness, including Curb, Curb and Gutter, Base Asphaltic Surface) and Structures, Base Unit Item No. 17 – Recycled Crushed Concrete, Base Course, All Thickness, Complete in Place, Base Unit Item No. 18 – Hot Mix Asphaltic Concrete, All Thickness, Complete in Place, Base Unit Item No. 19 – Reinforced Concrete Pavement, All Thickness, Complete in Place, and Base Unit Item No. 24 – 8-inch Water Line Pipe, Open Cut, and Change Order No. 1 which eliminated the need for construction of the proposed 8-inch Sanitary Sewer Line and related items..

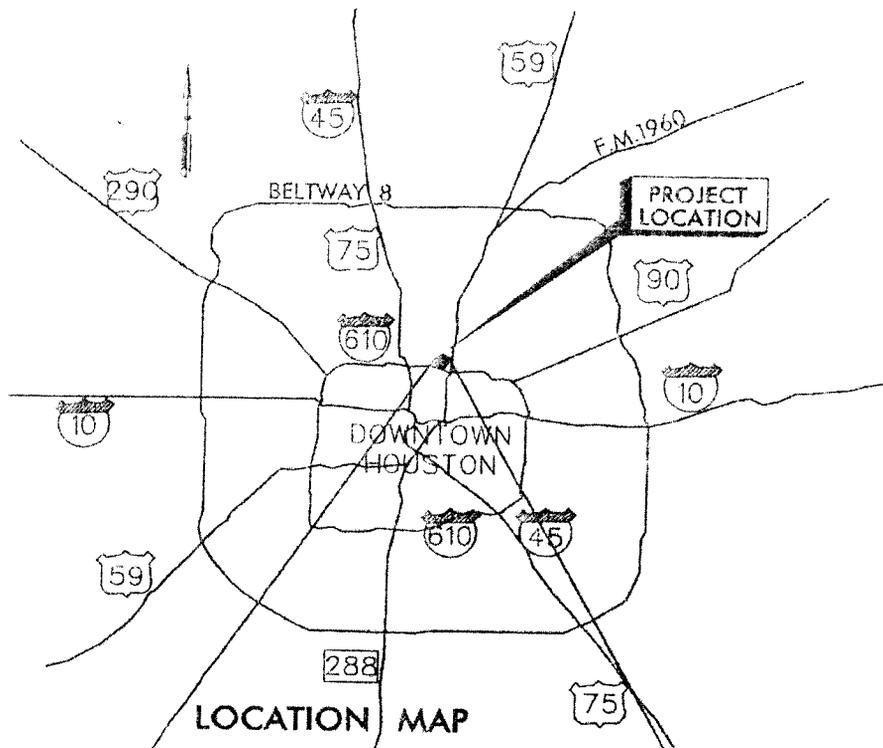
M/WBE PARTICIPATION: The M/WBE goal for this project was 17%. According to Affirmative Action and Contract Compliance Division, the actual participation was 19.69%. The Contractor achieved an "Outstanding" rating for MWDDBE Compliance.

MSM:JTL:AR:BK:mq
 S:\const\Admin\CONST\Projects\10784\23.0 Closeouts\RCA\RCA_CL-2-rev5.DOC

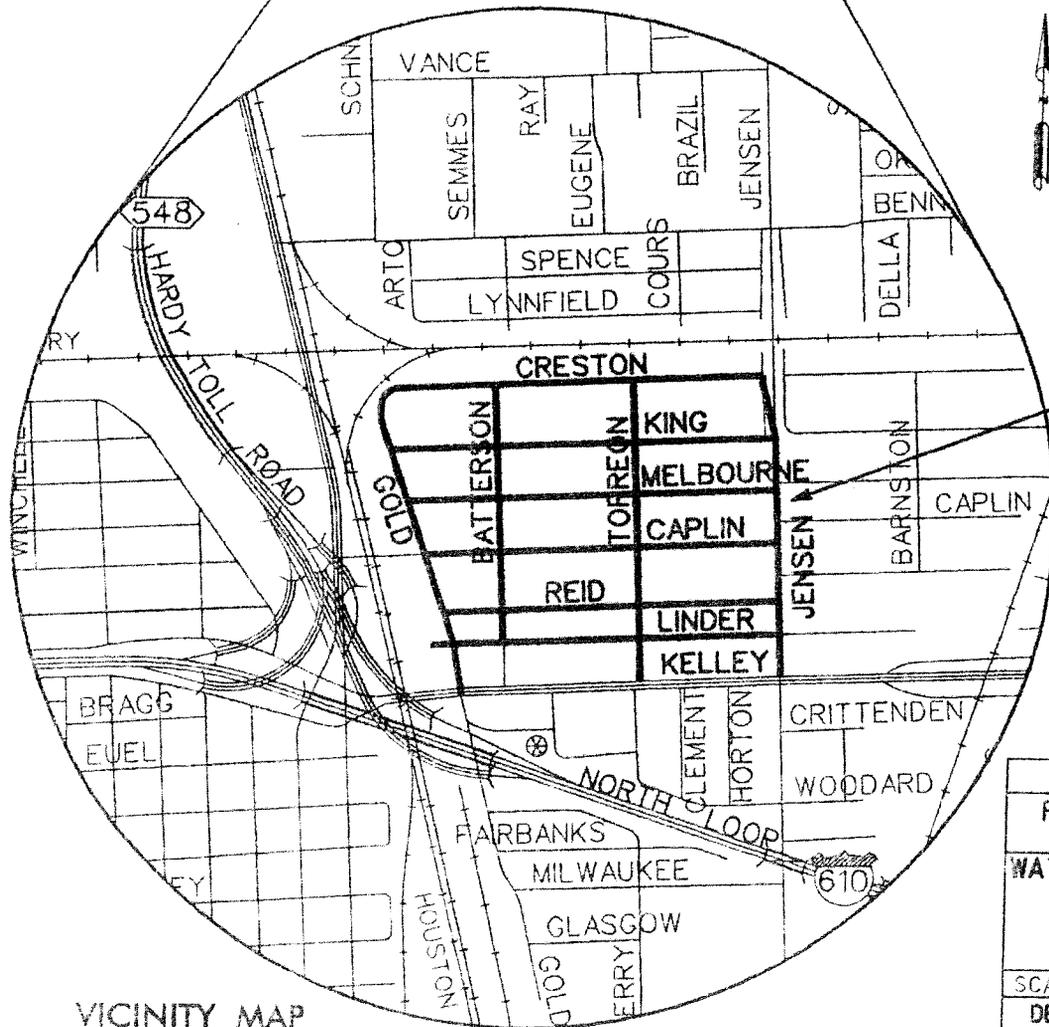
c: Daniel W. Krueger, P.E. Velma Laws Michael Ho, P.E Craig Foster File No. 10784 - Closeout

REQUIRED AUTHORIZATION **CUIC ID# 20BK011**

F&A Director:	Other Authorization:  Jeff Taylor, Deputy Director Public Utilities Division	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division
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LOCATION MAP



LIMITS OF PROJECT

VICINITY MAP

Key Map 453 R & 454 N

EXHIBIT 1	
PROJECT LOCATION MAP	
COUNCIL DISTRICT H	
WATER LINE REPLACEMENTS	
IN HUNTINGTON PLACE	
GFS No. S-0035-C2-3;	
FILE No. WA10784	
SCALE: N.T.S. JAN. 22, 2004	
DE ANDA ENGINEERING, INC.	
<small>Consulting Civil / Municipal Engineers</small>	
<small>1710 Telephone Rd. Houston, Texas 77023</small>	
<small>(713) 928-5380 FAX: (713) 928-2211</small>	

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

Subject: A motion approving the private re-sale of a tax foreclosed property struck off to the Spring Branch ISD to Houston Community College System.	Category #	Page 1 of 1	Agenda Item 10
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FROM (Department or other point of origin): Judy Gray Johnson, Director Finance & Administration Department	Origination Date: August 14, 2007	Agenda Date AUG 22 2007
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DIRECTOR'S SIGNATURE 	Council District(s) affected: A
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For additional information contact: Michelle Mitchell, Assist. Dir. Sylvia Shaw, Div. Mgr. Phone: (713) 221-0935 Phone: (713) 221-0131	Date and Identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary)
That City Council approve the sale of a tax foreclosed property (Cause #2001-54285; Account 116-571-000-0005), described as 1.2977 acres or 56,528 squares of Unrestricted Reserve E of Town & Country North, Section 1, a subdivision in Harris County at 0 Lumpkin Rd, Houston, TX 77043, currently struck off to the Spring Branch Independent School District, as the result of a tax foreclosure.

Amount of Funding: No Funding Required.	F&A Budget: 
--------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------

SOURCE OF FUNDING:	<input type="checkbox"/> General Fund	<input type="checkbox"/> Grant Fund	<input type="checkbox"/> Enterprise Fund
<input type="checkbox"/> Other (Specify)			

SPECIFIC EXPLANATION:

The State Tax Code authorizes this procedure for selling property that is held in a local government's tax-foreclosed inventory. The property may be sold for less than the amount of the judgment or the market value specified in the judgment with the consent of the governing bodies of all four of the local governments that participated in the lawsuit (the City, County, School District and Community College). In this case, the property, which is located to the east of Lumpkin Road and north of a right-of-way in favor of the City of Houston, is in the hands of Spring Branch ISD, which holds it in trust for all the taxing jurisdictions taxing the property, as a result of a Harris County Constable's sale following the judgment rendered in favor of the taxing units in Cause No. 2001-54285.

Due to numerous easements (in addition to 10 foot building set back lines along the southerly and westerly boundaries of this small piece of land, there are seven other easements of power poles, overhead transmission lines and transmission tower situated over, across, and above almost 1/2 of the property or more) and no physical access to the property it will be impossible for the property to be developed for commercial or residential purposes. Houston Community College System (HCCS) wishes to acquire the property for zero dollars for use of their Town & Country Campus parking.

It is recommended that City Council approve that the subject property be sold to Houston Community College System for zero dollars, an amount that is less than the amount of the tax judgment against it and less than the market value decreed in the judgment, and authorize the Mayor to execute the documents of conveyance and the City Secretary to attest.

cc: Arturo Michel, City Attorney
Marty Stein, Agenda Director

REQUIRED AUTHORIZATION		
F&A Director:	Other Authorization:	Other Authorization:



Sorry! When printing directly from the browser your map may be incorrectly cropped. To print the entire map, try clicking the "Printer-Friendly" link at the top of your results page.



An AOL Company

★ [1112-1113] Lumpkin Rd

Houston, TX 77043, US



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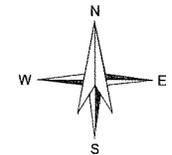
4958A8

Harris County Appraisal District



0 100 200

PUBLICATION DATE:
5/26/2007

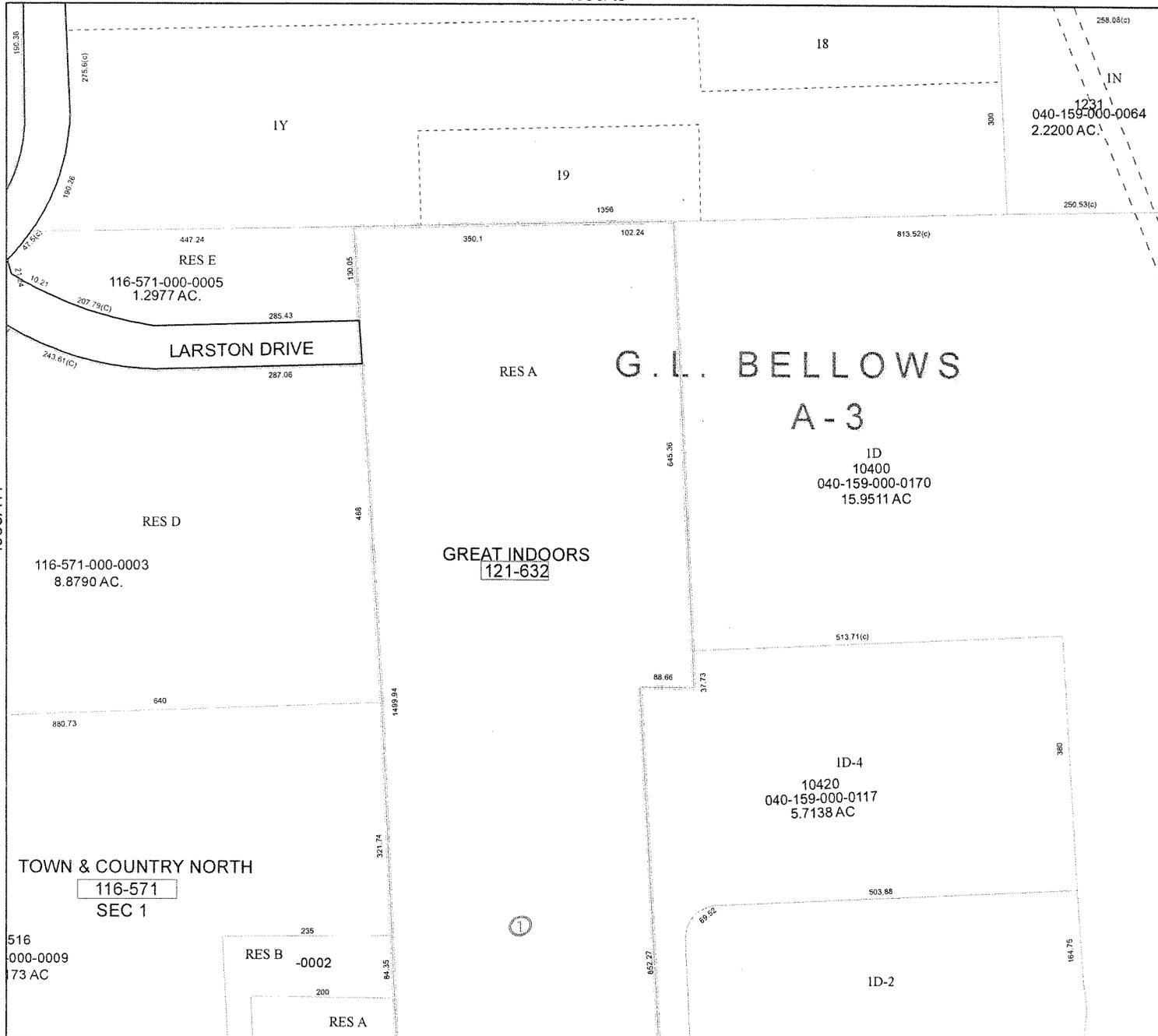


MAP LOCATION



FACET 4958A

1	2	3	4
5	6	7	8
9	10	11	12



4958A11

4958B9

4958C4

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: PURCHASE of Parcel AY3-045, located at 10919 Stancliff Road for the KEEGANS' BAYOU HIKE AND BIKE TRAIL PROJECT (from Brays Bayou to Kirkwood) N-000420-0025-2-01 OWNER: Natural Earth Products, a Texas general partnership comprised of J. M. Colgin and Tommy Cangelosi	Category #7	Page 1 of 1	Agenda Item # <div style="text-align: right; font-size: 2em;">11</div>
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FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date <div style="text-align: center; font-size: 1.2em;">8-17-07</div>	Agenda Date <div style="text-align: center;">AUG 22 2007</div>
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DIRECTOR'S SIGNATURE: <div style="font-size: 1.5em; margin-left: 20px;"><i>Michael S. Marcotte</i></div> Michael S. Marcotte, P.E., DEE, Director	Council District affected: <div style="text-align: center;">C Key Map 529Y</div>
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For additional information contact: Nancy P. Collins Phone: (713) 837-0881  Senior Assistant Director	Date and identification of prior authorizing Council Action: Ordinance 2006-729, passed June 28, 2006
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RECOMMENDATION: (Summary) Authority be given through Council Motion to PURCHASE Parcel AY3-045.

Amount and Source of Funding: No additional funding required (covered under Blanket Appropriation Ordinance 2006-729, N-000420-0025-2-01) Street and Bridge Consolidated Construction Fund 4506	F&A Budget:
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SPECIFIC EXPLANATION:
The KEEGANS' BAYOU HIKE AND BIKE TRAIL PROJECT (from Braes Bayou to Kirkwood) provides for a safer route of travel for bicyclists and/or hikers away from the street traffic. Various trails will encourage an alternative method to commute within the City. This transaction involves the acquisition of 9,813 square feet of land located at 10919 Stancliff Road for a hike and bike trail easement.

PURCHASE
The City desires to acquire 9,813 square feet of land out of improved commercial property. The City's offer was based on an appraisal completed by William D. Kvinta, MAI, SRA, Independent Fee Appraiser. This valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

Parcel AY3-045: (Easement)
LAND, IMPROVEMENTS AND DAMAGES TO THE REMAINDER.....\$91,243.00

It is recommended that authority be given through Council Motion to PURCHASE Parcel AY3-045, owned by Natural Earth Products, a Texas general partnership comprised of J. M. Colgin and Tommy Cangelosi. This parcel contains 9,813 square feet of land for a hike and bike trail out of a tract of land situated in the Leo Roark Survey, A-651, Harris County, Texas, as conveyed to Natural Earth Products by deed recorded under Harris County Clerk's File R784190, in the Official Public Records of Real Property, Harris, County, Texas, according to the City of Houston field notes.

MSM: NPC: sr
S:\ROBERTS\Kirby-3-Storm\RC-A-Kirby-AY3-045-Purc.doc

cc: Marty Stein

CUIC #20SDR08

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization:	Other Authorization: <div style="text-align: center; font-size: 1.5em;"><i>Andrew F. Icken</i></div> Andrew F. Icken, Deputy Director Planning and Development Services Division
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Parcel Valuation

Following is a breakdown of the consideration for Parcel AY3-045:

LAND (Easement)	
9,831 square feet	\$36,866.00
IMPROVEMENTS	
Chain link fence:	\$ 6,645.00
DAMAGES	
Damages to the remainder	<u>\$47,732.00</u>
(for loss of access easement to Wilcrest Drive)	
TOTAL COMPENSATION.....	\$91,243.00

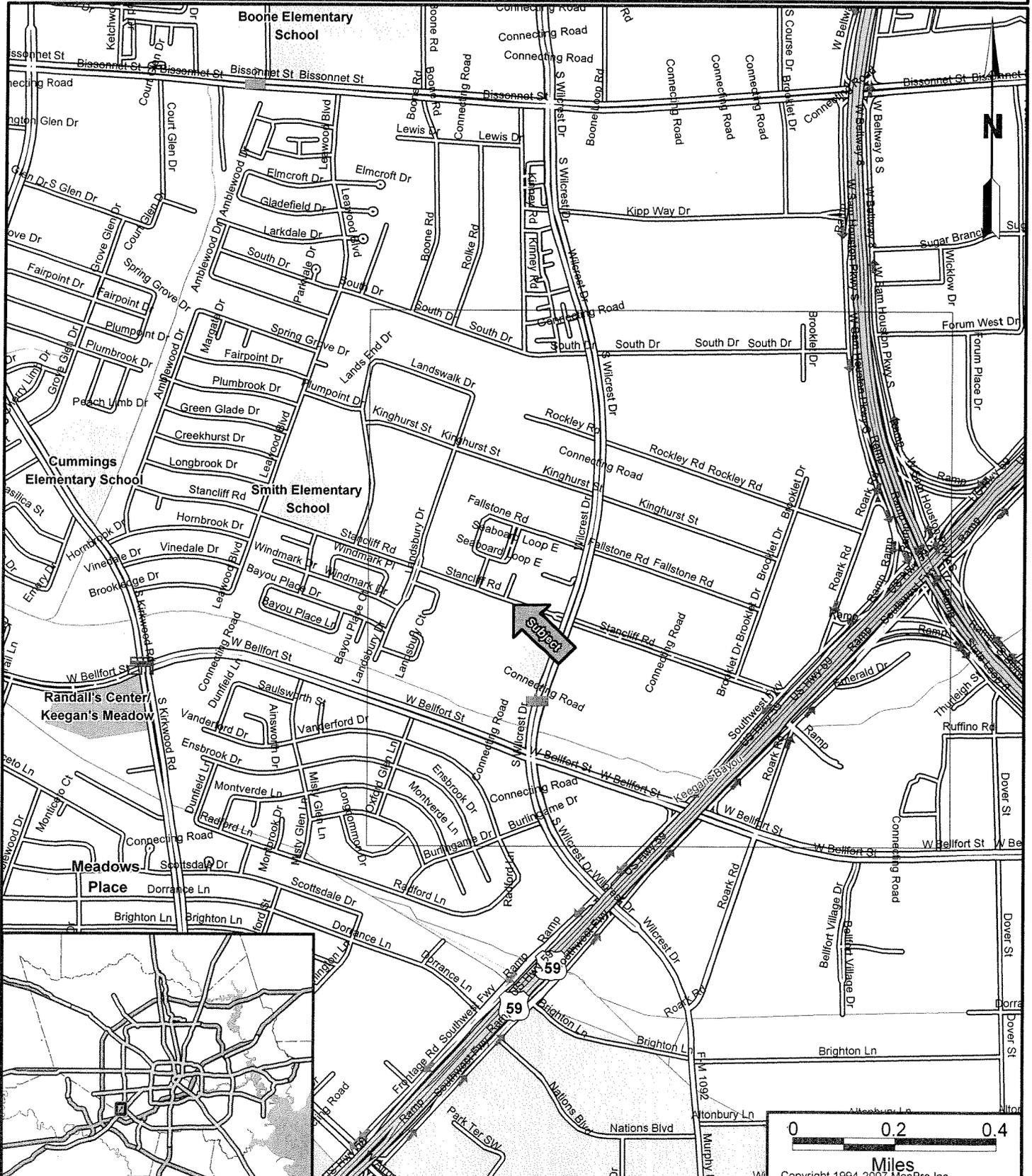
LOCATION MAP

Description: KEEGANS' BAYOU HIKE AND BIKE TRAIL PROJECT

Key Map Location 529Y, Council District C, W.B.S. N-000420-0025-2

Parcel AY3-045 - 10919 Stancliff Rd, Houston, TX 77099

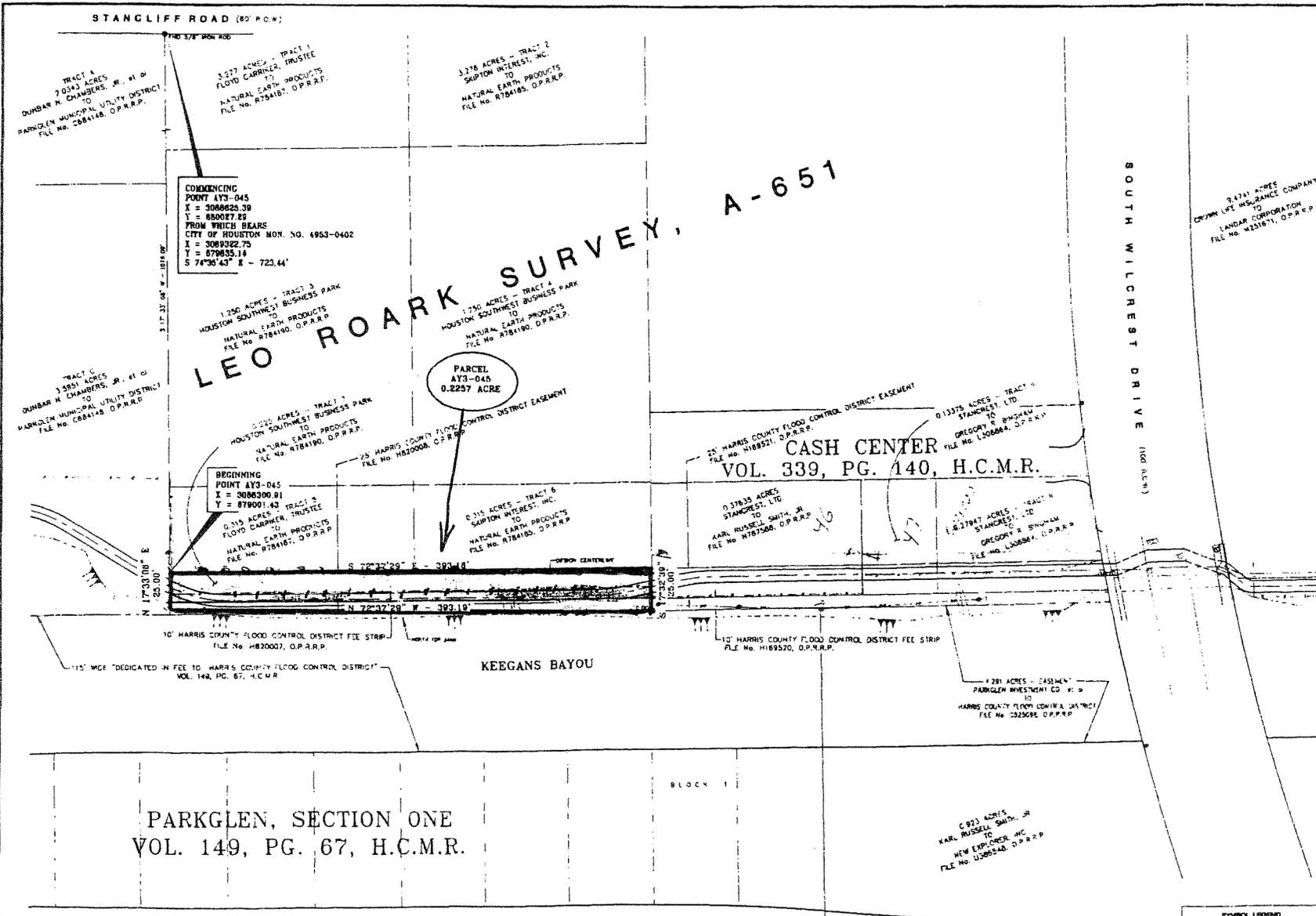
Prepared by: City of Houston, 611 Walker, Houston, TX 77002



CAUTION:

The location of property arrows shown on this map are approximate only. Inaccuracies may exist on map such as missing, incorrectly drawn, or incorrectly addressed streets. Please report any such inaccuracy to MapPro, Inc. so that appropriate corrections can be made.

Prepared by City of Houston using MapPro Service. MapPro Inc., 5353 West Alabama St, Suite 303, Houston, TX 77056 (713)789-1406



7.4741 ACRES
 CROWN LIFE INSURANCE COMPANY
 TO
 LANDAR CORPORATION
 FILE NO. 8231671, O.P.R.R.P.



NOTE 1:
 ALL COORDINATES AND BEARINGS SHOWN HEREON ARE GCS83 VALUES REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, T20N, CENTRAL ZONE, WITH ORIGIN POINT CITY OF HOUSTON SURVEY BEARING NO. 4983-0104, NOT BEARING TO NO. 4983-0104, AS PUBLISHED BY THE CITY OF HOUSTON.

NOTE 2:
 ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES UNLESS SHOWN OTHERWISE. TO CONVERT SURFACE DISTANCE TO GROUND DISTANCE MULTIPLY BY THE COSD FACTOR OF 0.999947.

NOTED TO:
 CITY OF HOUSTON

WARRANTY: THE SURVEYOR CERTIFIES THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAN CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY AND THAT THE PROFESSIONAL SERVICE SUBSTANTIALLY CONFORMS TO THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 2, CONDITION 4, SURVEY.

STATE OF TEXAS
CITY OF HOUSTON
REGISTERED SURVEYOR
 1770
 JANUARY 8, 2024
 CERTIFICATE DATE
 PROJECT: LEO ROARK SURVEY, A-651
 FILE NO. 4726

THIS SURVEY IS SUBMITTED IN CONNECTION WITH THE LEGAL DESCRIPTION BY A SUBDIVISION OF THE SAME CERTIFICATION DATE SHOWN HEREON, HEREBY REFERENCED AS PART 2 OF 2, HAS SURVEY TO PART 2 OF 2.

G. P. SURVEYORS
 DIVISION OF PATE ENGINEERS, INC.
 1221 West Loop South, Suite 200, Houston, Texas 77027-1770
 (713) 866-1111

ROUTE SURVEY
KEEGANS BAYOU TRAIL EASEMENT
LEO ROARK SURVEY, A-651
HARRIS COUNTY, TEXAS

CITY OF HOUSTON
PUBLIC WORKS AND
ENGINEERING DEPARTMENT

DATE: _____

ASSISTANT DIRECTOR: _____

PROJECT: "BY" SECTION

KEY: MAP NO. 529 1-589 9 GNS: MAP NO. 4983 5-1023 1

PARCEL NO. A13-D45

CIP NO. _____

GFS NO. 4-2429-23

ABBREVIATION TABLE		SYMBOL LEGEND	
1-C.V.R.	WAY RECORDS OF HARRIS COUNTY	—	FOUND MONUMENT
—C.I.P.	LEGAL RECORDS OF HARRIS COUNTY	•	POINT FOR ANGLE CORNER
—O.P.R.R.P.	OFFICIAL PUBLIC RECORDS OF HARRIS COUNTY	—	POWER POLE
—R.O.W.	RIGHT-OF-WAY	—	CITY WIRE
		—	4" WIDE DITCH
		—	CHAIN LINK FENCE
		—	WOOD FENCE
		—	OVER-HEAD POWER LINES

WEST BELLFORT AVENUE

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: PROPERTY: PURCHASE of Parcel AY6-044 located at 7902 Long Point for the LONG POINT AT WIRT INTERSECTION IMPROVEMENTS PROJECT (from Pine Chase to Johanna) N-000674-0001-2-01 OWNER: Tuo Houston Long Point, L.L.C.	Category #7	Page 1 of 1	Agenda Item # 12
FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8-17-07		Agenda Date AUG 22 2007
DIRECTOR'S SIGNATURE: Michael S. Marcotte, P.E., DEE	Council District affected: A Key Map 451 T		
For additional information contact: Nancy P. Collins Phone: (713) 837-0881 Senior Assistant Director	Date and identification of prior authorizing Council Action: Ordinance 2005-397, passed April 20, 2005		

RECOMMENDATION: (Summary)
Authority be given through Council Motion to PURCHASE Parcel AY6-044

Amount and Source of Funding: No additional funding required (covered under Blanket Appropriation Ordinance 2005-397 N-000663-00RE-2-01 Street and Bridge Consolidated Construction Fund 437)	F&A Budget:
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------

SPECIFIC EXPLANATION:
The LONG POINT AT WIRT INTERSECTION IMPROVEMENTS PROJECT (from Pine Chase to Johanna) provides for improvements to the Long Point Road at Wirt intersection area to improve traffic flow, reduce congestion and eliminate potential hazards. This transaction involves the acquisition of 1,381 square feet of land located at 7902 Long Point for intersection improvements.

The City desires to acquire 1,381 square feet of land out of improved commercial property. The City's offer was based on an appraisal by William D. Kvinta, MAI, SRA, Independent Fee Appraiser. The valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

Parcel AY6-044 (Street Easement)

LAND, IMPROVEMENTS AND COST TO CURE	\$78,163.00
Title Policy services	\$ 1,320.00
TOTAL AMOUNT	\$79,483.00

It is recommended that authority be given through Council Motion to PURCHASE Parcel AY6-044 located at 7902 Long Point, owned by Tuo Houston Long Point, L.L.C. This parcel being a tract of land containing 1,381 square feet (0.0317 acres) located in the William Trott Survey, A-766, Harris County, Texas and being out of Restricted Reserve A, Block 1, Spring Village Shopping Center, a subdivision plat recorded under County Clerk's Film Code Number 429130 of the Map Records of Harris County, Texas, and also being out of a 3.252-acre tract and 0.3351-acre tract as conveyed unto Tuo Houston Long Point, L.L.C., by deed recorded under Harris County Clerk's File No. Y970420, Film Code No. 015-47-2408 of the Official Public Records of Real Property, Harris County, Texas, according to the City of Houston field notes.

MSM: NPC: eg
S/Guajardo/Longpoint/AY6-044 Purchase RCA

cc: Marty Stein

CUIC #20ELG12

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization:	Other Authorization: Andrew F. Icken, Deputy Director Planning and Development Services Division
--------------------------	-----------------------------	-------------------------------------------------------------------------------------------------------------------

PARCEL VALUATION

Following is a breakdown of the consideration for Parcel AY6-044:

LAND:

Parcel AY6-044 (Street Easement)

1,381 square feet @ \$40.00 per square foot \$55,240.00

IMPROVEMENTS:

Concrete.....\$ 5,538.00

Underground wiring\$ 2,000.00

Landscaping.....\$ 3,450.00

Sign.....\$10,050.00

Total Improvements.....\$21,038.00

Cost to cure (relocate sign and underground wiring)\$ 1,885.00

TOTAL CONSIDERATION\$78,163.00

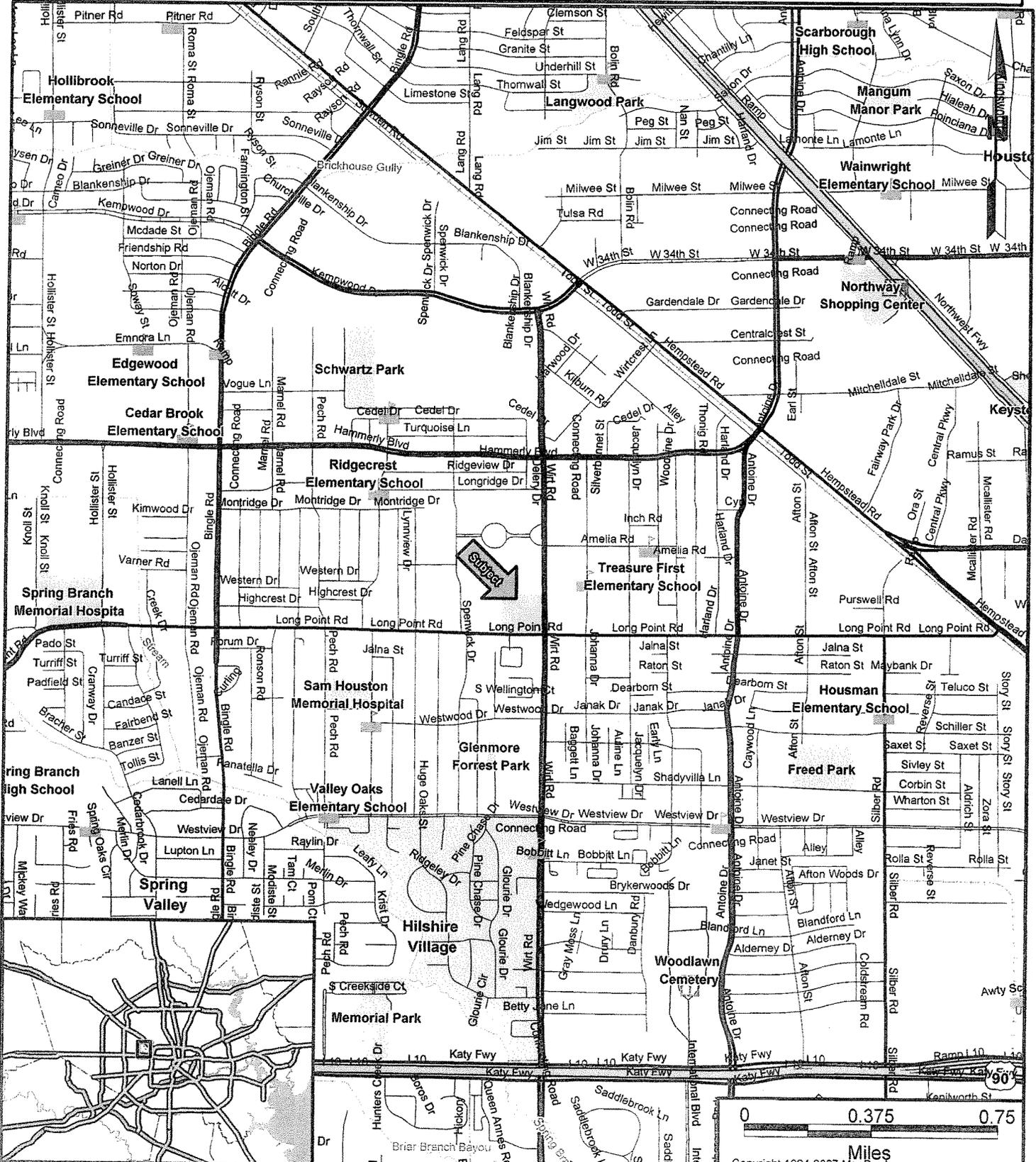
LOCATION MAP

Description: Long Point at Wirt Intersection Improvements Project (from Pine Chase to Johanna)

CIP N-000674-0001-2, Parcel AY6-044, Key Map 451 S

Subject Address: 7902 Long Point, Houston, TX 77055

Prepared by: City of Houston, 611 Walker, Houston, TX 77002



CAUTION:

The location of property arrows shown on this map are approximate only. Inaccuracies may exist on map such as missing, incorrectly drawn, or incorrectly addressed streets. Please report any such inaccuracy to MapPro, Inc. so that appropriate corrections can be made.

-  District Boundary
-  City Limit
-  Freeway
-  Major Road
-  Proposed Road

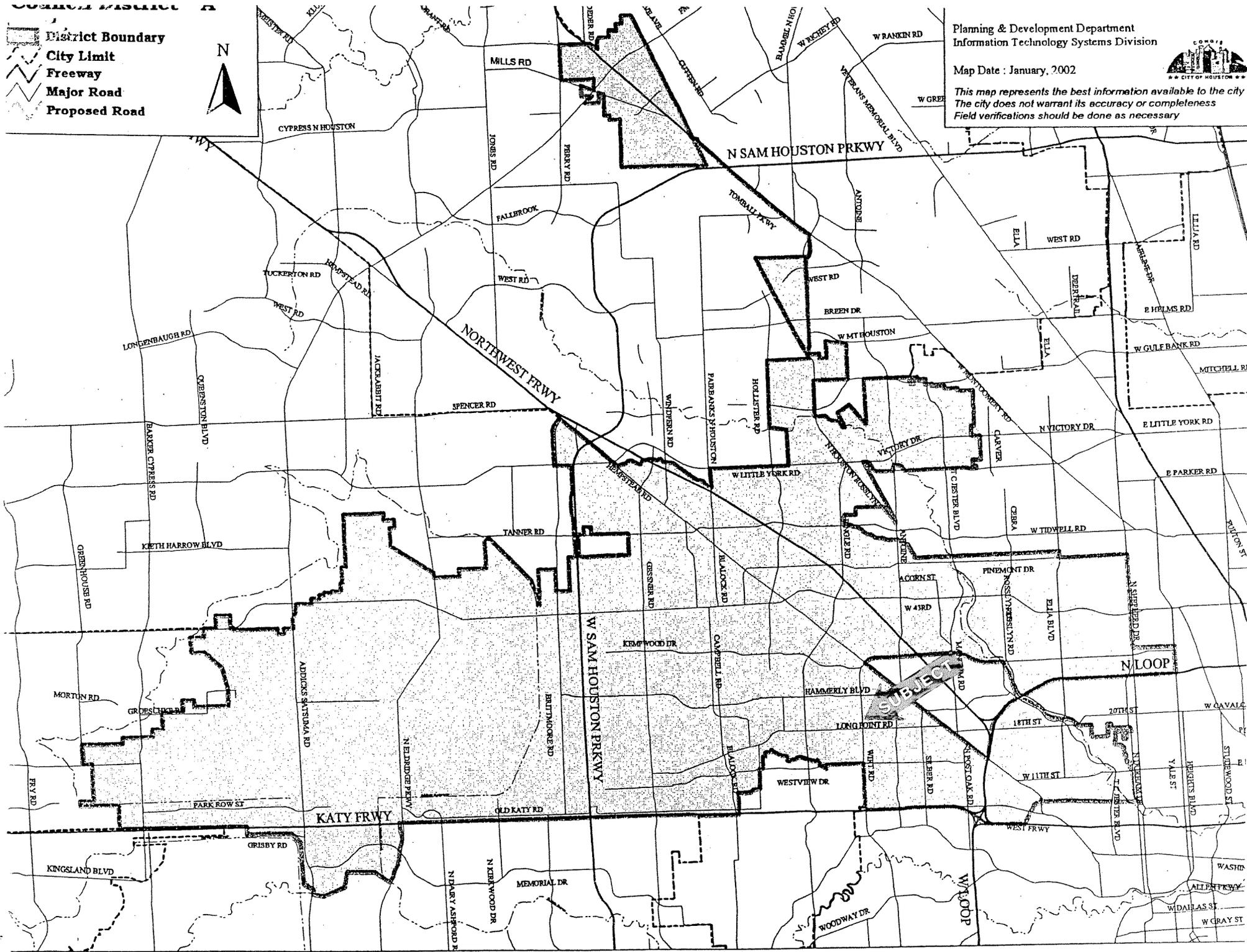


Planning & Development Department
Information Technology Systems Division

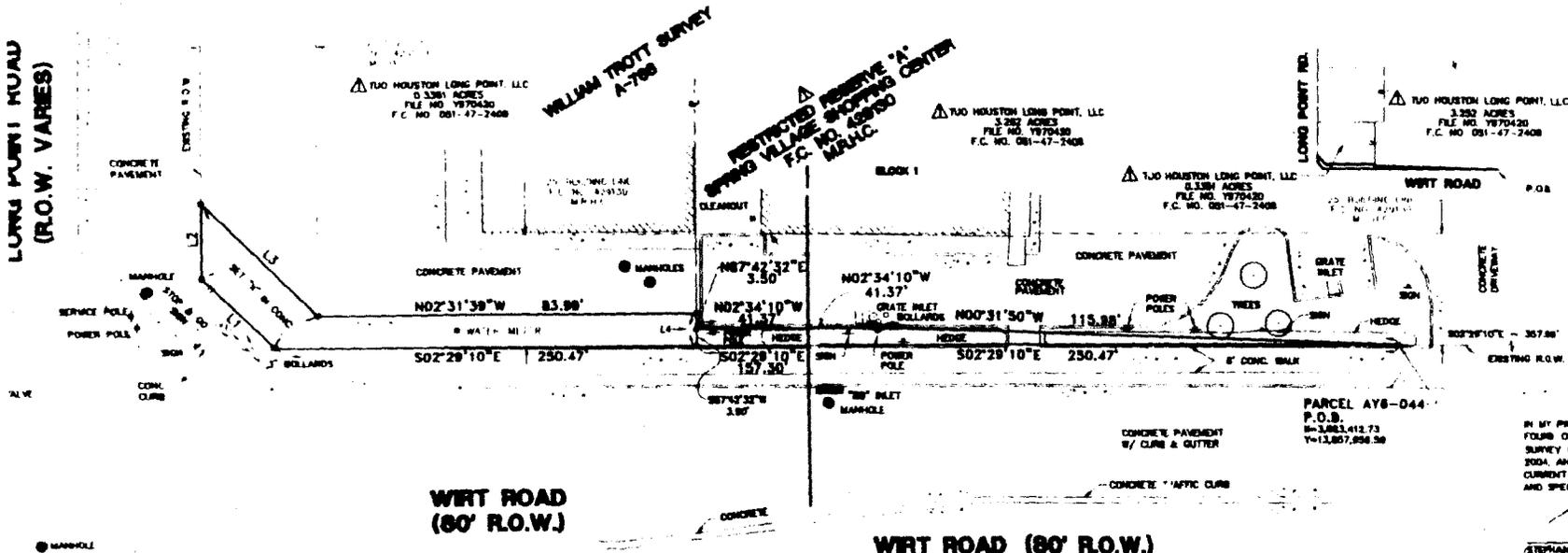


Map Date : January, 2002

*This map represents the best information available to the city
The city does not warrant its accuracy or completeness
Field verifications should be done as necessary*



LONG POINT ROAD
(R.O.W. VARIES)



RELAY OF PROVISIONS
APARTMENTS
F.C. NO. 170032
M.A.H.C.

PARCEL AY6-044
P.O.C.
IND 3/8" IR
(2870547'W, 1.85')

SURVEYOR'S CERTIFICATION

IN MY PROFESSIONAL OPINION, THIS PLAN REPRESENTS THE FACTS FOUND ON THE GROUND DURING THE COURSE OF A BOUNDARY SURVEY CONDUCTED UNDER MY SUPERVISION ON NOVEMBER 3, 2004, AND THAT THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1 SURVEY.



STEPHANIE A. FENDELY, R.P.L.S., No. 5571
CARR FENDELY & ASSOCIATES, P.C.
13438 NORTHWEST FRY, SUITE 1100
HOUSTON, TEXAS 77040
(713)482-3342

**CITY OF HOUSTON
PUBLIC WORKS AND
ENGINEERING DEPARTMENT**

DATE: _____

KEY MAP NO. 4515
PARCEL NO. AY6-044
SCALE: 1"=20'
DATE: JULY 28, 2005
OP NO. N-0874
OPS NO. N-0874-01-2
FILE NO. 200508
SHEET 16-OF-16



LINE TABLE

LINE	BEARING	DISTANCE
L1	S42°30'38"W	22.34'
L2	S87°42'32"W	16.48'
L3	N42°30'27"E	35.28'
L4	N87°42'32"E	7.40'

	EXISTING	TAKING	REMAINING
	3.252 AC	0.0090 AC 382 SQ.FT.	3.243 AC
	0.3351 AC	0.0227 AC 888 SQ.FT.	0.3124 AC
TOTAL	3.5871 AC	0.0317 AC 1,381 SQ.FT.	3.5554 AC

**PARCEL AY6-044
SHEET 1**
SHOWING PROPERTY OF
TWO HOUSTON LONG POINT, LLC

Notes

- All coordinates and bearings recited herein are referenced to City of Houston CORS; all distances and coordinates are surface values and may be converted to grid values by multiplying by a combined scale factor of 0.999993065.
- A property description of even date was prepared in conjunction with this parcel plot.
- Ø indicates set 5/8" -ish iron rod with cap marked: "Cobb, Fendley & Associates", unless noted otherwise.
- All improvement information shown herein is based on an on-the-ground survey performed under the supervision of Cobb, Fendley & Associates in November 2004. Improvements may have been added or deleted since the date of the field survey.

REVISION MAY 28, 2007, AS NOTED ON DRAWING

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7545

Subject: Purchase of Automated Refuse Carts from the State of Texas Building and Procurement Commission's Contract for the Solid Waste Management Department
S22-N22556

Category #
4

Page 1 of 1

Agenda Item

13

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

August 13, 2007

Agenda Date

AUG 22 2007

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

All

For additional information contact:

Dan Gutierrez Phone: (713) 837-9214
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the purchase of automated refuse carts in the total amount of \$888,800.00 from the State of Texas Building and Procurement Commission's Contract for the Solid Waste Management Department.

Award Amount: \$888,800.00

F & A Budget

\$888,800.00 - General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve the purchase of 20,000 automated refuse carts from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program in the total amount of \$888,800.00 for the Solid Waste Management Department, and that authorization be given to issue a purchase order to the State contract vendor, Toter, Inc. These automated refuse carts will be used citywide by the Department in its automated garbage collection program.

These new 96-gallon capacity plastic containers/carts will be issued to new residential customers, to customers participating in the Department's extra-capacity program, and to customers requiring replacement carts for units that have been lost, stolen or damaged beyond repair. The new carts will come with a full ten-year warranty and the life expectancy is ten years.

Sections 271.081 through 271.083 of the Texas Local Government Code provide the legal authority for local governments to participate in the State of Texas Purchasing Program.

Buyer: Wanda Gale



REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

Det

R

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7495

Subject: Formal Bids Received for Water Service Connection Parts for the Public Works & Engineering Department S32-S22197

Category # 4

Page 1 of 2

Agenda Item

14

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 06, 2007

Agenda Date

AUG 22 2007

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Gary Norman Phone: (713) 837-7425
Desiree Heath Phone: (713) 247-1722

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Ferguson Waterworks, Inc. on its low bid meeting specifications in an amount not to exceed \$952,874.65 for water service connection parts for the Public Works & Engineering Department.

Estimated Spending Authority: \$952,874.65

F & A Budget

\$952,874.65 Water & Sewer System Operating Fund (8300)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Ferguson Waterworks, Inc. on its low bid meeting specifications in an amount not to exceed \$952,874.65 for water service connection parts for the Public Works & Engineering Department. It is further requested that authorization be given to make purchases, as needed, for a 60-month period.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Forty-seven prospective bidders viewed the solicitation document on SPD's e-bidding website and four bids were received as outlined below:

	<u>COMPANY</u>	<u>TOTAL AMOUNT</u>
1.	CPR Services & Supplies, Inc.	\$ 932,267.95 (Did Not Meet Specifications)
2.	Ferguson Waterworks, Inc.	\$ 952,874.65
3.	HD Supply Waterworks	\$ 960,806.21
4.	ACT Pipe & Supply LTD	\$1,189,036.30

This award, consisting of various sizes of compression and threaded corporation stops, compression and threaded service fittings, curb stops, and valves and meter couplings will be used in the potable distribution system to connect distribution lines from the water main to residential and/or business addresses citywide.

M/WBE Subcontracting:

This bid was issued with a 3% goal for M/WBE participation.

Ferguson Waterworks, Inc. has designated the below-named company as its certified M/WBE subcontractor:

<u>Company</u>	<u>Scope of Service</u>	<u>Amount</u>
Swift International Service Group	Transportation Services	\$28,586.24

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

Date: 7/6/2007	Subject: Formal Bids Received for Water Service Connection Parts for the Public Works & Engineering Department S32-S22197	Originator's Initials VD	Page 2 of 2
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The Affirmative Action Division will monitor this award.

Buyer: Veronica Douglas, CPPB

ESTIMATED SPENDING AUTHORITY:

DEPARTMENT	FY08	OUT YEARS	TOTAL
Public Works & Engineering	\$190,574.93	\$762,299.72	\$952,874.65

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7511

Subject: Sole Source Awards of Water Meter Locking Devices for the Public Works & Engineering Department
S06-S22382

Category #
4

Page 1 of 1

Agenda Item

15

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 31, 2007

Agenda Date

AUG 22 2007

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Gary Norman Phone: (713) 837-7425
Desiree Heath Phone: (713) 247-1722

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve sole source awards, as shown below, in an amount not to exceed \$159,136.33 for water meter locking devices for the Public Works & Engineering Department.

Estimated Spendig Authority: \$159,136.33

F & A Budget

\$159,136.33 PWE- Wtr & Swr Syst Operating Fund (8300)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve awards, as shown below, in an amount not to exceed \$159,136.33 for water meter locking devices for the Public Works & Engineering Department. It is further requested that authorization be given to make purchases, as needed, for a 60-month period. These awards, consisting of thousands of water meter locking devices, will be used by the Department to prevent theft of water services citywide.

The suppliers shown below are the sole source manufacturers and sole source distributors of their respective supplies.

McGard, LLC: Approve the sole source award for plug locks, lock boxes and keys in an amount not to exceed \$70,804.00.

Meterguard, Inc.: Approve the sole source award for installation tools, plastic weather seals, barrel locks, and end caps in an amount not to exceed \$88,332.33.

This recommendation is made pursuant to Chapter 252, Section 252.022 (a) (7) (A) of the Texas Local Government Code for exempted procurements.

Items Nos. 1 thru 3 are not being awarded.

Buyer: Tywana L. Rhone

Estimated Spending Authority:

DEPARTMENT	FY08	OUT YEARS	AMOUNT
Public Works & Engineering	\$32,000.00	\$127,136.33	\$159,136.33

REQUIRED AUTHORIZATION

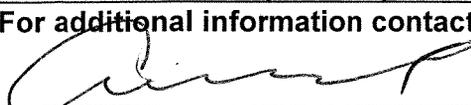
F&A Director:

Other Authorization:

Other Authorization:

6-27-07

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance amending Section 40-455 of the Code of Ordinances, Houston, Texas, relating to size requirements for newsracks		Category	Page	Agenda Item # <i>16</i>
FROM (Department or other point of origin): Legal Department		Origination Date: April 26, 2007	Agenda Date: <i>AUG 22 2007</i>	
DIRECTOR'S SIGNATURE: Arturo G. Michel, City Attorney		Council District affected: ALL		
For additional information contact: Kuruvilla Oommen <i>710</i> 713-247-2736 		Date and identification of prior authorizing Council action: Ord. 2007-225; February 14, 2007		
RECOMMENDATION: Adopt ordinance amending Section 40-455 of the Code of Ordinances relating to size requirements for newsracks				
Amount and source of funding: N/A			F&A Budget:	
EXPLANATION: In February 2007, Council adopted an ordinance establishing regulations for newsracks placed in the City rights-of-way. The proposed ordinance clarifies that the height requirement for newsracks does not include the concrete base. The Council Committee on Quality of Life discussed the proposed revision to the Newsrack Ordinance on June 28, 2007. The committee voted to recommend the revision to City Council.				
REQUIRED AUTHORIZATION				
F&A Director:		Other Authorization:		Other Authorization:

Sec. 40-455. Size and design standards.

(a) *Size requirements.* Any newsrack requiring a permit under this article shall have a height of not less than 36 inches and not more than 54 inches (~~including~~ excluding the base); a width of not less than 15 inches and not more than 25 inches; and a depth of not less than 12 inches and not more than 21 inches.

City of Houston, Texas, Ordinance No. 2007-_____

AN ORDINANCE AMENDING SECTION 40-455 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO SIZE REQUIREMENTS FOR NEWSRACKS; CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. That Subsection (a) of Section 40-455 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(a) *Size requirements.* Any newsrack requiring a permit under this article shall have a height of not less than 36 inches and not more than 54 inches (excluding the base); a width of not less than 15 inches and not more than 25 inches; and a depth of not less than 12 inches and not more than 21 inches."

Section 2. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 3. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign

this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this ___ day of _____, 2007.

APPROVED this ___ day of _____, 2007.

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is _____.

City Secretary

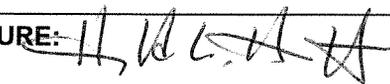
DL
asw
Prepared by Legal Dept.

KO:asw 08/07/2007

Thuruvilla Dommun
Assistant City Attorney

Requested by Dawn R. Ullrich, Director, Convention and Entertainment Facilities Department

L.D. File No. 0190400002002

SUBJECT: Ordinance Amending Chapter 45 of the Code of Ordinances relating to Photographic Traffic Signal Enforcement	Category #	Page 1 of 2	Agenda Item # 17
FROM: (Department or other point of origin): Police Department	Origination Date		Agenda Date AUG 22 2007
DIRECTOR'S SIGNATURE:  Harold Hurtt, Chief, Houston Police Department	Council Districts affected: All		
For additional information contact: M. I. Montalvo, Executive Assistant Chief, Support Operations Phone: (713) 308-1840	Date and identification of prior authorizing Council Action: Ord. No. 2004-1312 (December 21, 2004) and Ord. No. 2006-566 (May 31, 2006)		

RECOMMENDATION: (Summary)

Approval of an Ordinance amending Chapter 45, Article XIX of the Code of Ordinances to bring ordinances related to Photographic Traffic Signal Enforcement Systems (Red Light Cameras) into compliance with the newly enacted SB 1119 which becomes effective September 1, 2007. Additionally the amendment will comply with Chapter 132 of the Local Government Code in regards to approving a convenience fee for persons wishing to pay by credit card.

Amount of Funding: N/A	F & A Budget:
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SOURCE OF FUNDING: [N/A] General Fund Grant Fund Enterprise Fund
 Other (Specify)

SPECIFIC EXPLANATION

The City of Houston established a Photographic Traffic Signal Enforcement System in 2004. The program is primarily administered via a contract with American Traffic Solutions (ATS) with involvement by HPD and the Municipal Courts. In the recent 80th Legislative Session, Senate Bill 1119 was passed and signed into law by the Governor. Among other things, SB 1119 created Chapter 707 of the Transportation Code, which is entitled Photographic Traffic Signal System. The proposed amendments are to avoid conflicts with state law, to include provisions required by state law and to address some areas not included in state law. Sections from the existing ordinance have been carried over when possible and authorization for a convenience fee for those wishing to pay by credit card, as required by Chapter 132 of the Local Government, is included.

The *Definitions* section mirrors the state law. The description of what operation of a vehicle will establish liability for a civil penalty is now tied strictly to the description of a violation set out in §544.007(d) of the Transportation Code. Whereas the current ordinance excludes offenses involving turns, because the new state law includes them they will automatically be included in the new ordinance. Another change based on the new state law is that there is in essence strict liability placed upon the registered owner of the vehicle, even if the owner lends the vehicle to another person. A transfer of liability is still possible in the case of vehicle being test driven, a leased or rented vehicle, or if ownership of the vehicle has been transferred to another. The state law also now establishes a simple \$75 penalty and a \$25 fee for late payment. This will replace the escalating penalty schedule found in the current ordinance.

The ordinance establishes that the police department, municipal courts judicial department and municipal courts administration department shall be the departments responsible for the enforcement and administration of the system. Under the ordinance, internal procedures may be established by the heads of those departments. The proposed ordinances also establish a system under which a person is entitled to a hearing before an adjudication hearing official and that the ruling of the adjudication hearing official may be appealed to the Municipal Court for

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization:	Other Authorization: Harold L. Hurtt, Chief of Police
--------------------------	-----------------------------	--------------------------------------------------------------------

Date:	Subject: Ordinance Amending Chapter 45 of the Code of City Ordinances Relating to Photographic Traffic Signal Enforcement	Originator's Initials HLH 	Page 2 of 2
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a trial de novo upon payment of an \$85 fee. The new state law includes a requirement that adjudication hearing officers be delegated by the governing body. Therefore, confirmation of the hearing officers appointed by the Mayor and currently serving in this capacity are the subject of a separate request for Council action. The term of adjudication hearing officers is set at two years with a holdover period until reappointment or until a successor is named. The parameters of the administrative hearing and the appeal processes are related back to state law because state law will be controlling.

Incorporated via reference to state law is the framework concerning the disposition of revenue collected pursuant to the [program]. In summary, the City may first retain an amount necessary to cover the costs of installing, operating and maintaining the photographic traffic signal enforcement systems and thereafter 50% of the remaining revenues go to statutorily defined trauma centers and the other 50% may be retained by the City for use in specified traffic safety programs. Carried over from the current ordinance are provisions that the City Attorney is authorized to file suit to enforce collection of a city penalty and that revenues available to the City from this program shall be deposited in the police special services fund for use in accordance with state law.

The proposed ordinance was presented to the Council Committee on Public Safety and Homeland Security on August 13, 2007. The Committee voted to recommend adoption by City Council.

City of Houston, Texas, Ordinance No. 2007-_____

AN ORDINANCE AMENDING CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO PHOTOGRAPHIC TRAFFIC SIGNAL ENFORCEMENT SYSTEMS; CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. That Article XIX of Chapter 45 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"ARTICLE XIX. PHOTOGRAPHIC TRAFFIC SIGNAL ENFORCEMENT SYSTEMS

Sec. 45-481. Purpose

The purpose of this article is to implement photographic traffic signal enforcement systems in accordance with Chapter 707 of the Texas Transportation Code.

Sec. 45-482. Definitions.

As used in this article, the following words and terms shall have the meanings ascribed in this section, unless the context of their usage clearly indicates another meaning:

Owner of a motor vehicle means the owner of a motor vehicle as shown on the motor vehicle registration records of the Texas Department of Transportation or the analogous department or agency of another state or country.

Photographic traffic signal enforcement system means a system that:

- (1) Consists of a camera system and vehicle sensor installed to exclusively work in conjunction with an electronically operated traffic control signal; and
- (2) Is capable of producing at least two recorded images that depict the license plate attached to the front or the rear of a motor vehicle that is not operated in

compliance with the instructions of the traffic control signal.

Recorded image means a photographic or digital image that depicts the front or rear of a motor vehicle.

Traffic control signal means a traffic control device as defined by Section 541.304 of the Texas Transportation Code.

Sec. 45-483. Imposition of civil penalty and fees.

(a) The owner of a motor vehicle is liable for a civil penalty of \$75.00 if, while facing only a steady red signal displayed by an electronically operated traffic control signal located in the city, the vehicle is operated in violation of the instructions of that traffic control signal, as specified by Section 544.007(d) of the Texas Transportation Code.

(b) An owner of a motor vehicle who fails to timely pay the civil penalty shall be subject to a late payment penalty of \$25.00.

(c) An owner of a motor vehicle who pays a civil penalty or late payment penalty by credit card shall be assessed a processing fee in accordance with Chapter 132 of the Texas Local Government Code.

Sec. 45-484. Enforcement; procedures.

(a) The police department, municipal courts judicial department, and the municipal courts administration department shall be responsible for the enforcement and administration of this article.

(b) The police chief, the presiding judge of the municipal courts, and the chief clerk of the municipal courts shall establish and implement appropriate procedures to effect the policy of this article.

(c) The imposition of a civil penalty under this article is initiated by the mailing of a notice of violation to the owner of a motor vehicle, pursuant to Chapter 707 of the Texas Transportation Code.

Sec. 45-485. Administrative adjudication hearing; appeal.

(a) An administrative adjudication hearing shall be held before an adjudication hearing officer pursuant to Chapter 707 of the Transportation Code.

(b) Adjudication hearing officers shall be designated as follows: such officers shall be appointed by the mayor and confirmed by the city council for a term of two years, which term shall begin as of the date the appointment is confirmed by the city council. An adjudication hearing officer shall continue in office after his term has expired until he is reappointed or his successor has been appointed and qualified; provided, that no holdover period, regardless of duration, shall ever be deemed a reappointment of any adjudication hearing officer. If any office becomes vacant during a term, then a qualified person shall be appointed and confirmed for a new two-year term beginning on the date of appointment. Adjudication hearing officers shall be subject to removal at any time by the mayor without the consent of the city council. Adjudication hearing officers shall be subject to assignment by the presiding judge of the municipal courts.

(c) Adjudication hearing officers shall have the authority to administer oaths and to issue orders compelling the attendance of witnesses and production of documents.

(d) An order compelling the attendance of witnesses or production of documents may be enforced by the municipal courts judicial department.

(e) A person who receives a notice of violation under this article may contest the imposition of the civil penalty specified in the notice of violation by filing a written request for an administrative adjudication hearing pursuant to Chapter 707 of the Transportation Code.

(f) On receipt of a timely request for an administrative adjudication hearing, an adjudication hearing officer shall notify the contesting person of the date and time of hearing. The hearing shall be held within 45 days of such request.

(g) The owner of a motor vehicle determined by a adjudication hearing officer to be liable for a civil penalty may appeal that determination to a judge by filing an appeal petition with the clerk of the municipal courts pursuant to Chapter 707 of the Texas Transportation Code. The petition shall be accompanied by the payment of the costs required by law for the court, which shall be \$85.00.

Sec. 45-486. Enforcement.

The city attorney is authorized to file suit to enforce collection of a civil penalty assessed under this article.

Sec. 45-487. Disposition of revenue.

All penalties and fees collected from the imposition of civil liability under this article shall be first expended to defray costs associated with the installation, operation, and maintenance of photographic traffic signal enforcement systems and any remaining funds shall be deposited in accordance with Chapter 707 of the Texas Transportation Code. The city shall deposit its portion of the remaining funds in the police special services fund to be used in accordance with Chapter 707 of the Texas Transportation Code.

Secs. 45-488--45-500. Reserved."

Section 2. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 3. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect at 12:01 a.m. on September 1, 2007.

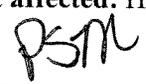
PASSED AND APPROVED this ____ day of _____, 2007.

Mayor of the City of Houston

HL

SUBJECT: Ordinance authorizing the sale to the State of Texas Department of Transportation of a ±1.292-acre (±56,279-square-foot) tract of land out of a 1.891-acre tract of land, located in the John Reinerman Survey, A-642. Parcel SY7-107	Category # 7	Page 1 of 1	Agenda Item # 18
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8-16-07	Agenda Date AUG 22 2007
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: H Key Map 492A 
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For additional information contact: Nancy P. Collins  Phone: (713) 837-0881 Senior Assistant Director-Real Estate	Date and identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the sale to the State of Texas Department of Transportation of a ±1.292-acre (±56,279-square-foot) tract of land out of a 1.891-acre tract of land, located in the John Reinerman Survey, A-642. **Parcel SY7-107**

Amount and Source of Funding: Not Applicable	F & A Budget:
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SPECIFIC EXPLANATION:
 Frances Willison, Director of District Right of Way, Houston District, State of Texas Department of Transportation (TxDOT), P.O. Box 1386, Houston, Texas 77251-1386, requested the City sell to TxDOT a ±1.292-acre (±56,279-square-foot) tract of land out of a 1.891-acre tract of land, located in the John Reinerman Survey, A-642. This parcel is a portion of a 1.891-acre tract of land the City acquired by deed from Houston Belt & Terminal Railway Company dated June 12, 1943 as recorded in Volume 1288, Page 631 in the Harris County Clerk's Office of Harris County, Texas. TxDOT plans to combine this parcel with its abutting property for the construction of a new State of Texas Department of Transportation Administration building. The Joint Referral Committee has reviewed and approved the request.

Section 272.001(b)(5) of the Local Government Code, pertaining to the sale of real property to a governmental entity that has the power of eminent domain, provides for the payment of a consideration based upon the appraised fair market value. In this transaction, the City will sell to TxDOT Parcel SY7-107, a ±1.292-acre (±56,279-square-foot) tract of land, for \$450,232.00. A staff appraiser with the Department of Public Works and Engineering reviewed TxDOT's offer and finds it acceptable. TxDOT has completed the transaction requirements and has agreed to tender payment in full upon delivery of the ordinance approving the transaction and the executed deed.

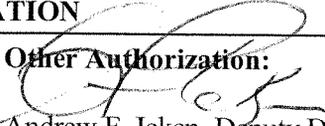
The City and TxDOT are contemplating another transaction in which TxDOT will convey to the City all of its interest in the MKT Railroad corridor, from Hempstead Highway to St. Emanuel Street. As consideration for Parcel SY7-107, TxDOT may either pay \$450,232.00 to the City in cash or, if the other transaction takes place, convey to the City real property with an appraised value of \$450,232.00.

Therefore, it is recommended City Council approve an ordinance authorizing the sale to the State of Texas Department of Transportation of a ±1.292-acre (±56,279-square-foot) tract of land out of a 1.891-acre tract of land, located in the John Reinerman Survey, A-642.

MSM: NPC: psm

c: Daniel W. Krueger, P.E.
 Jack Sakolosky, P.E.
 Marty Stein

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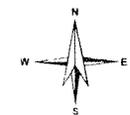
REQUIRED AUTHORIZATION		
F&A Director:	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division

Harris County Appraisal District



0 100 200

PUBLICATION DATE:
5/18/2007



MAP LOCATION



FACET 5258A

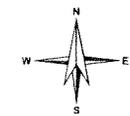
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Harris County Appraisal District

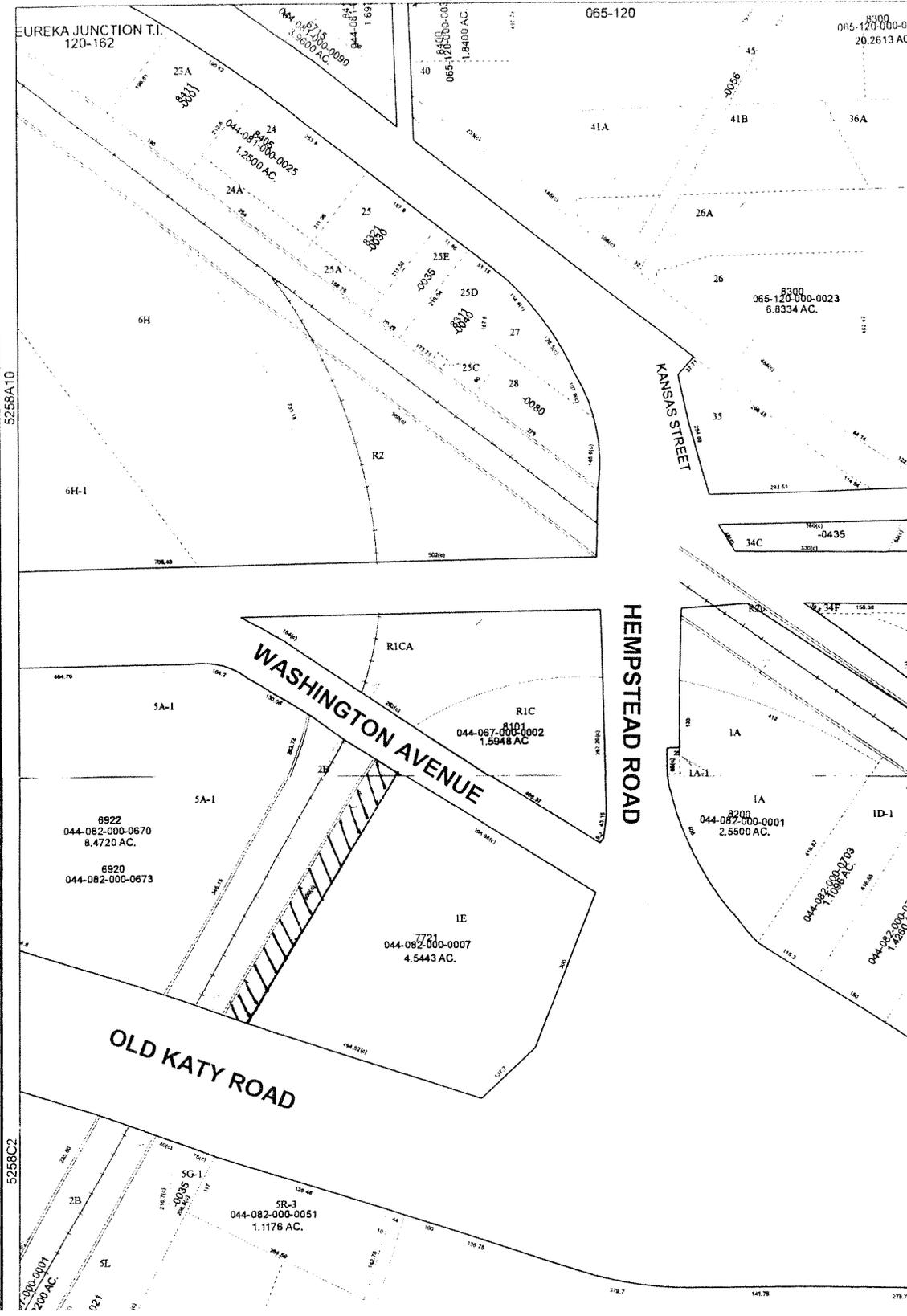


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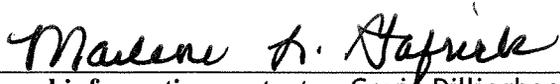
PUBLICATION DATE:
12/8/2006



MAP LOCATION



Sale to the State of Texas Department of Transportation of a ±1.292-acre (±56,279-square-foot) tract of land out of a 1.891-acre tract of land, located in the John Reinerman Survey, A-642. **Parcel SY7-107**

SUBJECT: Ordinance consenting to the creation of the Harris County Improvement District #9		Category #	Page 1 of 1	Agenda Item # 19
FROM (Department or other point of origin): Marlene Gafrick, Director, Planning & Development		Origination Date July 25, 2007		Agenda Date AUG 22 2007
DIRECTOR'S SIGNATURE: 		Council District affected: E & I		
For additional information contact: Gavin Dillingham 713-837-7879		Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) Approve ordinance consenting to the creation of the Harris County Improvement District #9.				
Amount and Source of Funding:			F & A Budget:	
SPECIFIC EXPLANATION: Approve ordinance consenting to the creation of the Harris County Improvement District #9.				
SPECIFIC EXPLANATION: Management districts are special districts created by the Texas legislature. Generally, these districts are empowered to promote, develop, encourage and maintain employment, commerce, transportation, housing, tourism, recreation, arts, entertainment, economic development, safety and public welfare. Typically, management districts are given the power to finance their operations by issuing bonds or other obligations, payable in whole or in part from ad valorem taxes, assessments, impact fees or other funds of the District to provide improvements and services. They may not levy a tax assessment on single-family detached residences. Further, districts may levy a tax only after holding an election within the district. A management district is intended to supplement, not supplant, existing public services. Creation of these districts does not release a municipality from its obligations to provide services to the areas; nor does it require additional services from the municipality. Except as a result of a Governing Body's action to dissolve a district, the municipality assumes no liability for the debts, obligations or liabilities of the district. The Planning and Development Department recommends City Council consent to the creation of the following district. Harris County Improvement District #9: Authorized by the 80th Legislature in 2007, this district is located in Districts E and I. Following city consent to the creation of the district, the District's Board of Directors will adopt a service plan that is expected to focus on public safety, improved access to the area, landscape and beautification improvements and marketing the area.				
REQUIRED AUTHORIZATION				
F & A Director:		Other Authorization:		Other Authorization:

MS

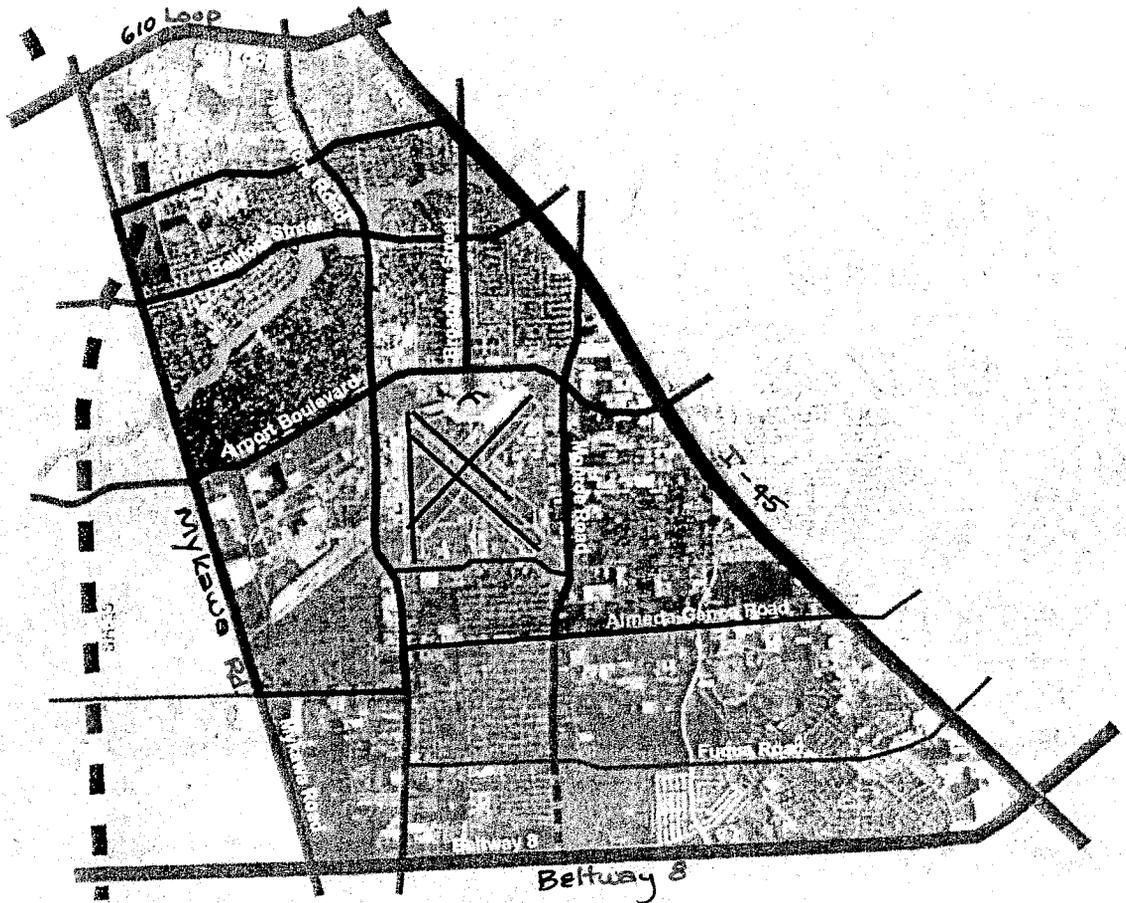
Date	Subject:	Originator's Initials	Page _____ of _____
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For this district , the City provide its consent under the following conditions:

1. Bonds will be issued by the District only for the purposes provided in the legislation creating the District. The District must obtain the approval of the City Council of the City of Houston of the issuance of bonds for any improvement project. In lieu of approval of an individual bond issue by the City Council of the City of Houston, the district may obtain approval from the governing body of the City of Houston of a capital improvements budget for a period not to exceed five years setting forth the projects for which the District proposes to issue its bonds. In the event the District obtains approval of a capital improvements budget, it may issue bonds to finance any capital improvements specified in the budget without further approval from the City of Houston. No land will be added or annexed to the district until the City of Houston has given its written consent by Ordinance of the City council to such addition or annexation.
2. The district must obtain approval from the Department of Planning and Development of the City of Houston of the plans and specifications of any improvement project that involves the use of the rights-of-way of streets, roads, highways or the use of land owned by the City of Houston.
3. The City Council of the City of Houston may, by a vote of no less than two-thirds (2/3rds) of the entire membership, adopt an ordinance dissolving the District. Upon the adoption of such an ordinance, the District shall be dissolved, and, in accordance with Sections 375.263 and 43.075, Local Government Code, the City of Houston shall (1) succeed to the property and assets of the District and (2) assume all debts, obligations and liabilities of the district.

CC: Marty Stein, Agenda Director Judy Gray Johnson, Director, Finance and Admin.
 Arturo Michel, City Attorney Michael Marcotte, Director, PWE

Proposed Boundaries of
HARRIS COUNTY IMPROVEMENT DISTRICT NO. 9



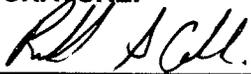
Contact Information: If you have any questions regarding the proposed management district's plans or initiatives, please feel free to contact:

Danny R. Perkins
Chairman
Greater Hobby Area Chamber of Commerce
8121 Broadway, Suite 135
Houston, TX 77061
713.645.5155, ext. 222

Clark Stockton Lord
Attorney
Vinson & Elkins LLP
1001 Fannin Street Suite 2500
Houston, TX 77002
713.758.2350

SUBJECT: An ordinance appropriating \$300,000 out of the TIRZ Affordable Housing Fund and authorizing issuance of a purchase order to the Land Assemblage Redevelopment Authority ("LARA") to cover costs to promote home ownership opportunities in Houston Hope areas of the City of Houston.	Category #	Page 1 of 2	Agenda Item # 20
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FROM (Department or other point of origin): Richard S. Celli, Director	Origination Date: August 8, 2007	Agenda Date: AUG 22 2007
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DIRECTOR'S SIGNATURE: 	Council District affected: All
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For additional information contact: Stephen Tinnermon Phone: (713) 247-1307	Date and identification of prior authorizing Council action: None
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RECOMMENDATION: (Summary)
 An ordinance appropriating \$300,000 out of the TIRZ Affordable Housing Fund (Fund 2409) and authorizing issuance of a purchase order to the Land Assemblage Redevelopment Authority ("LARA") to cover costs to promote home ownership opportunities in Houston Hope areas of the City of Houston.

Amount of Funding: \$300,000	F&A Budget:
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SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund

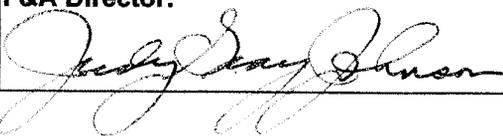
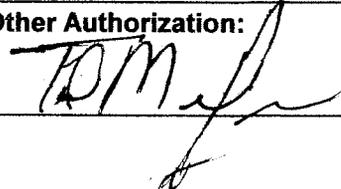
Other (Specify) TIRZ Affordable Housing Fund (2409)

SPECIFIC EXPLANATION:

Homeownership as a means to achieve independent living is a basic ambition of most citizens. Through homeownership, individuals are able to establish self-sufficiency and autonomy while building a foundation of acceptable credit that is critical for financial stability. Those Houstonians who fall within low to moderate-income levels are often unable to meet the financial requirements necessary to acquire a home of their own.

In an effort to assist low-to-moderate income citizens to achieve affordable homeownership, the City of Houston has undertaken the Houston Hope initiative and has charged the Housing and Community Development Department (HCDD) with administering an affordable housing program through the Land Assemblage Redevelopment Authority. LARA has purchased certain tax delinquent properties located in the Houston Hope areas at foreclosure auction. These vacant and distressed properties in the City's oldest inner-City neighborhoods can then be marketed for sale to low-income families, assisted by \$30,000 in down payment assistance to qualified applicants.

Houston Hope homebuilders and Community Development Corporations have suggested that the City and LARA jointly undertake a targeted marketing strategy to attract qualified home-buyers to the program. The proposed appropriation of \$300,000 would fund the direct costs of printed media placement, radio and cable television time, and direct mail. The marketing plan will be developed and approved by a team under the Mayor's supervision, and all expenditures will be in accordance with the approved plan.

REQUIRED AUTHORIZATION		
F&A Director: 	Other Authorization: 	Other Authorization:

Date
08/08/07

Subject: An ordinance appropriating \$300,000 out of the TIRZ Affordable Housing Fund (Fund 2409) for payment to the Land Assemblage Redevelopment Authority ("LARA") to cover costs to promote home ownership opportunities in Houston Hope areas of the City of Houston.

**Originator's
Initials**

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Page
2 of 2

HCDD therefore recommends approval of the appropriation of \$300,000 from the TIRZ Affordable Housing Fund and authorization to issue a purchase order to LARA to cover marketing costs as indicated in the following media budget:

Mail	\$100,000
Newsprint	80,000
Radio	80,000
Cable	<u>40,000</u>
Total	\$300,000

The Director will be authorized to increase or reduce specific line item amounts in accordance with the final marketing plan.

RSC:RC:rl

cc: City Secretary
Legal Department
Mayor's Office
City Controller

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Approval of agreements by and between the City of Houston, various Reinvestment Zones and associated Redevelopment Authorities for the payment of Incremental Service Costs of Municipal Services.	Category # 1	Page 1 of 1	Agenda Item # 21
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FROM: (Department or other point of origin): Finance & Administration	Origination Date July 30, 2007	Agenda Date AUG 22 2007
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DIRECTOR'S SIGNATURE: 	Council Districts affected: B, D, F, H, and I
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For additional information contact: Robert Fiederlein Phone: 713-837-9661 Tom Mesa Phone: 713-837-9857	Date and identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary)
City Council approve agreements between the City, various reinvestment zones, and associated redevelopment authorities for the payment of incremental service costs of municipal services.

Amount and Source of Funding: Revenue Contracts	F & A Budget
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Specific Explanation:
In 2005, the Texas Legislature amended the TIRZ Act (Ch. 311, Texas Tax Code) to allow for tax increment reinvestment zones or a local government corporation administering a reinvestment zone to enter into a contract with the City to pay to the City the incremental costs of providing municipal services incurred as a result of the creation of the zone or the development or redevelopment of the land in the zone ("Incremental Costs of Municipal Services"). Each of the listed zones and authorities and the City of Houston wish to enter into an agreement for the payment of the Incremental Costs of Municipal Services.

The City and each zone and authority have determined the Incremental Costs of Municipal Services for Fiscal Year 2007 to be as shown in the attached table and wish to enter into a contract to pay to the City this sum. This amount is in accordance with the zone-, authority- and City-approved Fiscal Year 2007 budget for each zone. The funds will be deposited into a designated account at the City and will be utilized by HPD to provide public safety services to the HPD district in which the zone resides. Additionally, the agreement with TIRZ #3/Main St./Market Square Redevelopment Authority allows the City to approve, at its discretion, this zone and authority entering into an agreement with the Downtown Management District to jointly fund and support enhanced public safety patrol efforts downtown.

Attachment

cc: Marty Stein, Agenda Director Deborah McAbee, Senior Assistant City Attorney
Anna Russell, City Secretary Arturo Michel, City Attorney

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization: 	Other Authorization:
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Municipal Service Costs Agreements – August 2007

TIRZ	Redevelopment Authority	Council District(s)	HPD District(s)	Amount
#3	Main St./Market Square Redevelopment Authority	I	1	\$300,000
#7	Old Spanish Trail/Alameda Corridors Redevelopment Authority	D	10/14	\$120,000
#11	Greater Greenspoint Redevelopment Authority	B	6	\$300,000
#13	Old Sixth Ward Redevelopment Authority	H	2	\$100,000
#14	Fourth Ward Redevelopment Authority	D/I	1	\$300,000
#20	Southwest Houston Redevelopment Authority	F	18/19/20	\$300,000

SUBJECT: Ordinance approving and authorizing the de-obligation of remaining funds (\$281,139.91) from an appropriation of \$500,000 from Tax Increment Reinvestment Zone (TIRZ) Affordable Housing Fund (Fund 2409) by Ordinance No. 2005-0887.	Category #	Page 1 of 1	Agenda Item # <i>22</i>
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FROM (Department or other point of origin): Richard S. Celli, Director Housing and Community Development Department (HCDD)	Origination Date 08/01/07	Agenda Date
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DIRECTOR'S SIGNATURE: <i>Richard S. Celli</i>	Council District affected: All
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For additional information contact: Ray Daniels Phone: (713) 868-8321	Date and identification of prior authorizing Council action: July 6, 2005 Ordinance No. 2005-0887
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RECOMMENDATION: (Summary) The Housing and Community Development Department (HCDD) recommends approval of an ordinance authorizing the de-obligation of funds appropriated in Ordinance No. 2005-0887 passed on July 6, 2005. Ordinance No. 2005-0887 authorized spending \$500,000.00 with Jamail Construction, in a Texas Local Government Purchasing Cooperative (Buy Board) job order contract. This recommendation is for the approval to re-obligate the remaining appropriation of \$281,139.91 for the repair of homes and any related relocation costs resulting from repairs to the homes identified in the mandate by the U.S Department of Housing and Urban Development (HUD) in their suspensions of the City's CDBG and HOME funded housing programs.

Amount of Funding: \$281,139.91	F&A Budget:
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SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund
 Other (Specify) TIRZ Fund 2409

SPECIFIC EXPLANATION:

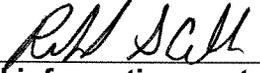
By Ordinance No. 2005-0887, passed on July 6, 2005, the City Council of the City of Houston (City Council) authorized and approved spending authority in an amount not to exceed \$500,000.00 to address home repairs mandated by HUD through the Texas Local Government Purchasing Cooperative (Buy Board) for HCDD and that spending authority be given to issue purchase orders to Jamail Construction, the Texas Local Government Purchasing Cooperative's contractor for its job order contract.

In a letter to HCDD dated November 10, 2005, HUD determined that the use of the Buy Board to provide construction services in the rehabilitation of private properties participating in the HOME and CDBG single family housing programs did not meet the standards in 24 CFR Part 85.36. The objection to the use of the Buy Board centered around the fact that the award to Jamail Construction was for the construction of public facilities and not for single family housing rehabilitation.

HCDD desires to appropriate the remaining balance of \$281,139.91 from the appropriation in Ordinance No. 2005-0887, to use for bids received through the competitive sealed bid process for the repair of homes and any related relocation costs resulting from repairs to the homes identified in the HUD suspensions of the City's CDBG and HOME funded housing programs in November 2003 and December 2004, respectively.

The Housing and Community Development Committee reviewed the proposed ordinance at its August 6, 2007 meeting and voted to recommend it favorably for Council action.

REQUIRED AUTHORIZATION		
F&A Director:	Other Authorization:	Other Authorization:

SUBJECT: Ordinance approving and authorizing the appropriation of remaining funds (\$500,000.00) from the appropriation of \$500,000.00 from Tax Increment Reinvestment Zone (TIRZ) Affordable Housing Fund (Fund 2409) Ordinance No. 2006-0845.		Category #	Page 1 of 1	Agenda Item # 23
FROM (Department or other point of origin): Richard S. Celli, Director Housing and Community Development Department (HCDD)		Origination Date 08/01/07	Agenda Date AUG 22 2007	
DIRECTOR'S SIGNATURE: 		Council District affected: All		
For additional information contact: Ray Daniels Phone: (713) 868-8321		Date and identification of prior authorizing Council action: August 16, 2006 Ordinance No. 2006-0845		

RECOMMENDATION: (Summary) The Housing and Community Development Department (HCDD) recommends approval of an ordinance authorizing the de-obligation of funds appropriated in Ordinance No. 2006-0845 passed on August 16, 2006. Ordinance No. 2006-0845 authorized spending \$500,000.00 with Jamail Construction, in a Texas Local Government Purchasing Cooperative job order contract. This recommendation is for the approval to re-obligate the remaining appropriation of \$500,000.00 for the repair of homes and any related relocation costs resulting from repairs to the homes identified in the mandate by HUD in their suspensions of the City's CDBG and HOME funded housing programs.

Amount of Funding: \$500,000.00	F&A Budget:
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SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund

Other (Specify) TIRZ Fund 2409

SPECIFIC EXPLANATION:

By Ordinance No. 2006-0845, passed on August 16, 2006, the City Council of the City of Houston (City Council) authorized and approved spending authority in an amount not to exceed \$500,000.00 to address home repairs mandated by HUD through the Texas Local Government Purchasing Cooperative (Buy Board) for HCDD and that spending authority be given to issue purchase orders to Jamail Construction, the Texas Local Government Purchasing Cooperative's contractor for its job order contract.

In a letter to HCDD dated November 10, 2005, HUD determined that the use of the Buy Board to provide construction services in the rehabilitation of private properties participating in the HOME and CDBG single family housing programs did not meet the standards in 24 CFR Part 85.36. The objection to the use of the Buy Board centered around the fact that the award to Jamail Construction was for the construction of public facilities and not for single family housing rehabilitation.

HCDD desires to appropriate the remaining balance of \$500,000.00 from the appropriation in Ordinance No. 2006-0845 to use for bids received through the competitive sealed bid process for the repair of homes and any related relocation costs resulting from repairs to the homes identified in the HUD suspensions of the City's CDBG and HOME funded housing programs in November 2003 and December 2004, respectively.

The Housing and Community Development Committee reviewed the proposed ordinance at its August 6, 2007 meeting and voted to recommend it favorably for Council action.

REQUIRED AUTHORIZATION		
F&A Director:	Other Authorization:	Other Authorization:

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

07-BERING

HCD07-153

SUBJECT: An ordinance authorizing the Execution of a Contract between the City of Houston and Bering Omega Community Services for a HOPWA Tenant based Rental Assistance Program and Emergency Housing Assistance Program	Page 1 of 2	Agenda Item # 24
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FROM: (Department or other point of origin): Mr. Richard S. Celli, Director Housing and Community Development Department	Origination Date 06/21/07	Agenda Date AUG 22 2007
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DIRECTOR'S SIGNATURE: 	Council District affected: District D, Ada Edwards
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For additional information contact: Donald Sampley Phone: 713-868-8458	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary)
Approval of an ordinance authorizing the execution of a contract between the City of Houston and Bering Omega Community Services to provide funding for the administration of a "Tenant Based Rental Assistance and Short term Rent Mortgage and Utility Assistance" project under the Housing Opportunities for Persons With AIDS Program.

Amount of Funding: \$1,136,500.00	F&A Budget:  ("HOPWA")
---------------------------------------------	----------------------------------------------------------------------------------------------------------------------------

SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund

Other (Specify) Grant Funds (5000)

SPECIFIC EXPLANATION:

The Housing and Community Development Department recommends approval of a contract between the City of Houston and Bering Omega Community Services ("Bering") to finance Bering's administrative and emergency housing assistance costs associated with its HIV/AIDS programs. This program provides a bridge in services for individuals in a transitional stage due to lost employment or similar circumstances.

Bering has received HOPWA funding through the City of Houston for various contracts since 1994 for its Short term Rent, Mortgage and Utility Assistance Program. Bering initiated the tenant based rental assistance component last year. The tenant based rental assistance provides scattered site housing for the participants whose needs and circumstances extend beyond the short-term rent, mortgage and utility assistance program. The agency's HOPWA project is a cost-effective one, which helps to prevent homelessness by providing payments of rent, mortgage and utility bills directly to the client's landlord, mortgage lender and utility companies. Bering Memorial United Methodist Church established Bering in 1987 to provide assistance for people living with HIV/AIDS. Other major programs in which the agency is involved include Bering Dental Clinic, a dental clinic for indigent individuals with HIV/AIDS of which HOPWA funded the rehabilitation; Omega House, a residential hospice program for persons in the final stages of AIDS; and the Bering Omega Care Center, an adult day care facility.

Last year, Bering received funding in the amount of \$745,790 for its HOPWA project. Other funding sources for the agency included Ryan White Title I & II Care Act, and private foundations and corporate supporters.

Under this present contract, Bering has provided emergency rental assistance and financial counseling to more than three hundred and thirty (330) persons with AIDS or AIDS related illnesses and family members. Bering now desires to continue its emergency housing assistance HOPWA project. The agency is requesting funding to provide: (1) tenant-based rental assistance and supportive services at sixty (60) scattered-site units, and (2) short-term rent, mortgage, and utility assistance and supportive services at four hundred (400) scattered-site units for low-income, HIV/AIDS infected individuals and their families.

REQUIRED AUTHORIZATION		NOT
F&A Director:	Other Authorization:	Other Authorization:

Date 06/21/07	Subject: An ordinance authorizing the Execution of a Contract between the City of Houston and Bering Omega Community Services for a HOPWA Tenant Based Rental Assistance Program and Emergency Housing Assistance Program.	Originator's Signature 	Page 2 of 2
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Additionally, Bering will provide adult day care to forty (40) persons and permanent housing placement services to fifteen (15) persons under its supportive services activity.

This agreement will provide up to \$1,136,500.00 and a 12-month contract. The funding will provide housing assistance and supportive services to approximately five hundred and fifteen (515) clients and three hundred and seventy (370) family members for approximately eight hundred and eighty-five (885) beneficiaries served.

Total Funds and Services:	\$1,136,500.00
Number of Persons Served:	515 clients + 370 family members
Category of Persons	low-income individuals living with HIV/AIDS

The tenant-based rental assistance program will provide approximately \$500/month to clients in long-term rental situations. This assistance will be available each month for a 12-month period, at the end of which the client must re-qualify for the program.

The Short-term rent, mortgage and utility assistance program will be provided to clients facing loss of housing and/or utilities due to a temporary emergency situation. According to HOPWA regulations, an agency can provide up to 21 weeks of assistance to an individual in any 52-week period.

The adult day care program provides case management, nutritional and healthcare services and other social activities. The adult day care program is located at Bering's Care Center. Outcome data for adult day care strongly suggests that participating clients see a reduction in their social isolation and withdrawal, as well as improved medical conditions. Also, housing assistance clients will participate in the Care Center activities that will save the clients money with utility and food costs; therefore, saving the client money for rent.

Permanent housing placement services provide first-month's rent and deposit assistance. This assistance is used to help eligible persons establish a new residence where on-going occupancy is expected to continue. It can be used with persons receiving short-term rent, mortgage and utility assistance and/or tenant-based rental assistance.

This contract will provide funding for the following HOPWA activities during a 12-month period.

Administrative	\$ 66,500.00
Supportive Services	\$ 120,000.00
Tenant Based Rental Assistance	\$400,000.00
Short Term Rent Mortgage Utility	\$550,000.00
Total	\$1,136,500.00

The project was reviewed by the Housing and Community Development Committee on June 13, 2007 and was recommended for Council action.

RC:ab

C: City Attorney
 Mayor's Office
 City Secretary
 Finance and Administration

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7537

Subject: Weed Mowing and Debris Removal Services Contracts for the Police Department
S30-L22398

Category #
4

Page 1 of 2

Agenda Item

25

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

August 01, 2007

Agenda Date

AUG 22 2007

DIRECTOR'S SIGNATURE

MS Calvin D. Wells

Council District(s) affected

All

For additional information contact:

Joseph Fenninger Phone: (713) 308-1708
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding various contracts, as shown below, in a total amount not to exceed \$5,000,000.00 for weed mowing and debris removal services for the Police Department.

Estimated Spending Authority: \$5,000,000.00 (5 years)

F & A Budget

\$5,000,000.00 - General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding various three-year contracts, with two one-year options to extend, for a total five-year term, as shown below, in a total amount not to exceed \$5,000,000.00 for weed mowing and debris removal services for the Police Department. The City Purchasing Agent may terminate these contracts at any time upon 30-days written notice to the contractors. These contracts will be used to provide weed mowing and debris removal services on private and public properties citywide for the Neighborhood Protection Division.

The five companies itemized below were invited to participate in price negotiations; each company accepted the pricing, contract terms, and scope of work, and each is being recommended for a contract award:

TIBH Industries, Inc.: Award a three-year contract, with two one-year options to extend, for a total five-year term in an amount not to exceed \$1,000,000.00.

Jefferson Mowing: Award a three-year contract, with two one-year options to extend, for a total five-year term in an amount not to exceed \$1,000,000.00.

Juarez Mowing: Award a three-year contract, with two one-year options to extend, for a total five-year term in an amount not to exceed \$1,000,000.00.

Bio Landscape & Maintenance, Inc.: Award a three-year contract, with two one-year options to extend, for a total five-year term in an amount not to exceed \$1,000,000.00.

THR Enterprises, Inc.: Award a three-year contract, with two one-year options to extend, for a total five-year term in an amount not to exceed \$1,000,000.00.

The scope of work requires the contractors to furnish all labor, materials, supplies, equipment, transportation and supervision necessary to mow grass, weeds and underbrush. The contractors will also be required to

REQUIRED AUTHORIZATION

(5) NDT

F&A Director:

Other Authorization:

Other Authorization:

OK

Date:
8/1/2007

Subject: Weed Mowing and Debris Removal Services Contracts for
the Police Department
S30-L22398

Originator's
Initials
RM

Page 2 of 2

remove all trash, debris, rubbish, and municipal solid and special wastes, including bottles, cans, paper, tires, discarded appliances, etc.

M/WBE Subcontracting:

These contracts are goal-oriented contracts with a 15% M/WBE participation level.

Jefferson Mowing has designated the below-named company as its certified M/WBE subcontractor.

<u>Name</u>	<u>Type of Work</u>	<u>Percentage</u>	<u>Amount</u>
Smith-Mobley, Inc.	Debris Removal	15%	\$150,000.00

Juarez Mowing has designated the below-named company as its certified M/WBE subcontractor.

<u>Name</u>	<u>Type of Work</u>	<u>Percentage</u>	<u>Amount</u>
V.I. Tractor Service Shredding & Cutting	Mowing Services	15%	\$150,000.00

Bio Landscape & Maintenance, Inc. has designated the below-named company as its certified M/WBE subcontractor.

<u>Name</u>	<u>Type of Work</u>	<u>Percentage</u>	<u>Amount</u>
Land Pro, Inc.	Mowing Services	15%	\$150,000.00

THR Enterprises, Inc. has designated the below-named company as its certified M/WBE subcontractor.

<u>Name</u>	<u>Type of Work</u>	<u>Percentage</u>	<u>Amount</u>
Jones Highway Maintenance	Mowing Services	15%	\$150,000.00

The Affirmative Action Division will monitor these contracts.

This recommendation is made pursuant to Chapter 252, Section 252.022 (a) (2) of the Texas Local Government Code for exempted procurements.

Buyer: Richard Morris

Estimated Spending Authority			
<u>DEPARTMENT</u>	<u>FY 2008</u>	<u>OUT YEARS</u>	<u>TOTAL</u>
Police Department	\$1,250,000.00	\$3,750,000.00	\$5,000,000.00

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7463

Subject: Formal Bids Received for Lab Equipment Repairs for Various Departments
S30-L22424

Category #
4

Page 1 of 2

Agenda Item

26

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 25, 2007

Agenda Date

AUG 22 2007

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

All

For additional information contact:

Gary Norman Phone: (713) 837-7425
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to Niverco Medical Services on its low bid in an amount not to exceed \$831,172.98 for lab equipment repair services for various departments.

Estimated Spending Authority: \$831,172.98

F & A Budget

\$497,310.34 - Water & Sewer System Operation Fund (8300)
\$333,862.64 - General Fund (1000)
\$831,172.98

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options to extend, for a total five-year term, to Niverco Medical Services on its low bid in an amount not to exceed \$831,172.98 for lab equipment repair services for various departments. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Seventeen prospective bidders viewed the solicitation document of SPD's e-bidding website and two bids were received as outlined below. Prospective bidders were contacted to determine the reason for the limited response to the invitation. The survey revealed that there are limited companies that can perform the work, and that some contractors could not meet the City's insurance requirements.

	<u>Company</u>	<u>Total Amount</u>
1.	Full Spectrum Analytics, Inc.	\$319,500.00 (Partial Bid/Higher Unit Price)
2.	Niverco Medical Services	\$831,172.98

The scope of work requires the contractor to provide all supervision, labor, materials, supplies, tools, equipment and transportation necessary to provide repair, inspection and preventive maintenance services on laboratory equipment for the Public Works & Engineering, Health & Human Services and Houston Police Departments.

M/WBE Subcontracting:

This invitation to bid was issued as a goal-oriented contract with a 7% M/WBE participation level. Niverco Medical Services has designated the below-named company as its certified M/WBE subcontractor.

<u>Name</u>	<u>Type of Work</u>	<u>Dollar Amount</u>
Microbiology Specialists, Inc.	Building Lease	\$58,182.11

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

NDT

2

This contract will be monitored by the Affirmative Action Division.

Estimated Spending Authority			
Department	FY 08	Out Years	Total
Public Works & Engineering	\$109,000.00	\$388,310.34	\$497,310.34
Health & Human Services	\$ 18,722.64	\$230,000.00	\$248,722.64
Police	\$ 5,140.00	\$ 80,000.00	\$ 85,140.00
Total	\$132,862.64	\$698,310.34	\$831,172.98

Buyer: Richard Morris

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7582

Subject: Formal Bids Received for Disaster Debris Removal Services for the Solid Waste Management Department
S30-L22540

Category #
4

Page 1 of 2

Agenda Item

27

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

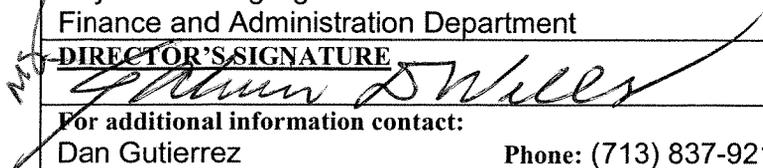
Origination Date

August 17, 2007

Agenda Date

AUG 22 2007

DIRECTOR'S SIGNATURE

MS


Council District(s) affected
All

For additional information contact:

Dan Gutierrez Phone: (713) 837-9214
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the award of pre-positioned contracts to DRC Emergency Services, LLC (primary contractor) and Omni Pinnacle, LLC (secondary contractor) on their low bids for disaster debris removal services for the Solid Waste Management Department.

No funding required at this time.

F & A Budget

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve pre-positioned five-year contracts to DRC Emergency Services, LLC (primary contractor) and Omni Pinnacle, LLC (secondary contractor) on their low bids for disaster debris removal services for the Solid Waste Management Department. The City Purchasing Agent may terminate these contracts at any time upon 30-days written notice to the contractors. The contractors shall be required to load and haul debris from public right-of-ways to debris management sites and/or approved landfills.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Thirty-seven prospective bidders viewed the solicitation document on SPD's e-bidding website and seventeen bids were received as outlined below:

<u>COMPANY</u>	<u>AMOUNT</u>
1. DRC Emergency Services, LLC (Bid #1)	\$ 98,796,767.96
2. DRC Emergency Services, LLC (Bid #2)	\$ 98,796,767.96
3. Omni Pinnacle, LLC (Bid #1)	\$118,368,157.00
4. Omni Pinnacle, LLC (Bid #2)	\$118,368,157.00
5. AshBritt, Inc. (Bid #1)	\$120,813,299.40
6. AshBritt, Inc. (Bid #2)	\$120,813,299.40
7. TFR Enterprises, Inc.	\$131,723,930.60
8. Crowder Gulf	\$131,964,548.50
9. Ceres Environmental Services, Inc. (Bid #1)	\$133,601,442.85
10. Ceres Environmental Services, Inc. (Bid #2)	\$140,209,931.30
11. D&J Enterprises, Inc.	\$148,512,808.00
12. Asplundh Environmental Services, Inc. (Bid #1)	\$157,765,864.19
13. Asplundh Environmental Services, Inc. (Bid #2)	\$157,765,864.19
14. Phillips & Jordan, Inc.	\$172,827,568.25
15. Dougherty Sprague Environmental, Inc. (Bid #1)	\$241,247,767.80
16. Dougherty Sprague Environmental, Inc. (Bid #2)	\$241,247,767.80
17. Cherry Moving	\$472,848,308.78

REQUIRED AUTHORIZATION

(2) NDT

F&A Director:

Other Authorization:

Other Authorization:

Handwritten mark

Date: 8/17/2007	Subject: Formal Bids Received for Disaster Debris Removal Services for the Solid Waste Management Department S30-L22540	Originator's Initials RM	Page 2 of 2
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- Bidders were asked in the bid solicitation to provide the City with prices for the various types of services and ancillary items, identified on the official bid form, which may be needed in the event of a natural or man-made disaster. The actual amount of each service or ancillary item will be determined at the time of each disaster. **This contract will be activated upon approval of funding by City Council.**

The City's Emergency Management Plan has tasked the Solid Waste Management Department with the mission of removing natural or man-made disaster debris from public property, including the right-of-ways of public streets.

The scope of work requires the contractors to provide all labor, material, expendable supplies, vehicles, and supervision necessary to load and haul vegetation, damaged trees, and stumps from public right-of-ways to debris management sites and/or approved landfills following a hurricane or other natural or man-made disasters in a timely, efficient, safe and lawful manner.

This contract will contain a 19% M/WBE goal that will use City of Houston-certified M/WBE contractors upon activation and approval of funding by City Council.

Buyer: Richard Morris

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Amendment No. 7 to Lease Agreement for Office Space for the Houston Airport System – Cross Continents Investment Co., LLC		Category #	Page 1 of 2	Agenda Item # <i>28</i>
FROM (Department or other point of origin): Houston Airport System		Origination Date August 13, 2007	Agenda Date AUG 22 2007	
DIRECTOR'S SIGNATURE: <i>[Signature]</i>		Council District affected: B		
For additional information contact: Janet L. Schafer <i>[Signature]</i> Phone: 281/233-1796		Date and identification of prior authorizing Council action: 12/21/94, Ord. 94-1393; 11/24/97, Ord. 97-1484; 1/17/99, Ord. 99-1220; 9/13/00, Ord. 00-0815; 7/11/01, Ord.01-668; 7/17/02, Ord. 02-678; 7/28/04, Ord. 04-0804.		
AMOUNT & SOURCE OF FUNDING: FY08 \$50,832.24 HAS Revenue Fund (8001)		Prior appropriations: N/A		
RECOMMENDATION: (Summary) Enact an ordinance approving and authorizing Amendment No. 7 to a Lease Agreement between Cross Continents Investment Co., LLC, as landlord and the City of Houston, Texas, as tenant, for space at 3838 North Sam Houston Parkway East, Houston, Texas providing for an extension of the term to accommodate the Houston Airport System Public Safety Division.				
SPECIFIC EXPLANATION: Currently, the Houston Airport System (HAS) leases approximately 6,559 square feet of office space in Suites 460 and 490 in the Cross Continents Building located at 3838 North Sam Houston Parkway East, Houston, Texas ("3838 lease") at the rate of \$14.75 per square foot per year from Cross Continents Investment Co., LLC, (as successor-in-interest to Fraydun Enterprises) to accommodate its Public Safety Division ("Public Safety"). The lease terminates on August 31, 2007. Public Safety intends to relocate its offices to certain HAS space that has become vacant; however, renovation of such vacated space has not been completed. Public Safety needs to extend the term of the 3838 Lease for another six months to allow for the completion of build-out of the alternate space on-airport. There is no alternate space in the HAS Airport Administration Building to accommodate Public Safety at this time. The term of the Lease will be extended to expire February 29, 2008. Pertinent terms of the amendment are as follows: Premises: 3838 North Sam Houston Parkway East, Houston, Texas, Suites 460 and 490.				

REQUIRED AUTHORIZATION

F&A Budget: <i>[Signature]</i>	Other Authorization:	Other Authorization:
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Date August 13, 2007	Subject: Amendment No. 7 to Lease Agreement for Office Space for the Houston Airport System – Cross Continents Investment Co., LLC	Originator's Initials	Page 2 of 2
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Term: Extending the expiration date to February 29, 2008.

Rental Rate: \$15.50 per square foot per year.

All other terms and conditions of the lease remain the same.

This building meets ADA requirements.

RMV:jls

cc: Ms. Marty Stein
Mr. Anthony W. Hall, Jr.
Mr. Arturo Michel
Ms. Sara Culbreth
Mr. David Arthur
Ms. Janet Schafer
Mr. Mark Mancuso
Mr. Charles Wall
Ms. Mary Case
Mr. Brian Rinehart
Ms. Kathy Elek
Mr. Randy Rivin

29- Revised pg 2 R

Date August 15, 2007	Subject: Amendment No. 1 to the Agreement between the City of Houston and Kellogg Brown & Root (KBR) Services, Inc. for Job Order Contracting Services with the Houston Airport System; Project 516; WBS # A- 000348-0001-4-01; Contract No. 55521.	Originator's Initials LS	AUG 22 2007 Page 2 of 2
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KBR is currently achieving 14.104% M/WBE participation on their 30% goal. According to the Office of Affirmative Action and Contract Compliance, KBR is making a "Good Faith Effort" in meeting the goal.

RMV: ERP: LS: LG: JDW

Attachments

- cc: Ms. Marty Stein
- Mr. Anthony W. Hall, Jr.
- Mr. Arturo G. Michel
- Ms. Velma Laws
- Mr. Richard M. Vacar
- Ms. Sara S. Culbreth
- Mr. Dave Arthur
- Ms. Ellen Erenbaum
- Ms. Kathy Elek
- Mr. Eric R. Potts
- Mr. Carlos Ortiz
- Mr. Frank D Crouch
- Mr. John S. Kahl
- Mr. Adil Godiwalla
- Mr. Dara N. Umrigar
- Ms. Janice D. Woods
- Mr. Richard Fernandez
- Mr. J. Goodwille Pierre

SUBJECT: Construction Contract with Honeywell International, Inc. for Security System Modifications and Upgrades at William P. Hobby Airport, Project No. 612W, WBS# A-000439-0003-4-01	Category #	Page 1 of 2	Agenda Item # 30
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FROM (Department or other point of origin): Houston Airport System	Origination Date July 25, 2007	Agenda Date AUG 22 2007
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DIRECTOR'S SIGNATURE: <i>Kae</i>	Council District affected: I
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For additional information contact: Mark V. Mancuso Phone: 281/233-7309 Eric R. Potts 281/233-1999 Frank Haley 281/233-1835	Date and identification of prior authorizing Council action: None
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AMOUNT & SOURCE OF FUNDING: CIP # A-0439.07/09.3 \$5,877,250.00 Airports Improvement Fund (8011) <i>EP</i>	Prior appropriations: N/A
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RECOMMENDATION: (Summary)
 Enact an Ordinance to award a construction contract to Honeywell International, Inc. in the amount of \$5,605,000.00 and appropriate the necessary funds to finance the cost of the project.

SPECIFIC EXPLANATION:

PROJECT LOCATION: William P. Hobby Airport (HOU).

PROJECT SUMMARY: Project 612W, Security System Modifications and Upgrades for William P. Hobby Airport, is the follow-up and companion project to Project 612Y which installed new access control head-end and badging software at HOU to be consistent with the system installed at George Bush Intercontinental Airport/Houston (IAH).

Project 612W includes the following:

- replace the remaining obsolete access control field panels with new field panels
- migrate from existing mag-stripe card-reader technology to HID iCLASS contactless smart-card reader technology
- augment the existing CCTV system with new cameras throughout the terminal complex and airfield perimeter for increased coverage
- install new cameras and integrated emergency call stations throughout the public parking garages at HOU
- implement automated tools for video analysis to aid in pattern recognition, which will be integrated with the Digital Video Manager application.
- add a new fiber-optic network and redundant wireless system for airfield data network coverage.

The contract term is 240 days. Design and contract document preparation was conducted by Ferguson Consulting, Inc.

REQUIRED AUTHORIZATION		
F&A Budget: <i>[Signature]</i>	Other Authorization:	Other Authorization: <i>[Signature]</i>

Date July 25, 2007	Subject: Construction Contract with Honeywell International, Inc. for Security System Modifications and Upgrades at William P. Hobby Airport, Project No. 612W, WBS# A-000439-0003-4-01.	Originator's Initials FH	Page 2 of 2
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ENGINEERING SERVICES TESTING CONTRACT: No appropriation is required for engineering and testing services for this project.

PROJECT COST: The total amount to be appropriated is as follows:

\$ 5,605,000.00	Construction Contract
<u>272,250.00</u>	5% Construction Contingency (minus cash allowances)
\$ 5,877,250.00	Total

M/WBE PARTICIPATION: The following certified M/WBE firm has been submitted to fulfill the 10% goal for this project:

Firm	Type of Work	Amount	% of Bid
Preferred Technologies, Inc.	Installation & Project Management	\$ 560,500.00	10.00 %
	Support		
	Total	\$ 560,500.00	10.00 %

The IT Steering Committee has approved this project.

RMV:MVM:FH

Attachments

cc: Ms. Marty Stein Ms. Velma Laws Ms. Sara S. Culbreth Ms. Carolyn Walker
 Mr. Anthony W. Hall, Jr. Mr. Richard M. Vacar Ms. Kathy Elek Mr. Richard Fernandez
 Mr. Arturo G. Michel Mr. Mark V. Mancuso

SUBJECT : Second Amendment to Professional Architectural Services Contract 3D/International, Inc. Mounted Patrol Facility – Relocation - WBS No. G-000117-0001-3 Forestry Complex – Relocation - WBS No. F-504A17-0001-3	Page 1 of 2	Agenda Item <div style="text-align: right; font-size: 2em; font-weight: bold;">31</div>
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FROM (Department or other point of origin): General Services Department	Origination Date <i>July 26, 2007</i>	Agenda Date AUG 28 2007
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. <i>[Signature]</i> 7/29/07	Council District(s) affected: A
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For additional information contact: Jacquelyn L. Nisby <i>[Signature]</i> Phone: 713-247-1814	Date and identification of prior authorizing Council action: Ordinance No. 2005-0924 dated 07/27/05 Ordinance No. 2006-0329 dated 04/12/06
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RECOMMENDATION: Approve Second Amendment to professional architectural services contract.

Amount and Source of Funding: No Additional Funding Required Previous Funding: \$837,500.00 Police Consolidated Construction Fund 435 \$223,137.00 Parks Consolidated Construction Fund 421 \$1,060,637.00 TOTAL	F & A Budget:
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SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve and authorize the Second Amendment to the contract with 3D/International, Inc. to perform design and construction phase services for relocation of the Parks and Recreation Department's (PARD) Forestry Division to the City-owned site of a former Public Works and Engineering (PWE) maintenance facility located at 12025 Sowden Rd.

On April 12, 2006, City Council approved a First Amendment to the contract to develop a conceptual master plan and phasing plan for relocating PARD's Forestry Division to 5005 Little York Road, the same site as HPD's Mounted Patrol, Canine Training Unit and Tactical Operations Division. However, during the early conceptual design phase PARD discovered a former PWE maintenance facility at 12025 Sowden that would meet its requirements for the Forestry Division. The site and buildings will receive minor renovations needed to house both the Forestry Division and Langwood Green Maintenance Division.

PROJECT LOCATION: 12025 Sowden Road (Key Map 451J)

PROJECT DESCRIPTION: The scope of work consists of design and construction phase services related to the relocation of PARD's Forestry Division from its current location at 6501 Memorial Drive in Memorial Park to 12025 Sowden Road. The current facilities will be renovated to include offices, maintenance shops, storage and locker area, parking for employees and maintenance vehicles, and storage for trees and mulch.

PREVIOUS HISTORY AND SCOPE: On July 27, 2005, City Council approved a contract for architectural and engineering services for the relocation of HPD's Mounted Patrol Detail, Canine Training Unit and Tactical Operations Division from its current location at 300 North Post Oak Lane to new facilities located at 5005 Little York Road, a 15 acre parcel owned by the City.

REQUIRED AUTHORIZATION			CUIC #RJO058
Other Authorization: <div style="text-align: center;"><i>[Signature]</i></div> Wendy Teas Heger, AIA Chief of Design and Construction General Services Department	Other Authorization:	Other Authorization: <div style="text-align: center;"><i>[Signature]</i></div> Joe Turner, Director Parks and Recreation Department	NO

Date	SUBJECT: Second Amendment to Professional Architectural Services Contract 3D/International, Inc. Mounted Patrol Facility-Relocation - WBS No. G-000117-0001-3 Forestry Complex-Relocation - WBS No. F-504A17-0001-3	Originator's Initials CP	Page 2 of 2
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M/WBE INFORMATION: An M/WBE goal of 24% has been established for this contract. The consultant will utilize the certified M/WBEs referenced in the original contract to achieve the goal. To date, 3D/International has achieved 12.7% M/WBE participation.

IZD:WTH:^L~~RJO~~:JLN:cp

cc: Marty Stein, Jacquelyn Nisby, Mark Ross, Melvin Shelton, Velma Laws, Joseph Kurian, Dan Pederson, Lisa Johnson, Venky Nagasandra, Legal Dept, Project File

SUBJECT: Professional Architectural Services Contract Huitt-Zollars, Inc. Southern Right of Way and Fleet Maintenance Facility WBS No. N-00653C-0001-3		Page 1 of 2	Agenda Item <i>32</i>
FROM (Department or other point of origin): General Services Department		Origination Date 8-15-07	Agenda Date AUG 22 2007
DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. <i>[Signature]</i> 8/16/07		Council District affected: D	
For additional information contact: Jacquelyn L. Nisby <i>[Signature]</i> Phone: (713) 247-1814		Date and identification of prior authorizing Council action:	

RECOMMENDATION: Approve professional architectural services contract and appropriate funds for the project.

Amount and Source of Funding:
\$ 500,000.00 – Street & Bridge Consolidated Construction Fund (4506) *[Signature]* **F & A Budget:** *[Signature]*

SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve a professional architectural services contract with Huitt-Zollars, Inc. to perform programming, design and construction phase services for the Southern Right of Way and Fleet Maintenance Facility for the Public Works and Engineering Department (PWE).

PROJECT LOCATION: 3300 West Belfort (Key Map 532T)

PROJECT DESCRIPTION: Currently, PWE's Right of Way & Fleet Maintenance Division (ROWFM) operates Street, Storm Water and Fleet Maintenance from five locations: McCarty, Gillette, Evergreen, Newcastle and E Crosstimbers. It is PWE's desire to build a new single location facility to replace the Gillette, Evergreen, and Newcastle facilities; and to house a portion of the drainage maintenance operations currently at Crosstimbers. The new facility will be situated on City owned property.

The scope of services includes development of a needs-based program through programming and preliminary schematic design services. The architect will review the existing facilities to identify functional requirements and document existing conditions; develop a survey, conduct environmental assessment, and geotechnical investigation of project site; determine life cycle cost analysis; and prepare cost estimate for three schematic design options and one final estimate for the selected schematic design layout.

SCOPE OF CONTRACT AND FEE: The contract provides for a Basic Services Fee to be paid as a lump sum and certain Additional Services to be paid on a reimbursable basis.

\$272,618.00 Basic Services
~~\$218,782.49~~ Additional Services Fee
\$491,400.49 Total Contract Services
 \$ 8,599.51 1.75% Civic Art
\$500,000.00 Total Appropriation

REQUIRED AUTHORIZATION

CUIC #25RJO054

Other Authorization: <i>[Signature]</i> Wendy Teas Heger, AIA, LEED Chief of Design and Construction General Services Department	Other Authorization:	Other Authorization: <i>[Signature]</i> 8/20/07 Michael S. Marcotte, P.E., DEE Director Department of Public Works and Engineering
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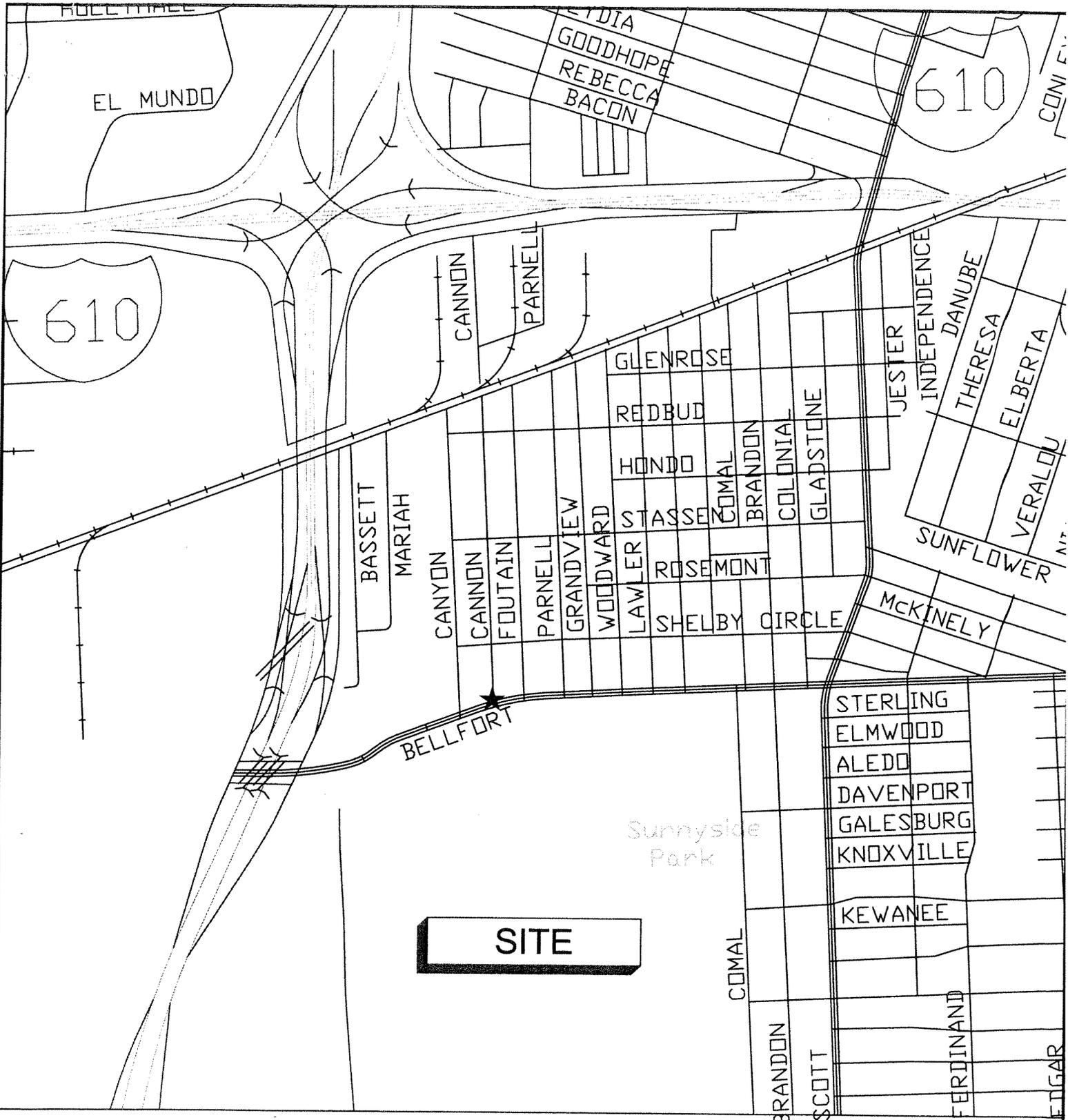
Date	Subject: Professional Architectural Services Contract Huitt-Zollars, Inc. Southern Right of Way and Fleet Maintenance Facility WBS No. N-00653C-0001-3	Originator's Initials CL	Page 2 of 2
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M/WBE INFORMATION: A M/WBE goal of 24% has been established for this contract. The architect has submitted the following certified firms to achieve this goal:

<u>Firm</u>	<u>Scope of Work</u>	<u>Amount</u>	<u>% of Contract</u>
HVJ Associates, Inc.	Geotechnical	\$25,000.00	5.09%
NATEX Corporation	Programming Support	\$55,000.00	11.19%
Corrigan Consulting	Environmental	\$22,786.40	4.64%
Apex Cost Consultants, Inc.	Cost Estimating	\$15,147.72	3.08%
	TOTAL	\$117,934.12	24.00%

IZD:JLN:WTH:RJO:CL:tc

c: Marty Stein
Michael S. Marcotte, P.E.
Joe Goodman
Jacquelyn L. Nisby
Velma Laws
Joseph Kurian
James Tillman
File



SOUTHER RIGHT OF WAY &
 FLEET MAINTENANCE FACILITY
 3300 WEST BELLFORT

SUBJECT: Award Construction Contract Times Construction, Inc. New Addition to Fire Station No. 35 WBS No. C-000142-0002-4	Page 1 of 2	Agenda Item 33
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FROM (Department or other point of origin): General Services Department	Origination Date August 9, 2007	Agenda Date AUG 22 2007
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. <i>by Fred A. Chiff</i>	Council District: D
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For additional information contact: Jacquelyn L. Nisby Phone: 713-247-1814	Date and identification of prior authorizing Council action:
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RECOMMENDATION: Award construction contract and appropriate funds for the project.

Amount and Source of Funding \$1,365,000.00 Fire Consolidated Construction Fund (4500)	F&A Budget: <i>[Signature]</i>
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SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council award a construction contract to Times Construction, Inc. to provide construction services for the new addition to Fire Station No. 35 on the proposal amount of \$1,210,000.00.

On March 16 and March 23, 2007, GSD advertised a Request for Competitive Sealed Proposals containing selection criteria that ranked the respondents on price, experience, references, sub-contractors and schedule. The Competitive Sealed Proposals were due on April 5, 2007, and four firms responded. GSD formed a selection committee comprised of representatives from the Houston Fire Department and GSD to evaluate the respondents, and Times Construction, Inc. received the most points and offers the best value to the City based on the advertised criteria.

PROJECT LOCATION: Fire Station No.35
 5535 Van Fleet (534S)

PROJECT DESCRIPTION: The scope of work includes construction of two new apparatus bays, addition of a women's restroom, an additional parking lot, and enlarging the lounge area and locker room.

The contract duration for this project is 270 days. NATEX Corporation is the design consultant for the project.

REQUIRED AUTHORIZATION		CUIC ID # 25WTH48
General Services Department: <i>Wendy Teas Heger</i> Wendy Teas Heger, AIA, Chief of Design and Construction Division	Houston Fire Department: <i>Phil Boriskie</i> Phil Boriskie Chief	

Date	SUBJECT: Award Construction Contract Times Construction, Inc. New Addition to Fire Station No. 35 WBS No. C-000142-0002-4	Originator's Initials JW	Page 2 of 2
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PROPOSALS: The following four proposals were received on April 5, 2007 and are ranked as follows:

Proposer

1. Times Construction, Inc.
2. Momentum Contractors, Inc.
3. State Construction, L.P.
4. Resicom, Inc.

AWARD: It is recommended that City Council award the construction contract to Times Construction, Inc. and appropriate funds for the project, including additional appropriations of \$24,325.00 for engineering testing services under the existing contract with Alliance Laboratories, Inc. and \$49,000.00 for construction management services under the existing contract with NATEX Corporation.

FUNDING SUMMARY:

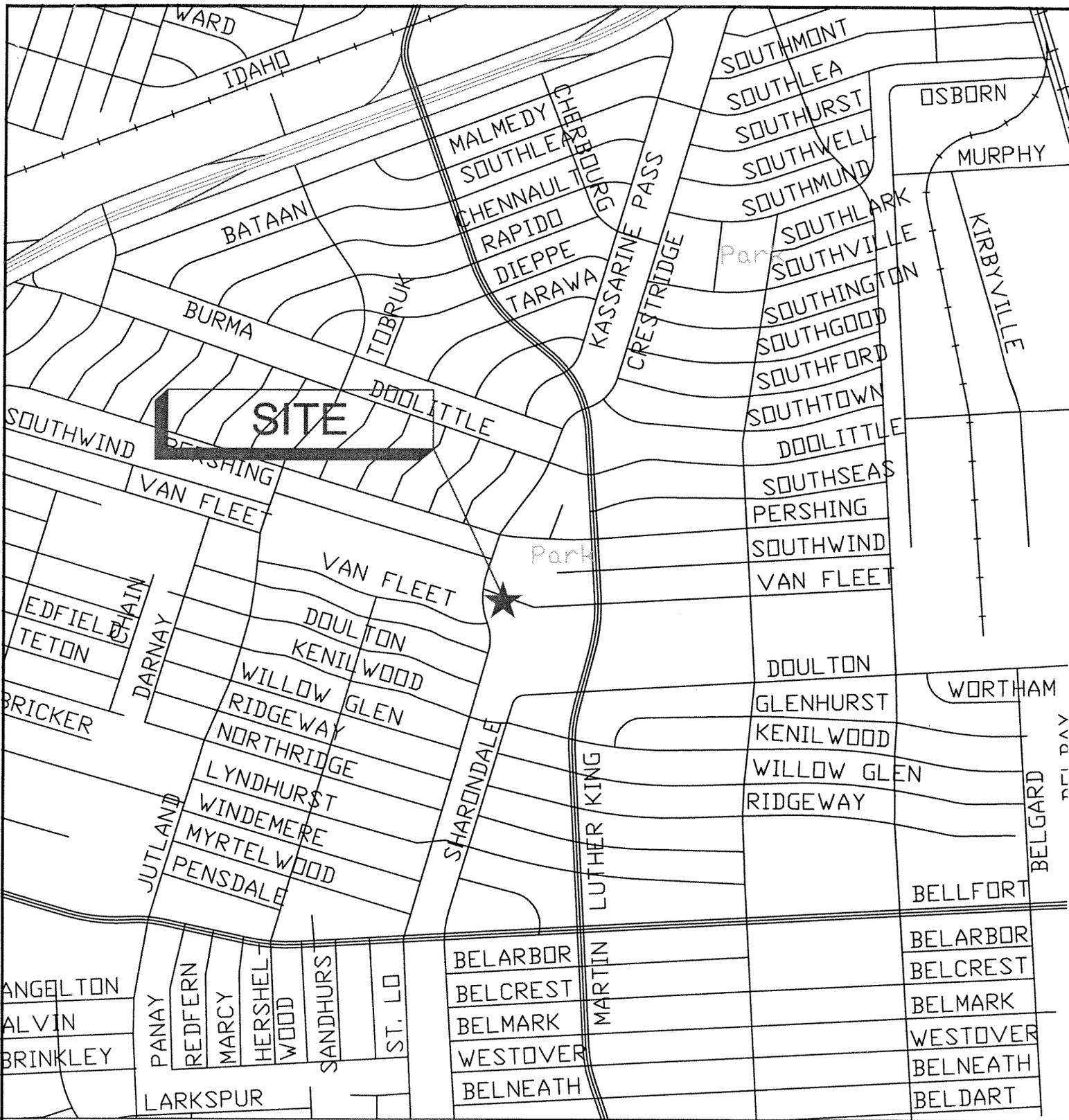
\$ 1,210,000.00	Construction Contract Services
\$ <u>60,500.00</u>	5% Contingency
\$ 1,270,500.00	Total Contract Services
\$ 21,175.00	1.75% Civic Art
\$ 24,325.00	Engineering Testing
\$ <u>49,000.00</u>	Construction Management Services
\$ 1,365,000.00	Total Funding

CONSTRUCTION GOALS: A M/WBE goal of 15% and SBE goal of 5% have been established for this contract. The contractor has submitted the following certified subcontractors to achieve the goals.

<u>M/WBE Firm</u>	<u>Scope of Work</u>	<u>Amount</u>	<u>% Of Contract</u>
Webbco Fabrication, Inc.	Structural Steel	\$ 57,527.00	4.75%
EDH Plumbing Contractors, LLC	Plumbing	\$ 59,500.00	4.92%
Arc Light Electric, Inc.	Electrical Work	<u>\$105,217.00</u>	<u>8.70%</u>
		\$222,244.00	18.37%
<u>SBE Firm</u>	<u>Scope of Work</u>	<u>Amount</u>	<u>% Of Contract</u>
SAAB's Construction Company, Inc.	Masonry	\$ 75,000.00	6.20%

IZD:WTH:MCP:JLN:JW:ps

c : Marty Stein, Wendy Teas Heger AIA, Jack Williams, Jacquelyn L. Nisby, Joseph Kurian, James Tillman IV, Kim Nguyen, Gabriel Mussio, File 813



FIRE STATION #35
 5535 VAN FLEET
 HOUSTON, TX

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Kingwood West Wastewater Treatment Plant Improvements. W.B.S. No. R-000265-0029-4.	Page 1 of 2	Agenda Item # 34
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FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date: 8-15-07	Agenda Date: AUG 22 2007
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DIRECTOR'S SIGNATURE: <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E. DEE	Council District affected: <i>32</i> E
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For additional information contact: <i>Reid K. Mrsny</i> Reid K. Mrsny, P.E. Phone: (713) 837-0452 Senior Assistant Director	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
Accept low bid, award construction Contract and appropriate funds.

Amount and Source of Funding: \$17,248,700.00 Water and Sewer System Consolidated Construction Fund No. 8500.
Pratt 07/26/07

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's program to renew/replace inefficient components of the existing Wastewater Treatment Plant (WWTP) facilities.

DESCRIPTION/SCOPE: This project consists of construction, replacement or rehabilitation of numerous components of Kingwood West Wastewater Treatment Plant and other components such as lift station piping, pumps, potable waterline and accessories, motor control centers, new administration building and headworks.

The Contract duration for this project is 540 calendar days. This project was designed by Binkley & Barfield Consulting Engineers.

LOCATION: The project area is located at 26808 Sorters Road. The project is located in Key Map Grid 295-Z.

BIDS: Bids were received on April 12, 2007. The three (3) bids are as follows:

Bidder	Bid Amount
1. LEM Construction Co., Inc.	\$15,886,583.00
2. Industrial Tx Corp.	\$16,367,599.00
3. George & Ezzell, Inc.	\$18,126,551.00

REQUIRED AUTHORIZATION CUIC ID# 20BZ71 *NOT*

F&A Budget: <i>[Signature]</i>	Other Authorization: <i>[Signature]</i> Jeff Taylor, Deputy Director Public Utilities Division	Other Authorization: <i>[Signature]</i> Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division
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Date	Subject: Contract Award for Kingwood West Wastewater Treatment Plant Improvements. W.B.S. No. R-000265-0029-4.	Originator's Initials BB	Page 2 of 2
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AWARD: It is recommended that this construction Contract be awarded to LEM Construction Co., Inc. with a low bid of \$15,886,583.00 and that Addendum Number 1 be made a part of this Contract.

PROJECT COST: The total cost of this project is \$17,248,700.00 to be appropriated as follows:

• Bid Amount	\$15,886,583.00
• Contingencies	\$ 794,329.15
• Engineering and Testing Services	\$ 250,000.00
• Project Management	\$ 317,787.85

Engineering and Testing Services will be provided by Tolunay Wong Engineers, Inc. under a previously approved contract.

Construction Management Services will be provided by Binkley & Barfield Consulting Engineers, Inc. under separate contract to be approved at a later date.

M/WBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 15% M/WBE goal and 5% SBE goal for this project.

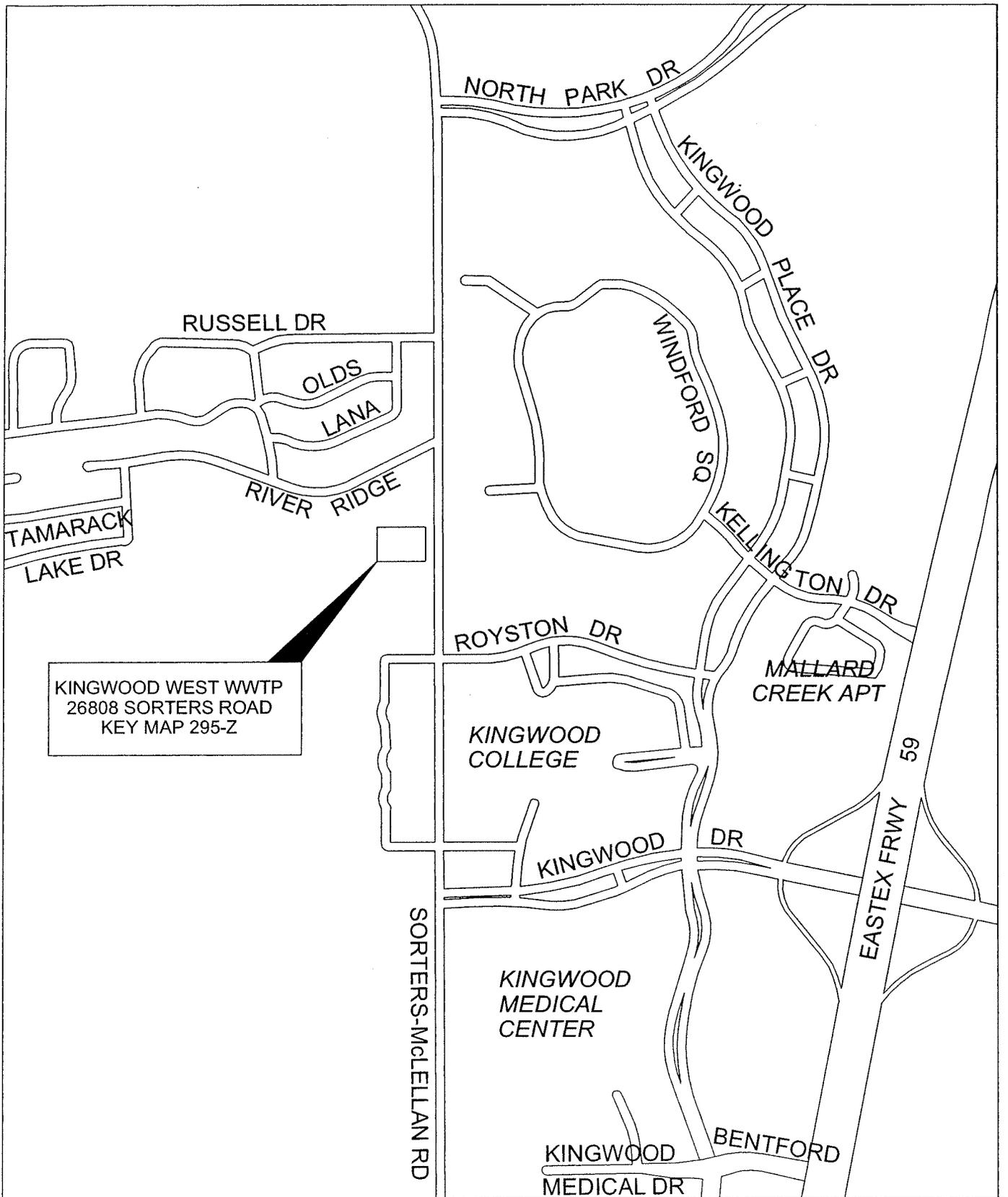
<u>MWBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. El Dorado Paving Company, Inc.	Paving Services	\$311,437.50	1.96%
2. Brown Mechanical Services, Inc.	HVAC and Piping Services	\$677,000.00	4.26%
3. Chlorinator Maintenance Construction, Inc.	Chemical Equipment Supplies and Services	\$198,000.00	1.25%
4. Macaulay Controls Company	Instrumentation Services	\$367,200.00	2.31%
5. Moody Bros., Inc.	Wastewater Equipments	\$474,906.04	2.99%
6. Energy Electric Supply, Inc.	Electrical Materials	\$363,370.00	2.29%
	TOTAL	\$2,391,913.54	15.06%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. J.A. Gamez, Trucking Services	Trucking Services	\$ 22,000.00	0.14%
2. S & S Masonry, Inc.	Masonry Services	\$ 95,200.00	0.60%
3. Medcalf Fabrication, Inc.	Steel Supplies	\$423,947.00	2.67%
4. Automation Nation, Inc.	Scada System	\$155,000.00	0.97%
5. Kossman Contracting Co., Inc.	Hydromulching	\$ 6,445.50	0.04%
6. U.S. Fence	Fencing	\$ 99,699.00	0.63%
	TOTAL	\$802,291.50	5.05%

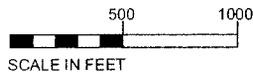
All known rights-of-way, easements and/or right-of-entry required for the project have been acquired.

MSM:DWK:RKM:EN:BZ:pa

c: Marty Stein
Susan Bandy
Velma Laws
Michael Ho, P.E.



KINGWOOD WEST WWTP
 26808 SORTERS ROAD
 KEY MAP 295-Z



CITY OF HOUSTON

WBS NO. R-000265-0029-4
 KINGWOOD WEST WWTP
 IMPROVEMENTS
 VICINITY MAP
 HOUSTON, TEXAS

DATE 06/16/07	PROJECT NO. 00000 00000	SCALE SEE PAD SCALE
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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Wastewater Collection System Rehabilitation and Renewal WBS# R-000266-0101-4	Page 1 of <u>2</u>	Agenda Item # 35
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8-9-07	Agenda Date AUG 22 2007
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DIRECTOR'S SIGNATURE: <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE, Director	Council District affected: All
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For additional information contact: Roger B. Whitney, P.E. Senior Assistant Director Phone: (713) 641-9198	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary)

Accept low bid, award construction contract, and appropriate funds.

Amount and Source of Funding: \$2,226,858.00 from Water and Sewer System Consolidated Construction Fund No. 8500. This project is eligible for low interest funding through the State Revolving Fund (SRF), Tier III. <i>07/17/07</i>	F&A Budget: <i>Bill S</i>
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SPECIFIC EXPLANATION:

PROJECT NOTICE/JUSTIFICATION: This project is part of the Neighborhood Sewer Rehabilitation Program and is required to renew/replace various deteriorated neighborhood collection systems on an emergency basis throughout the City.

DESCRIPTION/SCOPE: This project consists of sanitary sewer rehabilitation by point repair method. The Contract duration for this project is 540 calendar days.

LOCATION: The project area is generally bounded by the City Limits.

BIDS: Five (5) bids were received for this project on April 5, 2007, as follows:

Bidder	Bid Amount
1. Reliance Construction Services, L.P.	\$2,076,862.29
2. Underground Technologies, Inc.	\$2,371,549.54
3. Troy Construction Services, L.P.P.	\$2,551,053.46
4. North Houston Pole Line, L.P.	\$2,612,999.13
5. PM Construction and Rehab, L.P.	\$3,067,597.25

File/Project No. WW 4235-34	REQUIRED AUTHORIZATION	CUIC ID #20RBW166
F&A Director:	Other Authorization:	Other Authorization: <i>Jeff Taylor</i> Jeff Taylor, Deputy Director Public Utilities Division

Date	Subject: Contract Award for Wastewater Collection System Rehabilitation and Renewal WBS# R-000266-0101-4	Originator's Initials	Page <u>2</u> of <u>2</u>
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AWARD: It is recommended that this construction contract be awarded to Reliance Construction Services, L.P., with a low bid of \$2,076,862.29 and that Addendum No. 1, dated 03/19/2007, Addendum No. 2, dated 03/30/07 and Addendum No. 3, dated 04/02/07 be made part of this contract.

PROJECT COST: The total cost of this project is \$2,226,858.00 to be appropriated as follows:

- Bid Amount \$2,076,862.29
- Contingencies \$103,843.11
- Project Management \$31,152.60
- Engineering Testing Services \$15,000.00

Engineering Testing Services will be provided by Terra-Mar, Inc. under a previously approved contract.

M/WDBE PARTICIPATION: The low bidder has submitted the following proposed M/WBE participation of 15% and SBE participation of 5% to satisfy the goal for this project.

<u>MWBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Rudy's Contracting, Inc.	Underground Utilities	<u>\$353,067.00</u>	<u>17.00%</u>
	TOTAL	\$353,067.00	17.00%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
G.M. Construction	Paving and Underground Utilities	<u>\$103,843.00</u>	<u>5.00%</u>
	TOTAL	\$103,843.00	5.00%

All known rights-of-way and easements required for this project have been acquired.

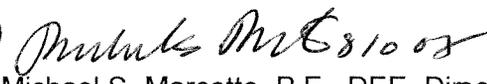
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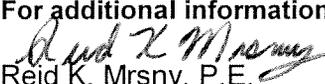
MSM:JT:RBW:JGM:FOS:jsc

- cc: Marty Stein
Susan Bandy, CPA
John Sakolosky, P.E.
Velma Laws
Craig Foster
Michael Ho, P.E.
Carol Ellinger, P.E.
File No. WW 4235-34

SUBJECT: Contract Award for Water Line Replacement in Croyden Garden North West Area. WBS No. S-000035-00F8-4	Page 1 of <u>2</u>	Agenda Item # <u>36</u>
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8-16-07	Agenda Date AUG 22 2007
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: MS H
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For additional information contact:  Reid K. Mrsny, P.E. Phone: (713) 837-0452 Senior Assistant Director	Date and identification of prior authorizing Council action:
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RECOMMENDATION:
Accept low bid, award construction contract and appropriate funds.

Amount and Source of Funding:
\$2,205,700.00 Water and Sewer System Consolidated Construction Fund No. 8500
 07/27/07

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Water Line Replacement Program. This program is required to replace and upgrade water lines within the City to increase circulation and availability of water.

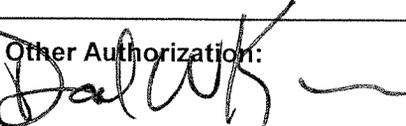
DESCRIPTION/SCOPE: This project consists of the construction of approximately 27,200 linear feet of 8- inch and 350 linear feet of 6-inch water lines, valves, and appurtenances. The contract duration for this project is 240 calendar days. This project was designed by Ratnala & Bahl, Inc.

LOCATION: The project area is generally bound by Berry Drive on the north, East Crosstimbers Road on the south, West Road on the east and Hardy Toll Road on the west. The project is located in Key Map Grids 453 H,M and 454 J.

BIDS: Bids were received on May 17, 2007. The seven (7) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. McKinney Construction, Inc.	\$1,885,268.75
2. Collins Construction LLC	\$1,915,283.15
3. ACM Contractors, Inc.	\$2,019,620.00
4. D.L. Elliott Enterprises, Inc.	\$2,113,735.00
5. RWL Construction, Inc.	\$2,291,900.00
6. Metro City Construction, L.P.	\$2,355,901.70
7. C.E.Barker, Ltd.	\$2,698,986.43

REQUIRED AUTHORIZATION CUIC ID #20MB85

F&A Budget: 	Other Authorization:  Jeff Taylor, Deputy Director Public Utilities Division	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division
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Date	Subject: Contract Award for Water Line Replacement in Croyden Garden North West Area. WBS No. S-000035-00F8-4	Originator's Initials <i>MS</i>	Page <u>2</u> of <u>2</u>
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AWARD: It is recommended that this construction contract be awarded to McKinney Construction, Inc. with a low bid of \$1,885,268.75 and that Addenda No. 1 and 2 be made a part of this contract..

PROJECT COST: The total cost of this project is \$2,205,700.00 to be appropriated as follows:

•	Bid Amount	\$1,885,268.75
•	Contingencies	\$94,263.44
•	Engineering and Testing Services	\$50,000.00
•	Project Management	\$37,703.81
•	Construction Management	\$138,464.00

Engineering and Testing Services will be provided by Fugro Consultants LP under a previously approved contract.

Construction Management Services will be provided by S&B Infrastructure, Ltd under a previously approved contract.

M/WBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 14 % MBE goal, 5% WBE and 3% SBE goal for this project.

<u>MWBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
R.J. Best Concrete	Concrete Repairs	\$263,937.61	14.0%
TOTAL		\$263,937.61	14.0%

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Municipal Marketing System, Inc.	Pipe/Fittings/Valves	\$94,263.43	5.00%
TOTAL		\$94,263.43	5.00%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Miranda Trucking & Services	Trucking & Hauling	\$66,558.06	3.53%
TOTAL		\$66,558.06	3.53%

All known rights-of-way, easements and/or right-of-entry required for the project have been acquired.

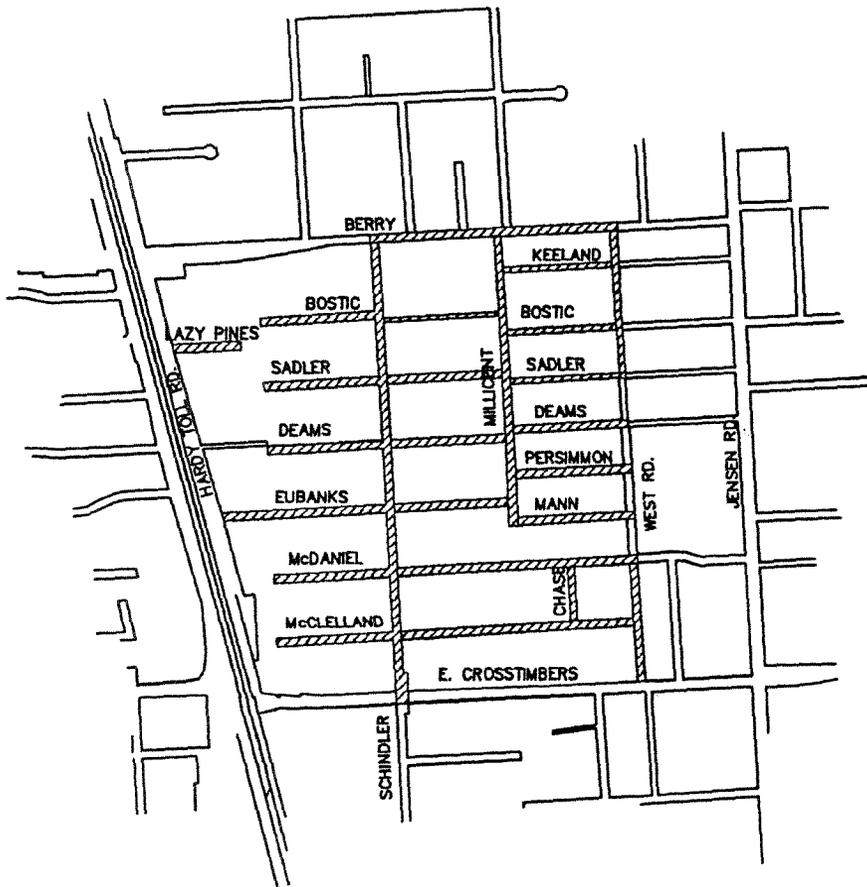
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C: Marty Stein
Velma Laws
Susan Bandy
Michael Ho, P.E.
Craig Foster
File Number S-000035-00F8-3 (3.7)

**DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
ENGINEERING & CONSTRUCTION DIVISION
WATER MAIN RELACEMENT: CROYDEN GARDENS N.W. AREA**

WBS Number S-000035-00F8-4



CROYDEN GARDENS - NORTHWEST

STREET	START STREET	END STREET	NEW SIZE	Final Length
Lazy Pines	Hardy Toll Rd.	End	6	1050
Bostic	Alley 1	Schindler	8	1764
Sadler	Alley 1	Millicent	8	2709
Deams	Alley 1	West Rd.	8	3654
McDaniel	Alley 2	West Rd.	8	3612
McClelland	Alley 2	West Rd.	8	2741
Berry	Schindler	West Rd.	8	1848
Schindler	Berry	E. Crosstimbers	8	3570
Millicent	Berry	Mann	8	2184
Keeland	Millicent	West Rd.	8	882
Bostic	Millicent	West Rd.	8	882
Sadler	Millicent	West Rd.	8	882
Persimmon	Millicent	West Rd.	8	882
Mann	Millicent	West Rd.	8	882
Chase	McDaniel	McClelland	6	483
West Rd.	E. Crosstimbers	McDaniel	8	1029
West Rd.	Sadler	Berry	8	1103
Eubanks	Hardy Toll Rd.	Millicent	8	2268
Total				32,424

EXHIBIT-3B

CITY OF HOUSTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
RATNALA & BAHL, INC.
Engineers Architects Surveyors
11787 KATY FREEWAY, SUITE 310
HOUSTON, TEXAS 77078
PHONE: 281-758-8400 FAX: 281-758-8468

VICINITY MAP
WATERMAIN REPLACEMENT
CROYDEN GARDENS-N.W. AREA

DATE: NOVEMBER 2004

SCALE: NOT TO SCALE DATE: JANUARY 2005

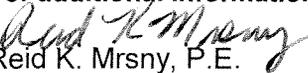
TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Water Line Replacement in Willow Run South. WBS No. S-000035-00G1-4	Page 1 of <u>2</u>	Agenda Item # <u>37</u>
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8-16-07	Agenda Date AUG 22 2007
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: B <i>MB</i>
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For additional information contact:  Reid K. Mersny, P.E. Phone: (713) 837-0452 Senior Assistant Director	Date and identification of prior authorizing Council action:
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RECOMMENDATION:
Accept low bid, award construction contract and appropriate funds.

Amount and Source of Funding:
\$2,058,260.00 Water and Sewer System Consolidated Construction Fund No. 8500 *Pre/ke 07/27/07*

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Water Line Replacement Program. This program is required to replace and upgrade water lines within the City to increase circulation and availability of water.

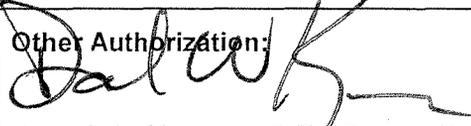
DESCRIPTION/SCOPE: This project consists of the construction of approximately 220 linear feet of 4-inch, 650 linear feet of 6-inch, 26,370 linear feet of 8-inch, 90 linear feet of 12-inch and 1,410 linear feet of 16-inch lines, valves, and appurtenances. The contract duration for this project is 270 calendar days. This project was designed by Ratnala & Bahl, Inc.

LOCATION: The project area is generally bound by West Gulf Bank on the north, Tarberry Road and Conklin Street on the south, Veterans Memorial on the east and Cottage Gate Lane and Ponnell Lane on the west. The project is located in Key Map Grid 412 P&Q.

BIDS: Bids were received on June 14, 2007. The seven (7) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. Collins Construction, LLC	\$1,765,892.42
2. R. K. Wheaton, Inc.	\$2,024,495.59
3. ACM Contractors, Inc.	\$2,149,080.90
4. Metro City Construction, L.P.	\$2,240,087.70
5. Calco Contracting, LTD	\$2,370,000.00
6. RWL Construction, Inc.	\$2,484,848.20
7. C.E.Barker, Ltd.	\$2,853,482.46

REQUIRED AUTHORIZATION CUIC ID #20MB86

F&A Budget: 	Other Authorization:  Jeff Taylor, Deputy Director Public Utilities Division	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division
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Date	Subject: Contract Award for Water Line Replacement in Willow Run South. WBS No. S-000035-00G1-4	Originator's Initials 	Page <u>2</u> of <u>2</u>
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AWARD: It is recommended that this construction contract be awarded to Collins Construction, LLC with a low bid of \$1,765,892.42.

PROJECT COST: The total cost of this project is \$2,058,260.00 to be appropriated as follows:

- Bid Amount \$1,765,892.42
- Contingencies \$88,294.62
- Engineering and Testing Services \$40,000.00
- Project Management \$36,510.96
- Construction Management \$127,562.00

Engineering and Testing Services will be provided by Associated Testing Laboratories, Inc. under a previously approved contract.

Construction Management Services will be provided by S&B Infrastructure, Ltd under a previously approved contract.

M/WBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 14 % MBE goal, 5% WBE and 3% SBE goal for this project.

<u>MWBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
D. G. I. Contracting	Tapping Sleeve & Valve	\$158,930.32	9.00%
Fredith's Trucking	Tapping Sleeve & Valve	\$88,295.00	5.00%
TOTAL		\$247,225.32	14.0%

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Vikki's Service & Supply	Service Connections	\$79,465.00	4.50%
Suzanne Hall Photography	Pre-Construction Photos	\$8,829.00	0.50%
TOTAL		\$88,294.00	5.00%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Mickie Service Company, Inc.	Tapping Sleeve & Valve	\$52,977.00	3.00%
TOTAL		\$52,977.00	3.00%

All known rights-of-way, easements and/or right-of-entry required for the project have been acquired.

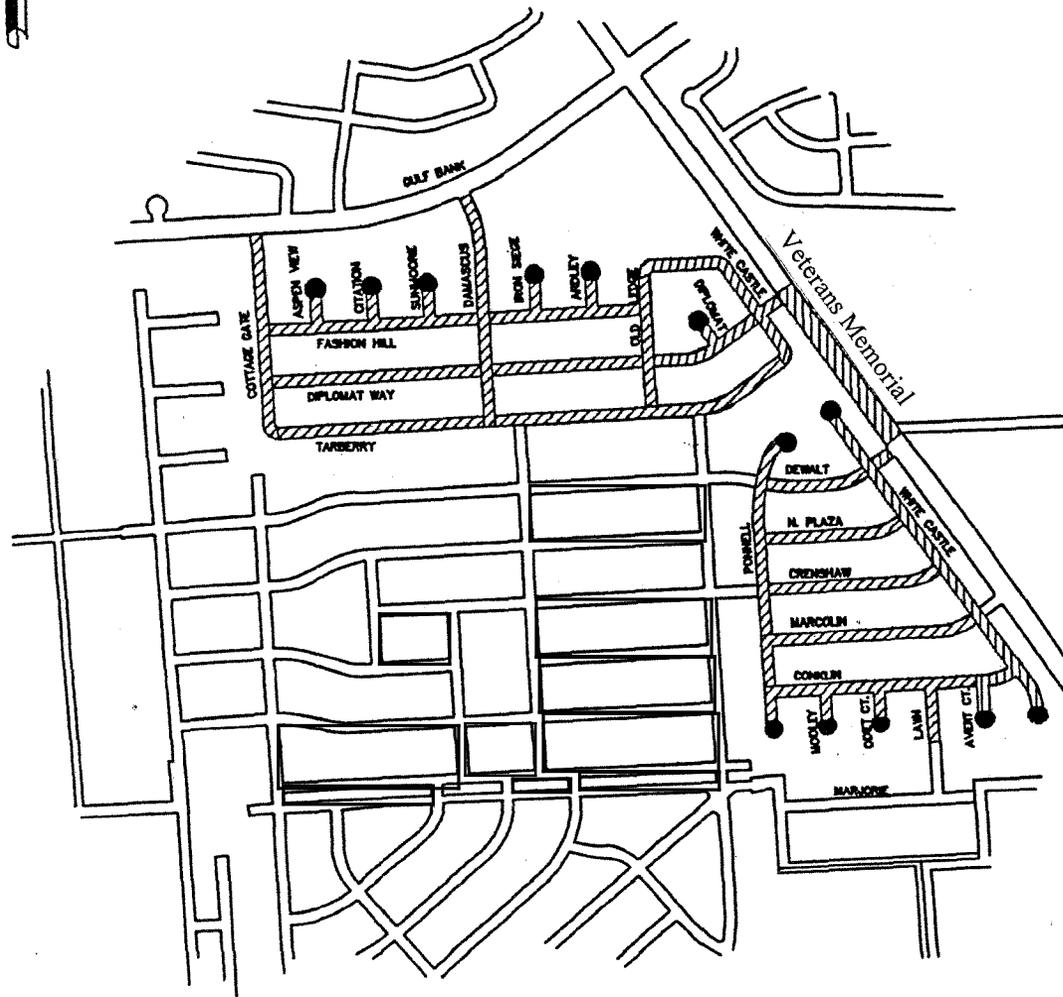

MSM:DWK:RKM:HH:MB:itj

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- c:** Marty Stein
Susan Bandy
Velma Laws
Michael Ho, P.E.
Craig Foster
File Number S-000035-00G1-3 (3.7)

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
 ENGINEERING & CONSTRUCTION DIVISION
 WATER MAIN RELACEMENT: WILLOW RUN SOUTH AREA

WBS Number S-000035-00G1-4



WILLOW RUN - SOUTH

STREET	START STREET	END STREET	NEW SIZE	Final Length
Cottage Gate	Gulf Bank	Tarberry	8	1103
Fashion Hill	Old Ledge	Cottage Gate	8	2132
Diplomat Way	Stuebner-Airline	Cottage Gate	8	3003
Tarberry	White Castle	Cottage Gate	8	3045
Aspen View	Fashion Hill	Cul-de-sac	4	567
Citation	Fashion Hill	Cul-de-sac	4	567
Sunmoore	Fashion Hill	Cul-de-sac	4	567
Damascus	Tarberry	Gulf Bank	8	1344
Iron Siege	Fashion Hill	Cul-de-sac	4	567
Ardley	Fashion Hill	Cul-de-sac	4	567
Old Ledge	Tarberry	White Castle	8	1302
Diplomat Cir.	Diplomat Way	Cul-de-sac	4	483
White Castle	Old Ledge	Tarberry	8	662
Stuebner-Airline	Diplomat Way	Dewart	8	1019
White Castle	Dewart	Cul-de-sac	8	903
White Castle	Conklin	Dewart	8	1323
White Castle	Conklin	Cul-de-sac	6	777
Ponnel	Dewart	Cul-de-sac	6	735
Ponnel	Conklin	Dewart	8	1124
Ponnel	Conklin	Cul-de-sac	4	567
Dewart	Stuebner-Airline	Ponnel	8	809
N Plaza	White Castle	Ponnel	8	851
Crenshaw	White Castle	Ponnel	8	1050
Marcolin	White Castle	Ponnel	8	1229
Conklin	White Castle	Ponnel	8	1439
Modley Ct.	Conklin	Cul-de-sac	4	546
Odel	Conklin	Cul-de-sac	4	546
Lawn	Conklin	Cul-de-sac	4	630
Avert Ct.	Conklin	Cul-de-sac	4	546

Total 29,999

EXHIBIT-5B

CITY OF HOUSTON
 DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
RATNALA & BAHL, INC.
 Engineers Architects Surveyors
 11787 KATY FREEWAY, SUITE 210
 HOUSTON, TEXAS 77078
 PHONE: 281-750-8400 FAX: 281-750-8488

VICINITY MAP
 WATERMAIN REPLACEMENT
 WILLOW RUN SOUTH AREA

G.F.S. NOS-0035-01-2, FILE NO. W10640

SCALE: NOT TO SCALE DATE: JANUARY 2008

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Water Line Replacement in Buxley Area WBS No. S-000035-00G2-4		Page 1 of <u>2</u>	Agenda Item # <u>38</u>
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8-16-07	Agenda Date AUG 22 2007
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DIRECTOR'S SIGNATURE: <i>MS Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE, Director	Council District affected: D MB
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For additional information contact: <i>Reid K. Mrsny</i> Reid K. Mrsny, P.E. Phone: (713) 837-0452 Senior Assistant Director	Date and identification of prior authorizing Council action:
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RECOMMENDATION:
Accept low bid, award construction contract and appropriate funds.

Amount and Source of Funding:
\$2,580,290 Water and Sewer System Consolidated Construction Fund *Reetta 07/27/07* No. 8500

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Water Line Replacement Program. This program is required to replace and upgrade water lines within the City to increase circulation and availability of water.

DESCRIPTION/SCOPE: This project consists of the construction of approximately 2,560 linear feet of 12- inch, 27,500 linear feet of 8-inch and 660 linear feet of 4-inch diameter water lines, valves, and appurtenances. The contract duration for this project is 250 calendar days. This project was designed by Ratnala & Bahl, Inc.

LOCATION: The project area is generally bound by Dalmation Drive on the north, Anderson Road on the south, Nuwood Lane on the east and Campdenhill Road on the west. The project is located in Key Map Grids 571R, S and 572S.

BIDS: Bids were received on May 3, 2007. The six (6) bids are as follows:

Bidder	Bid Amount
1. D.L. Elliott Enterprises, Inc.	\$2,279,536.30
2. Metro City Construction, L.P.	\$2,523,290.90
3. R.K. Wheaton, Inc.	\$2,541,515.00
4. RWL Construction, Inc.	\$2,552,820.30
5. C.E.Barker, Ltd.	\$3,066,325.55
6. Troy Construction	\$3,177,379.00

REQUIRED AUTHORIZATION CUIC ID #20MB84 *NOT*

F&A Budget: <i>Michelle</i>	Other Authorization: <i>Jeff Taylor</i> Jeff Taylor, Deputy Director Public Utilities Division	Other Authorization: <i>Daniel W. Krueger</i> Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division
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AWARD: It is recommended that this construction contract be awarded to D.L. Elliott Enterprises, Inc. with a low bid of \$2,279,536.30 and that Addendum No. 1 be made a part of this contract.

PROJECT COST: The total cost of this project is \$2,580,290.00 to be appropriated as follows:

•	Bid Amount	\$2,279,536.30
•	Contingencies	\$113,976.82
•	Engineering and Testing Services	\$50,000.00
•	Project Management	\$136,776.88

Engineering and Testing Services will be provided by QC Laboratories, Inc. under a previously approved contract.

M/WBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 14 % MBE goal, 5% WBE and 3% SBE goal for this project.

<u>MWBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. S & F Contractors, LLC	Service Connections	\$319,135.09	14.0%
TOTAL		\$319,135.09	14.0%

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. "As Is" Photos	Photo Services	\$6,754.00	0.30%
2. Municipal Marketing Systems, Inc.	Pipe/Fittings/Valves	\$107,222.80	4.70%
TOTAL		\$113,976.80	5.00%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Ramon's Trucking	Trucking & Hauling	\$23,646.38	1.04%
2. Lopez Brothers Enterprises, Inc.	Trucking & Hauling	\$23,646.38	1.04%
3. Two - Way Barricade Equipment Sales & Rental	Traffic Control	\$4,093.33	0.17%
4. Mickie Services Company, Inc.	TS&V	\$17,000.00	0.75%
TOTAL		\$68,386.09	3.00%

All known rights-of-way, easements and/or right-of-entry required for the project have been acquired.

[Handwritten Signature]
MSM:DWK:RKM:HH:MB:itj

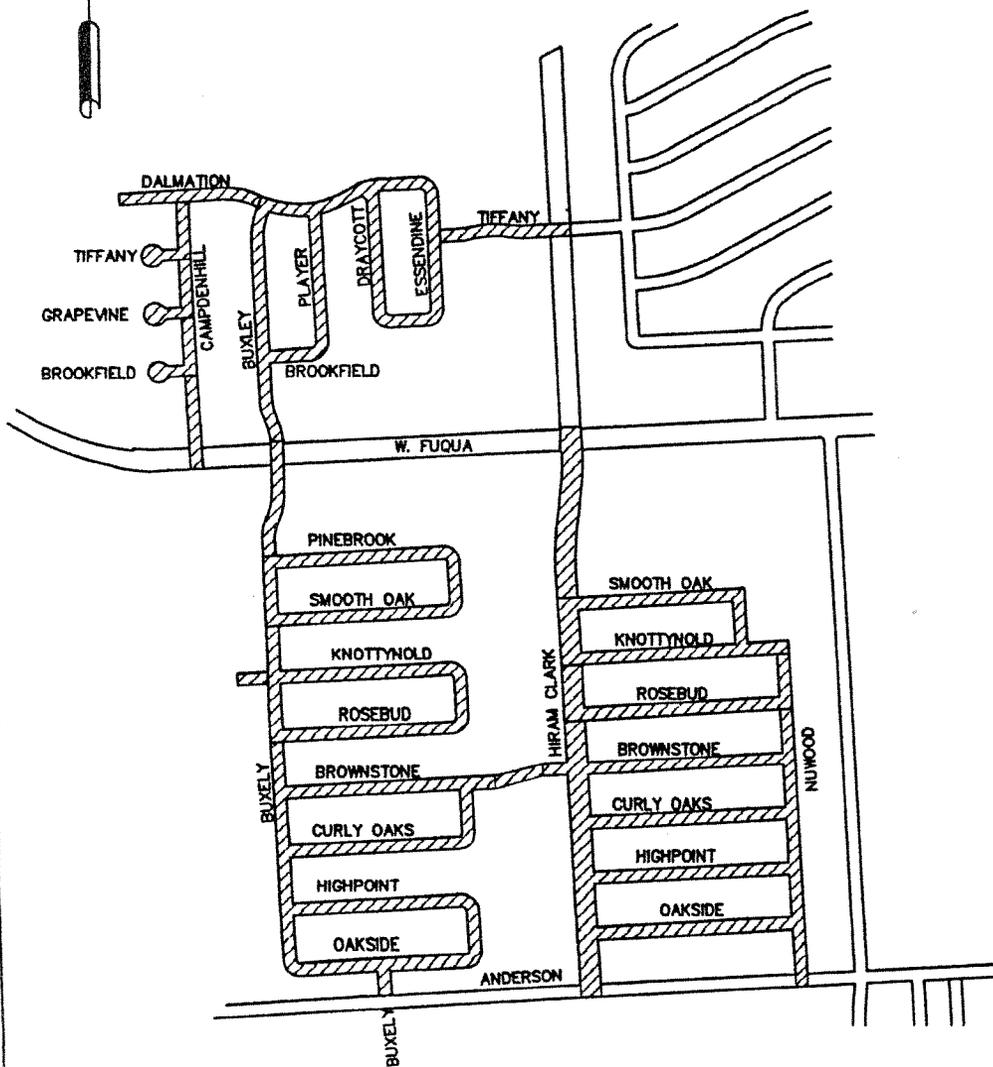
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c: Marty Stein Velma Laws Susan Bandy Michael Ho, P.E. Craig Foster
File Number S-000035-00G2-3 (3.7)

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
ENGINEERING & CONSTRUCTION DIVISION

WATER MAIN RELACEMENT: BUXLEY

WBS Number S-000035-00G2-4



BUXLEY

STREET	START STREET	END STREET	NEW SIZE	Final Length
Dalmation	Campdenhill	end	6	588
Dalmation	Campdenhill	Essendine	8	1281
Tiffany	Campdenhill	cul-de-sac	4	315
Tiffany	Hiram Clark	Essendine	8	630
Grapevine	Campdenhill	cul-de-sac	4	315
Brookfield	Campdenhill	cul-de-sac	4	315
Campdenhill	Dalmation	W Fuqua	8	1365
Buxley	Dalmation	Oakside	8	3906
Player	Dalmation	Brookfield	8	683
Brookfield	Player	Buxley	8	231
Draycott	Dalmation	Essendine	8	767
Essendine	Dalmation	Draycott	8	767
Pinebrook	Buxley	Smooth Oak	8	1019
Smooth Oak	Buxley	Pinebrook	8	1019
Knottynold	Buxley	Rosebud	8	1019
Rosebud	Buxley	Knottynold	8	1019
Brownstone	Buxley	Nuwood	8	2573
Curly Oaks	Buxley	Brownstone	8	1155
Curly Oaks	Hiram Clark	Nuwood	8	1050
Highpoint	Buxley	Oakside	8	1019
Highpoint	Hiram Clark	Nuwood	8	1050
Oakside	Buxley	Highpoint	8	1019
Oakside	Hiram Clark	Nuwood	8	1050
Buxley	Oakside	Anderson	8	158
Hiram Clark	W Fuqua	Anderson	12	2804
Smooth Oak	Hiram Clark	Knottynold	8	1103
Knottynold	Hiram Clark	Nuwood	8	1050
Rosebud	Hiram Clark	Nuwood	8	1050
Nuwood	Knottynold	Anderson	8	1859
Total				31,973

EXHIBIT-6B

CITY OF HOUSTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

RATNALA & BAHL, INC.

Engineers Architects Surveyors
11787 KATY FREEWAY, SUITE 510
HOUSTON, TEXAS 77079
PHONE: 281-758-8400 FAX: 281-758-8488

VICINITY MAP
WATERMAIN REPLACEMENT
BUXLEY

SCALE: NOT TO SCALE DATE: JANUARY 2005

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT:

Ordinances granting Commercial Solid Waste Operator Franchises

Category #

Page 1 of 1

Agenda Item#

39-40 #2-43 60-61

FROM: (Department or other point of origin):

Judy Gray Johnson, Director
Finance and Administration

Origination Date

July 30, 2007

Agenda Date

~~AUG 08 2007~~
~~AUG 15 2007~~
AUG 22 2007

2nd reading

DIRECTOR'S SIGNATURE:

Judy Gray Johnson

Council Districts affected

ALL

For additional information contact:

Wendy E. Thomas Phone: (713) 837- 9623
Tina Paez Phone: (713) 837- 9630

Date and identification of prior authorizing

Council Action: Ord. # 2002-526 – June 19, 2002;
Ord. # 2002-1166-December 18, 2002.

RECOMMENDATION: (Summary)

Approve ordinances granting Commercial Solid Waste Operator Franchises

Amount of Funding:

NA

F & A Budget:

SOURCE OF FUNDING:

General Fund Grant Fund Enterprise Fund Other (Specify)

SPECIFIC EXPLANATION:

It is recommended that City Council approve two ordinances granting Commercial Solid Waste Operator Franchises to the following solid waste operators pursuant to Article VI, Chapter 39. The proposed Franchisees are:

1. Aggregate Haulers I, L.P.
2. Veolia ES Technical Solutions, L.L.C.

The proposed ordinances grant the Franchisees the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each Franchisee agrees to pay to the City an annual Franchise Fee equal to 4% of their annual gross revenue, payable quarterly. To verify Franchisee compliance with the franchise, the City has the right to inspect, and the company has the duty to maintain, required customer records during regular business hours. The franchise contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed franchise terms expire on December 31, 2013.

mgj

REQUIRED AUTHORIZATION

F&A Director:

41
AUG 22 2007

MOTION NO. 2007 0843

MOTION by Council Member Garcia that the following item be postponed for two weeks:

Item 72 - Recommendation from Director Houston Airport System for approval of final contract amount of \$55,827,573.22 and acceptance of work on contract with The Morganti Group, Inc., for Consolidated Rental Car Facility (CRCF) at George Bush Intercontinental Airport/Houston, Project 444B - 5.89% over the original contract amount

Seconded by Council Member Alvarado and carried.

Mayor White, Council Members Johnson, Clutterbuck, Edwards, Khan, Holm, Garcia, Alvarado, Brown, Noriega, Green and Berry voting aye
Council Members Lawrence, Wiseman and Lovell voting no

PASSED AND ADOPTED this 8th day of August, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is August 14, 2007.


City Secretary

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work – The Morganti Group, Inc. for the Consolidated Rental Car Facility (CRCF) at George Bush Intercontinental Airport/Houston: Project 444B.	Category # 7	Page 1 of 1	Agenda Item #
	41		724

FROM (Department or other point of origin): Houston Airport System	Origination Date June 22, 2007	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE: <i>Kae Gan</i>	Council District affected: "B"	AUG 08 2007 AUG 22 2007
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For additional information contact: Eric R. Potts <i>ERP</i> Phone: 281-233-1999 John S. Kahl <i>JSK</i> 281-233-1941	Date and identification of prior authorizing Council action: 05/16/01 (O) 2001-416 10/14/03 (O) 2003-979
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AMOUNT & SOURCE OF FUNDING: None Required	Prior appropriations: \$ 56,900,000.00 CIP No. A-0026 Airport System Special Facilities Taxable Revenue Bonds (CRCF) \$ 250,000.00 CIP No. A-0422 Airport System Special Facilities Taxable Revenue Bonds (CRCF) \$ 500,000.00 CIP No. A-0026 Airport System Special Facilities Taxable Revenue Bonds (CRCF) <hr/> \$ 57,650,000.00 TOTAL
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RECOMMENDATION: (Summary)
 Pass a motion to approve the final contract amount of \$55,827,573.22 or 5.89 percent more than the original contract amount, accept work, and authorize final payment.

SPECIFIC EXPLANATION:

The Contractor, The Morganti Group, Inc., has completed all the work required under their Contract No. 52691 dated May 22, 2001, in the amount of \$52,724,490.00 for the Consolidated Rental Car Facility at George Bush Intercontinental Airport/Houston. During construction, Othon, Inc. inspected this project. The inspector was Mr. Al Vaughan.

The final amount of the contract, including Change Orders Nos. 1 through 3 in the amount of \$3,135,150.29 and line item under runs in the amount of \$32,067.07 will be \$55,827,573.22 which is 5.89 percent more than the original contract amount. The changes were for additional electrical for area lighting, escalator changes, code revisions and changes to the building waterproofing system.

The Morganti Group, Inc. did not meet their 6.93% M/WBE goal. According to Office of Affirmative Action and Contract Compliance, their final participation was 6.37%. The Office of Affirmative Action & Contract Compliance awarded The Morganti Group, Inc. a "Satisfactory" rating.

RMV: ERP: JSK
Attachments

cc: Ms. Marty Stein Mr. Richard M. Vacar Dr. Kent R. McLemore Mr. Dara N. Umrigar
 Mr. Anthony W. Hall, Jr. Ms. Sara S. Culbreth Mr. Frank D. Crouch Ms. Janice D. Woods
 Mr. Arturo G. Michel Mr. Eric R. Potts Mr. John S. Kahl Mr. Richard Fernandez
 Ms. Velma Laws Ms. Kathy Elek Mr. Adil Godiwalla Mr. J. Goodville Pierre

REQUIRED AUTHORIZATION		
F&A Budget:	Other Authorization:	Other Authorization:

4

42

AUG 22 2007

MOTION NO. 2007 0846

MOTION by Council Member Garcia that the following item be postponed for two weeks:

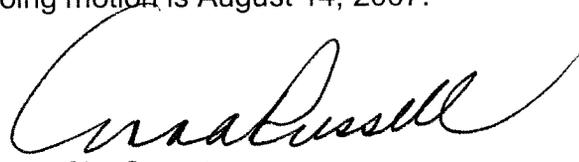
Item 76 - Resolution transferring full maintenance, operation and jurisdiction of Hempstead Highway from IH 610 to 0.10 miles west of W. 18th Street to Interstate Highway System Inventory

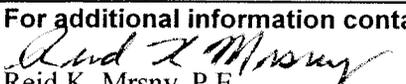
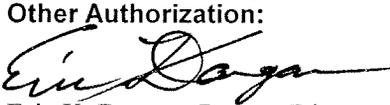
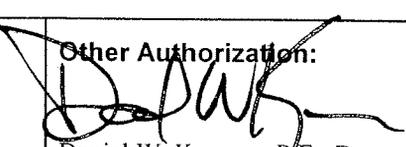
Seconded by Council Member Holm and carried.

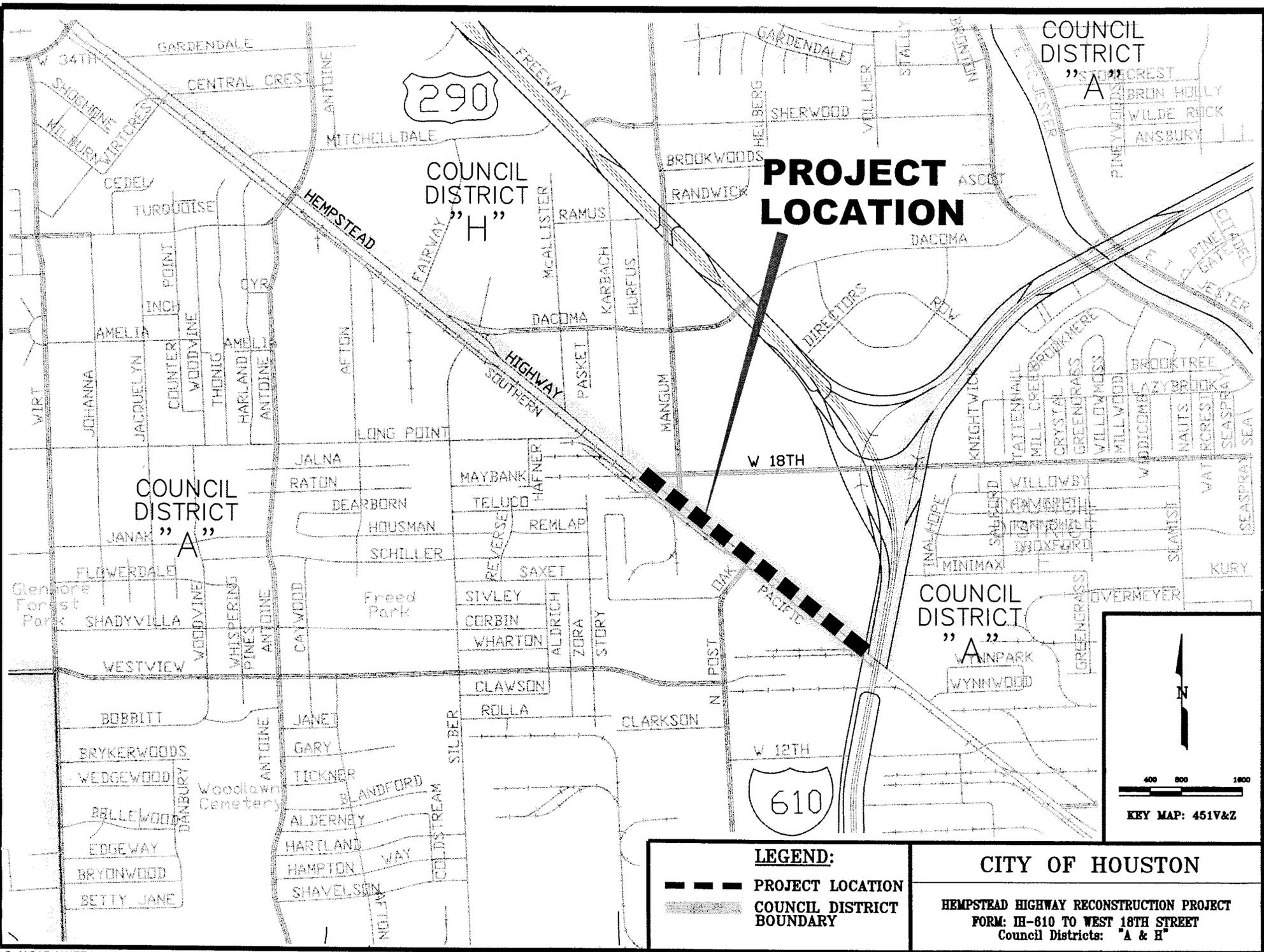
Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Khan, Holm, Garcia, Alvarado, Brown, Lovell, Noriega, Green and Berry
voting aye
Nays none

PASSED AND ADOPTED this 8th day of August, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is August 14, 2007.


City Secretary

SUBJECT: Hempstead Highway from IH 610 to W. 18 th Street		Page 1 of 1	Agenda Item <div style="border: 1px solid black; padding: 5px; display: inline-block;"> 42 76 14 </div>
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 7/20/07	Agenda Date AUG 0 1 2007 AUG 0 8 2007 AUG 2 2 2007
DIRECTOR'S SIGNATURE: <div style="font-family: cursive;">  </div> Michael S. Marcotte, P.E., DEE, Director		Council District affected: A & H	
For additional information contact: <div style="font-family: cursive;">  </div> Reid K. Mrsny, P.E. Senior Assistant Director Phone: (713) 837-0452		Date and identification of prior authorizing Council action: N/A	
RECOMMENDATION: (Summary) Pass a resolution allowing the City of Houston to transfer full maintenance, operation, and jurisdiction of Hempstead Highway from IH 610 to W. 18 th Street to the Texas Department of Transportation.			
Amount and Source of Funding: N/A			
PROJECT NOTICE/JUSTIFICATION: Texas Department of Transportation (TxDOT) desires to construct the IH 610 and US 290 interchange project. In order to take advantage of interstate highway funding opportunities for federally subsidized right-of-way acquisition and utility adjustments, certain affected roadways must be transferred to interstate highway system inventory. In order to transfer this state-owned property to interstate inventory, the City of Houston must transfer all maintenance, operation and jurisdiction of Hempstead Highway from IH 610 to 0.10 miles west of W. 18 th Street to TxDOT. This action will relieve the City of required financial participation relating to ROW acquisition and utility adjustments.			
LOCATION: This project is located along Hempstead Highway from IH 610 to W. 18 th Street and is under Key Map grids 451V & Z.			
PREVIOUS HISTROY AND SCOPE : Hempstead Highway was originally designated as SH 6 and was part of the state highway system. When the Texas Highway Commission (the precursor of the Texas Transportation Commission) passed Minute Order 35331 designating US 290 as a freeway facility, Hempstead Highway was removed from the state highway system for local maintenance, operation and jurisdiction. Hempstead Highway from IH 610 to 0.10 miles west of W. 18 th Street is currently under the City's maintenance, operation and jurisdiction. The fee ownership of Hempstead Highway is still under state control as the original SH 6.			
ACTION RECOMMENDED: It is recommended that City Council approve a resolution transferring full maintenance, operation and jurisdiction of this state-owned property to interstate inventory.			
MSM:DWK:RKM:MLL:AHH:ahh <small>S:\constr\A-SB-DIV\Design\TxDOT\Projects\Hempstead - IH 610 to 18th Street\RCA\Hempstead RCA.DOC</small>			
c: Susan Bandy O. Craig Foster File: Hempstead Road from IH 610 to W. 18 th Street		Velma Laws Mike Naumann Michael Shannon Marty Stein	
REQUIRED AUTHORIZATION		CUIC ID #20MLL49	
F&A Director:	Other Authorization: <div style="font-family: cursive;">  </div> Eric K. Dargan, Deputy Director Right-of-way and Fleet Maintenance Division		Other Authorization: <div style="font-family: cursive;">  </div> Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division



PROJECT LOCATION

LEGEND:

- PROJECT LOCATION
- COUNCIL DISTRICT BOUNDARY

CITY OF HOUSTON

HEMPSTEAD HIGHWAY RECONSTRUCTION PROJECT
FORM: IH-610 TO WEST 18TH STREET
Council Districts: "A & H"

KEY MAP: 451V&Z

0609007

SUBJECT: Request for the abandonment and sale of excess Yellowstone Street right-of-way from Eastwood Street to the eastern property line of Lot 1, Block 24, in exchange for the conveyance to the City of a utility easement, both located in the Foster Place Subdivision, out of the Washington County R.R. Survey. Parcels SY7-075 and VY8-032	Category # 7	Page 1 of 2	Agenda Item # 43 7
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8/9/07	Agenda Date AUG 15 2007
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: D	AUG 22 2007
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For additional information contact: Nancy P. Collins Phone: (713) 837-0881  Senior Assistant Director-Real Estate	Key Map: 533R 
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RECOMMENDATION: (Summary) It is recommended City Council approve a council motion authorizing the abandonment and sale of excess Yellowstone Street right-of-way from Eastwood Street to the eastern property line of Lot 1, Block 24, in exchange for the conveyance to the City of a utility easement, both located in the Foster Place Subdivision, out of the Washington County R.R. Survey. **Parcels SY7-075 and VY8-032**

Amount and Source of Funding: Not Applicable	F & A Budget:
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SPECIFIC EXPLANATION:

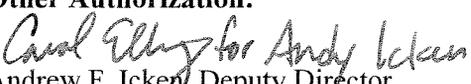
Joyce Sanders, 7019 Thrush Drive, Houston, Texas, 77087, on behalf of the Estate of Raymond Sanders, requested the abandonment and sale of excess Yellowstone Street right-of-way from Eastwood Street to Cullen Boulevard. Yellowstone Street was dedicated by the plat of Foster Place as recorded in Volume 50, Page 113 of the Harris County Map Records. The realignment of Yellowstone Street resulted in surplus platted right-of-way. A portion of the surplus Yellowstone right-of-way is the subject of this request. The Estate of Raymond Sanders, the abutting property owner, plans to combine the subject portion of excess right-of-way being abandoned and sold into its abutting property to cure its building encroachment into the subject right-of-way and for vehicle parking.

This transaction is Part One of a two-step process in which the applicant will first receive a City Council authorized council motion acknowledging the concept of the subject request. Upon the applicant satisfactorily completing all transaction requirements including those enumerated below, the Department of Public Works and Engineering will forward a subsequent recommendation to City Council requesting passage of an ordinance effecting the abandonment and sale. The Joint Referral Committee reviewed and approved this request subject to the applicant conveying to the City a utility easement. Therefore, it is recommended:

1. The City abandon and sell excess Yellowstone Street right-of-way from Eastwood Street to the eastern property line of Lot 1, Block 24, in exchange for the conveyance to the City of a utility easement from a point 10 feet south of the existing 18-inch storm sewer line north to Yellowstone Street, between Eastwood Street and the eastern property line of Lot 1, Block 24, both located in the Foster Place Subdivision, out of the Washington County R.R. Survey. The exact width and square footage to be determined by survey;
2. The applicant be required to (a) cut, plug, and abandon the 12-inch water line in the excess Yellowstone Street right-of-way from Eastwood Street to Cullen Boulevard and (b) construct a new 12-inch water line in Yellowstone Street from Eastwood Street to Cullen Boulevard. All of the foregoing items must be completed at no cost to the City and under the proper permits;

dob/sy7-075.rc1.doc CUIC #20DOB8831

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division
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Date:	Subject: Request for the abandonment and sale of excess Yellowstone Street right-of-way from Eastwood Street to the eastern property line of Lot 1, Block 24, in exchange for the conveyance to the City of a utility easement, both located in the Foster Place Subdivision, out of the Washington County R.R. Survey. Parcels SY7-075 and VY8-032	Originator's Initials 	Page <u>2</u> of <u>2</u>
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3. The applicant be required to prepare drawings that show all public utilities (water, sanitary sewer, and storm sewer) and streets that are abandoned, relocated, and constructed as part of this project and submit drawings to the Office of the City Engineer for plan review and approval. A copy of the council motion shall be attached to the plan set when it is submitted for plan review;
4. In the interest of expediting the abandonment and sale process, the applicant may choose to provide the City with a Letter of Credit (LOC), subject to the City's concurrence, covering the estimated construction cost for work required in Item 2 above in lieu of performing such work prior to finalization of the ordinance for this transaction. Should this option be selected, the applicant will be required to provide a LOC showing the City of Houston as beneficiary and in the amount of the estimated construction cost approved by the City. The LOC will be for a specific time period which may be less than but not longer than twelve months from the effective date of the ordinance for the transaction. Upon the applicant's satisfactory completion of the construction-related work as evidenced by written inspection clearance/approval by the Office of the City Engineer, PWE, at the applicant's request the City will release the LOC;
5. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the street being abandoned and sold;
6. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
7. The Legal Department be authorized to prepare the necessary transaction documents; and
8. Inasmuch as the value of the property interest is not expected to exceed \$25,000.00, that the value be established by staff appraisal, according to City policy.

MSM:NPC:dob

- c: Phil Boriskie
Raymond D. Chong, P.E., P.T.O.E.
Marlene Gafrick
Daniel W. Krueger, P.E.
Arturo G. Michel
Reid K. Mrsny, P.E.
Marty Stein
Jeff Taylor

44

AUG 22 2007

MOTION NO. 2007

MOTION by Council Member Khan that the recommendation of the Finance and Administration Department, on bids received for Automotive Glass for Various Departments, S32-S22283, be adopted, and authority is hereby given to make purchases, as needed for a 60-month period to Apple Glass Company on their low bid in an amount not to exceed \$552,246.88.

Seconded by Council Member Alvarado

Council Members Lawrence, Wiseman, Garcia and Berry absent

Council Member Green out of the City on City business

On 8/15/07 the above motion was tagged by Council Member Johnson.

cr

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7453

Subject: Formal Bids Received for Automotive Glass for Various Departments
S32-S22283

Category #
4

Page 1 of 2 Agenda Item

44 10

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 23, 2007

Agenda Date

AUG 22 2007

~~AUG 15 2007~~

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Gary Norman Phone: (713) 837-7425
Desiree Heath Phone: (713) 247-1722

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Apple Glass Company on its low bid in an amount not to exceed \$552,246.88 for automotive glass for various departments.

Estimated Spending Authority: \$552,246.88

F & A Budget

\$552,246.88 General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Apple Glass Company on its low bid in an amount not to exceed \$552,246.88 for automotive glass for various departments. It is further requested that authorization be given to make purchases, as needed, for a 60-month period.

This is a price list solicitation. The best discount, which determines the low bid for a price list is the best bid received for quantities of high-use items selected as sample pricing items based on the current needs of the Departments. The bid total for sample pricing items does not represent the total amount to be purchased; rather, this award recommendation is for the total estimated expenditures projected over the 60-month period based on the low bid submitted for the representative samples.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Twenty prospective bidders viewed the solicitation document on SPD's e-bidding website, and three bids were received as outlined below:

	<u>COMPANY</u>	<u>SAMPLE PRICING</u>
1.	All Pro Windshield Repair	\$6,063.83 (Partial Bid/Higher Unit Cost)
2.	Apple Glass Company	\$6,628.34
3.	Clear Glass Mobile Service	\$7,502.16

This award consists of various price lists for automotive glass; which includes, but is not limited to, foreign flat laminated, domestic curved, flat tempered and curved windshields for use by various departments. This award also includes an \$18,269.62 labor component for equipment that cannot be repaired by Department personnel.

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

MDT

Date: 7/23/2007	Subject: Formal Bids Received for Automotive Glass for Various Departments S32-S22283	Originator's Initials VD	Page 2 of 2
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M/WBE Subcontracting:

This bid was issued with a 2% goal for M/WBE participation. **Apple Glass Company** has designated the below-named companies as its certified M/WBE subcontractors.

<u>COMPANY</u>	<u>TYPE OF WORK</u>	<u>DOLLAR AMOUNT</u>
JLH Coastal Fumigators dba End-O-Pest Termite & Pest Control	Exterminating services	\$5,522.47
Shiloh Printing, LLC. dba Christian Bookstore & Gift Shop	Printing services	\$5,522.47

The Affirmative Action Division will monitor this award.

Buyer: Veronica Douglas, CPPB

ESTIMATED SPENDING AUTHORITY:

DEPARTMENT	FY 08	OUT YEARS	TOTAL
Public Works & Engineering	\$ 54,000.00	\$216,000.00	\$270,000.00
Police Department	\$ 30,449.40	\$121,797.48	\$152,246.88
Fire Department	\$ 20,000.00	\$ 80,000.00	\$100,000.00
Solid Waste Management	\$ 6,000.00	\$ 24,000.00	\$ 30,000.00
Grand Total	\$110,449.40	\$441,797.48	\$552,246.88

SUBJECT: An Ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, providing a process for establishing Municipal Setting Designation ordinances and providing an effective date of November 1, 2007.

Page 1 of 2
 Agenda Item # **45 #3**

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

8-10-07

Agenda Date

AUG 22 2007
~~AUG 15 2007~~

DIRECTOR'S SIGNATURE:

MS Michael S. Marcotte
 Michael S. Marcotte, P.E., DEE., Director

Council District affected:

All

For additional information contact:

Carol A. Ellinger, P.E. *CEL* Phone: (713) 837-7658
 Senior Assistant Director
 Ceil Price, JD Phone: (713) 437-7602
 Senior Assistant City Attorney
 Elena Marks, JD, MPH Phone: (713) 247-3394
 Director of Health and Environmental Policy, Mayor's Office

Date and identification of prior authorizing Council action:

N/A

RECOMMENDATION: (Summary) Approve Ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, providing a process for establishing Municipal Setting Designation Ordinances.

Amount and Source of Funding: N/A

F&A Budget:

SPECIFIC EXPLANATION:

In 2003 the Texas legislature authorized the creation of Municipal Setting Designations (MSDs). An MSD designates an area in which the use of contaminated groundwater is prohibited and records that designation on the property's deed. It is the owner of contaminated real estate who may apply for an MSD. The program is administered by the TCEQ in conjunction with its Voluntary Cleanup Program and other clean up programs run by TCEQ and EPA. It is TCEQ's responsibility to review and approve or disapprove a property owner's application for an MSD. The City's primary role is to provide a forum for public comment and then determine whether to support the MSD application. This Ordinance would formalize a process for the City to support or deny MSD applications.

Aspects related to MSD creation include:

- The sites that could apply for an MSD are already contaminated. There is no increased risk to the public if an MSD is approved. This program will encourage remediation of surface contamination (higher risk) instead of leaving all contamination unaddressed because it is too costly to clean up groundwater.
- The City has no complete database or location of many of these contaminated sites. The MSD process would document the location of this existing contamination.
- The City's proposed process requires that an applicant must participate in one of the cleanup programs administered by TCEQ or EPA.

REQUIRED AUTHORIZATION

CUIC ID #20AFI10

F&A Director:

Other Authorization:

Andy Icken
 Andy Icken, Deputy Director
 Planning & Development Services
 Division

Other Authorization:

Date	SUBJECT: An Ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, providing a process for establishing Municipal Setting Designation ordinances and providing an effective date of November 1, 2007.	Page 2 of 2
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- An MSD only eliminates the requirement that property owners address the risk of *consuming groundwater*. Assessment would still be required for other means of exposure such as: inhalation of vapors; contact with contamination during construction projects; and ecological impacts such as seepage into nearby waterways.
- The ability to establish an MSD does not remove any liability from the property owner, nor does it shift any liability to the City. The City would not incur any liability for providing utility service to currently unserved areas, as the City can choose either to oppose an MSD that would require such expansion, or require the applicant to design and construct the infrastructure necessary to support creation of an MSD.
- The City can choose whether to support an MSD application. TCEQ cannot approve an MSD in Houston without an ordinance or resolution from Houston city council supporting the application.
- MSDs will not be approved within a Well Head Protection area and no MSD may be approved unless the site already is served by City water.
- MSD applications will contain data concerning the nature and extent of the contamination so that city personnel can determine whether contamination is located adjacent to existing city infrastructure. This is important both to maintain the integrity of existing drinking water and sanitary sewer pipes and to protect workers that install and maintain these systems.
- “Potable” water is defined to protect such uses as industrial production of food and drink products.
- Dallas, Fort Worth, Beaumont, Grapevine, Port Arthur, Garland, and Euless have supported MSD applications.
- Properties owned by the City of Houston could apply for an MSD. Up to \$4 million in environmental liabilities could be eliminated if properties qualified for MSDs, according to GSD.

This item was reviewed by the Environmental and Public Health Committee on July 16, 2007 and was unanimously recommended for approval by City Council.

cc: Jeff Taylor
Marty Stein
Waynette Chan
Gary Norman
File No. 0760700004001 (Legal)

City of Houston, Texas, Ordinance No. 2007-_____

AN ORDINANCE AMENDING CHAPTER 47 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, BY ADDING ARTICLE XIII RELATING TO GROUNDWATER; PROVIDING A PROCESS FOR ESTABLISHING MUNICIPAL SETTING DESIGNATION ORDINANCES TO PROHIBIT CERTAIN CONTAMINATED GROUNDWATER FROM POTABLE USE; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, the City of Houston is a municipal corporation organized under the Constitution and the general and special laws of the State of Texas and exercises powers granted by the City's Charter and the provisions of Article XI, Section 5 of the Texas Constitution; and

WHEREAS, in the exercise of its lawful authority, the City may enact police power ordinances to promote and protect the health, safety, and welfare of the public; and

WHEREAS, the City uses groundwater from deep aquifers in very distinct, limited areas in the City as a source for public potable water; and

WHEREAS, the City Council finds that there are areas within the City and its extraterritorial jurisdiction where the groundwater may not be valuable as a source for potable water due to its limited quantity and low quality; and

WHEREAS, properties in the City and its extraterritorial jurisdiction are underlain with unused or unusable groundwater that has become contaminated by historical on-site or off-site sources; and

WHEREAS, the Texas legislature has established a process in which a particular type of municipal ordinance will serve in lieu of regulations from the Texas Commission on Environmental Quality (TCEQ) to prohibit contaminated groundwater from potable use; and

WHEREAS, the process of having TCEQ approve these municipal ordinances, called municipal setting designations, is authorized by Subchapter W of Chapter 361 of the Texas Health and Safety Code (the Solid Waste Disposal Act), which balances protection of human health and the environment with the economic welfare of the citizens and the City; and

WHEREAS, municipal setting designation ordinances enable a state corrective process for groundwater that protects human health and the environment while also promoting the economic welfare of citizens of the city; and

WHEREAS, if the use of the groundwater in a particular area presents an actual or potential threat to human health, and another source of potable water is available, the use of designated groundwater beneath a designated property should be prohibited to protect the public health, safety, and welfare; and

WHEREAS, municipal setting designation ordinances should be considered only after a process that allows for public notice and input; and

WHEREAS, the use of municipal setting designation ordinances within the City and its extraterritorial jurisdiction will encourage the economic development of these properties; and

WHEREAS, the City Council finds that it is appropriate to recover the City's costs of administering the municipal setting designation ordinance program established by the

Ordinance through the assessment of fees; and

WHEREAS, the City Council finds that the Department of Public Works and Engineering has analyzed the costs of administering the municipal setting designation ordinance program, and related those costs to the individual municipal setting designation ordinances that will be submitted for City Council action; and

WHEREAS, the City Council finds that the fees are reasonably related to the cost of administering the program;

WHEREAS, the City Council further finds that it is appropriate for the applicant for a municipal setting designation to pay all expenses associated with notices and hearings;

NOW, THEREFORE;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. That the findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. That Chapter 47 of the Code of Ordinances, Houston, Texas, is hereby amended by adding a new Article XIII, which shall read as follows:

"ARTICLE XIII. MUNICIPAL SETTING DESIGNATIONS

Sec. 47-761. Definitions.

As used in this article, the following words and terms shall have the meanings ascribed in this section, unless the context of their usage clearly indicates another meaning:

Application means the application submitted to the city for a municipal setting designation ordinance.

Contaminant of concern means any contaminant that has the potential to adversely affect ecological or human receptors due to its

concentration, distribution or mode of toxicity.

Critical protective concentration level means the lowest protective concentration level for a contaminant of concern within a source medium determined from all applicable human exposure pathways.

Designated groundwater means groundwater that will be or is prohibited from use as potable water by a municipal setting designation ordinance.

Designated property means the property that will be or is subject to a municipal setting designation ordinance. The designated property may cover several platted lots or tracts of land and may include rights-of-way of the city or other governmental entity.

EPA means the United States Environmental Protection Agency and any successor agency or department.

Groundwater means water below the surface of the earth.

Ingestion protective concentration level means the protective concentration level for human ingestion for contaminants of concern in groundwater established by the TCEQ under the Texas Risk Reduction Program, determined as if there were no municipal setting designation ordinance.

Ingestion protective concentration level exceedence zone means the area where concentrations of contaminants of concern from sources on or migrating from or through the designated property are greater than the ingestion protective concentration level in groundwater, determined as if there were no municipal setting designation ordinance.

Municipal setting designation means a TCEQ designation authorized by Subchapter W of Chapter 361 of the Texas Health and Safety Code, as it may be amended from time to time.

Municipal setting designation ordinance means an ordinance adopted pursuant to this article.

Non-ingestion protective concentration level means the protective concentration level for dermal contact or inhalation for contaminants of concern in groundwater established by the TCEQ under the Texas Risk Reduction Program.

Non-ingestion protective concentration level exceedence zone means the area where concentrations of contaminants of concern from sources on or migrating from or through the designated property are greater than the non-ingestion protective concentration level in groundwater.

Potable water means water that is used for irrigation, production of food or drink products intended for human consumption, drinking, showering, bathing or cooking purposes.

Protective concentration level means the concentration of a contaminant of concern that the TCEQ has determined can remain within the source medium and not result in a level that exceeds the applicable human health risk-based exposure limit or ecological protective concentration level at the point of exposure for an exposure pathway.

Response action means the control, decontamination or removal from the environment of a hazardous substance or contaminant pursuant to Subchapter W of Chapter 361 of the Texas Health and Safety Code, as it may be amended from time to time.

TCEQ means the Texas Commission on Environmental Quality and any successor agency.

TCEQ application means the application submitted to the TCEQ for certification of a municipal setting designation.

To the extent known means information known by an applicant or applicant's agent after review of all public and private records and other information sources available in the exercise of due diligence.

Sec. 47-762. Application.

(a) A person seeking a municipal setting designation ordinance shall file an electronic portable digital file and at least one paper copy of an application and any supporting documentation with the director.

(b) The application must be clear, complete, concise, correct, contain only relevant information and be organized to facilitate analysis. Maps must be accurate and drawn to scale. Supporting documentation, if necessary, must be submitted as a separate appendix to the application.

(c) A professional surveyor registered with the Texas Board of Professional Surveying must certify that all property descriptions or maps

with metes and bounds descriptions are accurate.

(d) The application must be on the form required by the director and contain the following information in the order listed:

- (1) An executive summary of the application;
- (2) The name, address, telephone number(s) and email addresses of all applicants, all property owners within the designated property, and any representatives of the applicants or property owners;
- (3) A legal description of the boundaries of the designated property and a copy of the deed for the designated property;
- (4) A site map showing:
 - a. The location of the designated property;
 - b. The topography of the designated property as indicated on publicly available sources, which must note the watershed and whether the designated property is located in a floodplain or floodway, as those terms are defined in chapter 19 of this Code;
 - c. The detected area of groundwater contamination;
 - d. The location of all soil sampling locations and all groundwater monitoring wells;
 - e. Groundwater gradients, to the extent known, and direction of groundwater flow; and
 - f. The ingestion protective concentration level exceedence zone for each contaminant of concern, to the extent known;
- (5) A description of the current use, and, to the extent known, the anticipated uses, of the designated property and properties within 500 feet of the boundary of the designated property;
- (6) For each contaminant of concern within the ingestion protective concentration level exceedence zone, to the extent

known:

- a. A description of the ingestion protective concentration level exceedence zone and the non-ingestion protective concentration level exceedence zone, including a specification of the horizontal area and the minimum and maximum depth below ground surface;
 - b. The level of contamination, the ingestion protective concentration level, and the non-ingestion protective concentration level, all expressed as mg/L units; and
 - c. Its basic geochemical properties (e.g., whether the contaminant of concern migrates with groundwater, floats or is soluble in water);
- (7) For each contaminant of concern within the designated groundwater, to the extent known:
- a. A description of the ingestion protective concentration level exceedence zone and the non-ingestion protective concentration level exceedence zone, including a specification of the horizontal area and the minimum and maximum depth below ground surface;
 - b. The level of contamination, the ingestion protective concentration level, and the non-ingestion protective concentration level, all expressed as mg/L units; and
 - c. Its basic geochemical properties (e.g., whether the contaminant of concern migrates with groundwater, floats or is soluble in water);
- (8) A table displaying the following information for each contaminant of concern, to the extent known:
- a. The concentration level for soil and groundwater, the ingestion protective concentration level, and the non-ingestion protective concentration level, all expressed as mg/L units; and
 - b. The critical protective concentration level without the municipal setting designation, highlighting any

exceedences;

- (9) A statement as to whether the plume of contamination is stable, expanding, or contracting, with the basis for that statement. If this information is not known, a statement of why the information is not known;
- (10) A statement as to whether contamination on and off the designated property without a municipal setting designation exceeds a residential assessment level as defined in the Texas Risk Reduction Program or analogous residential level set by EPA, if known, and the basis for that statement;
- (11) A statement as to whether contamination on and off the designated property with a municipal setting designation will exceed a residential assessment level as defined in the Texas Risk Reduction Program or analogous residential level set by EPA, if known, and the basis for that statement;
- (12) Identification of the points of origin of the contamination and the persons responsible for the contamination, to the extent known;
- (13) A description of any environmental regulatory actions that have been taken within the past five years in connection with the designated property, to the extent known;
- (14) A listing of all existing state or EPA registrations, permits, and identification numbers that apply to the designated property;
- (15) A statement as to whether the designated property has been admitted to the Texas Voluntary Cleanup Program (section 361.601 of the Texas Health & Safety Code, as may be amended from time to time) or similar state or federal program, and a description of the status of the designated property in the program;
- (16) A summary of any environmental site assessment reports filed with the TCEQ regarding any site investigations or response actions that are planned, ongoing or completed related to the designated property;
- (17) A statement as to whether any public drinking water supply

system exists that satisfies the requirements of Chapter 341 of the Texas Health and Safety Code and that supplies or is capable of supplying drinking water to the designated property and property within one-half mile of the designated property and the identity of each supply system;

- (18) The name and address of each owner or operator of a water well registered or permitted by the state or the Houston-Galveston Subsidence District that is located within five miles of the boundary of the designated property, along with:
 - a. A map showing the location of each well and, to the extent known, a notation of whether each well is used for potable water; and
 - b. A statement as to whether the applicant has provided notice to each owner in compliance with section 361.805 of the Texas Health and Safety Code;
- (19) The name and address of each retail public utility, as defined in section 13.002 of the Texas Water Code, that owns or operates a groundwater supply well within five miles of the boundary of the designated property, along with a statement as to whether the applicant has provided notice as required by section 361.805 of the Texas Health and Safety Code;
- (20) A listing of each municipality, other than the city, with a corporate limit within one-half mile of the boundary of the designated property, and a statement as to whether the applicant has provided notice as required by section 361.805 of the Texas Health and Safety Code;
- (21) A listing of each municipality, other than the city, that owns or operates a groundwater supply well within five miles of the boundary of the designated property, and a statement as to whether the applicant has provided notice as required by section 361.805 of the Texas Health and Safety Code;
- (22) The following statement signed and sealed by a licensed professional engineer or licensed professional geoscientist authorized to practice in the State of Texas with expertise in environmental remediation:

'To the best of my knowledge and belief, based upon a review of all public and private records and other information sources available to me in the exercise of due diligence, the opinions stated and conclusions made in this application are supported by such information, and the technical and scientific information submitted with the application is true, accurate and complete. Based on such review, the contaminants of concern from sources on the designated property or migrating from or through the designated property more likely than not **do exceed** or **do not exceed** a non-ingestion protective concentration level on property beyond the boundaries of the designated property';

- (23) If the licensed professional engineer or licensed professional geoscientist determines that contaminants of concern from sources on the designated property or migrating from or through the designated property more likely than not **do exceed** a non-ingestion protective concentration level on property beyond the boundary of the designated property, then the applicant must:
- a. Specify the name and address of the owner of each property;
 - b. Send a copy of the application to the owner of the property with the notice of the public meeting;
 - c. Provide documentation that the designated property has been included in a state or federal program that requires that the entire non-ingestion protective concentration level exceedence zone be addressed to the satisfaction of the agency administering the program, along with documentation of the estimated time period in which it is to be addressed. An example of such a program is the Texas Voluntary Cleanup Program (section 361.501 of the Texas Health and Safety Code, as may be amended from time to time); and
 - d. Provide documentation upon completion of the state or federal program showing that the non-ingestion protective concentration level exceedences have been addressed to the satisfaction of the agency

administering the program;

- (24) The following statement certified by the applicant and any authorized representatives of the applicant(s) listed in the application:

'I certify under penalty of law that this application and all attachments were prepared under my direction or supervision in a manner designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the persons responsible for gathering and evaluating the information, the information submitted is, the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations';

- (25) The signature of the applicant and proof that the applicant has the legal authority to restrict the use of the groundwater on the designated property; and
- (26) Any other information that the director deems necessary.

(e) The director shall, from time to time, prepare and submit for approval by motion of the city council a schedule of fees that shall be paid by an applicant for a municipal setting designation. Payment of any applicable fees when due is a condition of the processing of any application under this article, and no refund of the application fee shall be made. The director shall not mail notices or advertise the public meeting required by this article until the estimated cost of mailing notices and advertising the public meeting is paid by the applicant. The director shall not request that a municipal setting designation ordinance be placed on a city council agenda until the applicant has paid all costs associated with advertising and mailing notices for the public meeting. The director may waive the application fee but not other costs if the director finds that payment of the application fee would result in a substantial financial hardship to the applicant.

(f) Within 30 days after submission of an application, the director shall notify the applicant that the application is complete or notify the applicant in writing of any deficiencies in the application and of any additional documentation required. The applicant shall have 60 days from the date of the deficiency letter to correct the deficiencies or submit additional documentation. The director may, for good cause, extend the deadline to

correct or supplement the application. If the applicant fails to correct or supplement the application within 60 days or the extended period, the application shall be deemed withdrawn and the initial filing fee forfeited. No application shall be deemed complete until all supporting documentation is supplied.

Sec. 47-763. Staff review.

(a) The director shall distribute a copy of the complete application to the city attorney, the mayor's office, the department of health and human services and any other city department whose property or operations may be affected by the application for review and comment. The director shall also send a copy of the application to the TCEQ.

(b) The city is not responsible for conducting an environmental risk assessment with respect to the application or the designated property.

Sec. 47-764. Public meeting.

(a) The director shall conduct a public meeting within 60 days after the application is deemed complete. The public meeting must be held at a facility open to the public near the designated property.

(b) Upon receipt of the estimated cost of mailing notices and advertising the public meeting, the director shall cause to be provided notification of the public meeting as follows:

- (1) The notice of the public meeting must include:
 - a. The date, time and location of the public meeting;
 - b. The identity of the applicant;
 - c. The location and legal description of the designated property;
 - d. The purpose of a municipal setting designation; and
 - e. The type of contamination identified in the designated groundwater;
- (2) The director shall publish notice of the public meeting in a newspaper of general circulation at least 30 days before the

public meeting;

- (3) The director shall mail notice of the public meeting at least 30 days before the date of the public meeting by depositing the notice properly addressed and postage paid in the United States mail. The notice must be written in at least English and Spanish. The applicant may not alter, change, amend, or enlarge the application after notices for the public meeting have been mailed. The director shall mail notice of the public meeting to:
 - a. The applicant;
 - b. Owners of real property within 2,500 feet of the boundary of the designated property as indicated by the most recent appraisal district records;
 - c. Owners and operators of water wells registered or permitted by the state or the Harris-Galveston Subsidence District that are located within five miles of the boundary of the designated property, as indicated on the application, by certified mail;
 - d. Any municipality with a corporate limit within one-half mile of the boundary of the designated property, as indicated on the application, by certified mail;
 - e. Any municipality that owns or operates a groundwater supply well within five miles of the boundary of the designated property, as indicated on the application, by certified mail;
 - f. The Harris-Galveston Subsidence District;
 - g. Any civic organization, property owners' association, or any other interested group with identifiable boundaries, provided that the organization, association or group is registered with the planning and development department in a manner prescribed by the director of that department, the boundary of which organization, association or group is within one-half mile of the boundary of the designated property, as indicated on the application, by certified mail; and

h. The TCEQ; and

- (4) The director shall cause a copy of the application to be placed on display at the public library closest to the designated property at least 30 days prior to the public meeting.

(c) The applicant, the licensed professional engineer or licensed professional geoscientist who signed and sealed the application, or a licensed professional engineer or licensed professional geoscientist who is familiar with the application must be present at the public meeting. If the required person is not present at the public meeting, the director may either deem the application withdrawn and any fees forfeited or reschedule the public meeting at the applicant's expense.

(d) The purpose of the public meeting is to provide information to the community about municipal setting designations in general and the application in specific, allow the applicant to explain the application, allow proponents and opponents to comment, and notify the community of the date of the city council public hearing.

Sec. 47-765. City council public hearing.

(a) City council shall conduct a public hearing to consider a municipal setting designation ordinance.

(b) Prior to the city council public hearing, the director shall prepare a recommendation as to whether the municipal setting designation ordinance should be granted or denied, and listing any conditions that should be imposed.

- (1) The director may recommend that the municipal setting designation ordinance prohibit the use of the designated groundwater from beneath public rights-of-way immediately adjacent to the designated property as potable water.
- (2) If, in the sole discretion of the director, the director determines it is more likely than not that a source of a contaminant of concern originated on the designated property, and the ingestion protective concentration level exceedance zone or the non-ingestion protective concentration level exceedance zone for that contaminant of concern extends to public rights-of-way immediately adjacent to the designated property, the director may recommend that the municipal setting

designation ordinance include a condition that the public right-of-way immediately adjacent to the designated property be included, at no additional cost to the city, in the TCEQ application.

(c) Upon payment of the costs associated with providing notice of the public hearing, the director shall provide notification of the public hearing as follows:

- (1) The notice of the public hearing must include:
 - a. The date, time and location of the public hearing;
 - b. The identity of the applicant;
 - c. The location and legal description of the designated property;
 - d. The purpose of a municipal setting designation; and
 - e. The type of contamination identified in the designated groundwater; and
- (2) The director shall publish notice of the public hearing in a newspaper of general circulation at least 30 days before the public hearing.

(d) The applicant, the licensed professional engineer or licensed professional geoscientist who signed and sealed the application or a licensed professional engineer or licensed professional geoscientist who is familiar with the application must be present at the public hearing. If the required person is not present at the public hearing, the city council may either deny the application or continue the public hearing.

- (e) The city council shall deny the application if it finds that:
- (1) It does not meet the eligibility criteria of section 361.803 of the Texas Health and Safety Code;
 - (2) The municipal setting designation will have an adverse effect on the current or future water resource needs or obligations of the city; or

- (3) There is not a public drinking water supply system that satisfies the requirements of Chapter 341 of the Texas Health and Safety Code and that supplies or is capable of supplying drinking water to the designated property and property within one-half mile of the boundary of the designated property.

(f) If the city council does not deny an application pursuant to subsection (d), it shall adopt a municipal setting designation ordinance that:

- (1) States that the ordinance is necessary because the concentrations of contaminants of concern exceed human ingestion protective concentration levels;
- (2) Provides a legal description of the designated property;
- (3) Describes the designated groundwater, including the maximum depth below ground surface of the designated groundwater; however, the maximum depth shall not exceed 200 feet below ground surface unless the applicant specifically so requests and the ordinance specifically provides a greater depth;
- (4) Prohibits the use as potable water of groundwater from beneath the designated property;
- (5) Appropriately restricts other uses of or contact with the designated groundwater, including, but not limited to, properly plugging any existing water production well on the designated property;
- (6) Lists any reasonable and necessary conditions; and
- (7) Indicates support of the applicant's TCEQ application, with any comments.

(g) The municipal setting designation ordinance may prohibit the use as potable water of the designated groundwater from beneath public rights-of-way immediately adjacent to the designated property as potable water.

(h) The municipal setting designation ordinance may include a condition that the public rights-of-way immediately adjacent to the designated property be included, at no additional cost to the city, in the TCEQ application.

Sec. 47-766. Limitation on reapplication.

If the applicant withdraws the application after the public hearing, or if the city council denies the application, no further applications may be accepted for that property for one year after the date of the withdrawal or denial.

Sec. 47-767. Effect of municipal setting designation ordinance.

(a) The effect of a municipal setting designation ordinance is to prohibit use of designated groundwater as potable water and thereby enable the TCEQ to certify a municipal setting designation for the designated property. If certified by the TCEQ, the municipal setting designation may limit the scope of or eliminate the need for risk-based site investigations and response actions pursuant to Section 361.808 of the Texas Health and Safety Code based on the non-existence, elimination, or control of pathways for human ingestion of contaminated groundwater.

(b) Any person owning, operating, or controlling the designated property remains responsible for complying with all applicable federal and state laws and regulations and all ordinances, rules, and regulations of the city. The city council's approval of a municipal setting designation ordinance in itself does not change any environmental assessment or cleanup requirements applicable to the designated property.

(c) Approval of a municipal setting designation ordinance shall not be construed to subject the city to any responsibility or liability for any injury to persons or damage to property caused by any contaminant of concern.

Sec. 47-768. Additional requirements following adoption of an ordinance.

(a) Within 30 days after adoption of a municipal setting designation ordinance, the applicant shall provide:

- (1) The director with an electronic file showing the location of the designated property and the designated groundwater in a format compatible with the city's geographic information system and its integrated land management system; and
- (2) The Harris County Appraisal District with an electronic file showing the location of the designated property and the designated groundwater in a format compatible with the its

system.

(b) Within 30 days after adoption and upon receipt of the necessary filing fee from the applicant, the director shall file a certified copy of the municipal setting designation ordinance in the deed records of the county where the designated property is located.

(c) Within 30 days after adoption, the director shall send a certified copy of the municipal setting designation ordinance to the applicant and the TCEQ or EPA, as applicable.

(d) The applicant shall provide the director with a copy of the municipal setting designation certificate issued by the TCEQ pursuant to Section 361.807 of the Texas Health and Safety Code within 30 days after issuance of the certificate.

(e) The applicant shall provide the director with a copy of the certificate of completion or other analogous documentation issued by the TCEQ or EPA showing that any site investigations and response actions required pursuant to Section 361.808 of the Texas Health and Safety Code have been completed to the satisfaction of the TCEQ or EPA within the time period required. The director may, for good cause, extend the time for submitting the documentation.

(f) The director may, for good cause, recommend to the city council that the municipal setting designation ordinance be repealed, after giving 30 days written notice in advance to the applicant and the TCEQ or EPA, as applicable, of such a recommendation.

(g) The applicant shall notify the director in writing if the applicant determines that notice is required to be sent to an owner of other property beyond the boundaries of the designated property under Title 30 Texas Administrative Code, Section 350.55(b), providing the name of the property owner, the property address, and a copy of the notice sent to the property owner.

Sec. 47-769. Authority of the director.

The director is authorized to:

- (1) Enter public or private property to determine whether designated groundwater is being used in violation of this section.

- (2) Administer and enforce the provisions of this section.

Sec. 47-770. Offenses; penalty.

- (a) A person commits an offense if the person:
 - (1) Uses designated groundwater as a potable water source or for a purpose prohibited in the municipal setting designation ordinance;
 - (2) Fails to provide the director with a copy of the municipal setting designation certificate issued by the TCEQ pursuant to Section 361.807 of the Texas Health and Safety Code within 30 days after issuance of the certificate;
 - (3) Fails to provide the director with a copy of the certificate of completion or analogous documentation issued by the TCEQ or EPA showing that any site investigations and response actions required pursuant to Section 361.808 of the Texas Health and Safety Code have been completed to the satisfaction of the TCEQ or EPA within the time period required; and
 - (4) Fails to notify and provide documentation to the director within the time period, if any, required in the municipal setting designation ordinance that the entire non-ingestion protective concentration level exceedance zone originating from sources on the designated property or migrating from or through the designated property has been addressed to the satisfaction of the state or federal agency administering the program.

(b) Except as may otherwise be provided, whenever in this article an act is prohibited or is made or declared unlawful or an offense or misdemeanor, or whenever in this article the doing of any thing or act is required or the failure to do any thing or act is prohibited, the violation of the provision shall be and constitute a misdemeanor punishable, upon conviction, by a fine of not less than \$500.00 nor more than \$2,000.00 each day that any violation continues shall constitute and be punishable as a separate offense. Any offense under this article that also constitutes a violation of any state penal law shall be punishable as provided in the applicable state law.”

SECTION 3. That the City Council hereby approves the initial schedule of application fees for municipal setting designations that is attached to and made a part of this Ordinance as Exhibit A.

SECTION 4. That if any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their applicability to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

SECTION 5. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance be passed finally on that date and shall take effect at 12:01 a.m. on November 1, 2007.

PASSED AND APPROVED this ____ day of _____, 2007.

Mayor of the City of Houston

Prepared by the Legal Dept.
CP/ej 07/31/2007

Requested by Michael S. Marcotte, P.E., DEE, Director, Public Works and Engineering Department

L.D. File No. 0760700004001

H:\WPfiles\PRICE\MSD\Final Ch 47 Art XIII Ordinance.wpd

TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION**

SUBJECT: Petition for the City's consent to the addition of two (2) tracts of land totaling 45.97 acres to Harris County Municipal Utility District No. 382 (Key Map No. 575-U)	Category #	Page 1 of 1	Agenda Item # 46#7
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8-2-07	Agenda Date AUG 15 2007 AUG 22 2007
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DIRECTOR'S SIGNATURE <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE	Council District affected: "E"
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For additional information contact: Jun Chang, P.E. Senior Assistant Director Phone: (713) 837-0433	Date and identification of prior authorizing Council action:
------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------

RECOMMENDATION: (Summary)
The petition for the addition of 45.97 acres of land to Harris County Municipal Utility District No. 382 be approved.

Amount of Funding: NONE REQUIRED	F & A Budget:
--------------------------------------------	--------------------------

SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund
 Other (Specify)

SPECIFIC EXPLANATION:

Harris County Municipal Utility District No. 382 has petitioned the City of Houston for consent to add 45.97 acres of land, located within the Corporate limits of the City of Houston.

The Utility District Review Committee has evaluated the application with respect to wastewater collection and treatment, potable water distribution, storm water conveyance, and other public services.

The district is located in the vicinity of Beltway 8, Almeda Genoa, Monroe, and Blackhawk. The district desires to add 45.97 acres, thus yielding a total of 170.9085 acres. The district is served by the City of Houston's Easthaven Wastewater Treatment Plant. The nearest major drainage facility for Harris County Municipal Utility District No. 382 is Clear Creek which flows to Clear Lake and then into Galveston Bay.

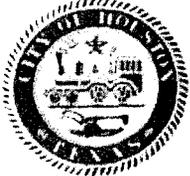
Potable water is provided by the City of Houston. By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their construction.

The Utility District Review Committee recommends that the subject petition be approved.

Attachments

cc: Marty Stein Marlene Gafrick Jeff Taylor Dan Krueger Jack Sakolosky
Bill Zrioka Waynette Chan Deborah McAbee Gary Norman

REQUIRED AUTHORIZATION		20JZC306
F & A Director	Other Authorization: <i>for</i> <i>Carol Ellinger</i> Andrew F. Icken Deputy Director Planning & Development Services Div.	Other Authorization:



CITY OF HOUSTON

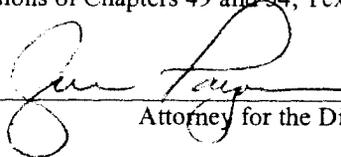


Department of Public Works and Engineering
Water District Consent Application Form

Application Accepted as Complete (to be completed by PW&E)

06-10-07 10:21 AM P072 10

Application is hereby made for consent of the City of Houston to the addition of 19.72 and 26.25 acre tract (45.97 acre total) acres to **Harris County Municipal Utility District No. 382** under the provisions of Chapters 49 and 54, Texas Water Code and Article XVI, Section 59, of the Texas Constitution.


Attorney for the District

Attorney: Greer Pagan, Allen Boone Humphries Robinson LLP

Address: 3200 Southwest Freeway, Suite 2600, Houston, Texas Zip: 77027 Phone: 713-860-6417

Engineer: Brian Ross, LJA Engineering & Surveying, Inc.

Address: 2929 Briarpark Drive, Suite 600 Houston, TX Zip: 77042 Phone: (713) 953-5159

Owners: Middlebury Properties, L.P.

Address: 909 Texas Avenue, Apt. 1519 Houston, TX Zip: 77002 Phone: (713) 223-2071

(If more than one owner, attach additional page. List all owners of property within the District)

LOCATION

INSIDE CITY Yes OUTSIDE CITY NAME OF COUNTY (S) Harris

Survey: Adolph Goldman Survey,
J. B. Hagerlund Survey
H.T.&B.R.R.Co. Survey, Section 2 Abstract: A-1564, A-354, A-1382

Geographic Location: List only major streets, bayous or creeks:

North of: Beltway 8 East of: Monroe
South of: Almeda Genoa West of: Blackhawk

WATER DISTRICT DATA

Total Acreage of District: 124.9385 currently Existing Plus Proposed Land: 170.9085 ✓

Development Breakdown (Percentage) for tract being considered for annexation:

Single Family Residential 100% Multi-Family Residential: 0
Commercial: 0 Industrial: 0 Institutional: 0

Sewage generated by the District will be served by a : District Plant Regional Plant

Sewage Treatment Plant Name: Easthaven Wastewater Treatment Plant (City of Houston Plant)

NPDES/TPDES Permit No: TX0034886 TCEQ Permit No: _____



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): _____ Ultimate Capacity (MGD): _____

Size of treatment plant site: _____ square feet/acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: _____ MGD.

If the treatment plant is to serve other Districts or properties (i.e. regional), please indicate total permitted capacity of the plant. List all Districts served, or to be served, within the plant and their allotted capacities

(If more than two Districts – attach additional page):

Total permitted capacity: _____ MGD of (Regional Plant).

Name of District: _____ MGD Capacity Allocation _____
or property owner(s)

Name of District: _____ MGD Capacity Allocation _____

Water Treatment Plant Name: District obtains water from the City of Houston water system

Water Treatment Plant Address: _____

Well Permit No: _____

Existing Capacity:

Well(s): _____ GPM

Booster Pump(s): _____ GPM

Tank(s): _____ MG

Ultimate Capacity:

Well(s): _____ GPM

Booster Pump(s): _____ GPM

Tank(s): _____ MG

Size of Treatment Plant Site: _____ square feet/acres.

Comments or Additional Information: _____

SUBJECT: An ordinance approving and accepting the Texas Department on Aging and Disability Services Area Plan for the Harris County Area Agency on Aging		Category # 9	Page 1 of 1 <div style="border: 1px solid black; padding: 5px; display: inline-block;"> 47 #19 </div>	Agenda Item
FROM (Department or other point of origin): Stephen L. Williams, M.Ed., M.P.A. Director-Houston Department of Health and Human Services		Origination Date 07/20/07	Agenda Date AUG 15 2007 AUG 22 2007	
DIRECTOR'S SIGNATURE: 		Council District affected: ALL		
For additional information contact: Kathy Barton Telephone: 713-794-9998 or 713-826-5801		Date and identification of prior authorizing Council action: 06-10-03 ; 03-0554		
RECOMMENDATION: (Summary) Approval of an ordinance authorizing the acceptance of the Texas Department on Aging and Disability Services Area Plan for the Harris County Area Agency on Aging.				
Amount of Funding: Total Project Cost: \$10,376,717.00 \$9,526,168.00 Texas Department on Aging and Disability Services Federal State Local -Pass Through Fund (Fund 5030) \$581,000.00 Federal Government Grant Funds (Fund 5000) \$269,549.00 - General Fund - (Fund 1000)			F&A Budget:	
SOURCE OF FUNDING: [X] General Fund [X] Grant Fund [] Enterprise Fund [] Other (Specify)				
SPECIFIC EXPLANATION: The Houston Department of Health and Human Services (HDHHS) requests City Council approval and acceptance of the FY2008-2010 Texas Department on Aging and Disability Services (DADS) Area Plan to be administered by the Harris County Area Agency on Aging (HCAAA). The Area Plan includes funding for Supportive Services, Nutrition Services, Caregiver Programs, Administration, Health Maintenance, State General Revenue and other activities, including assisted living, ombudsman activity grant and elder abuse prevention. The FY2008-2010 project period is from October 1, 2007 through September 30, 2010. The grant requires a 25% match on administration and a minimum of 10% match on program activities. General Funds and Community Development Block Grant Funds are identified in the application for this purpose.				
The annual estimated budgets for the following services are: <ol style="list-style-type: none"> 1) Supportive Services - \$1,779,119.00 2) Nutrition Services - \$3,685,335.00 3) Caregiver Programs- \$1,078,459.00 4) Administration - \$793,673.00 5) Health Maintenance -\$193,258.00 6) Nutrition Services Incentive Program(NSIP) -\$874,085.00 7) Elder Abuse Prevention (EAP) \$40,774.00 8) Ombudsman Activity Grant (OAG) - \$93,181.00 9) Alzheimer Care Coordination Education Services System (ACCESS) Grant - \$437,570 10) Assisted living and elder abuse prevention - \$45,211.00. 				
HDHHS is requesting City Council to authorize the Director to expend approved funding and accept subsequent awards offered by DADS during the project period.				
cc: Financial & Administration Legal Department Agenda Director				
REQUIRED AUTHORIZATION				
F&A Director		Other Authorization:		Other Authorization:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7149

Subject: Formal Bids Received for Maintenance and Repair of Air Compressors for Various Departments
S28-L22109

Category #
4

Page 1 of 2 Agenda Item

48 27

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 10, 2007

Agenda Date

AUG 22 2007
~~AUG 15 2007~~

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

All

For additional information contact:

Gary Norman Phone: (713) 837-7425
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to Precision Pneumatics, Inc. on its low bid meeting specifications in an amount not to exceed \$2,606,831.00 for maintenance and repair of air compressors for various departments.

Estimated Spending Authority: \$2,606,831.00

F & A Budget

\$1,862,022.14 - Water & Sewer System Operating Fund (8300)
\$ 744,808.86 - General Fund (1000)
\$2,606,831.00 - Total

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options to extend, for a total five-year term, to Precision Pneumatics, Inc. on its low bid meeting specifications for maintenance and repair of air compressors in an amount not to exceed \$2,606,831.00 for various departments. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Thirteen prospective bidders viewed the solicitation document on SPD's e-bidding website, and three bids were received as outlined below:

<u>Company</u>	<u>Total Amount</u>
1. CPC Maintenance	\$2,422,964.90 (Did Not Meet Specifications)
2. Precision Pneumatics, Inc.	\$2,606,831.00
3. Quesco Turbomachinery Services	\$4,958,125.00

The scope of work requires the contractor to provide all labor, supervision, materials, tools, replacement parts, supplies, equipment and transportation necessary to provide preventive maintenance inspections and remedial repair services on air compressors. The air compressors are used to operate pneumatic valves that control air flow to aeration basins at the wastewater treatment plants and to run power tools in maintenance shops throughout the City.

M/WBE Subcontracting

This bid was advertised as a goal-oriented contract with a 12% M/WBE participation level. Precision Pneumatics, Inc. has designated the below-named company as its certified M/WBE subcontractor.

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

MDT

4-9-07

Date: 7/10/2007	Subject: Formal Bids Received for Maintenance and Repair of Air Compressors for Various Departments S28-L22109	Originator's Initials DP	Page 2 of 2
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<u>Name</u>	<u>Type of Work</u>	<u>Amount</u>
Mckenzie Equipment	Provide air compressors and parts	\$312,819.72

The Affirmative Action Division will monitor this contract.

Buyer: David Petersen

Estimated Spending Authority			
DEPARTMENT	FY 2008	OUT YEARS	TOTAL
Public Works & Engineering	\$25,000.00	\$1,837,022.14	\$1,862,022.14
Parks & Recreation	\$ 2,000.00	\$ 632,808.86	\$ 634,808.86
Solid Waste Management	\$10,000.00	\$ 40,000.00	\$ 50,000.00
Police	\$10,000.00	\$ 50,000.00	\$ 60,000.00
Grand Total	\$47,000.00	\$2,559,831.00	\$2,606,831.00

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7421

Subject: Formal Bids Received for Security System Installation and Repair Services for the General Services Department
S28-L22376

Category #
4

Page 1 of 2 Agenda Item

49 23

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 15, 2007

Agenda Date

AUG 22 2007
~~AUG 15 2007~~

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Jacquelyn L. Nisby Phone: (713) 247-1814
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to BL Technology, Inc. on its low bid in an amount not to exceed \$16,259,339.00 for security system installation and repair services for the General Services Department.

Maximum Contract Amount - 5 years - \$16,259,339

F & A Budget

(Funding sources to be determined by projects)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options to extend, for a total five-year term, to BL Technology, Inc. on its low bid for security system installation and repair services in an amount not to exceed \$16,259,339.00 for the General Services Department. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

This is a work-order contract to perform labor on a wide variety of security system installations and repairs citywide. GSD oversees the installation and maintenance of security systems in over 300 City facilities, which entails projects ranging from simple repairs to major upgrades that are part of the Capital Improvement Plan. GSD will achieve time and dollar savings by utilizing a competitively bid contract when specialized labor is required for these projects. The contract's spending authority is based on estimates for the five-year term, although expenditures will be made only as needed for specific tasks, using a funding source appropriate for each project. Any appropriations of bond funds will require further Council approval. The attachment gives an estimated expenditure breakdown by project and funding source.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Thirty-five prospective bidders viewed the solicitation document on SPD's e-bidding website, and four bids were received as outlined below:

<u>Company</u>	<u>Total Amount</u>
1. Preferred Technology, Inc.	\$ 7,581,841.80 (Incomplete Bid)
2. BL Technology, Inc.	\$16,259,339.00
3. Digital Detection Corporation	\$20,858,267.46
4. Security Integrators & Consulting	\$22,526,598.99

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

NDI

- In view of the price disparity between the low bidder and the next low bidder, the Strategic Purchasing Division (SPD) contacted the owner of BL Technology, Inc. to discuss the scope of work for this project. BL Technology, Inc.'s owner stated and confirmed in writing that its bid prices includes all costs associated with performing the work called for in the published specifications. Based on the aforementioned, the Department and SPD are confident that the recommended contractor can perform the specified work for the bid price.

The scope of work requires the contractor to provide all necessary supervision, labor, transportation, tools, equipment and supplies required to perform security system installations and repairs. The contractor shall furnish all miscellaneous supplies necessary to complete each installation or repair.

M/WBE Subcontracting:

This bid was advertised as a goal-oriented contract with an 11% M/WBE participation level. BL Technology, Inc. has designated the below-named company as its certified M/WBE Subcontractor.

<u>Name</u>	<u>Type of Work</u>	<u>Amount</u>	<u>Percentage</u>
Energy Electric Supply	Purchase Supplies	\$1,760,000.00	11%

This contract will be monitored by the Affirmative Action Division.

Buyer: Douglas Moore

Estimated Expenditures for Labor Contract

(\$16,259,339)

General Fund (1000) \$610,000	1. Health - 2700 Evella (BARC) - CCTV System	\$60,000
	2. Health - 3315 Delano (Riverside Health Center) - Security System	\$20,000
	4. HPD - 1200 Travis - Card Access for Gang and HR Divisions	\$6,000
	6. HEC - 5320 N. Shepherd - Card Access for Records Section	\$5,000
	7. Maintenance of Security Systems over the life of the contract	\$519,000
		<hr/> \$610,000
Fed/State/Local Pass Through Fund Homeland Security Grant (5030) \$846,668	1. PWE - 611 Walker - Install card readers on new turnstiles and tower freight elevator	\$67,000
	2. PWE - Renwick, Teague, Dalton & Buress - Install gate entry keypads	\$20,000
	3. HPD - S. Central Cmd Station - Install security gate card readers	\$28,217
	4. HPD - 1200 Travis - Upgrade CCTV, Card Access & Intercom Systems.	\$38,451
	5. HPD - Possible future grant projects - Security upgrades at all Command Stations (CCTV, Card Access, Gate Operators, Vehicle Barriers, etc.)	\$693,000
		<hr/> \$846,668
Water & Sewer Fund System Operating Fund (8300) \$3,665,000	1. PWE - 7000 Ardmore (SCADA) - CCTV, Card Access & Security Gate	\$55,000
	2. PWE - Sawyer Command Center - CCTV, Access Control, Intrusion Alarm	\$500,000
	3. PWE - 611 Walker - CCTV, Card Access, and Bomb Blast Laminate	\$1,831,000
	4. PWE - 1700 E. Crosstimbers - CCTV, Card Access, & Intrusion Alarms	\$123,000
	5. PWE - 100 Japhet - CCTV, Card Access, & Intrusion Alarms	\$123,000
	6. PWE - 811 Gillette - CCTV, Card Access, & Intrusion Alarms	\$123,000
	7. PWE - 13211 Old Westheimer - CCTV, Card Access, & Intrusion Alarms	\$135,000
	8. PWE - 5500 McCarty - CCTV, Card Access, & Intrusion Alarms	\$135,000
	9. PWE - 700 Evergreen - CCTV, Card Access, & Intrusion Alarms	\$150,000
	10. PWE - 2200 Patterson - CCTV, Card Access, & Intrusion Alarms	\$150,000
	11. PWE - 8002 Airline - CCTV, Card Access, & Intrusion Alarms	\$165,000
	12. PWE - Maintenance of security systems over the life of the contract	\$175,000
		<hr/> \$3,665,000

Estimated Expenditures for Labor Contract

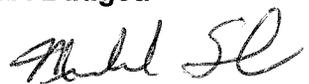
(\$16,259,339)

<p style="text-align: center;">Water & Sewer Cons. Const. Fund (8500) \$6,884,671</p>	<ol style="list-style-type: none"> 1. PWE - NE Water Production Plant - CCTV & Card Access 2. PWE - SE Water Production Plant - CCTV & Card Access 3. PWE - 3 to 5 Wastewater sites per year - CCTV & Card Access 4. PWE - 12 Water Towers with Microwave Links - CCTV & Card Access 	<p>\$1,000,000</p> <p>\$1,084,671</p> <p>\$3,000,000</p> <p>\$1,800,000</p> <hr style="border: 0.5px solid black;"/> <p>\$6,884,671</p>
<p style="text-align: center;">HCD Community Development Block Grant Fund (5000) \$100,000</p>	<ol style="list-style-type: none"> 1. Security improvements at qualifying Health and Library Facilities as Grant Funds become available 	<p>\$100,000</p> <hr style="border: 0.5px solid black;"/> <p>\$100,000</p>
<p style="text-align: center;">Convention & Entertainment Civic Center Facility Revenue Fund (8601) \$250,000</p>	<ol style="list-style-type: none"> 1. GRB - Security improvements to Card Access and CCTV Systems 	<p>\$250,000</p> <hr style="border: 0.5px solid black;"/> <p>\$250,000</p>
<p style="text-align: center;">Public Library Cons. Const. Fund (4507) \$1,500,000</p>	<ol style="list-style-type: none"> 1. FY09 - Library - Branch Library Security Improvements 2. FY10 - Library - Branch Library Security Improvements 3. FY11 - Library - Branch Library Security Improvements 4. FY12 - Library - Branch Library Security Improvements 5. FY13 - Library - Branch Library Security Improvements 	<p>\$300,000</p> <p>\$300,000</p> <p>\$300,000</p> <p>\$300,000</p> <p>\$300,000</p> <hr style="border: 0.5px solid black;"/> <p>\$1,500,000</p>
<p style="text-align: center;">Police Cons. Const. Fund (4504) \$2,163,000</p>	<ol style="list-style-type: none"> 1. FY08 - HPD - SE Cmd Station - CCTV, Access Control, Entry/Exit Gates 2. FY09 - HPD - N. Cmd Station - CCTV, Access Control, Entry/Exit Gates 3. FY10 - HPD - NE Cmd Station - CCTV, Access Control, Entry/Exit Gates 4. HPD - New Property Room - CCTV, Card Access & Intrusion Alarm, Turnstile 5. FY11 - HPD - Westside Cmd Station - CCTV, Access Control, Entry/Exit Gates 	<p>\$621,000</p> <p>\$338,000</p> <p>\$324,000</p> <p>\$300,000</p> <p>\$580,000</p> <hr style="border: 0.5px solid black;"/> <p>\$2,163,000</p>

Estimated Expenditures for Labor Contract

(\$16,259,339)

Municipal Courts Technology Fee Fund (2207) \$150,000	1. Muni Cts - 1400 Lubbock - Install CCTV & Card Access Systems	\$75,000
	2. Muni Cts - N. Cmd Station - Install CCTV & Card Access Systems	\$75,000
		\$150,000
Public Health Dept. Cons. Constr. Fund (4508) \$90,000	1. Health - S. Post Oak MSC & Vinson Library - CCTV, Access Control & Intrusion Alarm	\$90,000
		\$90,000
		TOTAL: \$16,259,339.00

SUBJECT: Interlocal Cost Sharing Contract between City of Houston and Harris County Municipal Utility District No. 410 for the construction of water, sanitary sewer and storm sewer lines. S-000800-0103-4/ R-000800-0103-4/ M-000800-0103-4		Page 1 of 2	Agenda Item # 50 27
FROM: (Department or other point of origin) Department of Public Works & Engineering	Origination Date: 8-6-07	Agenda Date: AUG 15 2007 AUG 22 2007	
Director's Signature:  Michael S. Marcotte, P.E. DEE	Council District affected: E		
For additional information contact: Jun Chang, P.E. (713) 837-0433	Date and identification of prior authorizing Council action: Ordinance #: 05-0198 Dated: 03/09/05		
Recommendation: (Summary) Approve an Interlocal Cost Sharing Contract between the City and Harris County Municipal Utility District No. 410 and appropriate funds.			
Amount & Source of Funding: \$208,068.00 Water & Sewer System Consolidated Construction Fund No. 8500, \$168,481.00 Drainage Improvement CPaper Series F Fund No. 4030 \$376,549.00 Total Appropriation			
Specific Explanation: The City and Harris County Municipal Utility District No. 410 (MUD 410), an in-City municipal utility district, entered into the Utility Functions and Services Allocation Agreement on March 18, 2005. Under the Utility Functions and Services Allocation Agreement, MUD 410 will construct water, sewer and storm water facilities and dedicate these facilities to the City. The population of MUD 410 will be retail water and sewer customers of the City. MUD 410 will be reimbursed for part of its costs for construction through an interlocal agreement that is substantially the same as the City's developer participation contract. Under the Interlocal Agreement with the City, the District will design and construct the mains necessary to serve the development (water and wastewater) and dedicate them to the City in exchange for 70% reimbursement of the construction cost and 100% of the design cost. The Interlocal Agreement also provides for the City to reimburse the District 100% of the cost to design and construct storm water mains and appurtenances, up to a maximum of \$3,000.00 per lot, if the homes qualify as affordable housing (sell for less than the median price of a house in Houston). The Interlocal Agreement further allows the City to pay interest costs incurred by the District. The District will be reimbursed after 25% of the residences have been built. The district has eighteen (18) months from the date of the contract to begin construction and three (3) years from the beginning of construction to complete the number of houses necessary for reimbursement. Harris County Municipal Utility District No. 410 proposes to construct approximately 1,974 linear feet of water line, 3,445 linear feet of sanitary sewer line and 777 linear feet of storm sewer line to serve the 76-lot subdivision, Clearview Village Section 3. The maximum amounts to be reimbursed are as follows:			
REQUIRED AUTHORIZATION: 20JZC265			
F&A Budget: 	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning & Development Services	

SUBJECT: Interlocal Cost Sharing Contract between City of Houston and Harris County Municipal Utility District No. 410 for the construction of water, sanitary sewer and storm sewer lines.

**Originator's
Initials**

**Page
2 of 2**

Water

70% of construction cost (including interest & 5% contingency):	\$84,328.00
design cost:	<u>\$10,485.00</u>
total:	\$94,813.00

Wastewater

70% of construction cost (including interest & 5% contingency):	\$100,730.00
design cost:	<u>\$12,525.00</u>
total:	\$113,255.00

Storm Sewer (Including appropriate detention)

100% of construction cost (including interest & 5% contingency):	\$154,996.00
design cost:	<u>\$13,485.00</u>
total:	\$168,481.00

Upon approval of this agreement, MUD 410 will proceed with preparation of construction drawings and specifications for the project. The project will then be advertised by MUD 410 in accordance with state bid laws. The Department of Public Works and Engineering will inspect the construction of the mains and review the final construction cost to determine the actual amount of the City's share.

AFI:JC:MAS:tp

c: Marty Stein
Craig Foster
John Sakolosky

51

MOTION NO. 2007 0864

MOTION by Council Member Garcia that the following item be postponed for one week:

Item 34 - Recommendation from Finance and Administration Department to award to Safety Shoe Distributors, L.L.P. for Safety Footwear for Various Departments - \$3,902,931.46 minus a commission fee for Internet-based reverse auction services for a net award amount not to exceed \$3,882,931.46 General, Enterprise, Fleet Management, Park Special Revenue and Storm Water Funds

Seconded by Council Member Khan and carried.

Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Khan, Holm, Garcia, Alvarado, Brown, Lovell, Noriega and Berry voting aye
Nays none

Council Member Green out of the City on City business

PASSED AND ADOPTED this 15th day of August, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is August 21, 2007.

City Secretary

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7447

Subject: Reverse Auction Bids Received for Safety Footwear for Various Departments
S07-S22322RA

Category # 4	Page 1 of 2	Agenda Item
	51	34 23

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 20, 2007

Agenda Date

~~AUG 15 2007~~
~~AUG 08 2007~~
AUG 22 2007

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

All

For additional information contact:

Karen Dupont Phone: (713) 859-4934
Desiree Heath Phone: (713) 247-1722

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Safety Shoe Distributors, L.L.P. on its low bid in an amount not to exceed \$3,902,931.46, minus a commission fee (the lesser of 2% or \$20,000.00 maximum) for Internet-based reverse auction services required under contract with the Texas Procurement Center, L.L.C., for a net award amount not to exceed \$3,882,931.46 for safety footwear for various departments.

Estimated Spending Authority: \$3,882,931.46

F & A Budget

- \$2,811,826.00 General Fund (1000)
- \$ 86,632.80 Fleet Management Fund (1005)
- \$ 43,180.00 Park Special Revenue Fund (2100)
- \$ 103,958.40 Storm Water Utility Fund (2302)
- \$ 335,705.46 HAS - Revenue Fund (8001)
- \$ 501,628.80 Water & Sewer System Operating Fund (8300)
- \$3,882,931.46

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Safety Shoe Distributors, L.L.P. on its low bid in an amount not to exceed \$3,902,931.46, minus a reverse auction commission fee (the lesser of 2% or \$20,000.00) to the Texas Procurement Center, L.L.C., for a net award amount not to exceed \$3,882,931.46. It is further requested that authorization be given to make purchases, as needed, for a 60-month term. This award, consisting of two price lists for safety footwear; which includes, but is not limited to, various protective and occupational shoes used by the Houston Airport System and by the Public Works & Engineering, Police, Fire, Parks & Recreation, Health & Human Services, Solid Waste Management, and Convention & Entertainment Departments.

Facilities

This is a price list solicitation. The best discount, which determines the low bid for a price list, is the best bid received for quantities of high-use items selected as sample pricing items based on the current needs of the Departments. The bid total for sample pricing items does not represent the total amount to be purchased; rather, this award recommendation is for the total estimated expenditures projected over the 60 month term based on the low bid submitted for the representative samples.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Bids were selected using the "reverse auction" methodology, and 36 bids were received as detailed in the attached support document.

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

MD

MD

Date:
7/20/2007

Subject: Reverse Auction Bids Received for Safety Footwear for
Various Departments
S07-S22322RA

Originator's
Initials
CC

Page 2 of 2

M/WBE Subcontracting:

This bid was issued with a 3% goal for M/WBE participation. Safety Shoe Distributors, L.L.P. has designated the below-named company as its certified M/WBE subcontractor.

<u>COMPANY</u>	<u>TYPE OF WORK</u>	<u>DOLLAR AMOUNT</u>
General Truck Body Mfg., Inc.	General Automotive Repair	\$116,487.94

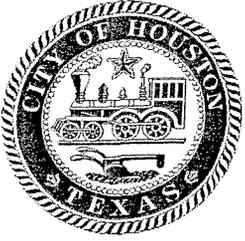
The Affirmative Action Division will monitor this award.

Item No. 2 is not being awarded.

Buyer: Casey Crossnoe

Estimated Spending Authority:

DEPARTMENT	FY 08	OUT YEARS	TOTAL
POLICE	\$1,000.00	\$4,000.00	\$5,000.00
FIRE	\$475,650.00	\$1,902,600.00	\$2,378,250.00
PUBLIC WORKS & ENGINEERING	\$170,264.00	\$650,156.00	\$820,420.00
SOLID WASTE MANAGEMENT	\$33,800.00	\$133,600.00	\$167,400.00
HEALTH & HUMAN SERVICES	\$2,891.20	\$9,564.80	\$12,456.00
HOUSTON AIRPORT SYSTEM	\$67,481.09	\$268,224.37	\$335,705.46
CONVENTION & ENTERTAINMENT	\$3,000.00	\$10,000.00	\$13,000.00
PARKS & RECREATION	\$25,400.00	\$125,300.00	\$150,700.00
GRAND TOTAL	\$779,486.29	\$3,103,445.17	\$3,882,931.46



CITY OF HOUSTON

Finance & Administration Department

Interoffice

Correspondence

To: Marty Stein, Agenda Director

From: Calvin D. Wells
City Purchasing Agent

Date: August 14, 2007

Subject: **Additional Information Regarding
Safety Footwear**

The City of Houston provides Safety Footwear to certain employees to promote their safety and health and to minimize the number of worker's compensation claims.

Attached Executive Order 1-46, effective July 1, 2003, sets out the circumstances in which uniforms may be supplied at City expense to non-classified employees. Section 5.2 includes the provision of safety shoes among these justifications:

5.2 Employee safety is the only other justification for providing articles of clothing for employees. This is not necessarily uniforms, but could include items such as safety boots in some circumstances or reflective vests for employees working in the City's right-of-way. These items are to be included in each department's uniform policy.

By entering into a competitively bid purchase agreement, the City achieves economies of scale and helps ensure that employees are wearing shoes that offer protection appropriate to their duties. Various footwear purchased must be suitable for work on or near hot asphalt, cement, concrete, chemicals, oil, water and mud, and must conform to American Society for Testing and Materials (ASTM) standards. ASTM is an OSHA-recognized safety rating.

The subject Council Action is to purchase safety shoes for employees in the Police, Fire, Public Works and Engineering, Solid Waste Management, Health and Human Services, Parks and Recreation, and Convention and Entertainment Facilities Departments and the Houston Airport System. Internet bids were received from **four** bidders. Opening bids ranged from **\$121 to \$195/pair** and final bids ranged from **\$50 to \$77/pair**. The City will order footwear as needed and the contractor will be responsible for delivery to various locations.

The City's bid was based on a sample of types of shoes that employees use for various work assignments. In choosing the sampling, SPD determined a selection of most general types of safety footwear, so that any awarded supplier would be able to provide all City footwear requirements.

The only footwear included in this bid not considered safety footwear are dress shoes for the Houston Fire Department. These were included to satisfy the terms of the Collective Bargaining Agreement and those shoe specifications are listed in items 10 and 11 below.

Each sample pricing shoe, according to various job assignments, was selected with the appropriate specification meeting ASTM ratings specified.

1.0 Electrician's Footwear:

1.1 General:

- 1.1.1 Shall meet ASTM requirements for Electrician job functions.
- 1.1.2 Shall be 6" composite toe shoe for men.
- 1.1.3 ASTM F2413-05 (Electrical Hazard) rated
- 1.1.4 Shall have oil and chemical resistant uppers.
- 1.1.5 Shall have chemical, oil and slip-resistant urethane outsole and heel.

1.2 Sizes: Shall have availability in sizes medium to wide.

1.3 Salient Features:

Shall have the following features:

- 1.3.1 Upper leather and gusset.
- 1.3.2 Full grain 4-1/2 – 5oz. cowhide
- 1.3.3 Heavy-duty storm welt or direct attached construction.
- 1.3.4 Fiberglass or steel shank.
- 1.3.5 Polyurethane insole with arch support
- 1.3.6 Cambrelle or leather vamp linings
- 1.3.7 Fiberglass composite toe
- 1.3.8 Collar linings and padded collar cushion.

2.0 Electronic Technician's Footwear:

2.1 General:

- 2.1.1 Shall meet ASTM requirements for Electronic Technician job functions.
- 2.1.2 Shall be shoe, 6" plain toe shoe for men.
- 2.1.3 Shall be ASTM F2413-05 (Electrical Hazard) rated
- 2.1.4 Shall be black water and chemical resistant leather.
- 2.1.5 Shall have chemical, oil and slip resistant urethane outsole and heel.

2.2 Sizes: Shall have availability in sizes narrow to wide.

2.3 Salient Features:

Shall have the following features:

- 2.3.1 Upper leather
- 2.3.2 Soft full grain 4-1/2 – 5oz. cowhide
- 2.3.3 Heavy-duty storm welt or direct attached construction.
- 2.3.4 Fiberglass or steel shank.
- 2.3.5 Polyurethane insole with arch support
- 2.3.6 Cambrelle or leather vamp linings
- 2.3.7 Collar lining and padded collar cushion
- 2.3.8 Metal eyelets and metal hooks
- 2.3.9 Steel toe cap
- 2.3.10 Shall have chemical, oil and slip-resistant urethane outsole and heel.

3.0 Groundskeeper's Footwear:

- 3.1 General:
 - 3.1.1 Shall meet requirements for groundskeeper job functions.
 - 3.1.2 Shall be ASTM F (Electrical Hazard) rated
- 3.2 Sizes: Shall have availability in sizes medium to wide.
- 3.3 Salient Features:
 - Shall have the following features:
 - 3.3.1 Leather uppers
 - 3.3.2 Full-grain cowhide
 - 3.3.3 Heavy-duty storm welt or direct attached construction.
 - 3.3.4 Fiberglass or steel shank
 - 3.3.5 Polyurethane foot insole with arch support
 - 3.3.6 Cambrelle or leather vamp lining
 - 3.3.7 Full Cambrelle or leather quarter lining
 - 3.3.8 Metal eyelets and metal hooks
 - 3.3.9 Steel toe
 - 3.3.10 Shall have chemical, oil and slip-resistant urethane outsole & heel.

4.0 General Safety Shoe: 10" – 12"

- 4.1 General:
 - 4.1.1 Shall meet ASTM requirements for general safety shoe job functions.
 - 4.1.2 Shall be ASTM (Electrical Hazard) rated
 - 4.1.3 Shall be Wellington boot type.
 - 4.1.4 Shall have water and chemical slip-resistant
- 4.2 Sizes: Shall have availability in sizes medium to wide.
- 4.3 Salient Features:
 - Shall have the following features:
 - 4.3.1 Leather upper
 - 4.3.2 Lined Gusset
 - 4.3.3 Full grain 4-1/2 – 5oz. cowhide
 - 4.3.4 Leather welt heel counter.
 - 4.3.5 Cambrelle or leather vamp lining
 - 4.3.6 Covered shaft side-seam
 - 4.3.7 Reinforced pull strap
 - 4.3.8 Polyurethane insole with arch support
 - 4.3.9 Fiberglass or leather shank
 - 4.3.10 Cambrelle or leather vamp lining
 - 4.3.11 Heavy-duty urethane outsole.
 - 4.3.12 Steel toe

5.0 Welder's Footwear: 8" to 9"

- 5.1 General:
 - 5.1.1 Shall meet ASTM requirements for welder's job functions.
 - 5.1.2 Shall be ASTM (electrical hazard) rated shoe.
 - 5.1.3 Shall be 8" to 9" heavy-duty covered metatarsal guard boot with Kevlar stitching

5.2 Sizes: Shall have availability in sizes medium to wide.

5.3 Salient Features:

Shall have the following features:

- 5.3.1 Water, chemical, heat and flame resistant heavy-duty leather uppers and gusset
- 5.3.2 Full grain 4-1/2 – 5oz. cowhide
- 5.3.3 Collar lining and padded collar
- 5.3.4 Cambrelle or leather vamp lining
- 5.3.5 Metal hooks
- 5.3.6 Steel toe
- 5.3.7 Polyurethane support insole
- 5.3.8 Fiberglass or steel shank
- 5.3.9 Heavy-duty chemical, oil and slip-resistant flexible urethane outsole
- 5.3.10 Heavy-duty storm welt or direct attached construction
- 5.3.11 Leather covered metatarsal guard.

6.0 Safety Dress Shoe:

6.1 General:

- 6.1.1 Shall meet ASTM requirements for general job functions.
- 6.1.2 Shall be static dissipating saddle oxford.
- 6.1.3 Shall be ASTM-SD.

6.2 Sizes: Shall have availability in sizes medium to wide.

6.3 Salient Features:

Shall have the following features:

- 6.3.1 Volume resistant 10(6) – 10(8) ohms, Type 2, Static Dissipating
- 6.3.2 Full grain leather uppers
- 6.3.3 Leather vamp and saddle lining
- 6.3.4 Steel toe
- 6.3.5 Cambrelle or leather vamp lining
- 6.3.6 Slip-resistant urethane outsole.
- 6.3.7 Static dissipating storm welt or direct attached construction

7.0 Maintenance and Shop Worker Shoe:

7.1 General:

- 7.1.1 Shall meet ASTM requirements for maintenance and shop worker job functions.
- 7.1.2 Shall be pull-on boot, 10" – 11".

7.2 Sizes: Shall have availability in sizes medium to wide.

7.3 Salient Features:

Shall have the following features:

- 7.3.1 Full grain 4-1/2 – 5 oz. cowhide leather uppers
- 7.3.2 Chemical, oil and slip resistant urethane outsole and heel.

- 7.3.3 Cambrelle or leather vamp lining
- 7.3.4 Fiberglass or steel shank.
- 7.3.5 Steel toe
- 7.3.6 Polyurethane foot support insole
- 7.3.7 Chemical, oil and slip resistant outsole.
- 7.3.8 Heavy-duty storm welt or direct attached construction
- 7.3.9 Leather heel counter

8.0 Ladies General Safety Work Boot:

8.1 General:

- 8.1.1 Shall meet ASTM requirements for general job functions.
- 8.1.2 Shall be ASTM F2413-05 (electrical hazard) rated.

8.2 Sizes: Shall have availability in sizes narrow to wide.

8.3 Salient Features:

Shall have the following features:

- 8.3.1 Full grain 4-1/2" – 5 oz. leather uppers and gusset
- 8.3.2 Cambrelle or leather vamp lining
- 8.3.3 Fiberglass or Steel shank
- 8.3.4 Metal eyelets
- 8.3.5 Steel toe
- 8.3.6 Polyurethane foot support insole
- 8.3.7 Cambrelle collar linings and padded collar to cushion calf
- 8.3.8 Slip-resistant urethane outsole.
- 8.3.9 Heavy-duty storm welt or direct attached construction
- 8.3.10 Chemical, oil and slip resistant

9.0 General Safety Shoe: 6" or higher

9.1 General:

- 9.1.1 Shall meet ASTM requirements for general safety shoe job functions on construction and similar site with nails and sharp debris.
- 9.1.2 Shall be ASTM PR (Puncture Resistant) rated
- 9.1.3 Shall be lace-up boot type.
- 9.1.4 Shall be water and chemical slip-resistant

9.2 Sizes: Shall have availability in sizes medium to wide.

9.3 Salient Features:

Shall have the following features:

- 9.3.1 Leather upper
- 9.3.2 Lined Gusset
- 9.3.3 Full grain 4-1/2 – 5oz. cowhide
- 9.3.4 Leather welt heel counter.
- 9.3.5 Cambrelle or leather vamp lining
- 9.3.6 Non-insulated

- 9.3.7 Polyurethane insole with arch support
- 9.3.8 Fiberglass or leather shank
- 9.3.9 Cambrelle or leather vamp lining
- 9.3.10 Heavy-duty urethane outsole.
- 9.3.11 Steel toe

10.0 Uniform Shoe:

10.1 General:

- 10.1 Mens uniform shoe
- 10.2 Shall be dress oxford style
- 10.3 Shall have high gloss uppers.
- 10.4 Shall have ribbed EVA outsole.
- 10.5 Shall have cement construction

10.2 Sizes: Shall have availability in sizes medium to wide.

11.0 Uniform Shoe:

11.1 General:

- 11.1 Womans uniform shoe
- 11.2 Shall be dress oxford style
- 11.3 Shall have high gloss uppers.
- 11.4 Shall have ribbed EVA outsole with aggressive block tread.
- 11.5 Shall have cement construction
- 11.6 Shall have removable Polyurethane contoured insole.

11.2 Sizes: Shall have availability in sizes medium to wide.



CITY OF HOUSTON

Executive Order

Subject: **Uniform Policy - Non-Classified Employees**

E.O. No.

1-46

Effective Date:

July 1, 2003

1. PURPOSE

1.1 To establish consistent policies for the issuance and care of uniforms for municipal employees. While historically the City has provided uniforms to some additional classifications of employees for morale or team building purposes (ex: call centers, dispatch), this will no longer be a justification for providing uniforms.

2. OBJECTIVE

2.1 To reduce unnecessary expenditures for uniforms, while providing standards for supplying readily identifiable uniforms to employees providing services on City streets, rights-of-way and green spaces, working in jobs/areas with a significant amount of contact with the general public in non-office settings, providing services across City departments or at various department locations; and those working in restricted areas other than in an office setting.

3. SCOPE

3.1 This executive order applies to municipal non-classified employees.

4. RESPONSIBILITIES

4.1 Each department must review their current uniform practices and minimize the uniforms provided, both in terms of which classifications of employees receive them and uniform components.

4.2 Departments will develop internal uniform policies, which should be accompanied by a justification for why each classification of employee needs to wear a uniform, as well as a justification for why the City is providing each of the component parts, to be approved by the Chief Administration Officer's Office.

5. POLICY

5.1 Justifications for providing uniforms. The City will only provide uniforms for employees that fall into categories one – four below (with the exception of safety items). In general, uniforms are provided by City departments in instances where employees need to be readily identifiable as City employees because they will be:

5.1.1 Providing services on City streets, rights-of-way and green spaces (ex: Parking Monitors, Refuse Workers, and Parks & Recreation laborers);

Approved:

Date Approved:
June 30, 2003

Page 1 of 2

- 5.1.2 Working in jobs/areas with a significant amount of contact with the general public in non-office settings (ex: Urban Park Rangers, Recreation Specialists);
 - 5.1.3 Providing services across City departments or at various department locations (ex: Maintenance Workers, Electricians); and
 - 5.1.4 Working in restricted areas other than in an office setting (ex: Stage Hands at Miller Theater).
- 5.2 Employee safety is the only other justification for providing articles of clothing for employees. This is not necessarily uniforms, but could include items such as safety boots in some circumstances or reflective vests for employees working in the City's rights-of-way. These items are to be included in each department's uniform policy.
- 5.3 Uniforms are to be replaced only when needed. The practice of providing a certain number of uniforms to an employee annually or at other scheduled times during the year is to be discontinued. To receive a new uniform(s), the employee must turn in an unusable, worn uniform(s). In addition, the employee must present evidence that he/she is not already in possession of a sufficient number of usable uniforms (not to exceed five without written justification from the department that is approved by the Mayor's Office). This can be a signed statement to this effect or other evidence as determined by the department.
- 5.4 Uniform rentals must be cost justified. Any department that chooses to rent, rather than buy, uniforms must submit a justification and cost analysis of such decision along with their annual budget submittal. The use of the rental company to clean the uniform is not in and of itself a reason for rental. For example, while lab coats may need to be cleaned because of contaminants, the decision to buy or rent should be based on a cost analysis of the cost of purchase plus the cost to have the lab coats cleaned by an appropriate vendor vs. a rental program that also provides cleaning. Also, there must be a valid, justifiable reason for the City to pay for the cleaning.
- 5.5 Annual Budget Justification. As part of the annual budget process, each department must submit to Finance and Administration their most recent uniform policy along with a breakdown of, and justification for, the uniform budget that they are submitting.

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MOTION NO. 2007 0863

MOTION by Council Member Garcia that the following item be postponed for one week:

Item 41 - Ordinance appropriating \$1,069,642.00 out of Water and Sewer System Consolidated Construction Fund; awarding contract to Cleanserve, Inc., for Sanitary Sewer Cleaning and Television Inspection in support of Rehabilitation, WBS R-000266-0108-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

Seconded by Council Member Khan and carried.

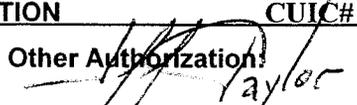
Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Khan, Holm, Garcia, Alvarado, Brown, Lovell, Noriega and Berry voting aye
Nays none

Council Member Green out of the City on City business

PASSED AND ADOPTED this 15th day of August, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is August 21, 2007.

City Secretary

SUBJECT: Contract Award for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation WBS# R-000266-0108-4		Page 1 of <u>2</u>	Agenda Item # <div style="border: 1px solid black; padding: 5px; display: inline-block;"> 52 41-58 </div>										
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 8-2-07	Agenda Date AUG 08 2007 AUG 15 2007 AUG 22 2007										
MS DIRECTOR'S SIGNATURE  Michael S. Marcotte, P.E., DEE, Director	Council District affected: All		AUG 22 2007										
	For additional information contact: Roger B. Whitney, P.E. Senior Assistant Director Phone: (713) 641-9198		Date and identification of prior authorizing Council action:										
RECOMMENDATION: (Summary) Accept low bid, award construction contract, and appropriate funds.													
Amount and Source of Funding: \$1,069,642.00 from Water and Sewer System Consolidated Construction Fund No. 8500. This project is eligible for low interest funding through the State Revolving Fund (SRF), Tier III.		F&A Budget: 											
<p><i>Proke 07/17/07</i></p> SPECIFIC EXPLANATION: This project is part of the Neighborhood Sewer Rehabilitation Program and is required to renew/replace various deteriorated neighborhood collection systems on an emergency basis throughout the City. <p>DESCRIPTION/SCOPE: This project consists of Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation. The contract duration for this project is 540 calendar days.</p> <p>LOCATION: The project area is generally bounded by the City Limits.</p> <p>BIDS: Four (4) bids were received on April 12, 2007 for this project as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;"><u>Bidder</u></th> <th style="text-align: center;"><u>Bid Amount</u></th> </tr> </thead> <tbody> <tr> <td>1. CleanServe, Inc.</td> <td style="text-align: right;">\$999,663.96</td> </tr> <tr> <td>2. Specialized Maintenance Services, Inc.</td> <td style="text-align: right;">\$1,044,307.97</td> </tr> <tr> <td>3. Chief Solutions, Inc.</td> <td style="text-align: right;">\$1,128,045.67</td> </tr> <tr> <td>4. Shumaker-Harvey Equipment Co., Inc., dba She-Co, Inc.</td> <td style="text-align: right;">\$1,188,496.08</td> </tr> </tbody> </table>				<u>Bidder</u>	<u>Bid Amount</u>	1. CleanServe, Inc.	\$999,663.96	2. Specialized Maintenance Services, Inc.	\$1,044,307.97	3. Chief Solutions, Inc.	\$1,128,045.67	4. Shumaker-Harvey Equipment Co., Inc., dba She-Co, Inc.	\$1,188,496.08
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4. Shumaker-Harvey Equipment Co., Inc., dba She-Co, Inc.	\$1,188,496.08												
File/Project No. WW 4277-34		REQUIRED AUTHORIZATION											
F&A Director:		Other Authorization:  Jeff Taylor, Deputy Director Public Utilities Division											
		CUIC# 20RBW168 NDT											

Date	Subject: Contract Award for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation WBS# R-000266-0108-4	Originator's Initials	Page <u>2</u> of <u>2</u>
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AWARD: It is recommended that this construction contract be awarded to CleanServe, Inc. with a low bid of \$999,663.96 and Addendum No. 1, dated 03/20/07 and Addendum No. 2, dated 04/02/07 be made part of this contract.

PROJECT COST: The total cost of this project is \$1,069,642.00 to be appropriated as follows:

- Bid Amount \$999,663.96
- Contingencies \$49,983.20
- Project Management \$14,994.84
- Engineering Testing Services \$5,000.00

Engineering Testing Services will be provided by QC Laboratories, Inc., under a previously approved contract.

M/WBE PARTICIPATION: No M/WBE participation goal has been established for this project.

All known rights-of-way and easements required for this project have been acquired.

Now JGM-FOS

MSM:JT: RBW:JGM:FOS:jsc

cc: Marty Stein
 Jeff Taylor
 Susan Bandy, CPA
 Velma Laws
 Michael Ho, P.E.
 File No. WW 4277-34



CITY OF HOUSTON

Department of Public Works and
Engineering

Interoffice

Correspondence

To: Honorable Bill White
Mayor

From: Michael S. Marcotte, P.E., DEE
Director

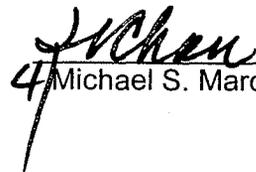
Date: August 14, 2007

Subject: Item # 41, 8/13/07 Council Agenda

On August 8, 2007 Council Member Garcia tagged PWE Item # 58, the award of a construction contract to CleanServe Inc. for sanitary sewer cleaning and television in support of rehabilitation. This award will reappear on the August 13, 2007 Council Agenda as Item # 41. Four bids were received for this project as follows: 1) CleanServe, Inc. \$999,663.96, 2) Specialized Maintenance \$1,044,307.97, 3) Chief Solutions, Inc. \$1,128,045.67, and 4) She-Co \$1,188,496.08. Council Member Garcia cited concerns that the low bidder was not required to meet M/WDBE participation goals.

For Fiscal Year 2008, PWE has budgeted for three sanitary sewer cleaning and television contracts, one contract with an estimated value of \$1,200,000, and two contracts with estimated values of \$1,000,000. There are primarily four contractors who bid on cleaning and television inspection projects in this area. If only one contract per year for the total budget amount was issued to ensure M/WDBE participation, the sanitary sewer cleaning and television market in Houston would become far less competitive and less likely to support small or disadvantaged businesses.

The project represented by Item # 58 was bid with an engineer's estimated value of \$1,200,000. The low bidder, CleanServe, Inc., made a business decision that it could provide service to the City for a price below \$1,000,000. Current rules dictate that responders submitting bids of less than \$1,000,000 are exempt from submitting an M/WDBE participation plan. Therefore, PWE has only one course of action available, which is to follow the established rules and procedures which dictate that PWE recommend that Council award the contract to the lowest responsible bidder. However, those rules do not dictate that a responder cannot include an M/WDBE element. PWE has contacted CleanServe, Inc. and they have agreed to make a voluntary good faith effort to include M/WDBE participation in the work.


4 Michael S. Marcotte, P.E., DEE 8/14/07

MSM:JGM:fos

c: Joseph Majdalani, P.E.
Gary Norman