

AGENDA - COUNCIL MEETING - TUESDAY - APRIL 27, 2010 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Clutterbuck

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 - APRIL 28, 2010 - 9:00 A. M.

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

MAYOR'S REPORT - Fiscal Year 2010 Budget Update and Fiscal Year 2011 Preview

CONSENT AGENDA NUMBERS 1 through 34

MISCELLANEOUS - NUMBERS 1 through 3

1. REQUEST from Mayor for confirmation of the appointment of **MR. MARIO C. DIAZ** as Director of the Houston Airport System
2. REQUEST from Mayor for confirmation of the appointment of **MR. CHARLES STAVA** to Position Twelve of the **ARCHAEOLOGICAL AND HISTORICAL COMMISSION**, for a term to expire March 1, 2012
3. RECOMMENDATION from Director Planning & Development for Designation of an Honorary Street Marker for **REVEREND O. C. JOHNSON, SR.** - **DISTRICT B - JOHNSON**

ACCEPT WORK - NUMBERS 4 through 8

4. RECOMMENDATION from Interim Director Houston Airport System for approval of final contract amount of \$4,144,249.46 and acceptance of work on contract with **TJ&T ENTERPRISES, INC** for Access Control and Telecom Duct Bank construction at William P. Hobby Airport, Project No. 576A - 0.03% under the original contract amount - **DISTRICT I - RODRIGUEZ**
5. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$695,630.00 and acceptance of work on contract with **AAR INCORPORATED** for Asbestos/Lead Based Paint Abatement and Interior Demolition at 1002 Washington Avenue 4.99% over the original contract amount - **DISTRICT H - GONZALEZ**
6. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$5,828,056.00 and acceptance of work on contract with **SPAW GLASS CONSTRUCTION CORPORATION** for Midwest Police Station - District 18 - 0.99% under the guaranteed maximum price - **DISTRICT F - HOANG**
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$5,595,826.97 and acceptance of work on contract with **PEPPER-LAWSON CONSTRUCTION, L.P.** for 69th Street Wastewater Treatment Plant Dryer Replacement/Rehabilitation - 6.13% under the original contract amount - **DISTRICT I - RODRIGUEZ**
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,627,703.55 and acceptance of work on contract with **ACM CONTRACTORS, INC** for Westheimer to West Alabama Sewer Relocation - 3.69% over the original contract amount - **DISTRICTS C - CLUTTERBUCK and D - ADAMS**

PROPERTY - NUMBER 9

9. RECOMMENDATION from Director Department of Public Works & Engineering, on request from Rich Cryar, reviewed and approved by the Joint Referral Committee, that the City decline the acceptance of, reject, and refuse the dedication of an unnamed platted street, from Fitzhugh Street east to its terminus, located in the Knollwood Estates Subdivision, out of the J. L. Stanley Survey, A-700, Parcel SY10-060 - **DISTRICT B - JOHNSON**

PURCHASING AND TABULATION OF BIDS - NUMBER 10

10. **PHILPOTT MOTORS, LTD.** for Light-Duty Cabs & Chassis with Modular Bodies through the Interlocal Agreement for Cooperative Purchasing with BuyBoard for the Houston Police Department - \$352,557.22 - Grant Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 11 through 34

11. RESOLUTION amending Resolution 2009-16 to correct the legal description of the First Evangelical Church and Education Building landmark and protected landmark - **DISTRICT I - RODRIGUEZ**
12. ORDINANCE authorizing the issuance of City of Houston, Texas, General Obligation Commercial Paper Notes, Series J, in an aggregate principal amount not to exceed \$125,000,000 for the purpose of funding certain authorized purposes; approving and authorizing certain officers and employees to act on behalf of the City in the selling and delivery of such notes, making certain covenants, agreements and resolving other matters incident and related to the issuance, sale, delivery and security of the notes, including the approval of an Issuing and Paying Agency Agreement, a Credit Agreement, an Offering Memorandum and a Dealer Agreement; and declaring an emergency

RESOLUTIONS AND ORDINANCES - continued

13. ORDINANCE authorizing issuance of the City of Houston, Texas Taxable Pension Obligation Note, Series 2010; approving and delegating certain authority to the Mayor and the City Controller with regard to the note; approving a Note Purchase Agreement; approving a Paying Agent/Registrar Agreement; making other provisions regarding such note and matters incident thereto; making certain findings relating to the subject and matters incident thereto; and declaring an emergency
14. ORDINANCE approving and authorizing Lease Agreement with **HOUSTON SYMPHONY SOCIETY**, as tenant, for office space at Jones Hall - 5 Years - Revenue - **DISTRICT I - RODRIGUEZ**
15. ORDINANCE approving and authorizing the submission of an application for grant assistance to the **TEXAS AUTOMOBILE BURGLARY & THEFT PREVENTION AUTHORITY FOR THE HOUSTON AUTO CRIMES TASK FORCE/19 GRANT**; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program
16. ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON ESPERANZA, INC, a Nonprofit Texas Corporation**, to provide a \$2,449,929.00 Performance Based Loan of Federal "HOME" Funds to assist in the land acquisition and construction of a 140 unit Senior Residential Housing Facility, targeting low income tenants, to be located at the northwest corner of Minnesota and Almeda Genoa, of which 20 units will be restricted to floating home assisted units, which 16 units restricted to HUD high home rents and 4 units restricted to HUD low home rents for a period of 20 years - **DISTRICT I - RODRIGUEZ**
17. ORDINANCE approving and authorizing contract between the City of Houston and **FLORAL SENIOR LDG, LP** to provide a \$726,000.00 loan of Federal "HOME" Funds to assist in the acquisition and development of a 100 unit affordable housing development targeting seniors 55 and older, to be located on the northeast side of Beltway 8 and Fondren Road, of which 6 units will be restricted to floating home assisted units, with 4 units restricted to HUD high home rents and 2 units restricted to HUD low home rents - **DISTRICT D - ADAMS**
18. ORDINANCE approving and authorizing agreement between the City of Houston and **GUIDING LIGHT COMMUNITY DEVELOPMENT CORPORATION** to provide a Loan of Federal Neighborhood Stabilization Program Funds in the amount not to exceed \$595,000.00 for eligible costs in connection with the acquisition, rehabilitation and resale to income-qualified households of up to seven foreclosed homes with proceeds from sales to be returned to the City of Houston NSP Program - **DISTRICT D - ADAMS**
19. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **MACGREGOR WEST SUBDIVISION** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - STARDIG**
20. ORDINANCE amending Ordinance No. 2008-0617, as amended, to increase the maximum contract amount for a contract between the City of Houston and the **LAW OFFICES OF PATRICK ZUMMO** for Legal Services relating to the City's continued enforcement of the Sexually Oriented Business Ordinance - \$100,000.00 - Property and Casualty Fund
21. ORDINANCE appropriating \$350,000.00 out of Combined Utility System General Purpose Fund and approving and authorizing contract between the City of Houston and **OLSON & OLSON, L.L.P.**, for Legal Services relating to Cause No. 799233; Trail Enterprises, Inc d/b/a Wilson Oil Company, et al. v. City of Houston; in the County Civil Court at Law No. One of Harris County, Texas; establishing a maximum contract amount - **DISTRICT E - SULLIVAN**

RESOLUTIONS AND ORDINANCES - continued

22. ORDINANCE awarding contract to **CAPT. KIRK'S MARINE SERVICE, INC** for Boat, Boat Motor and Boat Trailer Repair Services for Various Departments; providing a maximum contract amount 3 Years with two one-year options - \$358,230.58 - General and Enterprise Funds
23. ORDINANCE appropriating \$1,113,147.00 out of Reimbursement of Equipment/Projects Fund and approving and authorizing a Phase II Energy Savings Performance Contract between the City of Houston and **SIEMENS INDUSTRY, INC** for Implementation of Energy Conservation Measures at Solid Waste, Parks & Recreation and Health Department Facilities for the General Services Department; providing a maximum contract amount - **DISTRICTS A - STARDIG; C - CLUTTERBUCK; H - GONZALEZ and I - RODRIGUEZ**
24. ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests for rights-of-way in connection with the Public Improvement Project known as the Houston Heritage Corridor Bayou Trails West Hike and Bike Project; authorizing the acquisition by donation, purchase, or eminent domain proceedings of real property interests in Easement Title into two tracts of land situated in the John Austin Survey, A-1, in Harris County, Texas; such property being more specifically situated out of Lot 10, Block 228, of W. R. Baker Addition an Unrecorded Subdivision Plat, North Side Buffalo Bayou and Lot 20, Block 43, of Allen Addition, in Houston, Harris County, Texas; providing for the payment of the costs of such acquisitions, including Appraisal Fees, Fees for Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees - **DISTRICT H - GONZALEZ**
25. ORDINANCE appropriating \$731,372.00 out of Water & Sewer System Consolidated Construction Fund for Repair to the Lake Houston Pump Station under contract with the **COASTAL WATER AUTHORITY** (C35911, Ordinance No. 03-1137) - **DISTRICT E - SULLIVAN**
26. ORDINANCE appropriating \$110,000.00 out of Drainage Improvement Commercial Paper Series F Fund and approving and authorizing Professional Engineering Services Negotiated Work Orders Contract between the City of Houston and **ROBERT REID CONSULTING ENGINEER, INC** for Local Drainage Project Negotiated Work Orders; providing funding for contingencies relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund
27. ORDINANCE appropriating \$500,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **SIEMENS INDUSTRY** for the Intelligent Transportation System
28. ORDINANCE appropriating \$12,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Construction Management and Inspection Services Contract between the City of Houston and **OMEGA ENGINEERS, INC** for Various Wastewater Lift Station Improvement Projects
29. ORDINANCE appropriating \$423,500.00 out of Street & Bridge Consolidated Construction Fund, and \$265,000.00 from Contribution for Capital Projects Fund, awarding contract to **METRO CITY CONSTRUCTION, L.P.** for Safe Sidewalk Program Work Authorization Project; 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 Street & Bridge Consolidated Construction Fund; and Contribution for Capital Projects Fund - **DISTRICTS A - STARDIG; D - ADAMS; E - SULLIVAN; G - PENNINGTON; H - GONZALEZ and I - RODRIGUEZ**

RESOLUTIONS AND ORDINANCES - continued

30. ORDINANCE appropriating \$669,628.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **SYNAGRO OF TEXAS - CDR, INC** for Solids Removal from Wastewater Facilities; 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, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund
31. ORDINANCE appropriating \$1,231,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **N. G. PAINTING, L. P.** for Rehabilitation of Ground Storage Tanks and Cathodic Protection Systems; 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 - **DISTRICTS A - STARDIG; B - JOHNSON and G - PENNINGTON**
32. ORDINANCE appropriating \$408,542.00 out of General Improvement Consolidated Construction Fund; awarding construction contract to **AIA GENERAL CONTRACTORS, INC** for Underground Storage Tank Removal and Installation at City of Houston Police Academy Vehicle Maintenance Shop; 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 materials testing, project management and construction oversight, and contingencies relating to construction of facilities financed by the General Improvement Consolidated Construction Fund - **DISTRICT B - JOHNSON**
33. ORDINANCE appropriating \$886,233.00 out of Parks Consolidated Construction Fund, awarding construction contract to **MILLIS DEVELOPMENT & CONSTRUCTION, INC** for Godwin Park - Phase II; 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, abatement inspection and air monitoring services, Civic Art and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - **DISTRICT C - CLUTTERBUCK**
34. ORDINANCE making a general appropriation of certain revenues of the City in support of annual budgets for Fiscal Year 2010; making additional appropriations and authorizing transfers in support of the annual budgets of the City for Fiscal Year 2010

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 35 through 39

35. RECOMMENDATION from Director General Services Department to appoint Michael Welch and Bill Jackson independent appraisers and Samuel Jarrett alternate appraiser to determine the fair market value of Parcel SY9-080, known as the Heights Recycling Center, located at 3602 Center Street - **DISTRICT H - GONZALEZ** - **TAGGED BY COUNCIL MEMBER GONZALEZ**
This was Item 6 on Agenda of April 21, 2010
36. ORDINANCE appropriating \$64,759.12 out of Fleet/Equipment Special Revenue Fund for Purchase of Utility Vehicles for the Houston Fire Department
 - a. RECOMMENDATION from Purchasing Agent to award to **PHILPOTT MOTORS LTD. d/b/a PHILPOTT FORD** - \$56,996.00 and **BABY JACK II AUTOMOTIVE LTD. d/b/a CALDWELL COUNTRY CHEVROLET** - \$64,759.12 for Utility Vehicles through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Houston Police and Fire Departments - Supplemental Environmental Projects and Fleet/Equipment Special Revenue Funds - **TAGGED BY COUNCIL MEMBER SULLIVAN**
These were Items 9 and 9A on Agenda of April 21, 2010
37. ORDINANCE appropriating \$4,023,982.36 out of Equipment Acquisition Consolidated Fund, \$781,450.65 out of Reimbursement of Equipment/Projects Fund and \$511,908.00 out of Solid Waste Consolidated Construction Fund for Purchase of Cabs and Chassis and Refuse Bodies for Solid Waste Management Department for Roll-Off Trucks to be used to expand the Department's Neighborhood Depository and Recycling Operations at the expanded 5100 Sunbeam location and the new 9003 N. Main location
 - a. MOTION by Council Member Sullivan/Seconded by Council Member Lovell to adopt recommendation from Purchasing Agent to award to **HOUSTON FREIGHTLINER/STERLING** - \$1,605,258.00, **EAST TEXAS MACK SALES, LLC d/b/a B & C BODY COMPANY** - \$154,328.00, **CHASTANG BAYOU CITY FORD** - \$990,333.00, **RUSH TRUCK CENTERS OF TEXAS, L.P.** - \$1,365,264.00 and **MCNEILUS TRUCK & MANUFACTURING** - \$1,739,096.01 for Cabs & Chassis and Refuse Bodies through the Interlocal Agreements for Cooperative Purchasing with BuyBoards and Houston-Galveston Area Council for the Solid Waste Management Department - \$536,938.00 - National Clean Diesel Accelerated Fleet Replace Program Fund - **TAGGED BY COUNCIL MEMBER RODRIGUEZ**
These were Items 11 and 11A on the Agenda of April 21, 2010
38. ORDINANCE approving and authorizing contract between the City of Houston and **MARJO HOUSE INCORPORATED**, providing up to \$399,459.00 in Housing Opportunities for Persons With AIDS Funds, which amount includes a limitation on additional funding in the amount of \$199,729.50, for the operation and administration of a community residence located at 1706 Gellhorn Drive, Houston, Texas, along with the provision of supportive services - **DISTRICT B - JOHNSON** - **TAGGED BY COUNCIL MEMBERS JOHNSON and JONES**
This was Item 18 on Agenda of April 21, 2010
39. ORDINANCE appropriating \$364,600.00 out of Reimbursement of Equipment/Projects Fund and approving and authorizing Professional Architectural Services Contract between the City of Houston and **SMITH & COMPANY ARCHITECTS** for Fifth Ward Deluxe Theatre Renovation; providing funding for the Civic Art Program - \$285,000.00 - CDBG Fund - **DISTRICT B - JOHNSON** - **TAGGED BY COUNCIL MEMBER CLUTTERBUCK**
This was Item 31 on Agenda of April 21, 2010

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Gonzalez 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



ANNISE D. PARKER
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

APR 28 2010

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 4-14-10
date

April 13, 2010

COUNCIL MEMBER: _____

The Honorable City Council
City of Houston, Texas

Dear Council Members:

Pursuant to Section 9-3 of the City of Houston Code of Ordinances, I am pleased to appoint Mr. Mario C. Diaz as Director of the Houston Airport System, subject to City Council confirmation. His resume is attached for your review.

I expect to place Mr. Diaz's confirmation on the April 28, 2010 Council agenda. I have asked that he make himself available to visit with each of you before then.

Sincerely,

Annise D. Parker
Mayor

attachment

cc: Waynette Chan
Adam Harris
Madeleine Appel
Lloyd Waguespack
Janice Evans
Andy Icken
Marty Stein
Anna Russell
Eric Potts





ANNISE D. PARKER
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

2
APR 28 2010

April 12, 2010

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 4-13-10
date

COUNCIL MEMBER: _____

The Honorable City Council
City of Houston

Dear Council Members:

Pursuant to Section 33-211 of the Code of Ordinances, City of Houston, Texas, I am appointing the following individual to the Houston Archaeological and Historical Commission of the City of Houston, subject to Council confirmation:

Mr. Charles Stava, appointment to Position Twelve, for a term to expire March 1, 2012.

The résumé of the nominee is attached for your review.

Sincerely,

A handwritten signature in cursive script that reads "Annise D. Parker".

Annise D. Parker
Mayor

AP:JC:ss

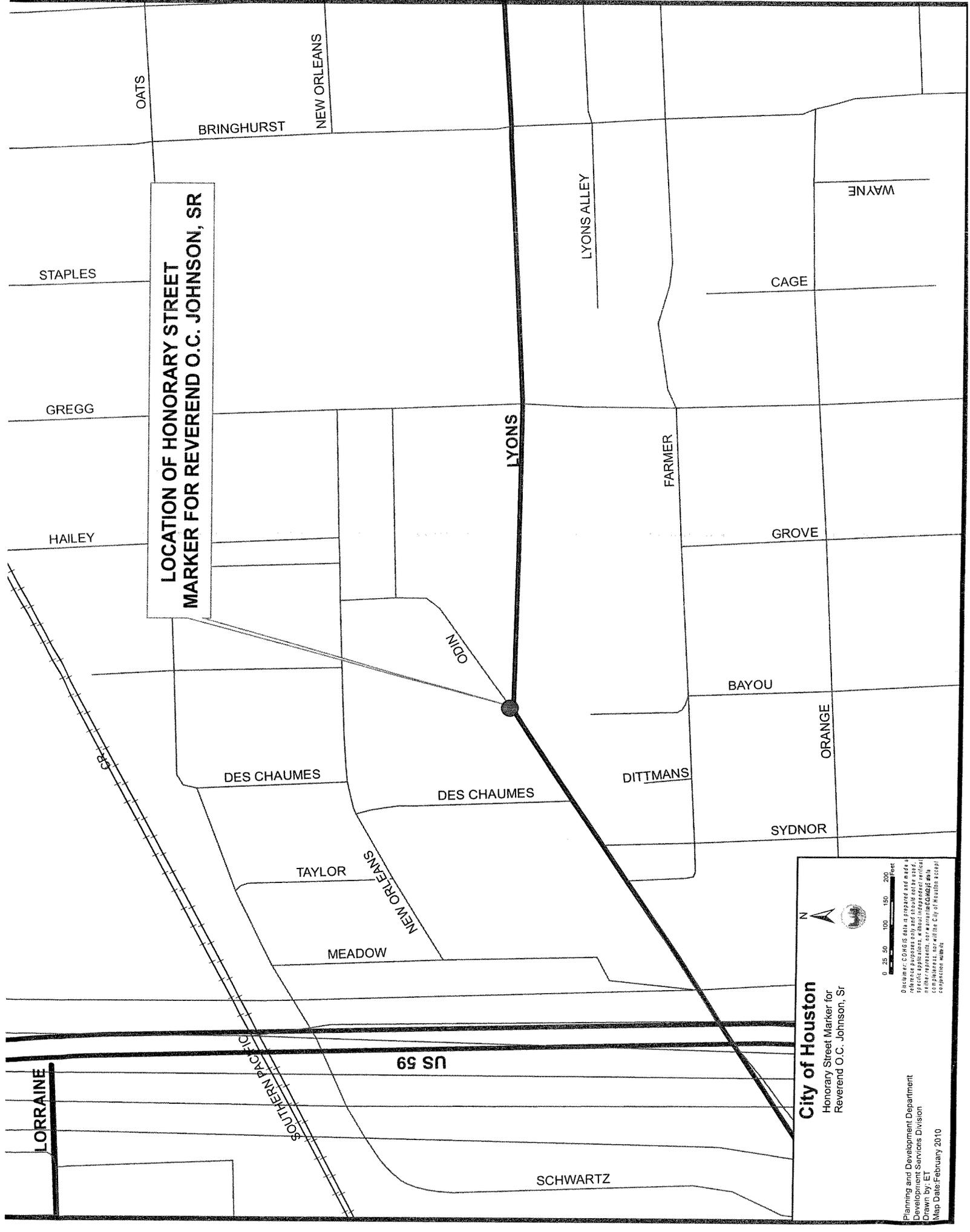
Attachment

cc: Ms. Marlene Gafrick, Director, Planning and Development Department
Ms. Betty Trapp Chapman, Chair, Houston Archaeological and Historical Commission



SUBJECT: Request the designation of an Honorary Marker for Reverend O.C. Johnson, Sr.		Category #	Page 1 of	Agenda Item # 3
FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department		Origination Date 04/16/2010		Agenda Date APR 28 2010
DIRECTOR'S SIGNATURE: <i>Marlene L. Gafrick</i>		Council District affected: B		
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 Reverend O.C. Johnson, Sr.				
Amount and Source of Funding:			Finance Budget:	
SPECIFIC EXPLANATION: The Planning and Development Department received a request for an Honorary Street Marker recognizing the late Reverend O.C. Johnson, Sr. for more than 35 years of service to Lyons Unity Missionary Baptist Church. The Honorary Street Marker will be located at the intersection of Lyons Avenue and Odin Street (see map). The proposed marker is in compliance with the City's Honorary Marker Policy. MLG:JO:Et 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 Max Samfield, Deputy Director Jarvis Johnson, Council Member, District B				
REQUIRED AUTHORIZATION				
Finance Director:		Other Authorization:		Other Authorization:

LOCATION OF HONORARY STREET
MARKER FOR REVEREND O.C. JOHNSON, SR



Disclaimer: CDGIS data is prepared and made available for reference purposes only and should not be used for engineering applications. Without independent verification, the City of Houston does not warrant the accuracy, completeness, or reliability of the data. The City of Houston is not responsible for any errors or omissions in this data.

City of Houston
Honorary Street Marker for
Reverend O.C. Johnson, Sr

Planning and Development Department
Development Services Division
Drawn by: ET
Map Date: February 2010

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work – TJ&T Enterprises, Inc. for Access Control and Telecom Duct Bank construction at William P. Hobby Airport (HOU), Project No. 576A (WBS#A-000439-0001-4-01, WBS#A000439-0001-4-02 ; Contract No. 4600006254) ✓	Category #	Page 1 of 1	Agenda Item # 4
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FROM (Department or other point of origin): Houston Airport System	Origination Date April 14, 2010	Agenda Date APR 28 2010
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DIRECTOR'S SIGNATURE: <i>Eric R. Potter</i>	Council District affected: I
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For additional information contact: John Silva <i>JS</i> Phone: 281-233-1925 Robert Bielek <i>RB</i> Phone: 281-233-1941	Date and identification of prior authorizing Council action: 08/23/2006 (O) 2006 - 0887
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AMOUNT & SOURCE OF FUNDING: N/A	Prior appropriations: 8/23/2006.....\$4,679,540.00 Arpt Sys Consolidated 2004 AMT Fd (8203)
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RECOMMENDATION: (Summary)
Pass a motion to approve the final contract amount of \$4,144,249.46 or 0.03 percent less than the original contract amount, accept work, and authorize final payment.

SPECIFIC EXPLANATION:

The contractor, TJ&T Enterprises, Inc., has completed all the work required under their contract in the amount of \$4,254,123.67 for the construction of a new communication duct bank and the conduits for the access control system at William P. Hobby Airport (HOU). During construction, HAS inspected the project, the inspection team was led by Henry Horelica and Douglas Holsenback.

The final contract amount, including Change Order No. 1 in the amount of \$144,984.65 and line item under runs in the amount of \$254,858.86, will be \$4,144,249.46, which is 0.03 percent less than the original contract amount. Changes included additional work on duct bank systems and traffic control.

Additional calendars days (394) were allowed to extend the contract due to inclement weather conditions (111 days), required additional duct bank systems (180 days), and coordination with project 612W which installed the fiber backbone system (103 days).

TJ&T Enterprise, Inc. achieved 18.11% DBE participation on a 19.70% goal. The shortfall was due to the following: (1) DBE subcontractor for ready mix concrete no longer offered this item; and (2) City of Houston Fire Academy adjacent to HOU accepted excavated material, which was originally to be hauled off by a DBE subcontractor. Small Business Development and Contract Compliance Office awarded TJ&T Enterprises, Inc. a "Satisfactory" rating.

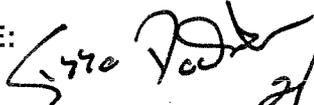
REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:
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MP

SUBJECT: Accept Work AAR Incorporated Asbestos/Lead Based Paint Abatement, and Interior Demolition at 1002 Washington Avenue. WBS No. D-000145-0001-4	Page 1 of 1	Agenda Item 
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FROM (Department or other point of origin): General Services Department	Origination Date 4/22/10	Agenda Date APR 28 2010
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DIRECTOR'S SIGNATURE:  Issa Z. Dadoush, P.E.	Council District affected: H
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For additional information contact: Jacquelyn L. Nisby  Phone: 832-393-8023	Date and identification of prior authorizing Council action: Ordinance 09-0918 Dated: 09/30/2009
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RECOMMENDATION: Pass a motion approving the final contract amount of \$695,630.00 accept the work and authorize final payment.

Amount and Source of Funding: No Additional Funding Required Previous Funding: \$787,720.00 Reimbursement of Equipment/Projects Fund (1850)	Finance Budget:
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SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve the final contract amount of \$695,630.00 or 4.99% over the original contract amount, accept the work and authorize final payment to AAR Incorporated for asbestos/lead based paint abatement and interior demolition at 1002 Washington Avenue for the Department of Public Works and Engineering.

PROJECT LOCATION: 1002 Washington Avenue
Houston, Texas (Key Map No. 493-L)

PROJECT DESCRIPTION: The project abated asbestos and lead based paint, provided interior demolition and removed asbestos containing material from flooring, mastic and all thermal system insulation junctions and pipe fittings throughout the building. The work also included hauling and proper disposal of debris generated as a result of all activities.

CONTRACT COMPLETION AND COST: The contractor completed the project within 90 days: the original contract time of 75 days plus 15 days approved by Change Orders. The final cost of the project, including Change Orders, is \$695,630.00, an increase of \$33,040.00 over the original contract amount.

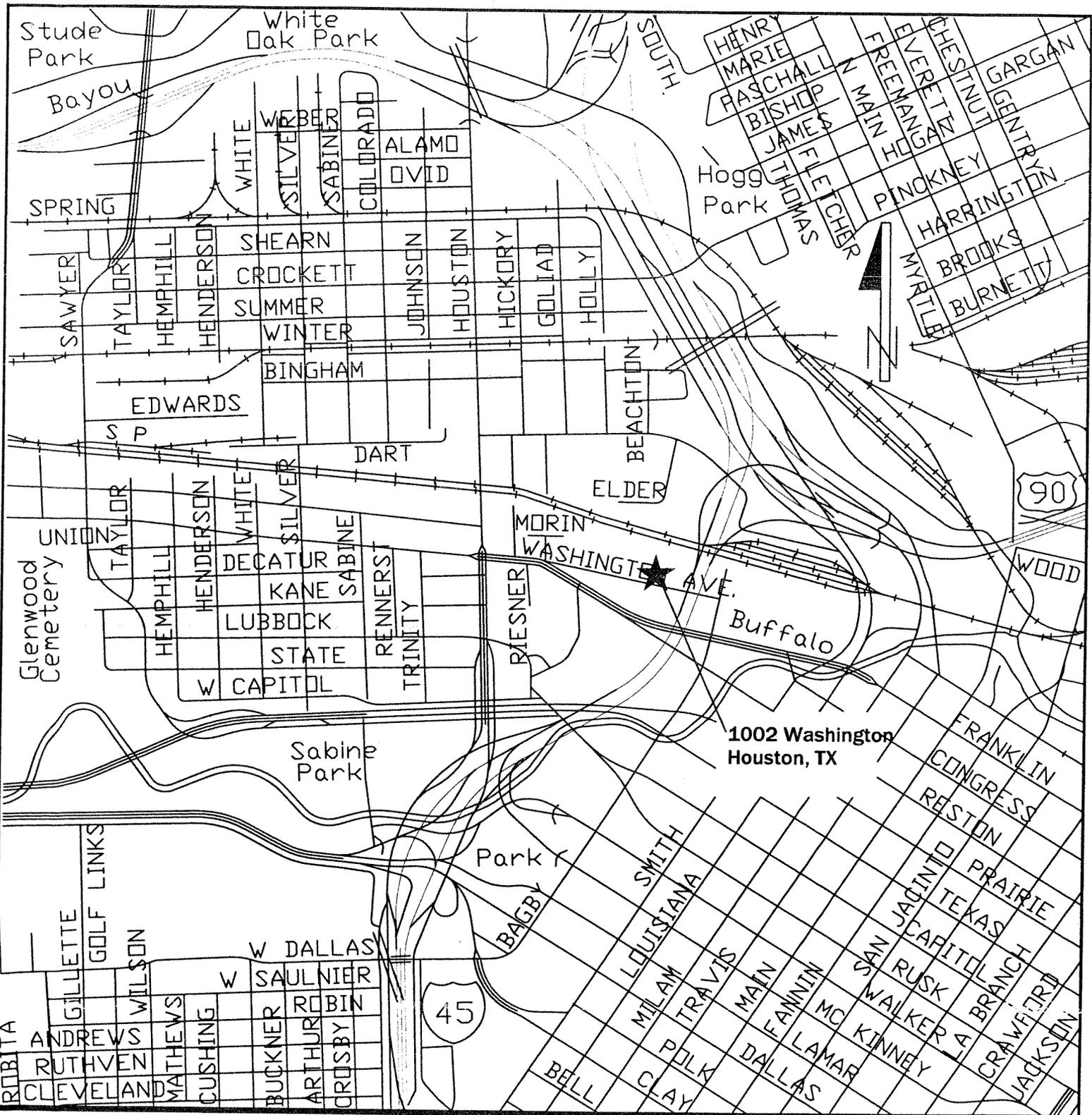
PREVIOUS CHANGE ORDERS: Change Orders 1 and 2 replaced the existing single entry gate with a wider double gate for easier and safer entry for large vehicles; demolished and disposed of three services elevators which were not required; and removed an additional 3,670 square feet of floor tiles and associated mastic.

IZD:HB:JLN:GM:MCJ:fk

c: Marty Stein, Jacquelyn L. Nisby, Velma Laws, Calvin Curtis, Gabriel Mussio, File.

REQUIRED AUTHORIZATION CUIC ID # 25GM212

General Services Department:  Humberto Bautista, P.E. Chief of Design & Construction Division	Other Authorization:	Department of Public Works and Engineering:  Michael S. Marcotte, P.E., D.WRE, BCEE Director
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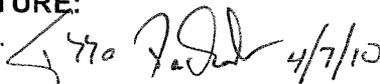
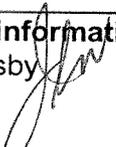
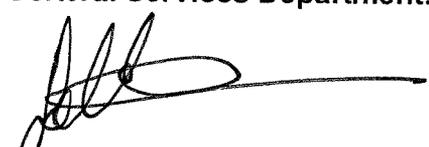
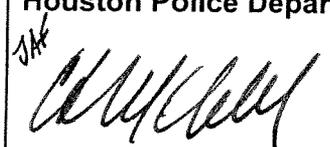
**Asbestos/Lead Based Paint Abatement
 and Interior Demolition
 1022 Washington
 Houston, TX 77002**

COUNCIL DISTRICT "H"

D-000145-0001-4

KEY MAP NO. 493L

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work Spaw Glass Construction Corporation Midwest Police Station - District 18 WBS No. G-000120-0001-4		Page 1 of 2	Agenda Item: <div style="text-align: right; font-size: 2em; font-weight: bold;">6</div>
FROM (Department or other point of origin): General Services Department		Origination Date: 4/22/10	Agenda Date: APR 28 2010
DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P. E.  4/7/10		Council District(s) affected: F	
For additional information contact: Jacquelyn L. Nisby  Phone: 832.393.8023		Date and identification of prior authorizing Council action: Ordinance No. 2008-0006; dated January 3, 2008 Ordinance No. 2009-0269; dated April 1, 2009	
RECOMMENDATION: Pass a motion approving the final construction amount of \$5,828,056.00, accept the work, and authorize final payment.			
Amount and Source of Funding: No Additional Funding Required		Finance Budget:	
Previous Funding: \$2,000,000.00 General Improvement Construction Fund (4509) \$3,417,000.00 Police Consolidated Construction Fund (4504) <u>\$1,399,800.00</u> Reimbursement of Equipment/Projects Fund (1850) \$6,816,800.00 Total Funding			
SPECIFIC EXPLANATION: On January 3, 2008, City Council awarded a Construction Management at Risk (CMAR) Contract to Spaw Glass Construction Corporation for construction of the Midwest Police Station – District 18. The General Services Department and Spaw Glass agreed to a Guaranteed Maximum Price (GMP) for construction services in the amount of \$5,886,342.00. The General Services Department recommends that City Council approve the final construction amount of \$5,828,056.00 or 0.99% under the GMP, accept the work and authorize final payment to Spaw Glass Construction Corporation.			
PROJECT LOCATION: 7277 Regency Square Blvd. (530D)			
PROJECT DESCRIPTION: This project converted an existing 60,000 SF office building into a police station, which included renovation of approximately 40,770 SF of interior space with the remaining portion shelled out for future use. The new police station includes a front desk, roll call, community meeting room, break room, officer's work area, exercise room with lockers, showers and restrooms, electrical, data, and telecom rooms and an Investigations Unit on the second floor.			
PREVIOUS HISTORY AND PROJECT SCOPE: On April 1, 2009, City Council approved a First Amendment to delegate authority to the director to approve the GMP proposal, and appropriated \$6,654,000.00 for construction phase services based on the estimate of costs submitted by Spaw Glass.			
REQUIRED AUTHORIZATION			
		CUIC ID#25CONS145	
General Services Department:  Richard A. Vella, AAIA. Chief of Design & Construction Division		Houston Police Department:  C.A. McClelland Chief of Police	

Date	Subject: Accept Work Spaw Glass Construction Corporation Midwest Police Station - District 18 WBS No. G-000120-0001-4	Originator's Initials JBW	Page 2 of 2
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CONTRACT COMPLETION AND COST: The contractor completed the project within the original contract duration of 233 days. The final construction cost of the project is \$5,828,056.00, a decrease of \$58,286.00 under the GMP.

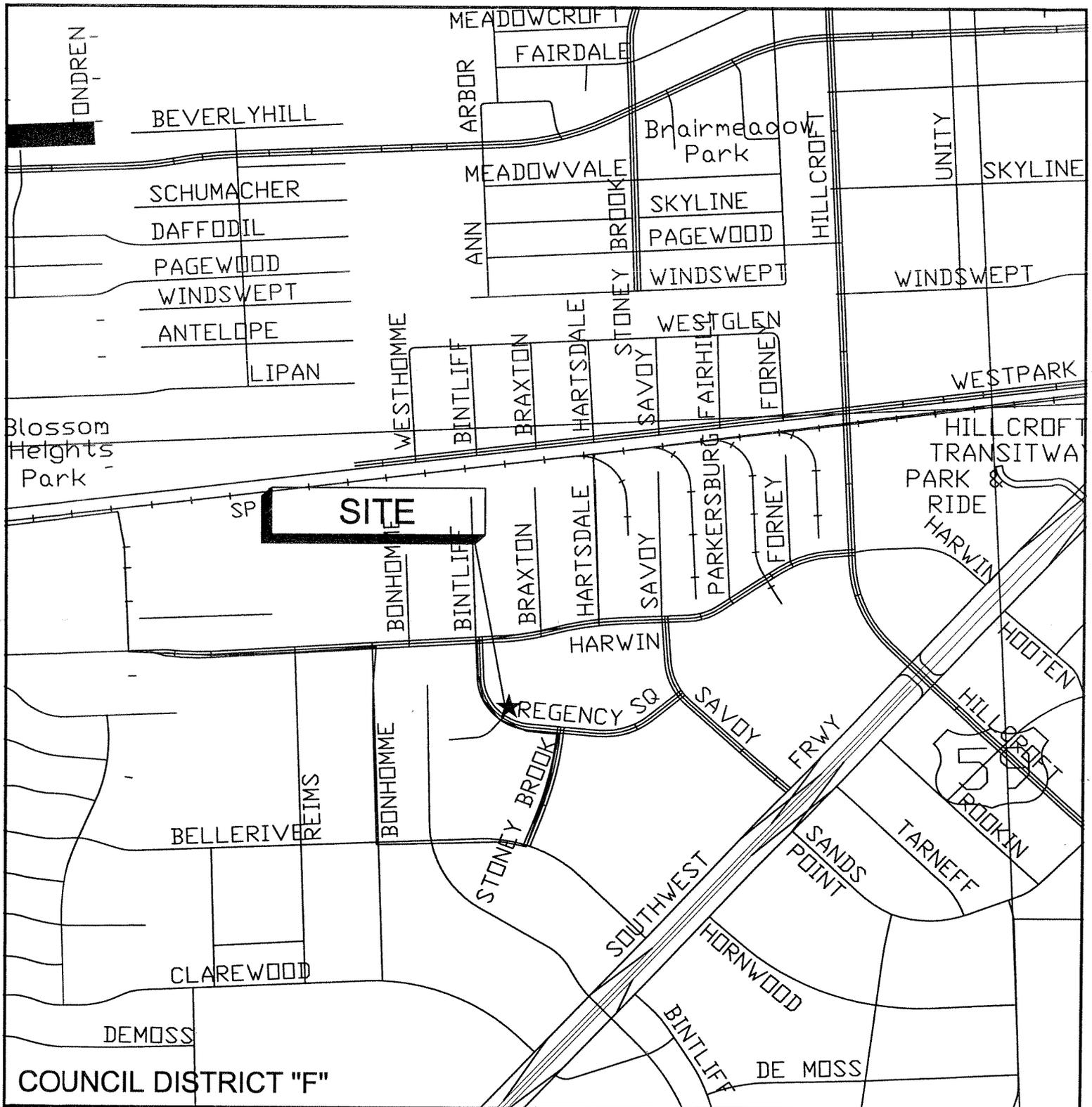
Perkins + Will, CRA, L.P. was the project design consultant.

PREVIOUS CHANGE ORDERS: Change Orders 1-5 addressed unforeseen conditions discovered during the renovation process including replacement of water damaged insulation and asbestos and mold abatement, upgrade of millwork and furnishing for durability, additional security cameras for enhanced security, additional guard railing for enhanced safety and improved site detention. Additionally there were owner enhancements including an energy efficient roof system, solar window shades and lobby enhancements. Change Order 6 provided for a credit to the City because the actual construction costs were less than the GMP.

M/WBE PARTICIPATION: The contract contained a 14% MBE goal, 5% WBE goal and 5% SBE goal. According to the Affirmative Action and Contract Compliance Division, the contractor achieved 24.35% MBE participation, 2.27% WBE participation and 3.70% SBE participation and was assigned an outstanding rating.

IZD:RAV:JLN:MCP:JBW

c: Marty Stein, Humberto Bautista, Christopher Gonzales, Jacquelyn L. Nisby, Velma Laws, Kim Ngyuen, Stephen Hanner,
File 1107

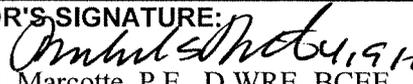


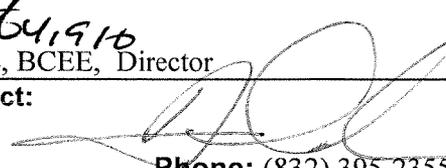
Midwest Police Station District 18
7277 Regency Square
Houston, TX 77036

O: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

Accept Work for 69 th Street Wastewater Treatment Plant (WWTP) Dryer Replacement/Rehabilitation. WBS No. R-000265-0024-4.	Page 1 of 1	Agenda Item # 7
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 4/22/10	Agenda Date APR 28 2010
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	Council Districts affected: I
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For additional information contact: J. Timothy Lincoln, P.E. Senior Assistant Director  Phone: (832) 395-2355	Date and Identification of prior authorizing Council Action: Ord. #2003-438 dated 04/30/2003
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RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$5,595,826.97, which is 6.13% under the original Contract Amount, accept the Work and authorize the final payment.

Amount and Source of Funding: No additional appropriation required.
(Original appropriation of \$6,846,300.00 from Water and Sewer System Consolidated Construction Fund No. 755.)

PROJECT NOTICE/JUSTIFICATION: This project was part of the City's ongoing program to improve the conditions and operation of various wastewater treatment and sludge processing facilities. This project is required to improve the safety and dependability of sludge processing facility at 69th Street Wastewater Treatment Plant.

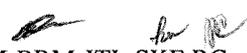
DESCRIPTION/SCOPE: The project consisted of rehabilitation and replacement of Dryer No. 3 and certain other sludge processing facilities at 69th Street Wastewater Treatment Plant. Binkley & Barfield, Inc. designed the project with 510 calendar days allowed for construction. The project was awarded to Pepper-Lawson Construction, L.P. with an original Contract Amount of \$5,961,000.00.

LOCATION: The project is located at 2525 SSGT. Macario Garcia Drive. The project is located in Key Map Grid 494-R.

CONTRACT COMPLETION AND COST: The Contractor, Pepper-Lawson Construction, L.P. has completed the Work under subject Contract. The project was completed within the contract time with an additional 754 days approved by Change Order Nos. 1 through 5. The final cost of the project, including overrun and underrun of estimated bid quantities, previously approved Change Order Nos. 1 through 5 is \$5,595,826.97, a decrease of \$365,173.03 or 6.13% under the original Contract Amount.

The cost underrun is primarily due to the work not requiring use of most Extra Unit Price Items.

M/WBE PARTICIPATION: The M/WBE goal set for this project was 17.00%. According to Affirmative Action and Contract Compliance Division, the actual participation was 26.72%. The Contractor was awarded an "Outstanding" rating for M/WBE compliance.


MSM:DRM:JTL:SKF:RC:mq
Z:\E&C Construction\Facilities\Projects\R-0265-24-3 69th Dryer\Closeout\RCA\RCA.DOC

cc: File No. R-000265-0024-4 – Closeout

REQUIRED AUTHORIZATION		CUIC ID# 20MZQ162
Finance Department:	Other Authorization:  Jun Chang, P.E., D.WRE, Deputy Director Public Utilities Division	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division

MSX

O: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Westheimer to West Alabama Sewer Relocation. WBS No. R-002011-0045-4	Page 1 of 1	Agenda Item # 8
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 4/22/10	Agenda Date APR 28 2010
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DIRECTOR'S SIGNATURE: Michael S. Marcotte 6 Michael S. Marcotte, P.E., D.WRE, BCEE, Director	Council Districts affected: C, D RC
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For additional information contact: J. Timothy Lincoln, P.E. Senior Assistant Director J. Timothy Lincoln Phone: (713) 837-7074	Date and Identification of prior authorizing Council Action: Ord. #2007-645 dated 06/06/2007 JTL
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RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$2,627,703.55, which is 3.69% over the original Contract Amount, accept the Work and authorize the final payment.

Amount and Source of Funding: No additional appropriation required.
(Original appropriation of \$2,889,000.00 from Water and Sewer System Consolidated Construction Fund No. 8500.)

PROJECT NOTICE/JUSTIFICATION: This project was part of the City's ongoing program to improve and upgrade its neighborhood sanitary sewers.

DESCRIPTION/SCOPE: The project consisted of construction of 8-inch, 10-inch, and 12-inch of sanitary sewers, 6-inch sanitary sewer leads and various pavements. Brown & Gay Engineers, Inc. designed the project with 270 calendar days allowed for construction. The project was awarded to ACM Contractors, Inc. with an original Contract Amount of \$2,534,197.43.

LOCATION: The project is generally bound by Westheimer on the north, West Alabama on the south, Hazard on the east and Revere on the west. The project is located in the Key Map Grids 492-U and 492-V.

CONTRACT COMPLETION AND COST: The Contractor, ACM Contractors, Inc. has completed the Work under subject Contract. The project was completed within the Contract Time with 7 additional days allowed by previously approved Change Order No. 1. The final cost of the project, including overrun and underrun of estimated bid quantities and Change Order Nos. 1 and 2 is \$2,627,703.55, an increase of \$93,506.12 or 3.69% over the original Contract Amount.

The increased cost is a result of the differences between planned and measured quantities, primarily due to an overrun in Base Unit Price Item No. 34 - Type D - Hot Mix Asphalt Concrete Surfacing, 1-1/2-inch Thick (includes removal and disposal of 1-1/2-inch surface), which was necessary to complete the Work.

M/WBE PARTICIPATION: The M/WBE goal for this project was 20%. According to Affirmative Action and Contract Compliance Division, the actual participation was 20.70%. The Contractor was awarded a "Satisfactory" rating for M/WBE compliance.

JTL
MSM:DRM:JTL:JAK:JSC:mq
Z:\E&C Construction\South Sector\PROJECT FOLDER\R-002011-0045-4\Closeout\RCA\RCA.DOC

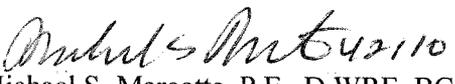
CC: Velma Laws File No. R-002011-0045-4 - 21.0

REQUIRED AUTHORIZATION **CUIC ID# 20MZQ131** NOT

Finance Department:	Other Authorization: Jun Chang Jun Chang, P.E. Deputy Director Public Utilities Division	Other Authorization: Daniel R. Menendez Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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SUBJECT: Request for a council motion declining the acceptance of, rejecting, and refusing the dedication of an unnamed platted street, from Fitzhugh Street east to its terminus, located in the Knollwood Estates Subdivision, out of the J.L. Stanley Survey, A-700. Parcel SY10-060	Page <u>1</u> of <u>1</u>	Agenda Item # <div style="font-size: 2em; text-align: center;">9</div>
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 4/22/10	Agenda Date APR 28 2010
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DIRECTOR'S SIGNATURE: <div style="font-size: 1.5em; margin-left: 20px;">  </div> Michael S. Marcotte, P.E., D.WRE, BCEE, Director	Council District affected: B Key Map 455L 
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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 a council motion declining the acceptance of, rejecting, and refusing the dedication of an unnamed platted street, from Fitzhugh Street east to its terminus, located in the Knollwood Estates Subdivision, out of the J.L. Stanley Survey, A-700. **Parcel SY10-060**

Amount and Source of Funding: Not Applicable	
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SPECIFIC EXPLANATION:

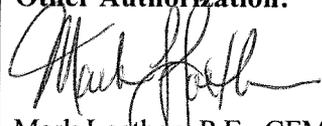
Rich Cryar, 7411 Mesa Drive, Houston, Texas, 77028, requested the abandonment and sale of an unnamed platted street, from Fitzhugh Street east to its terminus, located in the Knollwood Estates Subdivision, out of the J.L. Stanley Survey, A-700. The street was dedicated to the City by the J.L. Stanley Survey, dated December 22, 1936 in Volume 13, Page 53, of the Harris County Map Records. The street was never opened or used for utility purposes. Further, the City has identified no future need for this street. The abutting property owner, Rich Cryar, plans to use the subject property as a storage area for his adjacent metal fabrication business. The Joint Referral Committee reviewed the request and determined the request could be processed as a non-acceptance.

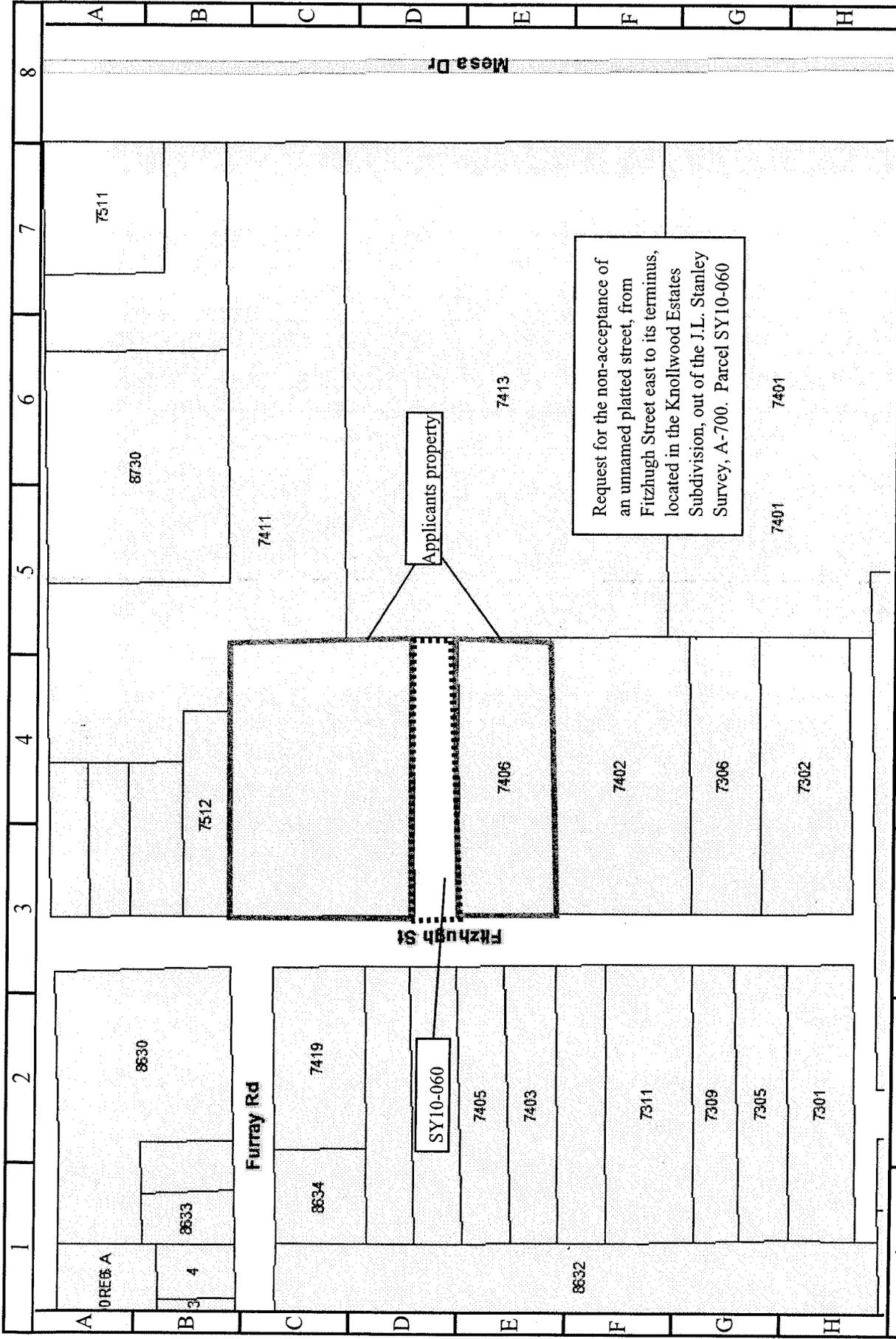
Therefore, it is recommended City Council approve a council motion declining the acceptance of, rejecting, and refusing the dedication of an unnamed platted street, from Fitzhugh Street east to its terminus, located in the Knollwood Estates Subdivision, out of the J.L. Stanley Survey, A-700.

NPC:WSB:gg

c: Jun Chang, P.E.
 Rick Flanagan
 Marlene Gafrick
 Daniel Menendez, P.E.
 Arturo G. Michel
 Marty Stein
 Jeffrey Weatherford, P.E., PTOE

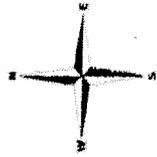
gg\sy10-060.rc1.doc	CUIC #20GG9122
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REQUIRED AUTHORIZATION		
Finance Department:	Other Authorization:	Other Authorization: <div style="font-size: 1.5em; margin-left: 20px;">  </div> Mark Loethen, P.E., CFM, PTOE Acting Deputy Director Planning and Development Services Division



CITY OF HOUSTON
 Department of Public Works and Engineering
 Geographic Information & Management System (GIMS)

DISCLAIMER: 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.

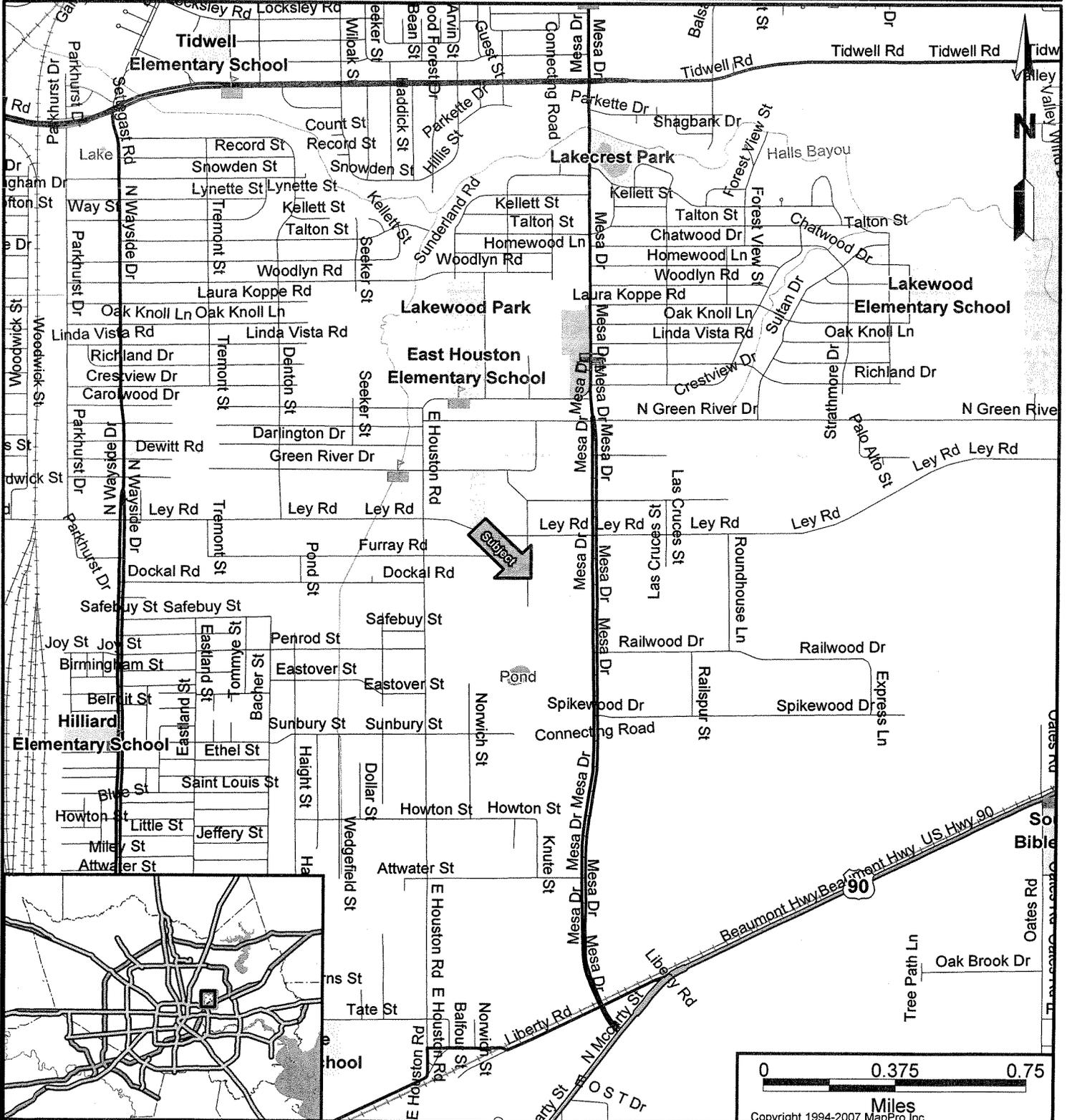


LOCATION MAP

Description: Request for the non-acceptance of an unnamed platted street, from Fitzhugh Street east to its terminus, located in the Knollwood Estates Subdivision, out of the J.L. Stanley Survey, A-700. SY10-060

Subject Address: 7420 Fitzhugh St, Houston, TX 77028

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.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8680

Subject: Purchase of Light-Duty Cabs & Chassis with Modular Bodies through the Texas Local Government Purchasing Cooperative for the Houston Police Department
S34-N23605-B

Category #
4

Page 1 of 1

Agenda Item

10

FROM (Department or other point of origin):
Calvin D. Wells
City Purchasing Agent
Administration & Regulatory Affairs Department

Origination Date
March 17, 2010

Agenda Date
APR 28 2010

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
Joseph Fenninger *JWF 4/15/10* Phone: (713) 308-1708
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the purchase of light-duty cabs & chassis with modular bodies through the Texas Local Government Purchasing Cooperative (BuyBoard) in the amount of \$352,557.22 for the Houston Police Department.

Award Amount: \$352,557.22

Finance Budget

\$352,557.22 - State Homeland Security Program Grant (SHSP) Fund (Fund 5030)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve the purchase of six 11,000-lb Gross Vehicle Weight Rating, 4-wheel drive, diesel-powered cabs & chassis mounted with modular bodies through the Interlocal Agreement for Cooperative Purchasing with BuyBoard in the amount of \$352,557.22 for the Houston Police Department, and that authorization be given to issue a purchase order to the BuyBoard contractor, Philpott Motors, Ltd. These vehicles will be used by the Department's Bomb Squad Unit to rapidly respond to and assess all bomb and bomb-related calls, including any terrorist and weapons of mass destruction events.

The Houston Police Department Bomb Squad Unit is the largest and best-trained unit in the region and has a responsibility to respond to events not only in Houston but most of South Texas as well. In addition to responding to events in the City of Houston, including the City's airports, the Bomb Squad Unit has memorandums of understanding with the Federal Bureau of Investigation (FBI), the Alcohol, Tobacco and Firearms (ATF), and other agencies within the Houston-Galveston Area Council response area to provide immediate deployment and quick resolution to any suspected explosive devices. It also has the responsibility along with the FBI and the ATF to conduct post-blast investigations and collect evidence.

These new vehicles are additions to the Bomb Squad Unit's fleet and are required to transport six new tech members and their equipment and personal gear. Currently, there are eight comparable vehicles assigned to the Bomb Squad Unit. The Department's goal is an immediate deployment and quick resolution to any suspected explosive device because response time is critical. To accomplish this goal, the unit will immediately dispatch the closest techs to the scene, thereby reducing response times. All unit members are on-call 24/7 and may be activated at any time.

The cabs & chassis will come with a full three-year/36,000-mile warranty and the modular bodies will come with a full six-year warranty. The life expectancy of these vehicles is 7 years or 100,000 miles. These vehicles will meet the EPA's current emission standards for vehicles with diesel engines.

Buyer: Larry Benka
PR No. 10092281

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

[Signature] 4/15/10

Other Authorization:

NOT

10

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Approval of a resolution to correct the legal description of the Landmark and Protected Landmark designation of First Evangelical Church and Education Building at 1311 Holman Road	Category #	Page 1 of 1	Agenda Item # 11
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FROM (Department or other point of origin): Planning and Development	Origination Date 4/2/2010	Agenda Date APR 28 2010
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DIRECTOR'S SIGNATURE: <i>Maureen K. Sapwell</i>	Council District affected: 1
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For additional information contact: Diana DuCroz Phone: (713) 837-7924	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
Approval of a resolution to correct the legal description of the Landmark and Protected Landmark designation of First Evangelical Church and Education Building at 1311 Holman Road

Amount and Source of Funding: N/A	Finance Budget:
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SPECIFIC EXPLANATION:

First Evangelical Church and Education Building at 1311 Holman Road was designated as a Landmark and Protected Landmark by City Council on June 24, 2009, resolution 2009-16. However, the resolution contained an incorrect legal description. The purpose of this action is to correct the legal description to:

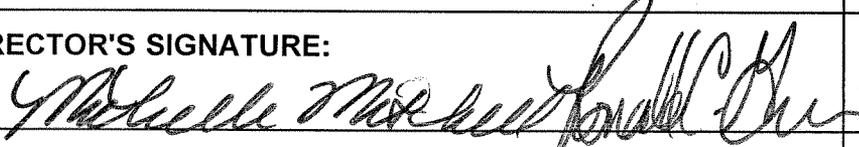
All of Lots 5-10, and the West 50 feet of Lots 3 and 4, Block 1, Holman Outlot #40, City of Houston, Harris County, Texas. The block, bounded by Holman, Austin, Francis and Caroline Streets, includes four historic buildings: the church, a religious education building, a two-story parsonage, and a detached garage with custodian quarters. Only the church and religious education building are included in this protected landmark designation. The two-story parsonage and the parsonage's detached garage with custodian quarters, located on the East 50 feet of Lots 1, 2, 3 and 4, are excluded.

MG: rp

Attachment: Resolution No. 2009-16

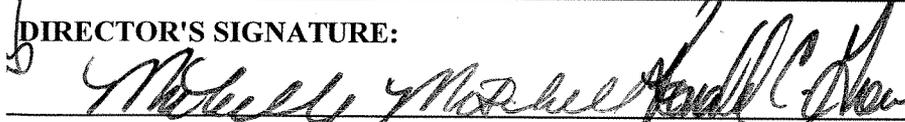
xc: Minnette Boesel, Mayor's Assistant for Cultural Affairs
Arturo G. Michel, City Attorney
Deborah McAbee, Land Use Division, Legal Department
C.A. McClelland, Chief, Police Department
Rick Flanagan, Acting Chief, Fire Department

REQUIRED AUTHORIZATION		
Finance Director:	Other Authorization:	Other Authorization:

SUBJECT: An Ordinance authorizing the issuance of City of Houston, Texas, General Obligation Commercial Paper Notes, Series J, in an aggregate amount not to exceed \$125 million.		Category #	Page 1 of <u>1</u>	Agenda Item# <i>120</i>
FROM (Department or other point of origin): Department of Finance and Office of the City Controller		Origination Date: 4/23/2010	Agenda Date APR 28 2010	
DIRECTOR'S SIGNATURE: 		Council District Affected: All		
For additional information contact: James Moncur Shawnell Holman-Smith		Phone: 832-393-1009 Phone: 832-393-3513	Date and identification of prior authorizing Council action:	
RECOMMENDATION: (Summary) Approve Ordinances authorizing the issuance of City of Houston, Texas, General Obligation Commercial Paper Notes, Series J, in an aggregate principal amount not to exceed \$125 million, for the purpose of providing money for certain authorized purposes; approving and authorizing certain authorized officers and employees to act on behalf of the City in the selling and delivery of such notes, within the limitations and procedures specific herein; making certain covenants and agreements in connection therewith; resolving other matters incident and related to the issuance, sale, delivery, and security of such notes, including the approval of an issuing/paying agent agreement, a credit agreement, offering memorandum and commercial paper dealer agreements for each series.				
Amount of Funding:		Not Applicable		Finance Budget:
Source of Funding:		[] General Fund [] Grant Fund [] Other (Specify)		
[] Enterprise Fund				
SPECIFIC EXPLANATION:				
<p>Starting in 1993, City Council began authorizing commercial paper programs to provide appropriation and "on time" funding for various capital expenditures of the City. The issuance of commercial paper has provided an expedient, cost-effective method of accessing cash and providing interim financing. Commercial paper notes are later refinanced into fixed rate bonds more closely matching the useful life of the project or equipment being financed.</p> <p>The current liquidity facilities that support the Series D and Series F commercial paper programs expire on May 25, 2010. These commercial paper programs support the Capital Improvement Plan and drainage projects, therefore, the Finance Working Group ("FWG") recommends the creation of the new commercial paper program Series J to replace the Series D and Series F commercial paper programs.</p> <p>State Street Bank is recommended as the liquidity provider for the Series J commercial paper program in the amount of \$125 million, plus interest. The liquidity facility is for a 3-year term, with a commitment fee of 70 basis points per annum. Morgan Stanley and Loop are recommended as dealers, and U.S. Bank National Association as issuing/paying agent. Vinson & Elkins and Francisco G. Medina are recommended as co-bond counsel.</p> <p>This issue was discussed and reported out favorably at the January 4th Budget and Fiscal Affairs meeting.</p>				
Recommendation				
The FWG recommends approval of this transaction.				
REQUIRED AUTHORIZATION				
Finance Director:		Other Authorization:		Other Authorization:

SUBJECT: An Ordinance authorizing the issuance of the City of Houston Taxable Pension Notes, Series 2010A; approving and delegating certain authority to the Mayor and the City Controller with regard to the notes and matters incident thereto.	Category #	Page 1 of <u>1</u>	Agenda Item# 13
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FROM (Department or other point of origin): Department of Finance and Office of the City Controller	Origination Date: 4/23/2010	Agenda Date APR 28 2010
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DIRECTOR'S SIGNATURE: 	Council District Affected: All
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For additional information contact: James Moncur Phone: 832-393-1009 Shawnell Holman-Smith Phone: 832-393-3513	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary) An Ordinance authorizing the issuance of the City of Houston Taxable Pension Notes, Series 2010A; approving and delegating certain authority to the Mayor and the City Controller with regard to the notes and matters incident thereto.

Amount of Funding: Not Applicable	Finance Budget:
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Source of Funding: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Other (Specify) <input type="checkbox"/> Enterprise Fund
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SPECIFIC EXPLANATION:

In the FY 2010 Budget previously approved by City Council, the City has agreed to partially fund the unfunded actuarial accrued liabilities(UAAL) of the Houston Police Officers' Pension System (HPOPS) with proceeds of taxable pension obligation bonds. This \$20 million payment is due May 25th, 2010.

The Finance Working Group ("FWG") recommends obtaining funding in the form of a short-term note issued to a commercial bank. This short-term note will have a 15-18 month maturity. The note will then be refunded with long-term Taxable Pension Obligation Bonds when the City is prepared to do a larger debt issuance.

The closing is expected to occur on or around May 21st, 2010. The FWG recommends that the notes be issued to Bank of America, based on the most favorable terms offered through the FWG solicitation process. Vinson & Elkins L.L.P. is recommended as bond counsel.

This item was discussed at the Budget and Fiscal Affairs Committee on April 5th, 2010 and was recommended favorably for full City Council consideration.

Recommendation:

The Finance Working Group recommends the approval of this item.

REQUIRED AUTHORIZATION		

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

SUBJECT: Ordinance approving and authorizing a Lease Agreement between the City of Houston and the Houston Symphony Society for office space at Jones Hall.

Category #

Page 1 of 2

Agenda Item#

14

FROM: (Department or other point of origin):

Dawn R. Ullrich, Director
Department of Convention and Entertainment Facilities

Origination Date

April 15, 2010

Agenda Date

APR 28 2010

DIRECTOR'S SIGNATURE:

Dawn Ullrich

Council Districts affected:

District I

For additional information contact:

Stephen W. Lewis

Phone: 713-853-8888

Date and identification of prior authorizing Council Action:

Ordinance No. 95-1149

RECOMMENDATION: (Summary)

That City Council approve and authorize a Lease Agreement with the Houston Symphony Society for office space at Jones Hall.

Amount of Funding: N/A (Revenue)

F & A Budget:

SPECIFIC EXPLANATION:

In 1995, under Ordinance No. 95-1149, the Houston Symphony Society entered into a Lease Agreement for space in Jones Hall, 615 Louisiana. The 1995 Lease Agreement expires on May 31, 2010. The Convention & Entertainment Facilities Department requests approval of a new Lease Agreement with a five year term. The total amount of space being leased remains at approximately 8,398 square feet. The first year's rental is \$58,108.08 or \$4,842.34 monthly. Thereafter, the rental will be adjusted according to the Consumer Price Index.

The five year term was selected to coincide with the term of the most recent Resident Company Agreement for Jones Hall, which was approved by City Council in December, 2009. The Houston Symphony Society and the Society for the Performing Arts are both resident companies of Jones Hall and schedule the majority of their performances in Jones Hall. Both entities maintain their primary offices in Jones Hall, along with their box offices.

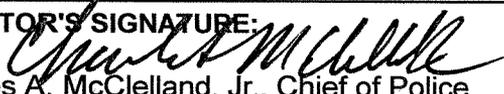
The Convention and Entertainment Facilities Department recommends approval of the new Lease Agreement with the Houston Symphony Society for office space in Jones Hall. The new Lease Agreement will continue the City's tradition of promoting the arts and arts organizations.

REQUIRED AUTHORIZATION

Finance Department

Other Authorization

Other Authorization

SUBJECT: Houston Auto Crimes Task Force Grant/19	Category # 1	Page 1 of 1	Agenda Item # 15
FROM: (Department or other point of origin): Houston Police Department	Origination Date 4/22/10		Agenda Date APR 28 2010
DIRECTOR'S SIGNATURE:  Charles A. McClelland, Jr., Chief of Police	Council Districts affected: All		
For additional information contact: J. A. Fenninger, Deputy Director <i>JAF 4/20/10</i> (713) 308-1770	Date and identification of prior authorizing Council Action:		

RECOMMENDATION: (Summary)
Adopt an ordinance approving the submission of ABTPA grant application.

Amount of Funding:				Finance Budget:
<u>ABTPA</u>	<u>Cash Match</u>	<u>In-Kind</u>	<u>Total Funding</u>	
\$1,077,146	\$586,281	\$334,423	\$1,997,850	

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

SPECIFIC EXPLANATION:

Houston Auto Crimes Task Force/19

The Houston Police Department (HPD) is requesting an ordinance be approved authorizing the submission of a grant application to the Texas Automobile Burglary and Theft Prevention Authority (ABTPA) in support of the Houston Auto Crimes Task Force. HPD is the coordinating police agency for this grant and works in conjunction with the Texas Department of Public Safety (DPS), Fort Bend County Sheriff's Office (FBCSO) and the Harris County Metropolitan Transit Authority Police Department (METRO PD). If approved by City Council, this will be the 19th year of funding through the ABTPA program. Since its inception in 1991, the ABTPA Grant Unit has been instrumental in reducing the auto theft rate in Houston and the surrounding areas by 66%.

As a lead agency, the HPD ABTPA program has successfully fostered an increased level of cooperation with other police agencies. These agencies have provided personnel who assist in the apprehension and prosecution of suspected buyers and sellers of stolen motor vehicles and automotive parts. These participating law enforcement partners have requested to continue their collaborative efforts and are presently preparing interlocal agreements with HPD that will be presented for City Council approval at a later date.

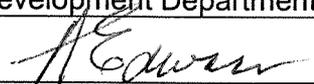
The in-kind contributions consist of direct expenses such as fuel and utilities and office space while the cash match consists of salaries and fringe benefits. Both the in-kind and cash match items are presently included in the HPD General Fund budget, therefore no additional allocation is required.

HPD will pass on \$1,248 to DPS, \$31,236 to METRO PD and \$26,746 to FBCSO in support of their participation in the Houston Auto Crimes Task Force.

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Finance Director:	Other Authorization:  4/20/10	Other Authorization:
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TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION**

SUBJECT: An Ordinance authorizing an Agreement between the City of Houston and Houston Esperanza, Inc.		Category #	Page 1 of 2	Agenda Item # 16
FROM (Department or other point of origin): Ada Edwards, Director Housing and Community Development Department		Origination Date 4/8/10	Agenda Date APR 28 2010	
DIRECTOR'S SIGNATURE: 		Council District affected: District I		
For additional information contact: Daniel H. Barker Phone: 713-868-8331		Date and identification of prior authorizing Council action:		

RECOMMENDATION: (Summary)
The Department recommends approval of an Ordinance authorizing an Agreement between the City of Houston and Houston Esperanza, Inc. for land acquisition and construction of a Senior Residential Housing Facility.

Amount of Funding: \$2,449,929	Finance Budget:
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SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund

Other (Specify) **HOME FUNDS**

SPECIFIC EXPLANATION:

Houston Esperanza, Inc. (Esperanza), a nonprofit Texas corporation under Section 501(c)(3), has been certified by the Housing and Community Development Department (HCDD) as a Community Housing Development Organization (CHDO). Esperanza is requesting a \$2,449,929 0% Performance Based Loan (PBL) from the City of Houston. Esperanza will then provide a credit facility to Houston Sterling Court Senior Residences, L.P. (HSCSR) for land acquisition and construction of the Sterling Court Senior Residence complex.

The City of Houston HOME funds, to Esperanza, will be a 0% interest loan with a 20 year term. The PBL is to be forgiven at the end of the 20 year term so long as the Borrower complies with the City loan agreement terms and conditions, and the property is in full compliance with HUD and City guidelines. As collateral, Esperanza will convey its security interest in the Note and Deed of Trust from the HSCSR partnership to the City of Houston. The City's Land Use Restrictions Agreement (LURA) will be superior to Alliant Capital loan on the property.

HSCSR has been awarded a tax-credit commitment from the Texas Department of Housing and Community Affairs. The tax-credits will be purchased by a national tax-credit syndicator. The additional financing will be provided by City HOME funds and bank loan. The limited partnership interest in HSCSR will be sold for a 99.99% limited partnership interest. With the pay down of the construction loan, the equity proceeds from the sale of the limited partnership will be invested into the project.

Under the proposed structure, HSCSR will own Sterling Court Senior Residences, and in partnership with Esperanza, will be responsible for all aspects of the development process and management. The principals of HSCSR will personally guarantee the \$2,449,929 note from the City of Houston to Esperanza, which will be released upon project completion and stabilization.

REQUIRED AUTHORIZATION		
Finance Dept.	Other Authorization:	Other Authorization:
		NOT

Date
4/8/10

Subject: An Ordinance authorizing an Agreement between the City of Houston and Houston Esperanza, Inc.

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Page
2 of 2

Upon project completion, Sterling Court Senior Residences will consist of 140-unit senior residences as well as a common area building to be located on 6.89 acres at the NW corner of Minnesota and Almeda Genoa in SE Houston.

The unit mix consists of 60 one-bedroom and 80 two-bedroom units. The City will restrict 20 floating HOME assisted units with 16 units restricted to HUD High HOME Rents and 4 units restricted to HUD Low HOME Rents for a period of 20 years. HSCSR, the property owner, plans to lease the remaining 120 units to tenants with incomes 60% of area media income or less.

Total Source of Funds:

City of Houston /PBL	\$ 2,449,929
Tax Credit Equity	12,137,487
Alliant Capital Loan	2,850,000
Deferred Developer Fee	<u>453,920</u>
Total	\$ 17,891,336

Uses of Funds:

Acquisition	\$ 1,294,640	\$ 9,247 per unit
Hard Costs	12,599,439	89,710 per unit
Soft Costs	<u>3,997,257</u>	<u>28,838</u> per unit
Total	\$ 17,891,336	\$127,795 per unit

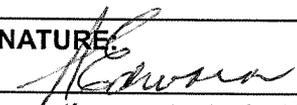
On March 25, 2010, the Housing and Community Development Committee met and passed this project on to the City Council for consideration with recommendation.

This project is consistent with the City of Houston Consolidated Plan to provide affordable housing for low-income families. The Department recommends approval of an agreement between the City of Houston and Houston Esperanza, Inc.

AE:db

- cc: City Secretary
- Controller's Office
- Finance Department
- Legal Department
- Mayor's Agenda Office

10- Floral Gardens

SUBJECT: An Ordinance authorizing a loan agreement between the City of Houston and Floral Senior LDG, LP.		Category #	Page 1 of 2	Agenda Item # 17
FROM (Department or other point of origin): Ada Edwards, Acting Director, Housing and Community Development Department		Origination Date: 4/7/10	Agenda Date: APR 28 2010	
DIRECTOR'S SIGNATURE: 		Council District affected: District "D"		
For additional information contact: Joel K. North Phone: 713-868-8477		Date and identification of prior authorizing Council action:		

RECOMMENDATION: (Summary)
The Department recommends approval of an Ordinance authorizing a loan agreement between the City of Houston and Floral Senior LDG, LP.

Amount of Funding: \$726,000 **Finance Budget:**

SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund
 Other (Specify) **HOME Funds**

SPECIFIC EXPLANATION:

Floral Senior LDG, LP is a limited partnership established to build and operate Floral Garden. Floral Garden is a 100-unit affordable housing development targeting seniors 55 and older earning 30%, 50% and 60% of median income for the Houston MSA. The proposed project will be new construction consisting of a single three-story building with elevators. The proposed development will be located on the NE side of Beltway 8 and Fondren Road.

Floral Senior LDG, LP is requesting a \$726,000 loan from the City of Houston to assist in the acquisition and development of Floral Garden.

Floral Garden was awarded 9% housing tax credits in the 2009 competitive round. They returned the tax credits to the Texas Department of Housing and Community Affairs (TDHCA) to participate in the TAX Credit Exchange Program administered by TDHCA. The tax credit exchange award amount is \$11,936,975 or \$1,404,350 annually for 10-years.

Floral Garden will have 100-units of which 30 units or 30% will be one-bedroom units and 70 or 70% will be two-bedroom units. The one-bedroom units will be 604 square feet and the two-bedroom units will average 917 square feet. The following amenities are proposed for the development: swimming pool, fully equipped clubhouse, health screening room, library, laundry facility, business center, barbecue area with grills, gated entry, and gazebo. The proposed supportive services for this development are: health screening, health /nutritional classes, exercise classes, legal assistance, computer classes and financial planning.

LDG Development, LLC is the proposed developer of Floral Gardens. LDG Development was formed in 1994 by Mark Lechner and Chris Dischinger as the primary holding company for their real estate investments. LDG and its related companies have built or rehabilitated over 500 properties totaling in excess of \$150,000,000. The principals will personally guarantee the project through completion of construction.

The City of Houston will provide a \$726,000 HOME loan at 0% interest for 20-years with an option to extend for 10 years. The City's loan will be repaid at maturity. The City's Land Use Restrictions will prime Sterling Bank's 1st lien and the affordability period is 20 years. Capstone Real Estate Services will manage the property.

Finance Director:	Other Authorization:	Other Authorization:
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Date
4/7/10

Subject: An Ordinance authorizing a loan agreement between
the City of Houston and Floral Senior LDG, LP.

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2 of 2

Sterling Bank will provide interim construction and permanent financing for the development.
Construction loan: \$2,000,000 Prime floating + 2.00% subject to a minimum all in rate of 6.25%, interest only for 30-months.
Permanent loan: \$1,800,000 @ 8% for a term of 18-years based on a 30-year amortization.

The City will restrict 6 units; 2 Low HOME units and 4 High HOME units. The restricted units will float throughout the property. Seven units are designated to accommodate mobility and sensory impaired persons.

Sources of Funds		per unit
Sterling Bank	\$ 2,000,000	\$ 20,000
City HOME Loan	726,000	7,260
Tax Credit Equity	<u>11,936,975</u>	<u>119,370</u>
Total Sources	\$14,662,975	\$146,630

Uses of Funds		
Land	\$ 729,358	\$ 7,294
Soft Cost	4,935,101	49,351
Hard Cost	<u>8,998,516</u>	<u>89,985</u>
Total Uses	\$14,662,975	\$ 146,630

On March 25, 2010, this project was presented to the Housing Committee and was recommended for council approval.

The project is consistent with the City's consolidated plan to provide affordable housing to low-income families. The Department recommends approval of a loan agreement between the City of Houston and Floral Senior LDG, LP.

AE:jn

Xc: City Attorney
Mayor's Office
City Secretary
Finance

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

HCD10-102

SUBJECT: An ordinance approving and authorizing a \$595,000 contract between the City of Houston and Guiding Light Community Development Corporation, using Federal NSP funds to assist in the development of seven (7) affordable single-family houses in the Sunnyside area.		Category #	Page 1 of 2	Agenda Item # 18
FROM (Department or other point of origin): Ada Edwards, Interim Director <i>Lingua Tinson for Ada Edwards</i> Housing and Community Development Department		Origination Date 3/2/2010	Agenda Date APR 28 2010	
DIRECTOR'S SIGNATURE:		Council District affected: District D		
For additional information contact: Deidre Rasheed Phone: 713-868-8429		Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) The Department recommends approval of an ordinance authorizing a \$595,000 contract between the City of Houston and Guiding Light Community Development Corporation, funds to assist in the development of seven (7) affordable single-family houses in the Sunnyside area.				
Amount of Funding: \$595,000			Finance Budget:	
SOURCE OF FUNDING <input type="checkbox"/> General Fund <input checked="" type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund				
<input type="checkbox"/> Other (Specify) Neighborhood Stabilization Program Funds				
SPECIFIC EXPLANATION: Guiding Light Community Development Corporation, ("Guiding Light CDC") is a 501(c) 3 nonprofit corporation certified as a Community Housing Development Organization (CHDO). Guiding Light CDC is an affordable housing builder proposing the rehabilitation of seven (7) single-family homes within the Sunnyside Community. Guiding Light CDC is requesting a \$595,000 Neighborhood Stabilization Program (NSP) loan from the City of Houston to acquire, rehabilitate, and resell foreclosed homes. Guiding Light CDC will provide homeownership opportunities to families earning less than 50% of area median income, as defined by HUD. Guiding Light CDC will perform all needed repairs to bring properties into compliance with HCDD's Minimum Property and Rehabilitation Standards, after which, Guiding Light CDC will sell rehabilitated properties to income-qualified households. Housing units will be sold at or below cost of acquisition and rehabilitation and will have a minimum affordability period based on HOME regulations. Proceeds from the sale will be Program Income. Program Income will be returned to the City of Houston NSP program if collected prior to July 30, 2013. Program Income received on or after July 30, 2013 must be returned to the U.S. Treasury.				
REQUIRED AUTHORIZATION				
Finance Director:		Other Authorization:		Other Authorization:

Date 3/1//2010	Subject: An ordinance approving and authorizing a \$595,000 contract between the City of Houston and Guiding Light Community Development Corporation, using Federal NSP funds to assist in the development of seven (7) affordable single-family houses in the Sunnyside area.	Originator's Initials	Page <u>2</u> of <u>2</u>
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This project is consistent with the City of Houston Consolidated Plan to create affordable housing units. The City's participation in the project will contribute to the goal of expanding sustainable homeownership opportunities for low-income families in the Houston Area.

The Department recommends approval of an agreement between the City of Houston and Guiding Light CDC.

AE:DR

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

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance designating all improved single-family residential lots in the MacGregor West Subdivision as a Prohibited Yard Parking Requirement Area	Category #	Page 1 of _____	Agenda Item # 19
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date April 9, 2010	Agenda Date APR 28 2010
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DIRECTOR'S SIGNATURE: <i>MSD Marlene L. Gafrick</i>	Council District affected: A
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For additional information contact: Kevin Calfee Phone: 713.837.7768	Date and identification of prior authorizing Council action: 2009-0059, 1-28-09
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RECOMMENDATION: (Summary) Approval of an ordinance designating all improved single-family residential lots in the MacGregor West Subdivision as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.

Amount and Source of Funding: NA	Finance Budget:
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SPECIFIC EXPLANATION: In accordance with Section 28-303 of the Code of Ordinances, the MacGregor West Civic Association, Inc. initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the MacGregor West Civic Association, Inc. Notification was mailed to 125 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. Since no protests were timely filed and the application meets the requirements, the Director is forwarding the application to City Council for consideration.

It is recommended that the City Council adopt an ordinance establishing a Prohibited Yard Parking Requirement Area.

- Attachments:**
 Planning Director's Approval
 Prohibited Yard Parking Requirement Area Application
 Letter of Support
 Map of the proposed requirement area / land use

- xc: Marty Stein, Agenda Director
 Anna Russell, City Secretary
 Arturo G. Michel, City Attorney
 Don Cheatham, Senior Assistant City Attorney
 Chief C.A. McClelland, HPD
 Alfred Moran, ARA

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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Prohibited Yard Parking Requirement Area No. P100202

Planning Director's Approval

Planning Director Evaluation:

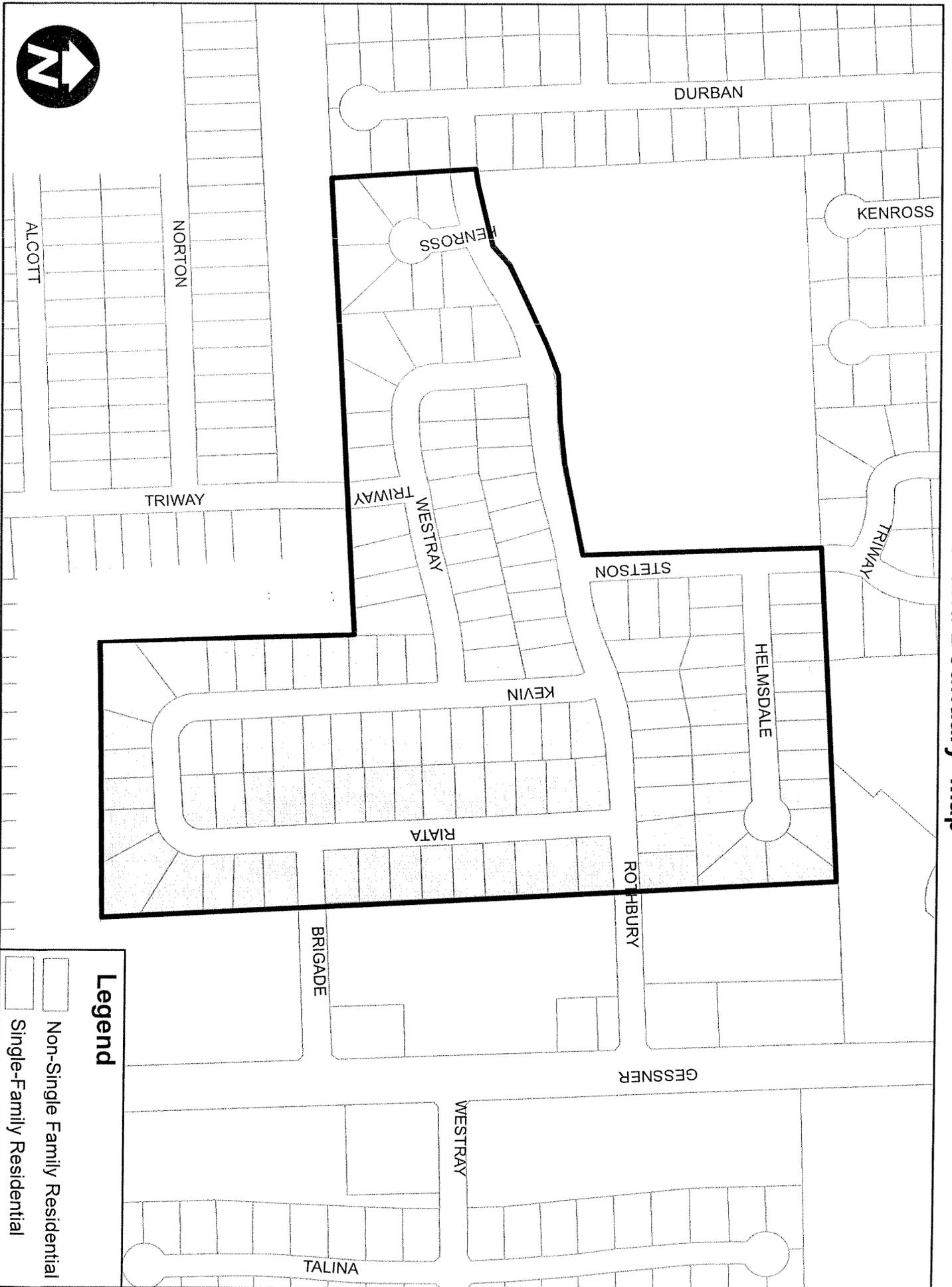
Satisfies	Does Not Satisfy	Criteria
X		<i>PYPRA includes five contiguous block faces;</i> The application area contains at least five contiguous block faces.
X		<i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i> 100% of the proposed application area is developed as single-family residential.
X		<i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i> The president of the MacGregor West Civic Association, Inc. has signed a letter of support.
X		<i>No valid protests were timely filed;</i> The protest period ended on March 17, 2010 with no protests being timely filed.

The Prohibited Yard Parking Requirement Area meets the criteria.

Marlene L. Gafrick 4/9/10
Marlene L. Gafrick, Date
Director

P100202

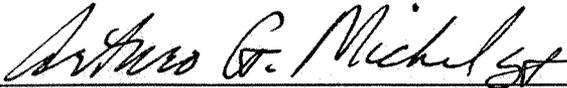
MacGregor West Civic Association, Inc.
Landuse and Boundary Map



Legend

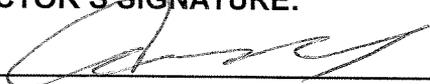
- Non-Single Family Residential
- Single-Family Residential

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance amending a contract for legal services with the Law Offices of Patrick Zummo, relating to the enforcement of the City's sexually oriented business (SOB) ordinance to add additional funding and increase the maximum allowable amount under the contract.		Page 1 of 1	Agenda Item # 20
FROM (Department or other point of origin): Legal Department	Origination Date	Agenda Date APR 28 2010	
DIRECTOR'S SIGNATURE: 	Council District affected: All		
For additional information contact: Don Cheatham Phone: (832) 393-6437	Date and identification of prior authorizing Council action: Ord. 2008-617, passed 7/1/08		
RECOMMENDATION: (Summary) That City Council pass an ordinance to amend the existing contract with the Law Offices of Patrick Zummo to provide additional funding in the amount of \$100,000 for legal services related to continuing litigation and other matters involving the ongoing enforcement of the City's SOB ordinance.			
Amount and Source of Funding: \$100,000 – Additional fund amount – Property and Casualty Fund 1004 \$118,200 – Previous funding \$308,200 – Maximum contract amount			
SPECIFIC EXPLANATION: The City Attorney recommends that City Council pass an ordinance to amend the current legal services contract with the Law Offices of Patrick Zummo (formerly Zummo & Midkiff, L.L.P.) to provide additional funding in the amount of \$100,000 for legal services in connection with continuing enforcement, including litigation, of the City's sexually oriented business regulations. With Mr. Zummo's assistance, the City successfully defended the 1997 amendments to the SOB ordinance against all constitutional challenges. The federal litigation terminated on or about March 14, 2008, when the U.S. Supreme Court declined to consider the plaintiffs' appeal from the final judgment rendered by the Fifth Circuit Court of Appeals which upheld the City's 1997 amendments to the SOB ordinance. Notwithstanding the City's success in the federal litigation, several SOB enterprises filed state court actions during 2007 to complete the amortization process provided for in the SOB ordinance and that litigation continues to this date. Mr. Zummo continues to represent the City in those actions, and others relating to the enforcement of the SOB ordinance. Although the City Attorney's Office is handling a number of SOB enforcement cases internally, the City Attorney remains convinced that it is in the City's best interest for Mr. Zummo to continue to represent the City in these matters. The ongoing litigation is a vital part of the City's enforcement of the City's SOB ordinance. It is recommended that the proposed ordinance be approved to continue those efforts.			
K:\RCA\RD3872			
REQUIRED AUTHORIZATION			
Other Authorization:	Other Authorization:	Other Authorization:	

SUBJECT: That Council approve an ordinance authorizing a contract for legal services with Olson & Olson, L.L.P. to represent the City of Houston in a case styled <i>Trail Enterprises, Inc., d/b/a Wilson Oil Company, et al. v. the City of Houston, Texas</i> , now pending in the County Civil Court at Law No. 1 in Harris County Texas.	Category # 1	Page 1 of 1	Agenda Item # <div style="text-align: right; font-size: 2em;">21</div>
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FROM (Department or other point of origin): Legal Department	Origination Date 4-22-10	Agenda Date APR 28 2010
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DIRECTOR'S SIGNATURE: 	Council District affected: E
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For additional information contact: Bertrand Pourteau Phone: 832.393.6454	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)

That Council approve an ordinance authorizing a contract for legal services with Olson & Olson, L.L.P. to represent the City of Houston in a case styled *Trail Enterprises, Inc., d/b/a Wilson Oil Company, et al. v. the City of Houston, Texas*, now pending in the County Civil Court at Law No. 1 in Harris County Texas.

AMOUNT AND SOURCE OF FUNDING: \$350,000.00 from the Combined Utility System General Purpose Fund No. 8305	Budget:
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SPECIFIC EXPLANATION:

The City of Houston ("Houston") has been sued by Trail Enterprises, Inc., and others (collectively "Trail") who claim that Section 23-102 of Houston's Code of Ordinances, which restricts the drilling of oil and natural gas wells in certain areas near Lake Houston, has resulted in a taking of their mineral interests under a tract of land located near the lake.

The trial court dismissed their claims as unripe because none of the Plaintiffs ever applied for a drilling permit. However, the 10th Court of Appeals in Waco reversed, and rendered judgment that Plaintiffs recover from the City \$16,849,099.37, plus interest. The City appealed that Order to the Texas Supreme Court, which reversed the judgment of the Court of Appeals, but found that Plaintiffs claims were ripe and remanded everything to the trial court for further proceedings.

Olson & Olson, L.L.P. has considerable experience in representing local governmental entities on inverse condemnation claims. The Legal Department requests that Council approve an ordinance authorizing a contract for legal services with Olson & Olson, L.L.P. to represent the City in this matter.

REQUIRED AUTHORIZATION		
Finance Director:	Other Authorization:	Other Authorization: 

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8634

Subject: Approve an Ordinance Awarding a Contract for Boat, Boat Motor and Boat Trailer Preventative Maintenance and Repair Services for Various Departments
L23248

Category #
4

Page 1 of 2

Agenda Item

22

FROM (Department or other point of origin):
Calvin D. Wells
City Purchasing Agent
Administration & Regulatory Affairs Department

Origination Date
April 08, 2010

Agenda Date
APR 28 2010

DIRECTOR'S SIGNATURE

M/W Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Joseph Fenninger *JFF 4/9/10* Phone: (713) 308-1708
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to Capt. Kirk's Marine Service, Inc. on its low bid in an amount not to exceed \$358,230.58 for boat, boat motor and boat trailer preventative maintenance and repair services for various departments.

Maximum Contract Amount: \$358,230.58

Finance Budget

\$346,980.58 General Fund (1000)
\$ 11,250.00 PW&E Water & Sewer System Operating Fund (8300)

\$358,230.58

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options, to Capt. Kirk's Marine Service, Inc. on its low bid in an amount not to exceed \$358,230.58 for boat, boat motor and boat trailer 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. Eight prospective bidders downloaded the solicitation from SPD's e-bidding website and two bids were received as outlined below:

	<u>COMPANY</u>	<u>TOTAL AMOUNT</u>
1.	Capt. Kirk's Marine Service, Inc.	\$358,230.58
2.	Gulf Coast Composite Marine Specialists	\$398,250.00

The scope of work requires the contractor to provide all labor, materials, equipment, supervision, tools and transportation necessary to provide repair, preventative and remedial maintenance services on boats, boat motors and boat trailers. The Police Department Lake Patrol uses seven boats to patrol Lake Houston and its Dive Team has seven boats at its disposal to respond to emergencies citywide and one boat used for major offenders/ environmental unit. The Public Works and Engineering Department uses their three boats for environmental sampling and emergency rescue.

Pay or Play Program

The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City Contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

[Signature] 4/9/10

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Date: 4/8/2010	Subject: Approve an Ordinance Awarding a Contract for Boat, Boat Motor and Boat Trailer Preventative Maintenance and Repair Services for Various Departments L23248	Originator's Initials RB	Page 2 of 2
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ESTIMATED SPENDING AUTHORITY

Department	FY 10	Out Years	Total
The Houston Police Department	\$ 23,132.00	\$ 323,848.58	\$ 346,980.58
Public Works and Engineering	\$ 2,000.00	\$ 9,250.00	\$ 11,250.00
Grand Total	\$ 25,132.00	\$ 333,098.58	\$ 358,230.58

Buyer: Roy Breaux

Attachment: M/WBE Zero-Percentage Goal Document approved by the Affirmative Action Division.

SUBJECT: Energy Savings Performance Contract for Energy Conservation Measures
 Siemens Industry, Inc. f/k/a Siemens Building Technologies, Inc.
 Implementation of Energy Conservation Measures at Solid Waste
 Management, Parks and Recreation and Health Department Facilities
 WBS #: D-000138-0004-1-01

Page
1 of 2

Agenda
Item

23

FROM (Department or other point of origin):
 General Services Department

Origination Date
 4/22/10

Agenda Date
 APR 28 2010

DIRECTOR'S SIGNATURE

Issa Z. Dadoush, P.E. *Issa Dadoush by F.R.*

Council District(s) affected:
 A, C, H, I

For additional information contact:
 Jacquelyn L. Nisby *JL Nisby* Phone: 832-393-8023

Date and identification of prior authorizing Council action:

RECOMMENDATION: Approve an energy savings performance contract for implementation of energy conservation measures at Solid Waste Management, Parks and Recreation and Health Department facilities and appropriate funds for the project.

Amount and Source Of Funding:
 Maximum contract amount - \$20,021,826.00

Finance Budget:
Mitchell
Mitchell

Initial Appropriation:
 \$ 1,113,147.00 - Reimbursement of Equipment/Projects Fund (1850)

SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve an Energy Savings Performance Contract for Energy Conservation Measures with Siemens Building Technologies, Inc. (Siemens) to implement energy conservation measures designed to improve the system infrastructure and operational efficiencies at Solid Waste Management, Parks and Recreation and Health Department facilities, which represents 56 facilities, totaling 1,333,175 square feet. The contract consists of three work orders. The requested appropriation of \$1,113,147.00 will fund the first work order for implementation of energy conservation measures (ECM) at the Solid Waste Management Department (SWMD) facilities listed below. Council will be requested to appropriate additional funds to this contract for the remaining two work orders, as funds become available.

It is expected that the Reimbursement of Equipment/Projects Fund will be reimbursed from the guaranteed energy savings. The project will generate annual savings of \$2,010,807.00 with \$508,296.00 of that savings derived from capital cost avoidance. The consultant guarantees the City of Houston will save a total of \$26,140,491.00 over a 13 year period, which is the payback timeframe. The lifetime of the new equipment and systems installed and implemented during this project is between 20 and 25 years. If the costs savings are less than the guaranteed annual savings of \$2,010,807.00, the consultant will pay the City the difference.

PROJECT LOCATIONS: The following SWMD facilities total approximately 119,502 square feet:

FACILITY	LOCATION	KEY MAP	COUNCIL DISTRICT
Northwest Service Center	1245 Judiway	452P	A
Southwest Service Center	11500 S. Post Oak	571C	C
Warehouse	9003 N. Main	461L	H
Northeast Service Center	5617 Neches	454S	H
Southeast Service Center	1506 Central	535G	I

REQUIRED AUTHORIZATION

CUIC ID # 25MSCL68

NOT

Date:	SUBJECT: Energy Savings Performance Contract for Energy Conservation Measures Siemens Industry, Inc. f/k/a Siemens Building Technologies, Inc. Implementation of Energy Conservation Measures at Solid Waste Management, Parks and Recreation and Health Department Facilities	Originator's Initials GD	Page 2 of 2
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PROJECT DESCRIPTION: Many of SWMD facilities use older, inefficient lighting, mechanical systems and control systems. This project will upgrade these systems through the installation and implementation of measures to reduce energy, water consumption and/or operating costs of City facilities. Further, this project will replace several pieces of equipment that are at the end of their useful life, and if not included in this project, would have to be financed through the Capital Improvement Plan. Work is to begin within ten days of the effective date and work shall be completed within 450 days from the date of commencement.

FUNDING SUMMARY:

\$1,085,997.00 Construction Contract Services
\$ 27,150.00 2.5% Contingency
\$1,113,147.00 Total Appropriation

PREVIOUS HISTORY AND PROJECT SCOPE: On May 14, 2008, Ordinance No. 2008-439, City Council approved an energy audit services contract with Siemens to provide the City a detailed energy analysis and plans for the implementation of energy conservation measures (ECM) for various City facilities. Due to the popularity of the program, on June 17, 2009, Ordinance No. 2009-0533, City Council amended the energy audit services contract to allow Siemens to perform energy audits on facilities when requested by other City departments.

M/SBE PARTICIPATION: A 14% MBE goal and 10% SBE have been established for this contract. The consultant has submitted the following certified firms to achieve the goals:

<u>MBE Firm</u>	<u>Scope of Work</u>	<u>Amount</u>	<u>% of Contract</u>
TAG Electric Company L.P.	Electric	\$2,026,339.00	10.4%
D.C. Services, LLC	Controls Installation	\$ 508,200.00	2.6%
Veritas Supply, Inc.	HVAC Equipment Supply	\$ 295,500.00	1.5%
	Total:	\$2,830,039.00	14.5%

<u>SBE Firm</u>	<u>Scope of Work</u>	<u>Amount</u>	<u>% of Contract</u>
Bocci Engineering, LLC	Engineering	\$ 24,001.00	0.12%
Globe Electric Supply Company, Inc.	Electrical Supplies	\$ 620,000.00	3.17%
Aviles Engineering Corporation	Geo-technical	\$ 133,716.00	0.68%
MAF Enterprises	HVAC Install	\$ 200,000.00	1.02%
FMW Distributors, Inc.	HVAC Equipment Supply	\$ 985,000.00	5.04%
	Total:	\$1,962,717.00	10.03%

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's 'Pay or Play' Ordinance regarding health benefits for employees of City contractors. In this case, the consultant provides health benefits to eligible employees in compliance with City policy.

IZD:JLN:GMD:gmd

c: Issa Dadoush, P.E., Marty Stein, Jacquelyn L. Nisby, Martha Leyva, File

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Recommendation that an ordinance for the HOUSTON HERITAGE CORRIDOR BAYOU TRAILS WEST HIKE AND BIKE PROJECT be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation. WBS N-000420-0016-2-01		Page 1 of 1	Agenda Item # 24
FROM: (Department or other point of origin): Department of Public Works and Engineering		Origination Date 4/22/10	Agenda Date APR 28 2010
DIRECTOR'S SIGNATURE: MS Michael S. Marcotte, P.E., D.WRE, BCEE, Director		Council District affected: H Key Map 493 G	
For additional information contact: Nancy P. Collins Phone: (713) 837-0881 Senior Assistant Director		Date and identification of prior authorizing Council Action: Ordinance 2007-1067, passed September 19, 2007	
RECOMMENDATION: (Summary) An ordinance for the HOUSTON HERITAGE CORRIDOR BAYOU TRAILS WEST HIKE AND BIKE PROJECT be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.			
Amount and Source of Funding: No additional funding required (covered under Blanket Appropriation Ordinance 2007-1067, N-00663A-00RE-2-01, Street and Bridge Consolidated Construction Fund 4506) M.P. 4/19/10			
SPECIFIC EXPLANATION: The Department of Public Works and Engineering is requesting that an ordinance for the HOUSTON HERITAGE CORRIDOR BAYOU TRAILS WEST HIKE AND BIKE PROJECT be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation. This project provides 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 action authorizes payment for the costs of land purchases/condemnations, appraisal fees, title policies/services, and recording fees in connection with negotiations to settle purchases, finds a public necessity for the project, and approves and authorizes the condemnation of the land and improvements thereon. If negotiations to acquire the property cannot be concluded as a purchase or for any reason for which acquisition by condemnation is warranted, this action authorizes the City Attorney to file or cause Eminent Domain proceedings to be filed and acquire rights-of-way and easements for said purposes and authorizes payment for the Award of Special Commissioners and court costs associated with condemnation proceedings. Payments for purchase considerations that exceed the spending authority threshold set by State law will be submitted to City Council as they are finalized. This will expedite the process of acquiring land in support of the Houston Heritage Corridor Bayou Trails West Hike and Bike Project. MSM:NPC:hht N:/Tyler/HeritageWestH&Bblnktrca cc: Marty Stein			
REQUIRED AUTHORIZATION			CUIC #20 HHT194
Finance Department	Other Authorization:	Other Authorization: Mark L. Loethen, P.E., CFM, PTOE Acting Deputy Director Planning and Development Services Division	

COUNTY LOCATION MAP

Description: Houston Heritage Corridor Bayou Trail West Hike and Bike Project

Key Map Location: 493 G, Council District: H

WBS N-000420-0016-2-01

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



Area of Detail shown on Location Map

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Appropriation of funds for repairs to the Lake Houston Pump Station through the Contract Relating to the Operation and Maintenance of the Lake Houston Pump Station, West Canal, and Related Facilities WBS S-000019-0054-4	Page 1 of 1	Agenda Item # 25
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 4/22/10	Agenda Date APR 28 2010
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DIRECTOR'S SIGNATURE  Michael S. Marcotte, P.E. D. WRE, BCEE	Council District affected: E 
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For additional information contact: Ann Marie Stone Sheridan, P.E. 713-837-9142 <i>AMS</i>	Date and identification of prior authorizing Council action 10/25/1995 95-1141 11/25/2003 03-1137
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RECOMMENDATION: (Summary)

Approve an ordinance appropriating funds for the repair of the Lake Houston Pump Station

Amount and Source of Funding:

\$731,372.00 from the Water and Sewer System Consolidated Construction Fund 8500 *M.P. 4/14/10*

SPECIFIC EXPLANATION:

The City of Houston has a Contract Relating to the Operation and Maintenance of the Lake Houston Pump Station, West Canal, and Related Facilities passed on 10/25/1995 Ordinance 95-1141. The 1st Amendment with the Coastal Water Authority ("CWA") passed on 11/25/2003 Ordinance 03-1137. Under this contract, CWA operates and maintains the described facilities for the City. This agreement is funded annually as a part of the operation and maintenance budget and expenses are paid monthly as invoiced. Capital improvements such as rehabilitation or replacement are paid when necessary, under the same contract, but from the Capital Improvement Fund. It has become necessary to appropriate capital funds to rehabilitate certain portions of the facility.

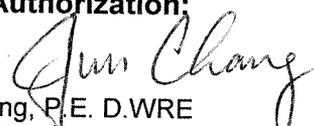
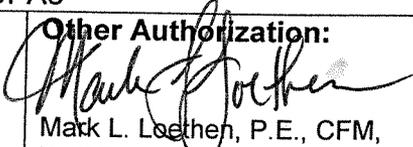
Over time, the roof has deteriorated and is leaking into the Motor Room. Minor repairs will no longer suffice and a roof replacement is necessary. With the roof replacement, other items such as doors will be replaced and guard rails will be added. The total project cost including contingency, construction management and engineering testing is \$731,372.00. The project was bid by CWA and the low bidder was Millsap Waterproofing, Inc. The breakdown is shown below. Once the City has appropriated funds for this purpose, CWA will proceed with the repairs.

Bid Amount	\$614,884.00
Contingency	\$61,488.00
Engineering and Testing Services	\$20,000.00
Construction Management	<u>\$35,000.00</u>
Total:	\$731,372.00

It is recommended that \$731,372.00 be appropriated for this rehabilitation.

c: Marty Stein

REQUIRED AUTHORIZATION CUIC # 20UPA8

Finance Director 	Other Authorization:  Jun Chang, P.E. D.WRE Deputy Director, Public Utilities	Other Authorization:  Mark L. Loethen, P.E., CFM, PTOE Acting Deputy Director, Planning and Development Services
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SUBJECT: Professional Engineering Services Contract between the City and Robert Reid Consulting Engineer, Inc. for Local Drainage Project Negotiated Work Orders. W.B.S. No. M-000126-0065-3	Page 1 of 2	Agenda Item # 26
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 12-17-09	Agenda Date APR 28 2010
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DIRECTOR'S SIGNATURE: <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE	Council District affected: All <i>8</i>
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For additional information contact: <i>Hamlet</i> Hamlet Hovsepian, P.E. Phone: 713-837-7033 Interim Senior Assistant Director	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
Approve Engineering Services Contract with Robert Reid Consulting Engineer, Inc. and appropriate funds.

Amount and Source of Funding:
\$110,000.00 from Drainage Improvement: Commercial Paper Series F, Fund No. 4030 *M.P. 12/9/09*

PROJECT NOTICE/JUSTIFICATION: This contract is necessary to provide professional engineering service in investigating and resolving drainage issues lodged by private citizens and assist with large storm repairs referred by the Right-of-Way and Fleet Maintenance Division.

DESCRIPTION/SCOPE: This project is part of the Storm Drainage Capital Improvement Plan and is required to provide professional engineering services to address local drainage improvements and storm sewer system repairs citywide.

LOCATION: The project location and limit will be determined and defined by each work order.

SCOPE OF CONTRACT AND FEE: Under the scope of the Contract, the Consultant will perform Phase I - Preliminary Design (Screening), Phase II - Final Design and Phase III - Construction Phase Basic and Additional Services as defined by the work order. The Basic and Additional Services Fee for each work order will be negotiated based on the scope of service required and all Phases will be paid on a reimbursable basis with authorization not-to-exceed the agreed upon amount.

The total cost of this project is \$110,000.00 to be appropriated as follows: \$100,000.00 for contract services and \$10,000.00 for project management.

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor has elected to provide health benefits to eligible employees.

REQUIRED AUTHORIZATION		CUIC # 20DS03
Finance Department	Other Authorization:	Other Authorization: <i>Hamlet Hovsepian</i> Daniel R. Méndez, P.E., Deputy Director Engineering and Construction Division

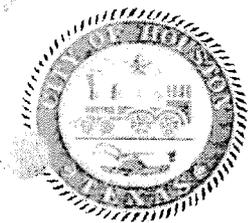
M/WBE INFORMATION: Due to limited opportunities to engage M/WBE firms in this project, the standard 24% goal is not attainable. The M/WBE goal for the project is set at 15%. The Good Faith Efforts by Robert Reid Consulting Engineer, Inc., were reviewed and approved by the Affirmative Action and Contract Compliance Division. The Consultant has proposed the following firms to achieve this goal.

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. HVJ Associates, Inc.	Geotechnical/Environmental	\$ 1,000.00	1.0%
2. Western Group Consultants	Surveying	\$ 14,000.00	14.0%
TOTAL		\$ 15,000.00	15.0%


MSM:DRM:HH:HJ:DS:klw

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c: Marty Stein
Velma Laws
Susan Bandy
Gary Drabek
Craig Foster
WBS No. M-000126-0065-3



CITY OF HOUSTON

Department of Public Works and Engineering

Interoffice

Correspondence

To: Velma Laws
Director
Affirmative Action and Contract
Compliance

From: Interim Senior Assistant Director
Engineering Branch
Engineering and Construction Division

Date: August 25, 2009

Subject: **MWDBE GOALS ON ENGINEERING
SERVICES CONTRACTS RELATED TO LOCAL
DRAINAGE PROJECT NEGOTIATED WORK
ORDERS
WBS NO. M-000126**

The Storm Water Engineering Section recently made engineer selections for FY10 professional engineering services for Local Drainage Project Negotiated Work Orders (LDP). The LDP contract scope is to investigate and resolve drainage issues lodged by private citizens and assist with the design of storm sewer repairs referred by the Right-of-Way and Fleet Maintenance Division. Unlike traditional Capital Improvement Projects, the LDP contracts involve less intense basic services and limited additional services. The tasks associated with a work order vary for each work order, but generally include site visits, data gathering, simple hydrodynamic modeling, and a screening evaluation report to the City, which may lead into a simple design. Typical average engineering services fees are less than \$12,000 per work order.

Historically, the engineers have not been able to satisfy the current contract compliance goal of 24%. Below are two previous LDP contracts and their achieved MWDBE goals:

- Contract No. 61865 PTI Inc. - 14.6%
- Contract No. 4600007552 R.G. Miller Engineers, Inc. - 12.15%

We are currently in the contract award process with three engineers, the engineering services fees are: two contracts for \$200,000.00 and one contract for \$100,000.00. I am writing to request your consideration in reducing the participation goal to 15% for contract compliance related to LDP contracts only. I feel this goal addresses the nature of these work order contracts while upholding the goals of affirmative action.

Should you have any questions or require additional information, please contact Harish Jajoo, P.E. at 713-837-0442.

APPROVED:

Velma Laws

Hamlet Hovsepien, P.E.

HH:HJ:DS:CH:klw

Z:\design\A-sw-div\WPDATA\LOCAL DRAINAGE PROJECTS\IOC- HH to Laws re MWDBE goal for LDP.doc

c: Daniel R. Menendez, P.E.

File M-000126 (1.5 COR)

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Professional Engineering Services Contract between the City and Siemens Industry for Intelligent Transportation System (ITS) and traffic signal design services. WBS No. N-000650-0051-3	Category #	Page 1 of _____	Agenda Item # 27
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FROM: (Department or other point of origin): Public Works and Engineering Department	Origination Date 4/22/10	Agenda Date APR 28 2010
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DIRECTOR'S SIGNATURE: <i>Michael S. Marcotte</i> Michael S. Marcotte, P. E., D.WRE, BCEE	Council District affected: All
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For additional information contact: Jeffrey Weatherford, P.E., PTOE (713) 837-0125 Deputy Director	Date and identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary) Approve an Ordinance authorizing an Engineering Services Contract with Siemens Industry and appropriating funds.

Amount and Source of Funding: \$500,000.00 from Street & Bridge Consolidated Construction Fund 4506.	Finance Department:
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SPECIFIC EXPLANATION:
PROJECT NOTICE/JUSTIFICATION: This project will provide engineering services associated with the planning, design and evaluation of Intelligent Transportation Systems (ITS). The ITS provide for traffic signal interconnectivity and communication and allows traffic signal timing to be controlled from Houston Transtar.

DESCRIPTION/SCOPE: This project consists of developing complete construction-ready plans, specifications (if needed), and estimates for traffic signal interconnection.

LOCATION: The project area is located throughout the City.

SCOPE OF CONTRACT AND FEE: Under the terms of the contract, the consultant will provide all project background research, data collection results, field survey reports, charts, layouts, software modeling outputs, reports, maps, exhibits, design notes, graphics, photographs, evaluations, plans, specifications, technical memoranda, and estimates. All intersection plans shall include integration into the I2 Traffic Management System at Houston Transtar. This is a work order type contract for a period of two years with three one-year options to renew.

Pay or Play Program: The proposed contract requires compliance with the City's "Pay or Play" ordinance regarding health benefits for employees of City contractors. In this case the contractor provides health benefits to eligible employees in compliance with City policy.

M/WBE INFORMATION: The M/WBE goal for the project is set at 24%. The Consultant has proposed the following program to achieve this goal:

<u>Name of Firm</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. MCA Communications, Inc.	Communications Systems Services	\$ 40,000.00	8%
2. C J Hensch & Associates, Inc.	Data Collection	\$ 40,000.00	8%
3. EPIC Transportation Group, LP	Traffic Engineering Services	\$ 40,000.00	8%
	Total	\$ 120,000.00	24%

cc: Marty Stein, Gary Drabek, LaVerne Hollins-McGlothen, Morris Scott, Michael Wahl

REQUIRED AUTHORIZATION

CUIC ID #20JSW24

Finance Department:	Other Authorization:	Other Authorization: <i>Jeffrey Weatherford</i> Jeffrey Weatherford, P.E., PTOE Deputy Director Traffic & Transportation Division
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SUBJECT: Professional Construction Management and Inspection Services Contract between the City of Houston and Omega Engineers, Inc. for Various Wastewater Lift Station Improvements Projects. WBS No. R-000267-00C2-4.	Page 1 of 1	Agenda Item # <i>28</i>
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From: Department of Public Works and Engineering	Origination Date 4-8-10	Agenda Date APR 28 2010
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Director's Signature: <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE, Director	Council District affected: <i>CA</i> All
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For additional information contact: J. Timothy Lincoln, P.E. Senior Assistant Director <i>[Signature]</i> Phone: (713) 837-7074	Date and identification of prior authorizing Council action:
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Recommendation: Approve a Professional Construction Management and Inspection Services Contract with Omega Engineers, Inc. and appropriate funds.

Amount and Source of Funding: \$12,000.00 from the Water and Sewer System Consolidated Construction Fund No. 8500. *U.P. 2/12/10*

PROJECT NOTICE/JUSTIFICATION: These projects are part of the City's Lift Station Rehabilitation and Replacement Program.

DESCRIPTION/SCOPE: This contract provides for construction management and inspection services for various wastewater lift station improvements projects.

LOCATION: The projects are located throughout the City of Houston.

SCOPE OF APPROPRIATION AND FEE: This contract will provide construction management and inspection services, including contract administration, processing pay estimates, coordinating schedules, evaluating proposals and change orders, site representation, inspection, document control, project closeout, and other tasks requested by the Director of the Department of Public Works and Engineering.

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's 'Play or Play' ordinance regarding health benefits for employees of City contractor. In this case, the contractor has elected to pay into the Contractor Responsibility Fund in compliance with City policy

M/WBE PARTICIPATION: Omega Engineers, Inc. has proposed Texas American Engineering to achieve the 24% M/WBE goal for this project.

[Signatures]
MSM:DRM:JTL:CWS:mq
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C: File No. Admin – Omega Engineers, Inc.

REQUIRED AUTHORIZATION		CUIC ID #20MZQ141	<i>MO</i>
Finance Department:	Other Authorization: <i>[Signature]</i> Jun Chang, P.E., D.WRE/Deputy Director Public Utilities Division	Other Authorization: <i>[Signature]</i> Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division	

SUBJECT: Contract Award for Safe Sidewalk Program Work Authorization Project. W.B.S. No. N-00610A-0108-4	Page 1 of 2	Agenda Item # <i>29</i>
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FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date: 4/22/10	Agenda Date: APR 28 2010
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DIRECTOR'S SIGNATURE: <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE	Council District affected: <i>su</i> A, D, E, G, H & I
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For additional information contact: <i>Ravi Kaleyatodi</i> 3/19/10 Ravi Kaleyatodi, P.E., CPM Phone: (713) 837-0452 Senior Assistant Director	Date and identification of prior authorizing Council action: Ord. No. 2009-663 Date: 07/22/09
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RECOMMENDATION: (Summary)
Accept low bid, award construction Contract and appropriate funds.

Amount and Source of Funding: Total of \$688,500.00 to be appropriated as follows: \$423,500.00 from the Street and Bridge Consolidated Construction Fund No. 4506 and \$265,000.00 from Contribution for Capital Projects Fund No. 4510. *M.P. 3/26/10*

PROJECT NOTICE/JUSTIFICATION: This project is part of the continuing effort by the City to construct sidewalks throughout the City of Houston to meet the needs of residents.

PREVIOUS HISTORY AND SCOPE: This project provides for the construction of sidewalk improvements at numerous locations. The Contract duration for this project is 360 calendar days. This project is partially funded by Reinvestment Zone Number 10. The Fiscal Year 2010 Operating Budget for Reinvestment Zone Number 10 was adopted by City Council on July 22, 2009 by Ordinance No. 2009-663.

LOCATION: The project area is located in Council District A, D, E, G, H and I. The project is located in various Key Map Grids.

BIDS: Bids were received on September 24, 2009. The seven (7) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1- Metro City Construction, L.P.	\$574,477.25
2- GLM Contracting L P	\$632,401.00
3- Tikon Group, Inc.	\$654,990.00
4- ACM Contractors, Inc.	\$668,677.00
5- TJ&T Enterprises, Inc.	\$679,590.00
6- Spring Equipment Co., Inc.	\$680,912.50
7- Caan Construction Services, Inc.	\$763,975.00

REQUIRED AUTHORIZATION CUIC#20SIK25 **NDT**

Finance Department ✓	Other Authorization:	Other Authorization: <i>Daniel R. Menendez</i> Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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Date	Subject: Contract Award for Safe Sidewalk Program Work Authorization Project. W.B.S. No. N-00610A-0108-4	Originator's Initials <i>JS</i>	Page 2 of 2
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AWARD: It is recommended that this construction Contract be awarded to Metro City Construction, L.P. with a low bid of \$574,477.25.

PROJECT COST: The total cost of this project is \$688,500.00 to be appropriated as follows:

- Bid Amount \$574,477.25
- Contingencies \$ 28,723.86
- Engineering and Testing Services \$ 45,000.00
- Project Management \$ 40,298.89

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

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor has elected to pay into the Contractor Responsibility Fund in compliance with City Policy.

M/WBE PARTICIPATION: M/WBE participation for this project is not required.

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

epm

MSM:DRM:RK:MW:SK:AS

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- c: Marty Stein
 Velma Laws
 Susan Bandy
 Craig Foster
 Mike Pezeshki, P.E.

WBS No. N-00610A-0108-4										
Scope of Work										
No.	Last Name	MOPD Approval Date	CD	Full Name	Location	Key Map	Request	Estimated Length (LF)	Engineering Status	Construction Status
100131	Wiens	Approved	A	Mary Wiens	10515 Metronome 77043	449V	Ramps	100	Completed	Pending
10019	Migneault	Approved	A	Annene Migneault	1325 Cedar Post Oak Lane 77055	450P,Q	Sidewalk	500	Completed	Pending
100124	Morales	Approved	D	Miguel Morales	5954 Kenilwood, Houston 770033	534W	Sidewalk	700	Completed	Pending
100025	Richardson	Approved	D	Deloris Richardson	5614 Flamingo, Houston 77033	534W	Sidewalk	1000	Completed	Pending
756		N/A	E	Part of N-00610A-00H3-4	Mills Branch /N.Park - Clover	534V	Sidewalk	4,400	Completed	Pending
100176	Jenness	Approved	G	Pat Jenness	10323 Chevy Chase Dr	488V	Sidewalk	1200	Completed	Pending
100125	Kennedy	Approved	G	Richard Kennedy	9545 Ella Lee Lane #60 77063	490T	Sidewalk	500	Completed	Pending
100052	Castro	Approved	H	Margaret Castro	1015 Dorothy St. 77008	492D	Sidewalk	1000	Completed	Pending
100110	Ennis	Approved	I	Rick Meynen	1304 Fairview 77006	493T	Sidewalk	800	Completed	Pending
Total								10,200		

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Solids Removal from Wastewater Facilities WBS No. R-000265-0071-4		Page 1 of 2	Agenda Item # 30
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 4/22/10	Agenda Date APR 28 2010
DIRECTOR'S SIGNATURE  Michael S. Marcotte, P.E., D.WRE, BCEE		Council District affected: All	
For additional information contact: Dannelle H. Belhateche, P.E. Senior Assistant Director Phone: (281) 575-2874		Date and identification of prior authorizing Council action: N/A	
RECOMMENDATION: (Summary) Accept low bid, award construction contract, and appropriate funds.			
Amount and Source of Funding: \$669,628.00 from Water and Sewer System Consolidated Construction Fund No. 8500.		<i>N.P. 4/5/10</i>	
SPECIFIC EXPLANATION: This project is required to help regain wastewater treatment plant capacity, prevent solids migration from one structure to another, extend the operating life of various pieces of equipment, and allow inspection of the cleaned process units to identify needed rehabilitation.			
DESCRIPTION/SCOPE: This project consists of solids removal from wastewater facilities. The contract duration for this project is 365 calendar days.			
LOCATION: The project area is generally bounded by the City Limits.			
BIDS: Three (3) bids were received on December 17, 2009 for this project as follows:			
		<u>Bidder</u>	<u>Bid Amount</u>
		1. Synagro of Texas – CDR, Inc.	\$623,455.00
		2. Terra Renewal, LLC	\$1,141,269.00
		3. Boyer, Inc.	\$2,058,975.00
File/Project No. WW5029-01		REQUIRED AUTHORIZATION	
Finance Department		CUIC# 20DHB331	
		Other Authorization: 	Other Authorization:  Jun Chang P.E., D.WRE, Deputy Director Public Utilities Division

Date	Subject: Contract Award for Solids Removal from Wastewater Facilities WBS No. R-000265-0071-4	Originator's Initials	Page 2 of 2
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AWARD: It is recommended that this construction contract be awarded to Synagro of Texas – CDR, Inc., with a low bid of \$623,455.00 and that Addendum No. 1, dated December 4, 2009, and Addendum No. 2, dated December 14, 2009, be made a part of this Contract.

PROJECT COST: The total cost of this project is \$669,628.00 to be appropriated as follows:

- Bid Amount \$623,455.00
- Contingencies \$31,173.00
- Waste Characterization Testing Services \$15,000.00

Waste Characterization Testing Services will be performed using a purchase order(s).

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's Pay or Play ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

M/WSBE PARTICIPATION: No City M/WBE participation goal has been established for this project.

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

MSM:JC:DHB:WH:AK:PZ

cc: Marty Stein
Jun Chang, P.E.
Susan Bandy, CPA
Velma Laws
File No. WW 5029-01

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Rehabilitation of Ground Storage Tanks and Cathodic Protection Systems. WBS No. S-000600-0034-4.	Page 1 of 2	Agenda Item # <i>31</i>
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FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date: 4/22/10	Agenda Date: APR 28 2010
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DIRECTOR'S SIGNATURE: <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E. D.WRE, BCEE	Council District affected: A, B, G <i>R</i>
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For additional information contact: <i>Ravi Kaleyatodi</i> 9/2/10 Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 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:
\$1,231,000.00 from Water and Sewer System Consolidated Construction Fund No. 8500.
U.P. 4/2/10

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Water Storage Tank Rehabilitation and Replacement program and is required to ensure compliance with the Texas Commission on Environmental Quality regulations.

DESCRIPTION/SCOPE: This project consists of rehabilitation of five (5) ground storage tanks and replacement of existing cathodic protection systems with new horizontal impressed cathodic protection systems for five (5) ground storage tanks. The contract duration for this project is 250 calendar days. This project was designed by Brown & Gay Engineers, Inc.

LOCATION: The project areas are located at the following water plants:

	<u>Water Plant & Tank No.</u>	<u>Address</u>	<u>Key Map Grids</u>	<u>Council District</u>
1.	Spring Branch GST-1	9400 Kempwood	450L	A
2.	Spring Branch GST-2	9400 Kempwood	450L	A
3.	Acres Homes GST-1	1810 Dolly Wright	412S	B
4.	Acres Homes GST-2	1810 Dolly Wright	412S	B
5.	Southwest GST-5	4410 Westpark	491Z	G

BIDS: Bids were received on February 4, 2010. The six (6) bids are as follows:

REQUIRED AUTHORIZATION		CUIC ID# 20RS89	NGT
Finance Department	Other Authorization: <i>Jun Chang</i> Jun Chang, P.E., D.WRE Deputy Director Public Utilities Division	Other Authorization: <i>Daniel R. Menendez</i> Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division	

<u>Bidder</u>	<u>Bid Amount</u>
1. N. G. Painting, L. P.	\$1,067,000.00
2. M. K. Painting, Inc.	\$1,081,600.00
3. Utility Service Co., Inc.	\$1,112,800.00
4. Blastco Texas Inc.	\$1,152,450.00
5. Caldwell Tanks, Inc.	\$1,210,140.00
6. DMS Painting, Inc.	\$1,574,450.00

AWARD: It is recommended that this construction contract be awarded to N. G. Painting, L. P. with a low bid of \$1,067,000.00 and that Addendum Number 1 be made a part of this contract.

PROJECT COST: The total cost of this project is \$1,231,000.00 to be appropriated as follows:

- Bid Amount \$1,067,000.00
- Contingencies \$53,350.00
- Engineering and Testing Services \$25,000.00
- Project Management \$85,650.00

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

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor has elected to pay into the Contractor Responsibility Fund in compliance with City policy.

M/SBE PARTICIPATION: The goal established for this project is 8% MBE and 3% SBE. The Affirmative Action and Contract Compliance Division has reviewed and approved the following plan as a good faith effort of the contractor in complying with MBE and SBE goal. The low bidder has submitted the following proposed MBE participation of 4.69 % and SBE participation of 6.56% to satisfy the goal for this project.

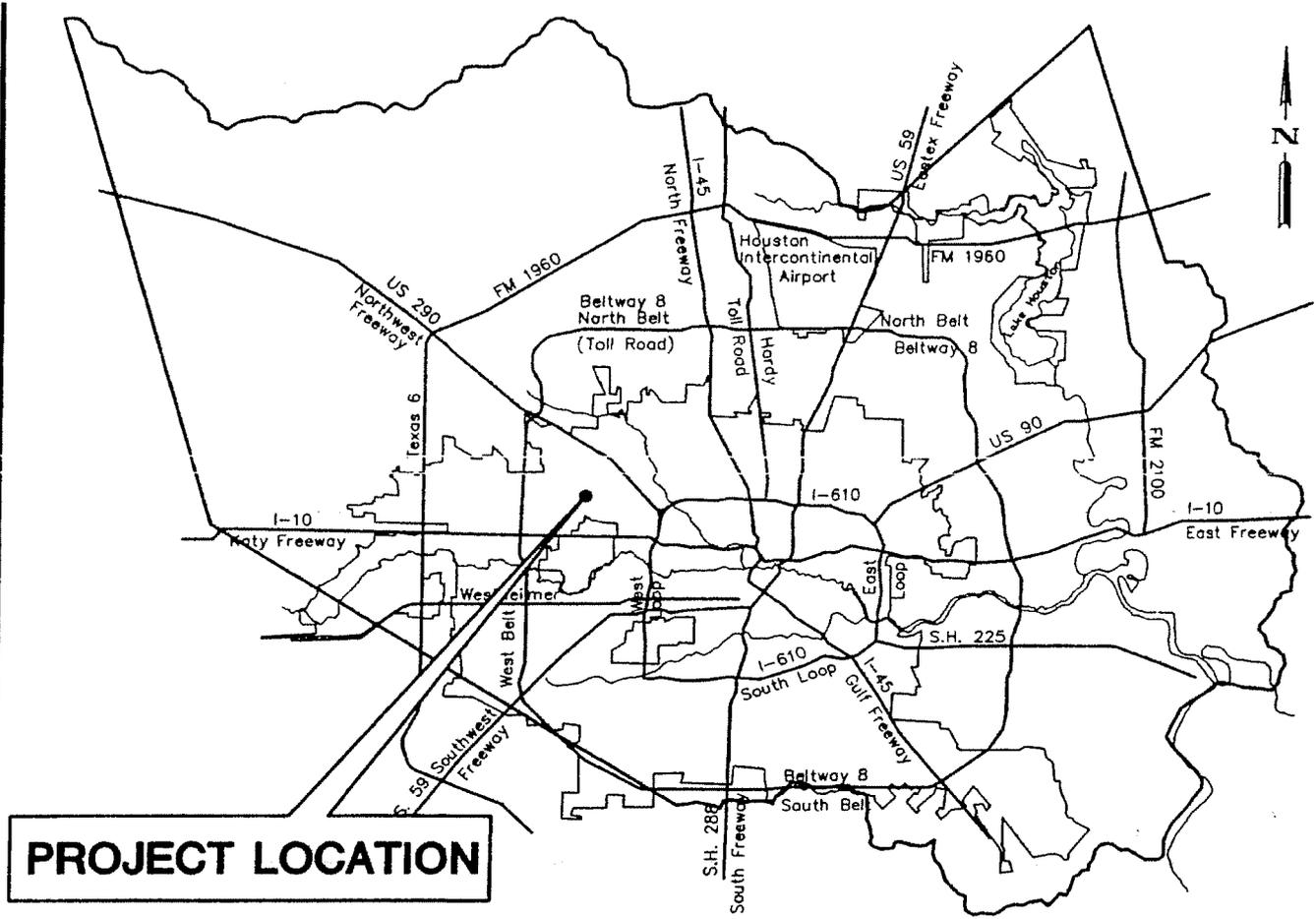
<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
B-W Industrial Supply Corporation	Fuel Supplier	\$50,000.00	4.69%
TOTAL		\$50,000.00	4.69%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
J.H. Painting	Painting Treatment	\$70,000.00	6.56%
TOTAL		\$70,000.00	6.56%

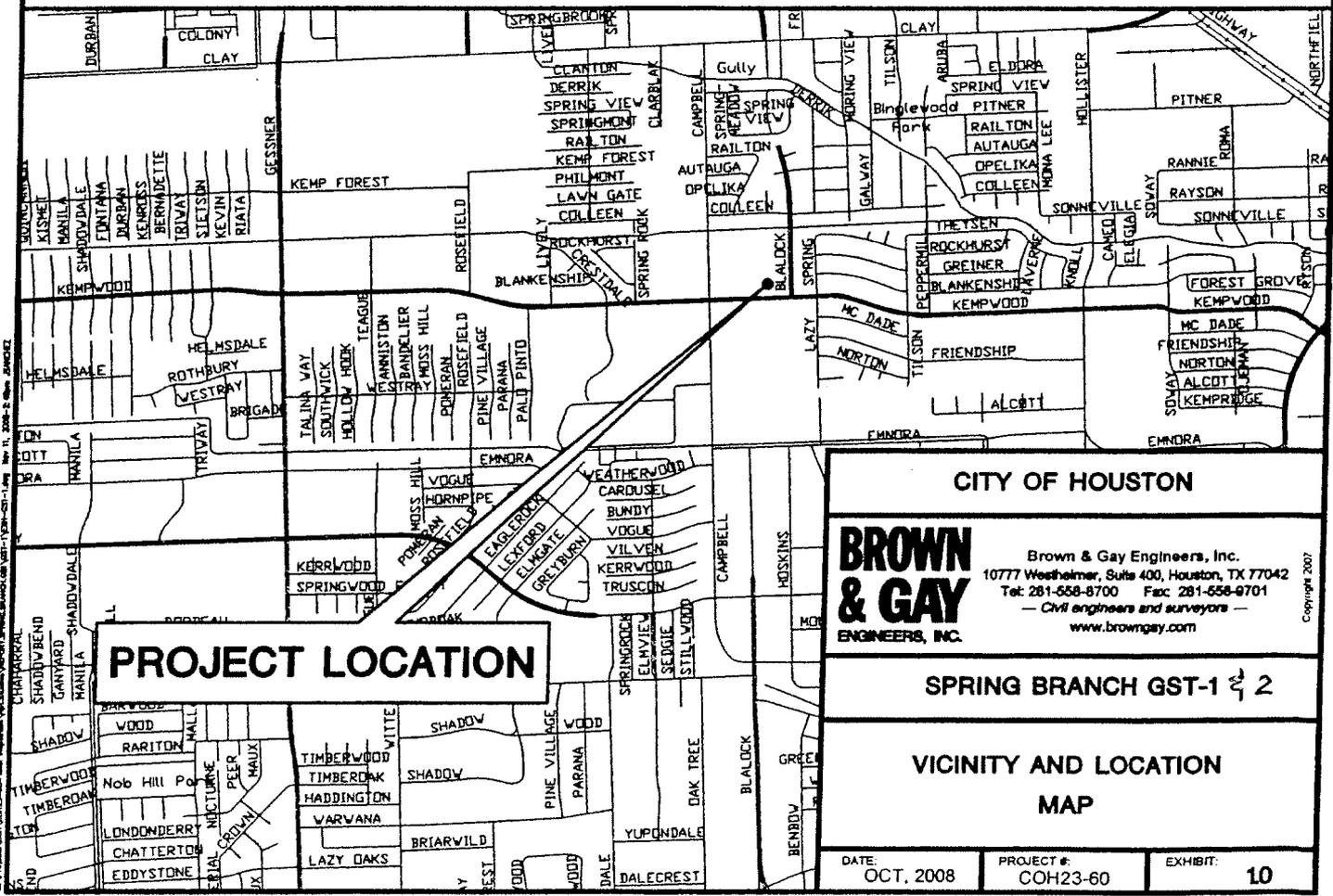
All known rights-of-way, easements and/or right-of-entry required for the project have been acquired.

PS
MSM:DRM:RK:HH:SD:RS:jl
Z:\design\A-WS-DIV\WPDATA\RSIS-0600-34\Postbid\RCA.doc

- c:** Marty Stein
Velma Laws
Susan Bandy
Mike Pezeshki, P.E.
Craig Foster
File No. S-000600-0034-4



PROJECT LOCATION



PROJECT LOCATION

CITY OF HOUSTON

BROWN & GAY
 ENGINEERS, INC.

Brown & Gay Engineers, Inc.
 10777 Westheimer, Suite 400, Houston, TX 77042
 Tel: 281-558-8700 Fax: 281-558-0701
 — Civil engineers and surveyors —
 www.browngay.com

SPRING BRANCH GST-1 & 2

VICINITY AND LOCATION MAP

DATE: OCT. 2008	PROJECT #: COH23-60	EXHIBIT: 10
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BROWN & GAY ENGINEERS, INC.
 10777 WESTHEIMER, SUITE 400, HOUSTON, TEXAS 77042
 TEL: 281-558-8700 FAX: 281-558-0701
 WWW.BROWNGAY.COM
 Copyright 2007

SUBJECT: Award Construction Contract AIA General Contractors, Inc. Underground Storage Tank Removal and Installation at City of Houston Police Academy Vehicle Maintenance Shop WBS No. D-000073-0087-4	Page 1 of 2	Agenda Item 32
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FROM (Department or other point of origin): General Services Department	Origination Date 4-22-10	Agenda Date APR 28 2010
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. <i>[Signature]</i> 3/30/10	Council District affected: B
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For additional information contact: Jacquelyn L. Nisby <i>[Signature]</i> Phone: 832-393-8023	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: \$408,542.00 General Improvement Consolidated Construction Fund (4509)	Finance Budget: <i>[Signature]</i>
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SPECIFIC EXPLANATION: The General Services Department recommends that City Council award a construction contract to AIA General Contractors, Inc. on the low bid amount of \$296,856.00 to provide construction services at City of Houston Police Academy Vehicle Maintenance Shop for the Houston Police Department.

PROJECT LOCATION: 17000 Aldine Westfield Road, Houston, Texas (Key Map 373-H)

PROJECT DESCRIPTION: The scope of work consists of removing two 10,000 gallon gasoline underground storage tanks (USTs) with associated lines, observation wells, manholes and ancillary equipment. Installation of two 15,000 gallon gasoline double wall Fiberglass Reinforced Plastic (FRP) single compartment UST along with associated appurtenances. The work also includes disposal of aqueous liquid, saw-cutting, demolition and removal of concrete paving over the USTs, off-site disposal of concrete, product lines and debris generated as a result of all activities, backfilling and compaction and concrete replacement, waste classification, loading, hauling and proper disposal.

The contract duration for this project is 120 calendar days.

BIDS: The following three bids were received on February 25, 2010:

	<u>Bidder</u>	<u>Bid Amount</u>
1.	AIA General Contractors, Inc	\$296,856.00
2.	Pemco, Inc	\$400,240.00
3.	Columbia Environmental Services, Inc.	\$447,415.00

REQUIRED AUTHORIZATION CUIC ID # 25GM219

General Services Department: <i>[Signature]</i> Humberto Bautista, P.E. City Engineer	Other Authorization:
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Date	SUBJECT: Award Construction Contract AIA General Contractors, Inc. Underground Storage Tank Removal and Installation at City of Houston Police Academy Vehicle Maintenance Shop WBS No. D-000073-0087-4	Originator's Initials GM	Page 2 of 2
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AWARD: It is recommended that City Council award the construction contract to AIA General Contractors, Inc. and appropriate funds for the project, including additional appropriations of \$9,000.40 for materials testing under the existing contract with HVJ Associates, Inc., and \$73,000.00 for project management and construction oversight services under the existing contract with SKA Consulting, Inc. which includes, but is not limited to soil and groundwater sampling and analytical testing.

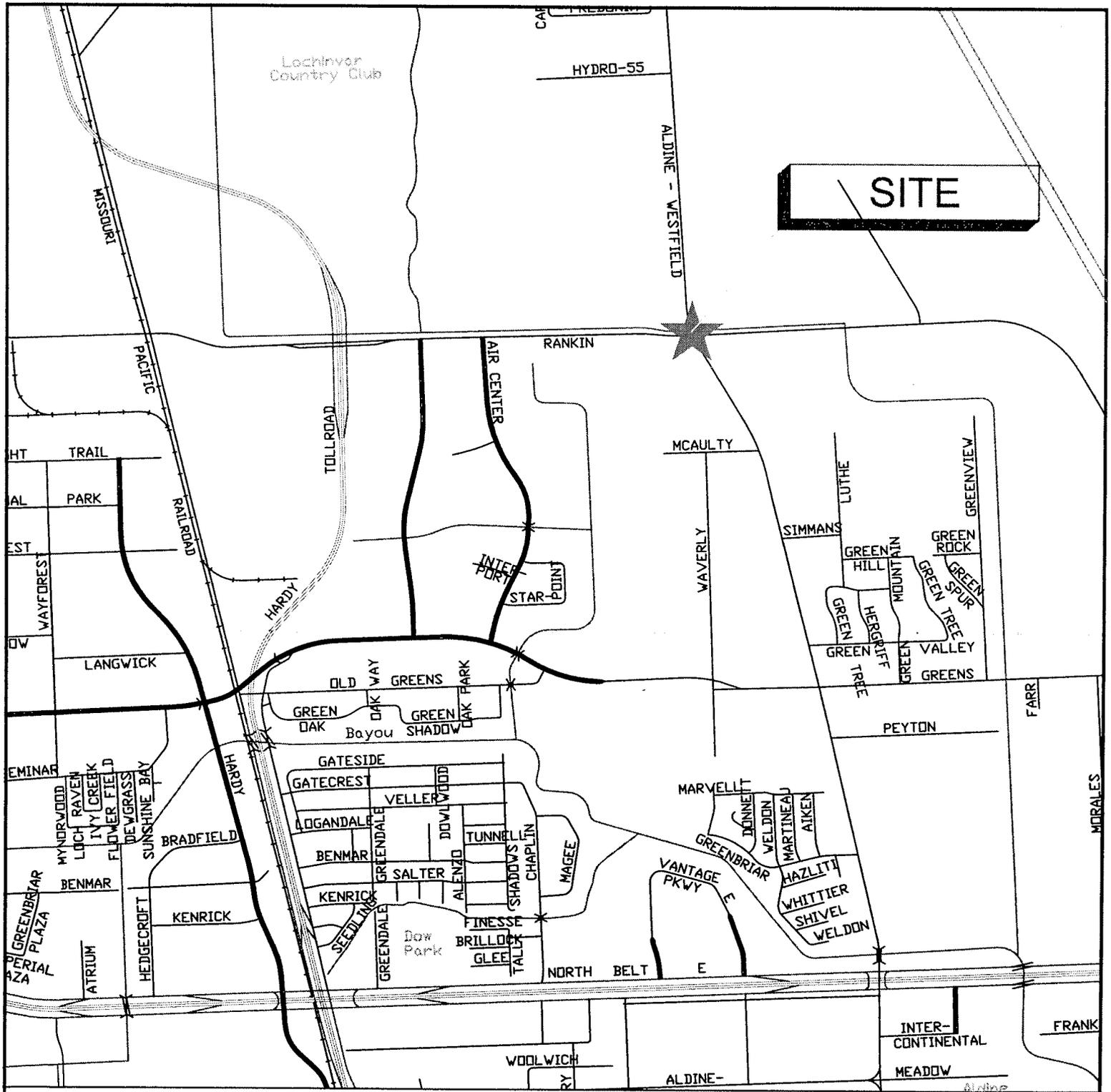
FUNDING SUMMARY:

\$ 296,856.00	Construction Contract Services
\$ 29,685.60	10% Contingency
\$ 326,541.60	Total Contract Services
\$ 9,000.40	Materials Testing
\$ 73,000.00	Project Management and Construction Oversight.
\$ 408,542.00	Total Funding

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's "Pay or Play" Ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

IZD:RAV:JLN:GM:FK:fk

- c: Marty Stein
- Jacquelyn L. Nisby
- Velma Laws
- Calvin Curtis
- Steve Hanner
- Gabriel Mussio
- Martha Leyva
- File



Underground Storage Tank Removal & Installation:
COH Police Academy Vehicle Maintenance Shop
 17000 Alldine Westfield
 Houston, TX

SUBJECT: Award Construction Contract Millis Development & Construction, Inc. Godwin Park – Phase II WBS No. F-504A07-0002-4	Page 1 of 2	Agenda Item 33
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FROM (Department or other point of origin): General Services Department	Origination Date 4-21-10	Agenda Date APR 28 2010
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E.	Council District affected: C
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For additional information contact: Jacquelyn L. Nisby Phone: 832-393-8023	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: \$ 886,233.00 Parks Consolidated Construction Fund (4502)	Finance Budget:
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SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council award a construction contract to Millis Development & Construction, Inc. on the proposal amount of \$795,940.00 to provide construction services for Godwin Park – Phase II for the Parks and Recreation Department (PARD).

PROJECT LOCATION: 5101 Rutherglen Dr. (531-U)

PROJECT DESCRIPTION: The scope of work consists of renovations to all amenities within the community center to include the servery, restrooms, office, classroom, multipurpose room, storage, kiln room and exterior mechanical room. A portion of the outside multi-purpose area on the east side will be enclosed with decorative wrought iron panels. Roof replacement, electrical and mechanical systems upgrades and drainage mitigation will occur.

The contract duration for this project is 180 calendar days. Clark Condon Associates, Inc. is the design consultant and construction manager for this project.

PROPOSALS: On December 11 and 18, 2009, GSD advertised a Request for Competitive Sealed Proposals containing selection criteria that ranked the respondents on price, experience, references, sub-contractors and schedule. The proposals were due on January 14, 2010, and six firms responded. GSD evaluated the respondents and Millis Development & Construction, Inc. received the most points and offers the best value for the City based on the advertised criteria.

REQUIRED AUTHORIZATION CUC ID # 25PARK100 NPT

General Services Department:

Richard A. Vella, AAIA
 Chief of Design & Construction Division

Parks and Recreation Department:

Joe Turner
 Director

Date:	Subject: Award Construction Contract Millis Development & Construction, Inc. Godwin Park – Phase II WBS No. F-504A07-0002-4	Originator's Initials RJO	Page 2 of 2
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PROPOSAL CONT: The six proposals are ranked as follows:

PROPOSER

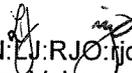
1. Millis Development & Construction, Inc.
2. Times Construction, Inc.
3. Carrera Construction, Inc.
4. The Gonzales Group, L.P.
5. Frost Construction, Inc.
6. Apache Services, Inc.

AWARD: It is recommended that City Council award the construction contract to Millis Development & Construction, Inc. and appropriate funds for the project, including additional appropriations of \$15,148.30 for abatement inspection and air monitoring services under the existing contract with Environmental Resource Consultants, Inc., and \$5,499.95 for engineering and materials testing services under the existing contract with Kenall, Inc.

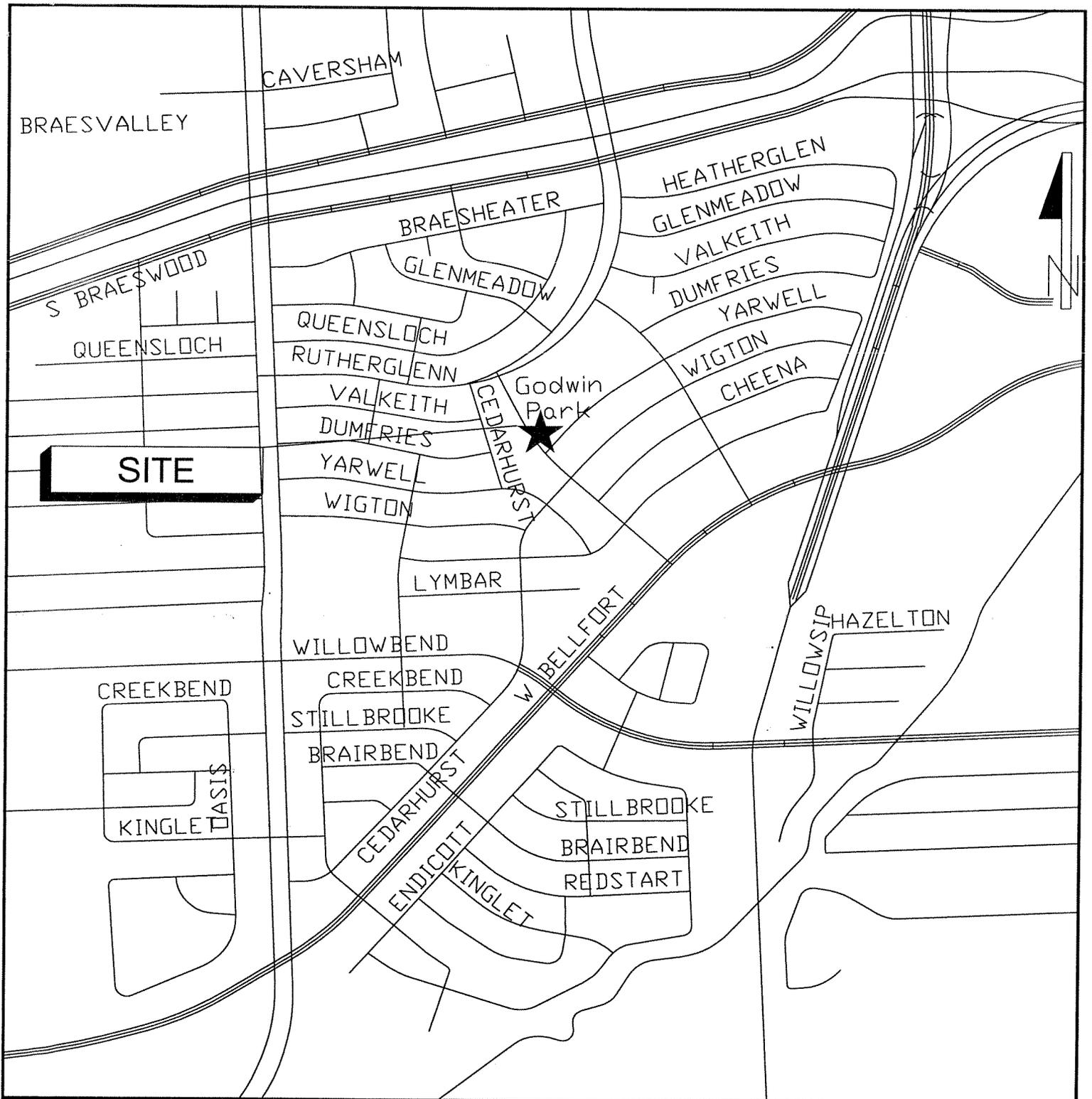
FUNDING SUMMARY:

\$ 795,940.00	Construction Contract
\$ 55,715.80	7% Contingency
\$ 851,655.80	Total Contract Services
\$ 5,499.95	Engineering Testing
\$ 15,148.30	Abatement Inspection and Air Monitoring
\$ 13,928.95	Civic Art (1.75%)
\$ 886,233.00	Total Funding

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's "Play or Pay" Ordinance regarding health benefits for employees of City contractors. In this case, the contractor will provide health benefits to eligible employees in compliance with City policy.

IZD: RAV:JLN: :RJO: :tjo

c: Marty Stein, Velma Laws, Jacquelyn L. Nisby, Calvin Curtis, Mark Ross, Richard Vella, Lisa Johnson, Christopher Gonzales, Dan Pederson, Morris Scott, Gabriel Mussio, Martha Leyva, File 712



GODWIN PARK
 5101 RUTHERGLEN DR.
 HOUSTON, TX

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary		RCA #	
SUBJECT: The general appropriation ordinance authorizing FY2010 expenditures.	Category #	Page 1 of 2	Agenda Item# 34
FROM: (Department or other point of origin): Michelle Mitchell Director of Finance	Origination Date April 23, 2010		Agenda Date APR 28 2010
DIRECTOR'S SIGNATURE: <i>Michelle Mitchell</i>	Council Districts affected: All		
For additional information contact: Michelle Mitchell, Director Phone: 713-221-0935	Date and identification of prior authorizing Council Action: Ord. #2009-0508 (Interim Spending Plan Appropriation), June 9, 2009; and Ord. #2009-0573 (Adoption of the FY2010 Budget), June 17, 2009.		

RECOMMENDATION: (Summary)

That City Council approves the general appropriations ordinance authorizing FY2010 expenditures.

Amount of Funding: SEE ATTACHMENTS (Exhibits A and B)	Finance Department Budget: <i>Kelley D...</i>
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SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund
 Other - Special Revenue

SPECIFIC EXPLANATION:

The City begins each fiscal year operating on an interim spending plan until such time as the General Appropriations Ordinance or annual certification is brought forward and approved by City Council. The FY2010 interim spending plan was adopted by City Council along with the annual budget in June 2009, using FY2009 spending estimates. The annual certification process requires the City Controller to certify the level of funding that the Controller's Office analysis indicates will be available for the current year.

This action will establish the General Fund appropriation at **\$1,918,184,358**, which is \$4,601,467 more than the current budget and \$15,812,022 less than the adopted budget for General Fund expenditures. City Council approval of the budget transfers and appropriation ordinance is requested including:

General Fund:

- Budget transfers to the General Fund ending balance:
 - From Houston Emergency Center in the amount of \$78,904 due to a decrease in computer supplies and software.
- Budget transfers from the General Fund ending balance:
 - To Administration & Regulatory Affairs for BARC bulk fuel in the amount of \$31,638.
 - To the Fire Department for employee termination pay in the amount of \$2.6 million (budget will be reduced in FY2011 in the amount of \$2.6 million to cover this overage).
 - To Municipal Courts Administration for security guard expenses in the amount of \$240,286.
 - To Public Works & Engineering for the electricity costs of street lights in the amount of \$1.6 million, and for the costs associated with the Wireless Interoperability for Microwave Access (WiMax) as well as Sign Manufacturing done for other departments offset by revenue in the amount of \$200,000.

Enterprise Funds

- Aviation Fund
 - Decrease Aviation Operating Fund in the amount of \$3.3 million to offset lower revenues.

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:

- Combined Utility System (CUS)
 - Decrease Water and Sewer Operating Fund Budget by \$59.3 million due to eliminating the transfers within the CUS system related to the Storm Water and PIB Debt. These transfers will be made directly from CUS General Purpose Fund.
 - Decrease Combined Utility System Operating Fund Budget by \$63.5 million due to eliminating the transfers within the CUS system related to the Storm Water and PIB Debt. These transfers will be made directly from CUS General Purpose Fund.
 - Decrease Storm Water Fund Budget by \$8 million due to discretionary debt of \$7.6 million that will be paid by the Drainage Supplemental Reserve Fund.
 - Increase Combined Utility System General Purpose Fund by \$29.2 million to maintain the bond coverage ratio of 1.22.

Other Funds

- Budget transfers and appropriations as follows:
 - Transfer \$7.5 million to fund balance in Building Inspection Fund due to a decrease in expenditures to offset lower revenues.
 - Transfer \$917,711 to fund balance in Auto Dealers Fund due to a decrease in expenditures to offset lower revenues.
 - Transfer \$38,844 to fund balance in Child Safety Fund due to decrease in expenditures related to prior year market gains/losses.
 - Transfer \$246,000 from fund balance in Houston TransStar Center to expenditures mainly to cover Metro Control Room Expansion.
 - Transfer \$78,904 to fund balance in Houston Emergency Center Fund due to a decrease in expenditures related to computer software and supplies.
- Reduce allocations to the Health Benefits Fund (\$2.3 million), Property & Casualty Fund (\$2.5 million), and Workers Compensation Fund (\$1.6 million) to reflect lower rates and health benefits taxes, lower insurance premiums, and lower workers compensation claims.

Transfers

- Approval to transfer funds from Parking Management Fund balance to the General Fund fund balance in the amount of \$1.5 million.

cc: David Feldman, City Attorney
Marty Stein, Agenda Director

EXHIBIT A

TRANSFERS BY FUND

FUND NAME	AMOUNT	TO	FROM	Notes
General Fund, Enterprise & Special Revenue Funds				
General Fund	4,601,467	See Exhibit B	See Exhibit B	
Aviation Fund	(3,334,140)	Fund Balance	Expenditures	(1)
Convention and Entertainment Facilities	-			
Parking Management Operating Fund	1,500,000	General Fund	Fund Balance	(2)
Water and Sewer Operating	(59,262,072)	Fund Balance	Expenditures	(3)
Combined Utility System Operating Fund	(63,522,864)	Fund Balance	Expenditures	(4)
Storm Water Fund	(8,034,427)	Fund Balance	Expenditures	(5)
Digital Houston	-			
Houston Emergency Center	(78,904)	Fund Balance	Expenditures	(6)
Cable Television	-			
Municipal Courts Building Security Fund	-			
Municipal Courts Technology Fee Fund	-			
Parks Special Revenue	-			
Building Inspection	(7,500,000)	Fund Balance	Expenditures	(7)
Recycling Revenue	-			
Historic Preservation	-			
Asset Forfeiture	-			
Auto Dealers	(917,711)	Fund Balance	Expenditures	(8)
Child Safety Fund	(38,844)	Fund Balance	Expenditures	(9)
Police Special Services	-			
Supplemental Environmental Protection	-			
Mobility Response Team	-			
Houston TranStar Center	246,000	Expenditures	Fund Balance	(10)
Digital Automated Red Light Enforcement Program	-			
Juvenile Case Manager Fee Fund	-			
Fleet and Equipment Acquisition Fund	-			
Subtotal	(136,341,495)			
Enterprise Related Funds				
Airport Capital Outlay Fund	-			
Combined Utility System General Purpose Fund	29,233,869	Expenditures	Fund Balance	(11)
Subtotal	29,233,869			
Total Appropriated Funds	(107,107,626)			
 From the above fund appropriations, the following funds are allocated:				
Internal Service Funds				
Health Benefits	(2,322,063)	Fund Balance	Expenditures	(12)
Long-term Disability	-			
Subtotal	(2,322,063)			
Revolving Funds				
Project Cost Recovery	-			
Central Service Revolving Fund	-			
In-House Renovation	-			
Fleet Management	-			
Property and Casualty	(2,530,599)	Fund Balance	Expenditures	(13)
Workers' Compensation	(1,640,498)	Fund Balance	Expenditures	(14)
Subtotal	(4,171,097)			
Total Allocated Funds	(6,493,160)			

Notes:

- (1) Decrease in expenditures to offset decline in revenues.
- (2) Transfer to General Fund Revenue from excess fund balance.
- (3) Reduction is mainly due to eliminating the transfers within the CUS system related to Stormwater and PIB Debt from Water & Sewer Operating Fund CUS transfer account. These transfers will be made directly from CUS General Purpose Fund.
- (4) Reduction is mainly due to eliminating the transfers within the CUS system related to Stormwater and PIB Debt from CUS Operating Fund transfer account. These transfers will be made directly from CUS General Purpose Fund.
- (5) Mainly due to discretionary debt of \$7.6M which will be paid by the Drainage Supplemental Reserve Fund in FY2010.
- (6) Decrease in expenditures related to computer software and supplies.
- (7) Decrease in expenditures to offset decline in revenues.
- (8) Decrease in expenditures to offset decline in revenues.
- (9) Decrease in expenditures related to prior year market gains/losses.
- (10) Increase in expense mainly due to Metro Control Room Expansion.
- (11) Increase Combined Utility System General Purpose Fund by \$29.2 million to maintain the bond coverage ratio of 1.22.
- (12) Decrease in expenditures due to lower rates and health benefits taxes.
- (13) Decrease in expenditures due to lower insurance rates.
- (14) Decrease in expenditures due to lower workers' compensation claims.

EXHIBIT B

GENERAL FUND TRANSFERS

Department Name	AMOUNT	TO	FROM	Notes
Administration & Regulatory Affairs	31,638	Expenditures	Fund Balance	(1)
Affirmative Action	-			
City Council	-			
City Secretary	-			
Controller's	-			
Convention & Entertainment	-			
Finance	-			
Fire	2,600,000	Expenditures	Fund Balance	(2)
General Services	-			
Health and Human Services	-			
Housing & Community Development	-			
Houston Emergency Center	(78,904)	Fund Balance	Expenditures	(3)
Human Resources	-			
Information Technology	-			
Legal	-			
Library	-			
Mayor's Office	-			
Municipal Courts - Administration	240,286	Expenditures	Fund Balance	(4)
Municipal Courts - Justice	-			
Parks & Recreation	-			
Planning & Development	-			
Police	-			
Public Works and Engineering	1,808,447	Expenditures	Fund Balance	(5)
Solid Waste	-			
Total Departmental Expenditures	4,601,467			
General Government	-			
Transfer to Debt Service Fund	-			
Total General Fund	4,601,467			

Notes:

- (1) Transfer from General Fund ending balance to Administration & Regulatory Affairs for BARC bulk fuel (\$31,638).
- (2) Transfer from General Fund ending balance to the Fire Department for employee termination pay (\$2,600,000).
- (3) Decrease in expenditures related to computer software and supplies.
- (4) Transfer from General Fund ending balance to Municipal Courts Administration for security expenses (\$240,286).
- (5) Transfer from General Fund ending balance to Public Works & Engineering for electricity costs related to street lights (\$1,608,447) and for the costs associated with the Wireless Interoperability for Microwave Access (WiMax) as well as Sign Manufacturing done for other departments offset by revenue (\$200,000).

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Appointment of two independent appraisers and an alternate appraiser for 43,491 square feet of land at 3602 Center Street, known as the Heights Recycling Center, Parcel SY9-080.		Page 1 of 1	Agenda Item 35 16
FROM (Department or other point of origin): General Services Department		Origination Date 4-15-10	Agenda Date APR 27 2010 APR 28 2010
MS DIRECTOR'S SIGNATURE: <i>Issa Z. Dadoush</i> 4/12/10 Issa Z. Dadoush, P.E.	Council District(s) affected: H		
	Date and identification of prior authorizing Council action:		
For additional information contact: Jacquelyn L. Nisby <i>JLN</i> Phone: (832) 393-8023			
RECOMMENDATION: Adopt a motion appointing two independent appraisers and an alternate appraiser to determine the fair market value of Parcel SY9-080 , known as the Heights Recycling Center, located at 3602 Center Street.			
Amount and Source Of Funding: Revenue		Finance Budget:	
<p>SPECIFIC EXPLANATION: The General Services Department recommends that, pursuant to Code of Ordinances, section 2-241(c), City Council approve the appointment of two independent appraisers and an alternate, as listed below, to determine the fair market value of the 43,491 square feet, more or less, site located at 3602 Center at Harvard, known as the Heights Recycling Center, inasmuch as the value is expected to exceed \$1 million.</p> <ul style="list-style-type: none"> • Michael Welch - Integra Realty Resources • Bill Jackson - Bill Jackson and Associates Appraisers • Samuel Jarrett - Jarrett's Appraisal Service (Alternate) 			
<p>IZD:BC:JLN:WW:ww</p> <p>xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby</p>			

REQUIRED AUTHORIZATION

CUIC ID# 25 WW 13

<p>General Services Department:</p>  <p>Forest R. Christy, Jr., Director Real Estate Division</p>	<p>Solid Waste Management Department:</p>  <p>Harry J. Hayes Director</p>
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Heights Recycling Center - 3602 Center Street

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8707

Subject: Purchase of Utility Vehicles Through the Houston-Galveston Area Council for the Houston Police and Fire Departments
S34-N23616-H

Category #

Page 1 of 2

Agenda Item

1 & 4
36-36A ~~9-9A~~

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Administration & Regulatory Affairs Department

Origination Date

March 29, 2010

Agenda Date

APR 28 2010

~~APR 21 2010~~

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

All

For additional information contact:

Joseph Fenninger *JFF 4/9/10* Phone: (713) 308-1708
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance authorizing the appropriation of \$64,759.12 out of the Fleet/Equipment Special Revenue Fund (Fund 9002) and approve the purchase of utility vehicles through the Houston-Galveston Area Council (H-GAC) in the amount of \$121,755.12 for the Houston Police and Fire Departments.

Award Amount: \$121,755.12

Finance Budget

\$ 56,996.00 - Supplemental Environmental Project Fund (2404)
\$ 64,759.12 - Fleet/Equipment Special Revenue Fund (9002)
\$121,755.12 - Total Funding

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$64,759.12 out of the Fleet/Equipment Special Revenue Fund (Fund 9002). It is further recommended that City Council approve the purchase of four utility vehicles through the Interlocal Agreement for Cooperative Purchasing with H-GAC in the amount of \$121,755.12 for the Houston Police and Fire Departments and that authorization be given to issue purchase orders to the H-GAC contractors as shown below. These new vehicles will be used citywide by the Houston Police Department to conduct environmental criminal investigations and by the Houston Fire Department to provide emergency medical and fire suppression services.

Philpott Motors Ltd., d/b/a Philpott Ford: Approve the purchase of two 4-wheel drive, four-door, heavy-duty utility vehicles in the amount of \$56,996.00 for the Houston Police Department.

Baby Jack II Automotive LTD., d/b/a Caldwell Country Chevrolet: Approve the purchase of two 2-wheel drive, four-door, heavy-duty utility vehicles in the amount of \$64,759.12 for the Houston Fire Department.

These utility vehicles will come with a full three year/36,000-mile bumper-to-bumper warranty and the life expectancy is seven years or 100,000 miles. See the Equipment Usage Summary on Page 2 of 2 for vehicle usage and replacement details. These vehicles will meet the EPA's current emission standards for low emission vehicles.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

[Signature] 4/9/10

Other Authorization:

NOT

8-A

Date:
3/29/2010

Subject: Purchase of Utility Vehicles Through the Houston-Galveston
Area Council for the Houston Police and Fire Departments
S34-N23616-H

Originator's
Initials
LB

Page 2 of 2

Equipment Usage Summary

Requisition No.	Qty	Description	Department	Equipment Usage		
10100740	2	Utility Vehicle, 4-Wheel Drive	Police Department These vehicles will be used citywide by Department personnel while conducting environmental investigations.	<u>Shop No.</u>	<u>Age(yrs.)</u>	<u>Mileage</u>
				30299	10	184,678
				31905	9	152,649
10100889	2	Utility Vehicle 2-Wheel Drive	Fire Department These vehicles will be used citywide by Department personnel providing EMS and Fire Suppression services.	<u>Shop No.</u>	<u>Age(yrs.)</u>	<u>Mileage</u>
				31038	10	134,434
				31844	9	182,643

Buyer: Larry Benka

37-37A

MOTION NO. 2010

APR 28 2010

MOTION by Council Member Sullivan that the recommendation of the Purchasing Agent, relative to the purchase of Cabs & Chassis and Refuse Bodies through the Interlocal Agreements for Cooperative Purchasing with Houston-Galveston Area Council (H-GAC) and Texas Local Government Purchasing Cooperative (BuyBoard) for the Solid Waste Management Department, S34-N23628-B&H, be adopted, and authority is hereby given to issue purchase orders in the total amount of \$5,854,279.01 to the following contractors:

H-GAC Contractors:

Houston Freightliner/Sterling: purchase of three 66,000-lb Gross Vehicle Weight Rating (GVWR), conventional cab, diesel-powered, cabs & chassis; seven 35,000-lb GVWR, conventional cab, diesel-powered, cabs & chassis with 30-ft, 57-cubic yard trash trailers; and four 66,000-lb GVWR conventional cab, diesel-powered, cabs & chassis in the amount of \$1,605,258.00;

East Texas Mack Sales, LLC d/b/a B & C Body Company: purchase of four 60,000-lb loaded-weight capacity tilt bodies with roll off hoist mechanisms in the amount of \$154,328.00;

BuyBoard Contractors:

Chastang Bayou City Ford: purchase of seven 62,000-lb GVWR conventional cab, diesel-powered, cabs & chassis in the amount of \$990,333.00;

Rush Truck Centers of Texas, L.P.: purchase of eight 62,000-lb GVWR conventional cab, diesel-powered, cabs & chassis in the amount of \$1,365,264.00; and

McNeilus Truck & Manufacturing: purchase of three 25-cubic yard automatic rear-loader refuse collection bodies and fifteen 31-cubic yard side-loader refuse bodies in the amount of \$1,739,096.01.

Seconded by Council Member Lovell

On 4/21/2010 the above motion was tagged by Council Member Rodriguez.

mla

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8703

Subject: Purchase of Cabs & Chassis and Refuse Bodies Through the Texas Local Government Purchasing Cooperative and the Houston-Galveston Area Council for the Solid Waste Management Department S34-N23628-B&H

Category #

Page 1 of 2

Agenda Item

37-37A
~~11A~~

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Administration & Regulatory Affairs Department

Origination Date

March 30, 2010

Agenda Date

APR 28 2010

~~APR 21 2010~~

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Vic Ayres Phone: (713) 837-9131
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance authorizing 1) the appropriation of \$4,023,982.36 out of the out of the Equipment Acquisition Consolidated Fund (Fund 1800); 2) the appropriation of \$781,450.65 out of the Reimbursement of Equipment/Projects Fund (Fund 1850); 3) the appropriation of \$511,908.00 out of the Solid Waste Consolidated Construction Fund (Fund 4503); and 4) approve the purchase of cabs & chassis and refuse bodies through the Texas Local Government Purchasing Cooperative (BuyBoard) and the Houston-Galveston Area Council (H-GAC) in the total amount of \$5,854,279.01 for the Solid Waste Management Department.

Award Amount: \$5,854,279.01

Finance Budget

\$4,023,982.36 - Equipment Acquisition Consolidated Fund (Fund 1800)
\$ 781,450.65 - Reimbursement of Equipment/Projects Fund (Fund 1850)
\$ 511,908.00 - Solid Waste Consolidated Construction Fund (Fund 4503)
\$ 536,938.00 - National Clean Diesel Accelerated Fleet Replace Program Fund (Fund 5300)
\$5,854,279.01 - Total Funding

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance authorizing 1) the appropriation of \$4,023,982.36 out of the Equipment Acquisition Consolidated Fund (Fund 1800); 2) the appropriation of \$781,450.65 out of the Reimbursement of Equipment/Projects Fund (Fund 1850); the appropriation of \$511,908.00 out of the Solid Waste Consolidated Construction Fund (Fund 4503). It is further recommended that City Council approves the purchase of cabs & chassis and refuses bodies through the Interlocal Agreements for Cooperative Purchasing with BuyBoard and H-GAC in the total amount of \$5,854,279.01 for the Solid Waste Management Department, and that authorization be given to issue purchase orders to the cooperative purchasing agencies contractors as shown below. The cabs & chassis, when mounted with the refuse bodies and associated equipment, will be used citywide by the Department to pickup, transport and dispose of residential waste and recycled material. The equipment that will be purchased with funding from the Equipment Acquisition Consolidated Fund (Fund 1800) is included in the adopted Equipment Acquisition Plan. The Department will reimburse the Reimbursement of Equipment /Projects Fund (Fund 1850) with revenue generated from its recycling program. The roll-off trucks being purchased with Fund 4503 will be used to expand the department's Neighborhood Depository and Recycling operations at the expanded Sunbeam location and the new 9003 N. Main locations.

This purchase uses funds awarded under the American Recovery and Reinvestment Act of 2009 (ARRA). The City of Houston and the recommend contractors will adhere to and comply with special reporting requirements associated with ARRA grant expenditures as required by the granting agency and/or Office of Management and Budget.

H-GAC Contractors:

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

Date: 3/30/2010	Subject: Purchase of Cabs & Chassis and Refuse Bodies Through the Texas Local Government Purchasing Cooperative and the Houston-Galveston Area Council for the Solid Waste Management Department S34-N23628-B&H	Originator's Initials LB	Page 2 of 2
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Houston Freightliner/Sterling: Approve the purchase of three 66,000-lb Gross Vehicle Weight Rating (GVWR), conventional cab, diesel-powered, cabs & chassis; seven 35,000-lb GVWR, conventional cab, diesel-powered, cabs & chassis with 30-ft, 57-cubic yard trash trailers; and four 66,000-lb GVWR, conventional cab, diesel-powered, cabs & chassis in the amount of \$1,605,258.00.

East Texas Mack Sales, LLC, d/b/a B & C Body Company: Approve the purchase of four 60,000-lb loaded-weight capacity tilt bodies with roll off hoist mechanisms in the amount of \$154,328.00.

BuyBoard Contractors:

Chatang Bayou City Ford: Approve the purchase of seven 62,000-lb GVWR conventional cab, diesel-powered, cabs & chassis in the amount of \$990,333.00.

Rush Truck Centers of Texas, L.P.: Approve the purchase of eight 62,000-lb GVWR conventional cab, diesel-powered, cabs & chassis in the amount of \$1,365,264.00.

McNeilus Truck & Manufacturing: Approve the purchase of three 25-cubic yard automatic rear-loader refuse collection bodies and fifteen 31-cubic yard side-loader refuse bodies in the amount of \$1,739,096.01.

The cabs & chassis will meet the current EPA's emission standards for vehicles with diesel engines. They will come with full warranties of three years/300,000 miles on the cabs & chassis, three years/150,000 miles on the engine, and two years on the transmission. The side and rear loader bodies will come with full warranties of one year on the complete unit and five years on the major structural components. The trailers will come with a full one year warranty. The life expectancy of these refuse trucks is seven years or 100,000 miles and ten years for the trailers. For vehicle usage and replacement details, see the attached Equipment Usage Summary. The vehicles that will be replaced have reached their life expectancy and will be sent to auction for disposition.

Buyer: Larry Benka

Attachment: Equipment Usage Summary

EQUIPMENT USAGE SUMMARY
RCA 8703
CABS & CHASSIS AND REFUSE BODIES
FOR THE
SOLID WASTE MANAGEMENT DEPARTMENT
S34-N23628-B&H

Requisition No.	Qty	Description	Department/Division Fleet Usage	Equipment Usage		
				Shop No.	Age(yrs.)	Mileage
10099605	3	Cabs & Chassis, 66,000-lb GVWR with 25-Cubic Yard Rear-Loader Bodies	Solid Waste Management/Support Services These cabs & chassis with mounted rear-loader bodies will be used citywide by Department personnel to compact and transport heavy loads of residential waste material.	26785 27634 28088	13 13 11	96,930 126,669 79,066
10099638	7	Cabs & Chassis, 35,000-lb GVWR with 30-ft, 57 Cubic Yard Trailers	Solid Waste Management/Support Services These cabs & chassis with trailers will be used citywide by Department personnel to transport waste collected in heavy trash operations.	23800 23802 23803 23809 25144 25152 29281	15 15 15 15 15 15 12	169,198 153,250 143,254 173,573 147,696 166,888 99,866
10100795	4	Cabs & Chassis, 66,000-lb GVWR with Roll-Off Tilt Bodies and Winches	Solid Waste Management/Support Services These cabs & chassis with roll-off tilt bodies and winches will be used citywide by Department personnel to load and transport 30 to 40 cubic yard containers from neighborhood depository sites (NDS), recycling and other drop-off facilities.	These units are additions to the Department's fleet inventory. These units will be used to expand the department's NDS and recycling operations at the expanded 5100 Sunbeam location and the new 9003 N Main location. There are currently nine frontline units and five reserve units of this type in the fleet with an average age of seven years.		
10099659	4	Cabs & Chassis, 62,000-lb GVWR with Side-Loader Bodies	Solid Waste Management/Support Services These cabs & chassis with mounted side-loader bodies will be used citywide by Department personnel to haul compacted loads of residential waste.	These units are additions to the Department's fleet inventory. There are currently 95 frontline units and 22 reserves in the Department's fleet inventory. These units are needed to replace units that are being transferred to the single stream recycling program in order to ensure that adequate trucks are available.		

**EQUIPMENT USAGE SUMMARY
RCA 8703
CABS & CHASSIS AND REFUSE BODIES
FOR THE
SOLID WASTE MANAGEMENT DEPARTMENT
S34-N23628-B&H**

Requisition No.	Qty	Description	Department/Division Fleet Usage	Equipment Usage		
				Shop No.	Age(yrs.)	Mileage
10099674	3	Cabs & Chassis, 62,000-lb GVWR with Side-Loader Bodies	<p>Solid Waste Management/Support Services</p> <p>These cabs & chassis with mounted side-loader bodies will be used citywide by Department personnel to haul compacted loads of residential recycling material.</p>	<p>31544</p> <p>31646</p> <p>32624</p>	<p>9</p> <p>9</p> <p>8</p>	<p>85,731</p> <p>74,399</p> <p>76,661</p>
10100232	8	Cabs & Chassis, 62,000-lb GVWR, with Side-Loader Bodies	<p>Solid Waste Management/Support Services</p> <p>These cabs & chassis with mounted side-loader bodies will be used citywide by Department personnel to haul compacted loads of residential waste material.</p>	<p>These units are additions to the Department's fleet inventory. There are currently 95 frontline units and 22 reserves in the Department's fleet inventory. These units are needed to replace units that are being transferred to the single stream recycling program in order to ensure that adequate trucks are available.</p>		

SUBJECT: An Ordinance authorizing the execution of a contract between the City of Houston and Marjo House, Inc. for the administration and operation of a Community Residence through a HOPWA Grant.	Category 1,2	Page 1 of 2	Agenda Item # 3818
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FROM (Department or other point of origin): Ada Edwards, Director Housing and Community Development Department	Origination Date 03/30/10	Agenda Date APR 21 2010 APR 28 2010
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DIRECTOR'S SIGNATURE: <i>Ada Edwards</i>	Council District affected: District B
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For additional information contact: Keith Bynam Phone: 713-868-8396 <i>KB</i>	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 Marjo House, Inc. for the operation and administration of a community residence under the Housing Opportunities for Persons with AIDS ("HOPWA") Act.

Amount of Funding: \$399,459.00	Finance Budget:
\$199,729.50 First year funding	
\$199,729.50 Second year (Renewal Option)	
\$399,459.00 Total contract funding amount	

SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund
 Other (Specify) HOPWA Grant Fund (5000)

SPECIFIC EXPLANATION:

The Housing and Community Development Department ("HCDD") recommends approval of a contract between the City of Houston and Marjo House, Inc. for the administration of a Housing Opportunities for Persons with AIDS ("HOPWA") grant – funded Community Residence for HIV positive men with multiple disease diagnosis.

The mission of Marjo House, Inc. is to provide permanent housing through a community residence setting, for those individuals who cannot live alone due to illnesses relating to HIV disease or inability to secure appropriate and safe housing on their own. The agency provides housing and various collateral services which greatly improve and sustain the physical and mental health, functioning capacity, stability and overall quality of life for clients. Marjo House's comprehensive and full time care services are tailored to provide and model personal care services as well as introduce and implement various therapies to build independence.

Since inception in 2003, Marjo House, Inc., a nine bed community residence, has provided long term housing to this population. Clients served through Marjo House are HIV positive men with dual diagnosis and in need of specific care and housing. With additional HOPWA funding, Marjo House can extend its bed capacity for this population and ensure long term care. Located in District B, an area disproportionately affected by HIV/AIDS, Marjo House is unique in bringing this level of care to the impacted surrounding communities.

REQUIRED AUTHORIZATION		
Finance Director:	Other Authorization:	Other Authorization:

NOT

Date:
03/30/10

Subject: An Ordinance authorizing the execution of a contract between the City of Houston and Marjo House, Inc. for the administration of a Community Residence through a HOPWA Grant.

**Originator's
Initials**

Page
2 of 2

This agreement will provide up to \$199,729.50 in HOPWA funding for a one (1) year contract, and \$199,729.50 for a second year renewal option, in order to provide the above-referenced services to a minimum of fifteen (15) unduplicated, low-income HIV/AIDS individuals annually.

Total Funds and Sources: **\$199,729.50**
Number of Persons to be Served: 15 (annually)
Category of Persons: HIV/AIDS/Low-income men

The Contract will provide funding for:

Service Category	Recommended Funding Amounts*
Administration	\$13,957.50
Supportive Services	\$44,588.50
Community Residence/Operations	\$141,183.50
Total Amount	\$199,729.50

*Annual amount

Therefore, HCDD is requesting approval of a contract providing up to \$399,459.00 in HOPWA funds for the administration and operation of a community residence for HIV positive, low-income men.

AE:KB:ab

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

SUBJECT: Professional Architectural Services Contract Smith & Company Architects Fifth Ward Deluxe Theater Renovation WBS No. E-000178-0002-3	Page 1 of 2	Agenda Item <div style="border: 1px solid black; padding: 5px; display: inline-block;">39</div>

FROM (Department or other point of origin): General Services Department	Origination Date 04.14.2010	Agenda Date APR 21 2010 APR 28 2010
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DIRECTOR'S SIGNATURE Issa Z. Dadoush, P.E. 4/28/09	Council District(s) affected: B
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For additional information contact: Jacquelyn L. Nisby Phone: 832-393-8023	Date and identification of prior authorizing Council action:
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RECOMMENDATION: Approve professional architectural services contract and appropriate/allocate funds for the project.

Amount and Source Of Funding: \$ 285,000.00 Federal Government – Grant Funded (5000) CDBG \$ 364,600.00 Reimbursement of Equipment/Projects Fund (1850) \$ 649,600.00 Total Funding	Finance Budget:
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SPECIFIC EXPLANATION: The City desires to convert the abandoned historic Fifth Ward Deluxe Theater into a neighborhood library. Built in 1941, the Deluxe Theater served as a movie house from 1941 to 1969, and an art gallery from 1971 to 1973. The new Fifth Ward Deluxe Library will promote the cultural history of performing and visual arts of the Fifth Ward Community and the City of Houston. Therefore, the General Services Department recommends that City Council approve a professional architectural services contract with Smith & Company Architects to perform design and construction phase services for the Fifth Ward Deluxe Theater Renovation.

PROJECT DESCRIPTION: The project will transform the existing facility into a neighborhood library and theater for the performing arts with collaboration from the Houston Public Library and Texas Southern University. Program space will include a 7,200 SF library, a 4,000 SF theater with seating for approximately 150 patrons and approximately 1,600 SF of shared spaces. The project will also restore the theater marquis fronting Lyons Avenue and provide surface parking for approximately 70 vehicles.

The Architect will incorporate LEED™ (Leadership in Energy and Environmental Design) credits to achieve certification.

PROJECT LOCATION: 3303 Lyons Avenue (570B)

REQUIRED AUTHORIZATION CUIC # 25DSGN27 N/D

General Services Department: Richard A. Vella, AAIA Chief of Design & Construction Division	Housing & Community Development: Ada Edwards Interim Director	Houston Public Library: Rhea Brown Lawson, Ph.D. Director
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Date	SUBJECT: Professional Architectural Services Contract Smith & Company Architects Fifth Ward Deluxe Theater Renovation WBS No. E-000178-0002-3	Originator's Initials ON	Page 2 of 2
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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.

\$ 377,100.00	Basic Services Fee
\$ 266,229.00	Additional Services Fee
\$ 643,329.00	Total Contract Services
\$ 6,271.00	Civic Art (1.75%)
\$ 649,600.00	Total Funding

The Reimbursement of Equipment/Projects Fund will contribute \$364,600.00 which will be reimbursed by the Federal Government CDBG Fund in Fiscal Year 2011.

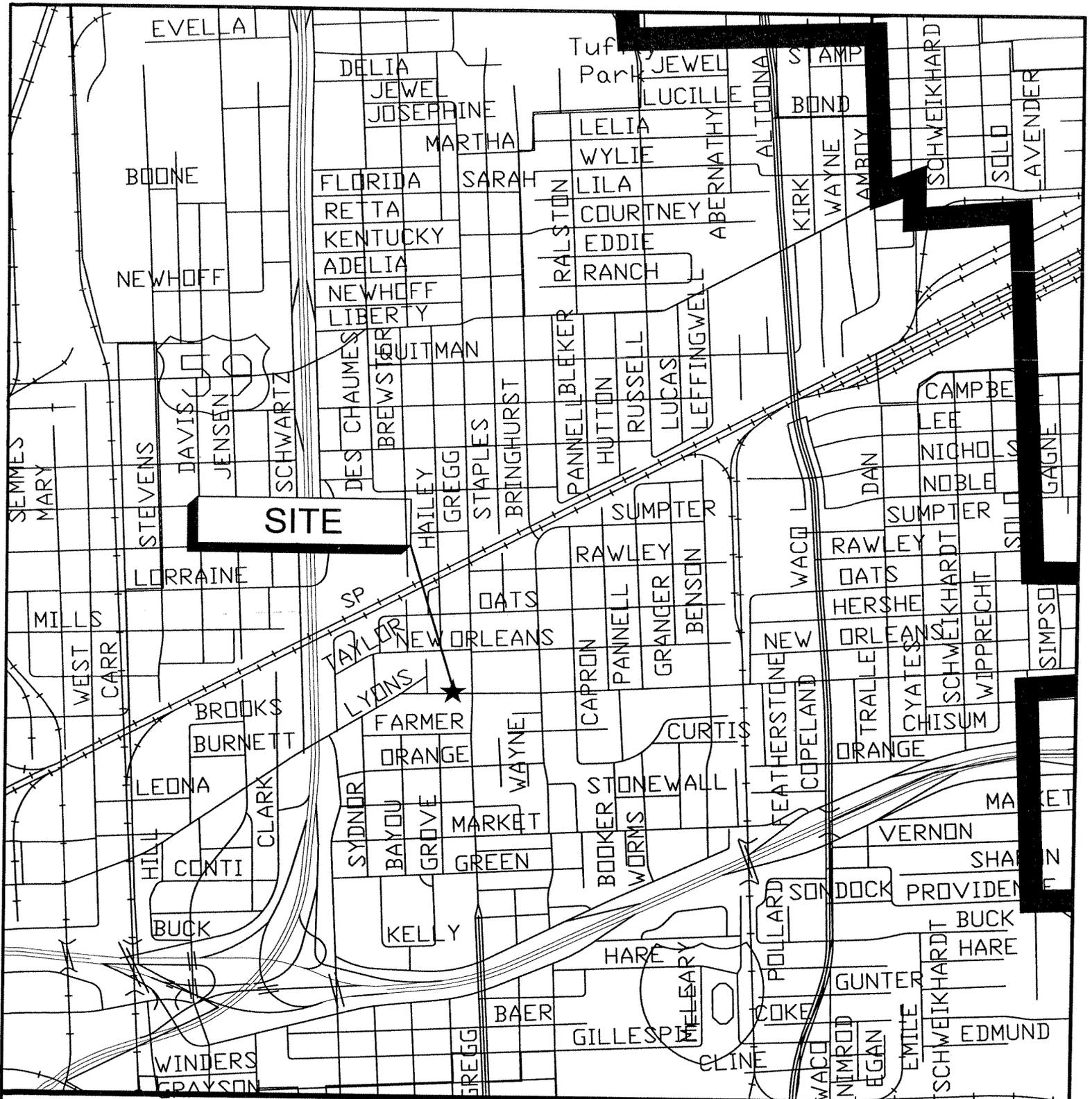
M/WBE INFORMATION: An M/WBE goal of 24% has been established for this contract. The architect has submitted the following certified firms to achieve the goal:

<u>Firm</u>	<u>Scope of Work</u>	<u>Amount</u>	<u>% of Contract</u>
Marshall Engineering Corporation	MEP	\$77,199.00	12%
Henderson + Rogers, Inc.	Structural Engineering	\$48,249.00	7.5%
Site and Field Engineering, LLC	Civil Engineering	\$41,838.00	6%
	Total	\$167,286.00	25.5%

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's "Pay or Play" Ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

IZD:RAV:JLN:ON:on

c: Marty Stein, Wendy Heger, Jacquelyn L. Nisby, Esq., Christopher Gonzales, David Godwin, Jean Abercrombie, Darien Helton, Calvin Curtis, Martha Leyva, File E-000178-0002-3/507



Fifth Ward Deluxe Theater Renovation
 3303 Lyons Avenue
 Houston, TX 77020