

AGENDA - COUNCIL MEETING - TUESDAY - JULY 3, 2012 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

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

INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Laster

9:00 A. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

9:30 A. 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

NOTE: If a translator is required, please advise when reserving time to speak

REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 24

MISCELLANEOUS - NUMBERS 1 and 2

1. REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **BOARD OF DIRECTORS OF THE HOUSTON AMATEUR SPORTS PARK LGC, INC**, for terms to expire January 1, 2015
Position Six - **MR. MAXIMILIANO CÁRDENAS, III**
Position Seven - **MR. MARTIN FOX**

MISCELLANEOUS - continued

2. REQUEST from Mayor for confirmation of the reappointment of the following to the **BOARD OF THE METROPOLITAN TRANSIT AUTHORITY**, for terms to expire April 7, 2014:
 - Position One - **MR. GILBERT ANDREW GARCIA**
 - Position Two - **MR. ALLEN DALE WATSON**
 - Position Three - **THE HONORABLE DWIGHT E. JEFFERSON**
 - Position Four - **MS. CARRIN F. PATMAN**
 - Position Five - **MR. CHRISTOF SPIELER**

ACCEPT WORK - NUMBERS 3 through 6

3. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$6,584,250.21 and acceptance of work on contract with **SPAW GLASS CONSTRUCTION CORPORATION** for HPD Fondren Police Station - District 17 - 4.58% over the original contract amount and under the 5% contingency - **DISTRICT K - GREEN**
4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$62,042.50 and acceptance of work on contract with **RESICOM, INC** for On-Call Clearing and Grubbing-Work Order Contract - 68.98% under the original contract amount **DISTRICT H - GONZALEZ**
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$487,761.02 and acceptance of work on contract with **ENVIROWASTE SERVICES GROUP, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation - 0.18% under the original contract amount
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$587,499.64 and acceptance of work on contract with **PIPELINE VIDEO INSPECTION, LLC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation - 1.47% under the original contract amount

PROPERTY - NUMBER 7

7. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Tracy Youngblood, Brown and Gay Engineers, Inc., on behalf of Waste Corporation of Texas, L.P. (Steve Seed, Region Vice President), Bulldog Tire Recycling, Inc. (Theodore Theilen, President), and Novus Wood Group, I, L.P. (William H. Winters, President), for abandonment and sale of the northern portion of Haynesworth Lane, from Old Genoa-Red Bluff Road south to its terminus, ±8,475 square feet of the southern portion of Haynesworth Lane, two cul-de-sacs, and a 55-foot-wide drainage easement, in exchange for conveyance to the City of right-of-way for and construction of a cul-de-sac, all located in the J. O. Ross Subdivision, out of the H. C. Burnett Survey, A-1063, and/or Genoa Gardens Subdivision, out of the H.C.M.R., H.T. & B. R.R. Company Survey, A-387 Parcels SY12-040A through SY12-040E, SY12-089 and AY12-092 - **DISTRICT E - SULLIVAN**

PURCHASING AND TABULATION OF BIDS - NUMBERS 8 through 11A

8. **DACO FIRE EQUIPMENT, INC** for Aircraft Rescue and Firefighting Vehicle from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Houston Airport System - \$937,000.00 - Enterprise Fund
9. **VERMEER EQUIPMENT OF TEXAS, INC d/b/a VERMEER-TEXAS LOUISIANA** for Trailer-Mounted Brush Chipper and a Trailer-Mounted Vacuum System through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Houston Airport System \$84,570.99 - Enterprise Fund

PURCHASING AND TABULATION OF BIDS - continued

10. ORDINANCE appropriating \$200,000.00 out of Fire Consolidated Construction Fund for Purchase of Construction Services for Heating, Ventilation and Air Conditioning System Replacements at Fire Station Nos. 7, 28, 51 and the Val Jahnke Training Facility for the General Services Department
 - a. **BASELINE PAVING AND CONSTRUCTION, INC** for Construction Services for Heating, Ventilation and Air Conditioning System Replacements at Fire Station Nos. 7, 28, 51 and the Val Jahnke Training Facility through the Interlocal Agreement for Cooperative Purchasing with the Harris County Department of Education for General Services Department - \$195,519.75 and contingencies for a total amount not to exceed \$200,000.00 - **DISTRICTS D - ADAMS; J - LASTER and I - RODRIGUEZ**
11. ORDINANCE approving and authorizing contract Addendum No. 2 between the City of Houston, the **STATE OF TEXAS** and the **U.S. BANK NATIONAL ASSOCIATION, ND**, for City participation in the State of Texas Fuel Card for Fleet Services Program
 - a. APPROVE spending authority in an amount not to exceed \$39,000,000.00 for Fuel Cards and related services from the Texas State Council on Competitive Government contract through the State of Texas Cooperative Purchasing Program for Fleet Management Department, awarded to **U.S. BANK NATIONAL ASSOCIATION ND**

RESOLUTIONS AND ORDINANCES - NUMBERS 12 through 24

12. RESOLUTION approving Bylaws for **HOUSTON FORENSIC SCIENCE LGC, INC.**, A Local Government Corporation
13. RESOLUTION of the City Council of the City of Houston, Texas approving the issuance of Tax-Exempt Revenue Refunding Bonds by **MISSION ECONOMIC DEVELOPMENT CORPORATION on behalf of REPUBLIC SERVICES, INC** - **DISTRICTS B - DAVIS; E - SULLIVAN and K - GREEN**
14. ORDINANCE directing the Department of Planning and Development to prepare a Service Plan that provides for the extension of municipal services into certain territory in the vicinity of the Commons of Lake Houston near Kingwood Drive on the East Side of Lake Houston, in Harris County, Texas; calling public hearings at which interested persons will be given the opportunity to be heard on a proposal for the City of Houston to annex certain territory in the vicinity of the Commons of Lake Houston near Kingwood Drive on the East Side of Lake Houston, in Harris County, Texas; providing for the publication of notice of such hearings - **DISTRICT E - SULLIVAN**
15. ORDINANCE approving and authorizing Master Contractor Agreement between the City of Houston and **JOSHUA DADE CONTRACTORS CORPORATION**, as contractor for Reconstruction of twenty-three (23) homes; providing \$2,006,917.00 of Community Development Block Grant (Disaster Recovery) Funds for the reconstruction of twenty-two (22) single family homes; providing \$86,317.00 in Community Development Block Grant Funds for the reconstruction of one (1) single family home; approving and authorizing the form of reconstruction agreements for each of the single family homes; authorizing the Director of the Housing and Community Development Department to approve plans and budgets for each property to be reconstructed - **DISTRICTS B - DAVIS; D - ADAMS; H - GONZALEZ; I - RODRIGUEZ and K - GREEN**

RESOLUTIONS AND ORDINANCES - continued

16. ORDINANCE amending City of Houston Ordinances Nos. 2002-512 passed June 12, 2002, 2004-685 passed June 30, 2004, 2006-628 passed June 14, 2006, 2007-648 passed June 6, 2007, 2008-385 passed April 30, 2008, 2009-420 passed May 13, 2009, 2010-372 passed May 12, 2010, and 2011-281 passed April 25, 2011, which approved and authorized the submission to the United States Department of Housing and Urban Development of the 2002, 2004, 2006, 2007, 2008, 2009, 2010 and 2011 Consolidated Annual Plans, including the Home Investment Partnerships Program Grant applications
17. ORDINANCE approving second amendment to Lease and Development Agreement between the City of Houston, Texas, and **HOUSTON AQUARIUM, INC**, with Joinders by Landry's Inc and Landry's Management, L.P., relating to development of the City Fire Alarm Building Property and Settlement of a Tax Abatement Dispute - **DISTRICT H - GONZALEZ**
18. ORDINANCE amending Ordinance No. 2011-800 to increase the maximum contract amount for the second phase of contract between the City of Houston and **ALVAREZ & MARSAL BUSINESS CONSULTING, LLC** for Consulting Services for Citywide Accounts Receivables and Collections Improvement for the Finance Department; approving and authorizing the reimbursement of the Miscellaneous Capital Projects/Acquisitions Commercial Paper Series E Fund (Fund 4039) in the amount of \$1,147,183.65 by authorizing the transfer from the General Fund to Fund 4039 - \$1,460,000.00 General Fund
19. ORDINANCE appropriating \$859,266.40 out of Equipment Acquisition Consolidated Fund and approving and authorizing a supplemental schedule to an agreement between the City of Houston and **DELL FINANCIAL SERVICES, LLC** for Microsoft Software and License Maintenance Services for the Fleet of City Desktops; authorizing the issuance of purchase order(s) for the purchase of software
20. ORDINANCE approving and authorizing amendment to agreement between the City of Houston and **GOWAN, INC** for Backflow Preventers Certification, Testing and Repair Services (Approved by Ordinance No. 2007-1127)
21. ORDINANCE appropriating \$100,000.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 3 to contract between the City of Houston and **AMANI ENGINEERING, INC**, for Professional Engineering Services for Upgrade of Sanitary Sewer Lift Stations and Storm Water Lift Stations at George Bush Intercontinental Airport/Houston (Project No. 638) - **DISTRICT B - DAVIS**
22. ORDINANCE appropriating \$426,000.00 out of Parks Consolidated Construction Fund and \$465,336.00 out of Parks & Recreation Dedication Fund; awarding construction contract to **TIMES CONSTRUCTION, INC** for Briarmeadow Park; 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 construction management, engineering testing services, Civic Art Program, and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund and Parks & Recreation Dedication Fund - **DISTRICT F - HOANG**
23. ORDINANCE appropriating \$166,240.00 from Street & Traffic Control and Storm Drainage DDSRF; approving and authorizing Public Highway At-Grade Crossing Agreement between the City of Houston, Texas, and **UNION PACIFIC RAILROAD COMPANY** for Reconstruction of Harvey Wilson Drive from Lockwood Drive to Clinton Drive - **DISTRICT H - GONZALEZ**

RESOLUTIONS AND ORDINANCES - continued

24. ORDINANCE appropriating \$4,770,913.00 out of Houston Airport Improvement Fund and awarding construction contract to **BOYER, INC** for Storm Water & Sanitary Sewer Lift Stations Upgrade and Sanitary Sewer Re-routing in Central Cargo Area at George Bush Intercontinental Airport/Houston (Project Nos. 638A & 698); 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 services and for contingencies relating to construction of facilities financed by such funds
DISTRICT B - DAVIS

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Hoang 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

1
JUL 03 2012

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 6-19-12
date

COUNCIL MEMBER: _____

June 4, 2012

The Honorable City Council
City of Houston

RE: Nominations to Board of Directors of the Houston Amateur Sports Park LGC, Inc.

Dear Council Members:

Pursuant to Subchapter D of Chapter 431, Texas Transportation Code; Chapter 394, Texas Local Government Code; and City of Houston Resolution No. 2010-58 (November 9, 2010); I am nominating the following individuals to Board of Directors of the Houston Amateur Sports Park LGC, Inc., subject to Council confirmation:

Mr. Maximiliano Cárdenas, III, reappointment to Position Six, for a term to expire January 1, 2015; and

Mr. Martin Fox, reappointment to Position Seven, for a term to expire January 1, 2015.

Résumés are attached for your review.

Sincerely,

Annise D. Parker
Mayor

AP:JC

Attachments

cc: Mr. Tom Davis, Special Projects Manager, Office of the Mayor
Mr. Andy Icken, Deputy Chief of Staff, Office of the Mayor





ANNISE D. PARKER
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

2
JUL 03 2012

June 6, 2012

COPY TO EACH MEMBER OF COUNCIL:
CITY SECRETARY: 6-15-12
date
COUNCIL MEMBER: _____

The Honorable City Council
Houston, Texas

Dear Council Members:

Pursuant to Chapter 451 and Subsection K of the Texas Transportation Code, I am submitting the following names for reappointment, subject to Council confirmation, as City of Houston appointees to the Board of the Metropolitan Transit Authority.

- Mr. Gilbert Andrew Garcia, reappointment to Position One, for a term to expire April 7, 2014;
- Mr. Allen Dale Watson, reappointment to Position Two, for a term to expire April 7, 2014;
- The Honorable Dwight E. Jefferson, reappointment to Position Three, for a term to expire April 7, 2014;
- Ms. Carrin F. Patman, reappointment to Position Four, for a term to expire April 7, 2014;
- and
- Mr. Christof Spieler, reappointment to Position Five, for a term to expire April 7, 2014.

Résumés are attached for your review.

Sincerely,

Annise D. Parker
Mayor

AP:JC:jsk

Attachments

cc: Mr. George Greanias, President and Chief Executive Officer (CEO), Metropolitan Transit Authority



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

SUBJECT: Accept Work
 Spaw Glass Construction Corporation
 HPD Fondren Police Station—District 17
 WBS No. G-000123-0002-4

Page
1 of 2

Agenda
Item **3**

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

Origination Date: 6/28/12

Agenda Date: JUL 03 2012

DIRECTOR'S SIGNATURE:
 Scott Minnix *Scott Minnix* 06/04/12

For additional information contact:
 Jacquelyn L. Nisby **Phone:** 832.393.8023

Council District(s) affected:
 K (C)

Date and identification of prior authorizing Council action:
 Ordinance No. 2010-614; July 28, 2010

RECOMMENDATION: The General Services Department recommends approval of final contract amount of \$6,584,250.21 and acceptance of work on contract with Spaw Glass Construction Corporation for HPD Fondren Police Station-District 17 - 4.58% over the original contract amount and under the 5% contingency.

Amount and Source of Funding: No Additional Funding Required

Finance Budget:

Previous Funding:
 \$ 500,000.00 Federal Government – Grant Funded (5000) CDBG
 \$ 1,617,600.00 Fondren Police Station Fund (4041) Series E
 \$ 5,300,000.00 Police Consolidated Construction Fund (4504)
 \$ 7,417,600.00 Total Funding

SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve the final contract amount of \$6,584,250.21 or 4.58% over the original contract amount, accept the work and authorize final payment to Spaw Glass Construction Corporation for construction services in connection with the HPD Fondren Police Station—District 17 for the Houston Police Department.

PROJECT LOCATION: 8605 Westplace Drive (570B)

PROJECT DESCRIPTION: The scope of work included site clearing and grading for construction of a 29,176 square foot police station that included short term holding cells, a front desk enclosed in a bullet resistant partition, administrative offices, narcotics investigative unit, tactical unit, radio room, public meeting room, conference rooms, exercise room, male and female locker rooms, surface parking for 140 spaces including accessible spaces, and on-site stormwater detention.

The project utilized the Leadership in Energy & Environmental Design (LEED™) Green Building Rating System to achieve certification.

CONTRACT COMPLETION AND COST: The contractor completed the project within 379 days: the original contract time of 365 days, plus 14 days approved by Change Orders. The final cost of the project including Change Orders is \$6,584,250.21, an increase of \$288,580.21 over the original contract amount.

Roth + Sheppard Architects in collaboration with Rey De La Reza were the project design consultants.

REQUIRED AUTHORIZATION CUIC ID # 25CONS202

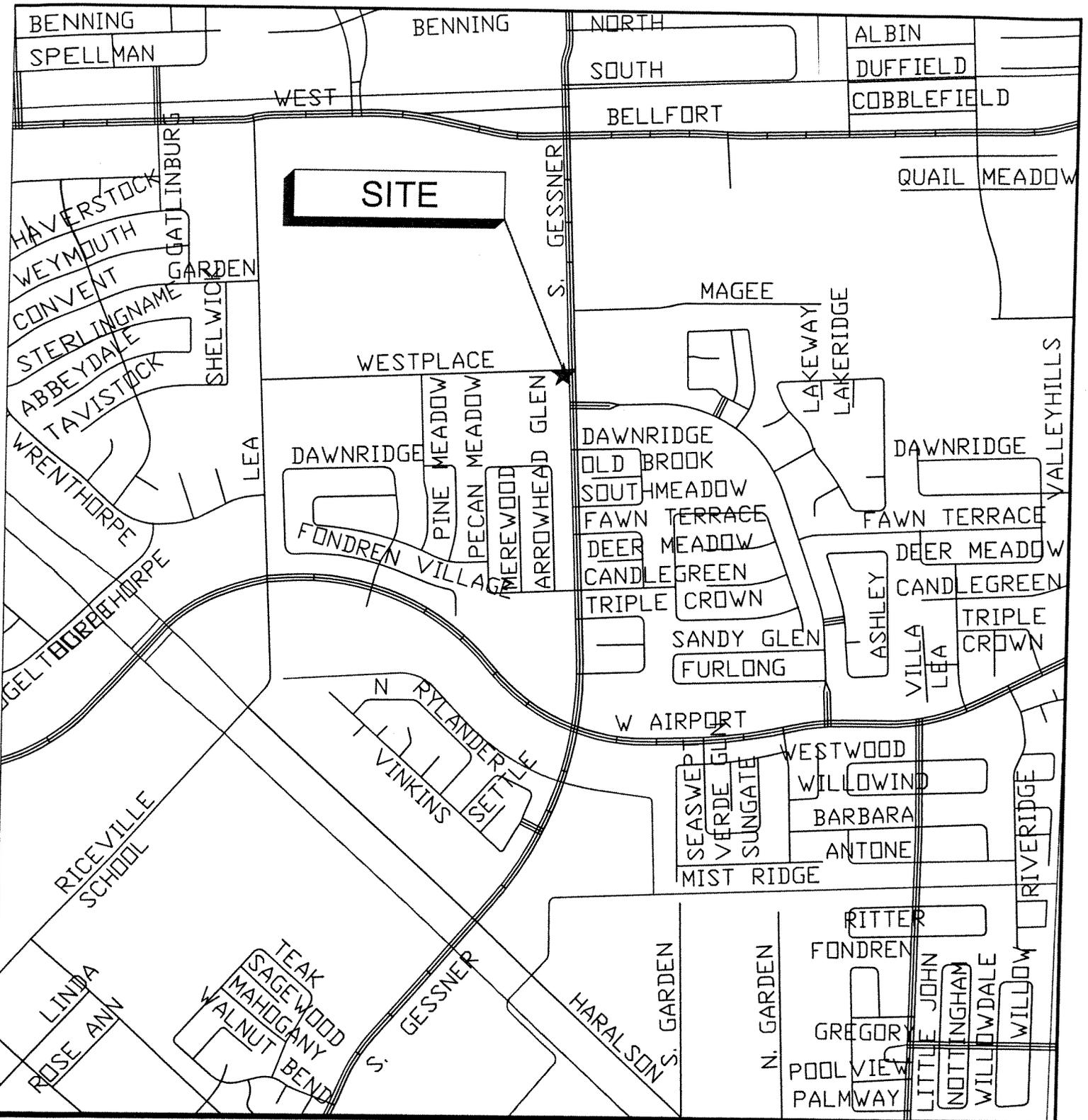
<p>General Services Department:</p> <p><i>[Signature]</i></p> <p>Richard A. Vella Chief of Design & Construction Division</p>	<p>Housing and Community Development Department:</p> <p><i>[Signature]</i></p> <p>Neal Rackleff Director</p>	<p>Houston Police Department:</p> <p><i>[Signature]</i></p> <p>Charles A. McClelland, Jr. Chief of Police</p>
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Date	SUBJECT: Accept Work Spaw Glass Construction Corporation HPD Fondren Police Station—District 17 WBS No. G-000123-0002-4	Originator's Initials JW	Page 2 of 2
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PREVIOUS CHANGE ORDERS: Change Orders 1-8 enlarged the roof drain leaders; paid fees to CenterPoint related to the large non-standard gas meter; made changes to the HVAC system to meet energy code; addressed underground conflicts with existing AT&T conduits; made structural steel modifications; made changes to the foundation; added circuitry for hand dryers, furniture, generator accessories and vent hoods; made duct modifications; added a projection screen; added an HVAC drain pan; added bollards around the CenterPoint transformer and in front of the jail area; made sheetrock and framing modifications; changed a gravel area to concrete; added solid surface countertops to the report writing area; added curbs to some shower stalls and made ADA modifications to some shower stalls; upgraded the locks in the jail area; made floor plan modifications to accommodate an Internal Affairs officer; added structural elements to the canopies; added parking space numbering; added sod to areas in lieu of hydroseeding; made lighting modifications to the monument sign and flagpoles; added furniture items; added plywood walls in the data room; made handrail modifications; added lettering to the back side of the monument sign; made modifications to the generator exhaust system; made changes to the security system; made changes to the curtain wall; added control wiring to the HVAC system; added rubber base; added signage; added solar film to certain glass areas; reimbursed the contractor for utility charges that occurred after substantial completion; made modifications to the entry ramp to meet ADA requirements; added baby changing tables in the public restrooms and added carbon monoxide sensors to the jail area.

M/WBE PARTICIPATION: The contract contained a 14% MBE goal and 10% SBE goal. According to the Housing and Community Development Department, the contractor achieved 21.85% MBE participation and 11.10% SBE participation and was assigned an outstanding rating.

SM:RAV:JLN:MCP:JW  
c: Marta Crinejo, Jacquelyn L. Nisby, Christopher Gonzales, Kirk Munden, Pirooz Farhoomand, File



HPD Fondren Police Station
8605 Westplace Drive
Houston, TX 77071

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for On-Call Clearing and Grubbing-Work Order Contract; WBS No. N-000396-0017-4.	Category #1,7	Page 1 of 1	Agenda Item # 4
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 6/28/12	Agenda Date JUL 03 2012
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DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council District affected: H 
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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. # 2010-0739 dated: 09/22/2010
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RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$62,042.50 or 68.98% under the original Contract Amount, accept the Work, and authorize final payment.

Amount and Source of Funding: No additional funding required. Total (original) appropriation of \$228,000.00 from Street and Bridge Consolidated Construction Fund No. 4506.

PROJECT NOTICE/JUSTIFICATION: This was an on-call clearing and grubbing project used primarily for clearing a project site for utility relocation prior to construction. The scope of the work included mobilization, traffic control, demolition, and removal and relocation of identified structures and items.

DESCRIPTION/SCOPE: The project consisted of clearing and grubbing in various locations throughout the City of Houston. This was a work order contract, determined on an as needed basis. In-house Engineering Staff designed the project with 365 calendar days allowed to complete the project. The project was awarded to Resicom, Inc. with an Adjustment Factor rather than monetary amount.

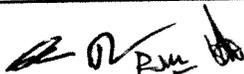
The Adjustment Factor applied to individual bid items in the Contract documents. Estimated Work Order prices were calculated by multiplying Unit Quantity of each item in the Work Order by Unit Price and applicable Adjustment Factor. The Contract had a not-to-be-exceeded amount of \$200,000.00.

LOCATION: The project is located throughout the City of Houston.

CONTRACT COMPLETION AND COST: The Contractor, Resicom, Inc., has completed the work under the subject Contract. The project was completed with an additional 13 days approved by Change Order No. 1. The final cost of the project, including overrun and underrun of estimated bid quantities is \$62,042.50, a decrease of \$137,957.50 or 68.98% under the original Contract Amount.

The decreased cost is a result of expiration of contract time.

M/W/SBE PARTICIPATION: This Contract was not a goal oriented Contract per Art. V, Chapter 15.


 DWK:DRM:JTL:RJM:DO:ha
 Z:\E&C Construction\North Sector\PROJECT FOLDER\N-000396-0017-4-(Clear & Grub)\21.0 Closeout\RCA\RCA - Closeout.doc

REQUIRED AUTHORIZATION 20HA160 

Finance Department:	Other Authorization:	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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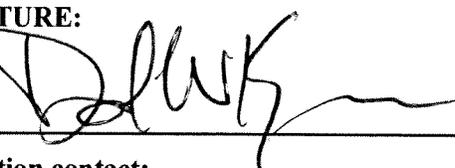
CITY OF HOUSTON
Department of Public Works & Engineering
Street and Bridge/Stormwater Engineering and Construction Branch

PROJECT STREET LIST

Project No. : N-000396-0017
 Contract No. : 4600010444

Project : On-Call Clearing and
 Contractor : Resicom, Inc.

Street	From Street	To Street	KEY MAP	Council District	Start Date	Comp. Date	Status	Comments
Aldine Westfield	Tidwell	Little York	453-W	H (H)	1/2/12	4/26/13	Complete	
Yale Street	Tidwell	Parker	412-Z; 452-D	H (H)	11/14/11	12/5/11	Complete	

SUBJECT: Accept Work for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation, WBS No. R-000266-0137-4, File No. 4277-41		Category	Page 1 of <u>1</u>	Agenda Item # <u>5</u>
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 6/28/12	Agenda Date JUL 03 2012	
DIRECTOR'S SIGNATURE: Daniel W. Krueger, P.E. 		Council District affected: All		
For additional information contact: A. James Millage Senior Assistant Director Phone: (713) 641-9566		Date and identification of prior authorizing Council action: 10/14/09, Ordinance No. 2009-977		

RECOMMENDATION: (Summary)
Pass a motion to approve the final contract amount of \$487,761.02 or 0.18 % under the original contract amount, accept the work, and authorize final payment.

Amount and Source of Funding: No additional funding is required. (Original appropriation of \$518,068.00 from the Water and Sewer System Consolidated Construction Fund No. 8500).

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

DESCRIPTION/SCOPE: This project consisted of sanitary sewer cleaning and television inspection in support of rehabilitation. The project was awarded to Envirowaste Services Group, Inc. with an original contract amount of \$488,636.48. The Notice to Proceed date was 12/04/09 and the project had 730 calendar days for completion.

LOCATION: The project is located in Council Districts A, B, C, D, E,F, G, H, I, J, K (over 450 locations)

CONTRACT COMPLETION AND COST: The Contractor, Envirowaste Services Group, Inc. has completed the work under the contract within the contract time. The final cost of the project, including overrun and underrun of estimated bid quantities, will be \$487,761.02 a decrease of \$875.46 or 0.18% under the original contract amount.

M/WBE PARTICIPATION: No City M/WSBE participation goal has been established for this project, as the contract was not a goal-oriented contract per Section 15-82 of the Code of Ordinances.

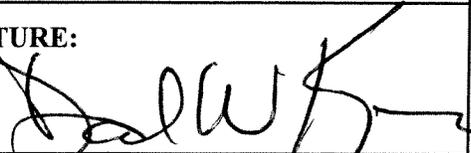
DWK:JC:AJM:OS:SM:TC:tc
Attachments
cc: Marta Crinejo
A. James Millage
Carl Smitha, P.E. File No. 4277-41

REQUIRED AUTHORIZATION CUIC ID# 20AJM271

Finance Department:	Other Authorization:  FOZ: JAMES MILLAGE	Other Authorization:  Jun Chang, P.E., D.WRE, Deputy Director Public Utilities Division
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SUBJECT: Accept Work for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation, WBS No. R-000266-0159-4, File No. 4277-52	Category	Page 1 of <u>1</u>	Agenda Item # <u>6</u>
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 6/28/12	Agenda Date JUL 03 2012
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DIRECTOR'S SIGNATURE: Daniel W. Krueger, P.E. 	Council District affected: All
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For additional information contact: A. James Millage Senior Assistant Director Phone: (713) 641-9566	Date and identification of prior authorizing Council action: 03/02/11, Ordinance No. 2011-161
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RECOMMENDATION: (Summary)
Pass a motion to approve the final contract amount of \$587,499.64 or 1.47 % under the original contract amount, accept the work, and authorize final payment.

Amount and Source of Funding: No additional funding is required. (Original appropriation of \$631,056.00 from the Water and Sewer System Consolidated Construction Fund No. 8500).

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

DESCRIPTION/SCOPE: This project consisted of sanitary sewer cleaning and television inspection in support of rehabilitation. The project was awarded to Pipeline Video Inspection, LLC with an original contract amount of \$596,244.05. The Notice to Proceed date was 04/28/11 and the project had 730 calendar days for completion.

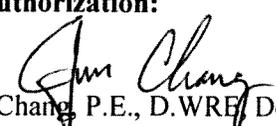
LOCATION: The project is located in Council Districts A, B, C, D, E, F, G, H, I, J, K (800 locations)

CONTRACT COMPLETION AND COST: The Contractor, Pipeline Video Inspection, LLC, has completed the work under the contract within the contract time. The final cost of the project, including overrun and underrun of estimated bid quantities, will be \$587,499.64 a decrease of \$8,744.41 or 1.47% under the original contract amount.

M/WBE PARTICIPATION: No City M/WSBE participation goal has been established for this project, as the contract was not a goal-oriented contract per Section 15-82 of the Code of Ordinances.

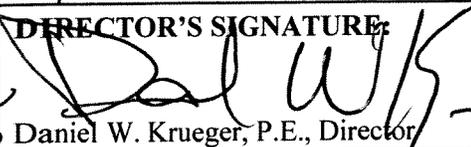
DWK:JC:AJM:OS:SM:TC:tc
Attachments
cc: Marta Crinejo
A. James Millage
Carl Smitha, P.E. File No. 4277-52

REQUIRED AUTHORIZATION CUIC ID# 20AJM272 *not*

Finance Department:	Other Authorization:  FOR: JAMES MILLAGE	Other Authorization:  Jun Chang, P.E., D.WRE, Deputy Director Public Utilities Division
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SUBJECT: Abandonment and sale of the northern portion of Haynesworth Lane, from Old Genoa-Red Bluff Road south to its terminus, ±8,475 square feet of the southern portion of Haynesworth Lane, two cul-de-sacs, and a 55-foot-wide drainage easement, in exchange for conveyance to the City of right-of-way for and construction of a cul-de-sac, all located in the J.O. Ross Subdivision, out of the H.C. Burnett Survey, A-1063, and/or Genoa Gardens Subdivision, out of the H.C.M.R., H.T. & B. R.R. Company Survey, A-387. Parcels SY12-040A through SY12-040E, SY12-089, and AY12-092	Page <u>1</u> of <u>2</u>	Agenda Item # <div style="text-align: right; font-size: 2em;">7</div>
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 6/28/12	Agenda Date JUL 03 2012
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DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council District affected: E Key Map: 577N
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For additional information contact: Nancy P. Collins  Phone: (832) 395-3130 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 Motion authorizing the abandonment and sale of the northern portion of Haynesworth Lane, from Old Genoa-Red Bluff Road south to its terminus, ±8,475 square feet of the southern portion of Haynesworth Lane, two cul-de-sacs, and a 55-foot-wide drainage easement, in exchange for conveyance to the City of right-of-way for and construction of a cul-de-sac, all located in the J.O. Ross Subdivision, out of the H.C. Burnett Survey, A-1063, and/or Genoa Gardens Subdivision, out of the H.C.M.R., H.T. & B. R.R. Company Survey, A-387. **Parcels SY12-040A through SY12-040E, SY12-089, and AY12-092**

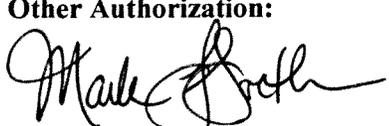
Amount and Source of Funding: Not Applicable

SPECIFIC EXPLANATION:
 Tracy Youngblood, Brown and Gay Engineers, Inc., 10777 Westheimer Road, Suite 400, Houston, Texas 77042, on behalf of Waste Corporation of Texas, L.P. (Steve Seed, Region Vice President), Bulldog Tire Recycling, Inc. (Theodore Theilen, President), and Novus Wood Group I, L.P. (William H. Winters, President), requested the abandonment and sale of the northern portion of Haynesworth Lane, from Old Genoa-Red Bluff Road south to its terminus, ±8,475 square feet of the southern portion of Haynesworth Lane, two cul-de-sacs, and a 55-foot-wide drainage easement, in exchange for conveyance to the City of right-of-way for and construction of a cul-de-sac, all located in the J.O. Ross Subdivision, out of the H.C. Burnett Survey, A-1063, and/or Genoa Gardens Subdivision, out of the H.C.M.R., H.T. & B. R.R. Company Survey, A-387. Waste Corporation of Texas, L.P, one of the property owners, plans to build a waste disposal and recycling facility. Bulldog Tire Recycling, Inc., one of the property owners, plans to use its portion of Haynesworth Lane to extend its property line. Novus Wood Group I, L.P., one of the property owners, plans to convey a portion of its property for the construction of the cul-de-sac. Signs notifying the public of the pending street abandonment application were posted for at least thirty days.

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

z:\tp\sy12-040.rca1.doc CUIC #20TP9255

REQUIRED AUTHORIZATION

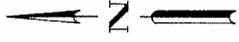
Finance Department:	Other Authorization:	Other Authorization:  Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division
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Date:	Subject: Request for the abandonment and sale of the northern portion of Haynesworth Lane, from Old Genoa-Red Bluff Road south to its terminus, ±8,475 square feet of the southern portion of Haynesworth Lane, two cul-de-sacs, and a 55-foot-wide drainage easement, in exchange for conveyance to the City of right-of-way for and construction of a cul-de-sac, all located in the J.O. Ross Subdivision, out of the H.C. Burnett Survey, A-1063, and/or Genoa Gardens Subdivision, out of the H.C.M.R., H.T. & B. R.R. Company Survey, A-387. Parcels SY12-040A through SY12-040E, SY12-089, and AY12-092	Originator's Initials	Page <u>2</u> of <u>2</u>
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1. The City abandon and sell the northern portion of Haynesworth Lane, from Old Genoa-Red Bluff Road south to its terminus, ±8,475 square feet of the southern portion of Haynesworth Lane, two cul-de-sacs, and a 55-foot-wide drainage easement, in exchange for conveyance to the City of right-of-way for and construction of a cul-de-sac, all located in the J.O. Ross Subdivision, out of the H.C. Burnett Survey, A-1063, and/or Genoa Gardens Subdivision, out of the H.C.M.R., H.T. & B. R.R. Company Survey, A-387.
2. The applicants be required to obtain a letter of no objection from each of the privately owned utility companies for the rights-of-way being abandoned and sold;
3. The applicants be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
4. The applicants be required to: (a) construct to City standards a cul-de-sac at the northern terminus of the remaining southern portion of Haynesworth Lane; and (b) eliminate the public street appearance of Haynesworth Lane at Old Genoa Red Bluff Road by removing the barricade and installing a fence or gate across the abandoned section of Haynesworth Lane.
5. The applicants must convert any existing public street lights within Haynesworth Lane to private service.
6. In the interest of expediting the abandonment and sale process, the applicant may choose to provide the City with Letter of Credit (LOC), subject to the City's concurrence, covering the estimated construction cost for work required in Item 4 above in lieu of performing such work prior to finalization of the ordinance for this transaction. Should this option be selected, the applicant will be required to provide an LOC showing the City of Houston as beneficiary and in the amount of the estimated construction cost approved by the City. The LOC will be for a specific time period which may be less than but not longer than twelve months from the effective date of the ordinance for the transaction. Upon the applicant's satisfactory completion of the construction-related work as evidenced by written inspection clearance/approval by the Office of the City Engineer, PWE, at the applicant's request the City will release the LOC;
7. The Legal Department be authorized to prepare the necessary transaction documents; and
8. Inasmuch as the value of the City's property interests are not expected to exceed \$1,000,000.00, that the value be established by Robert Stanley, an independent appraiser appointed by the Director of Public Works and Engineering.

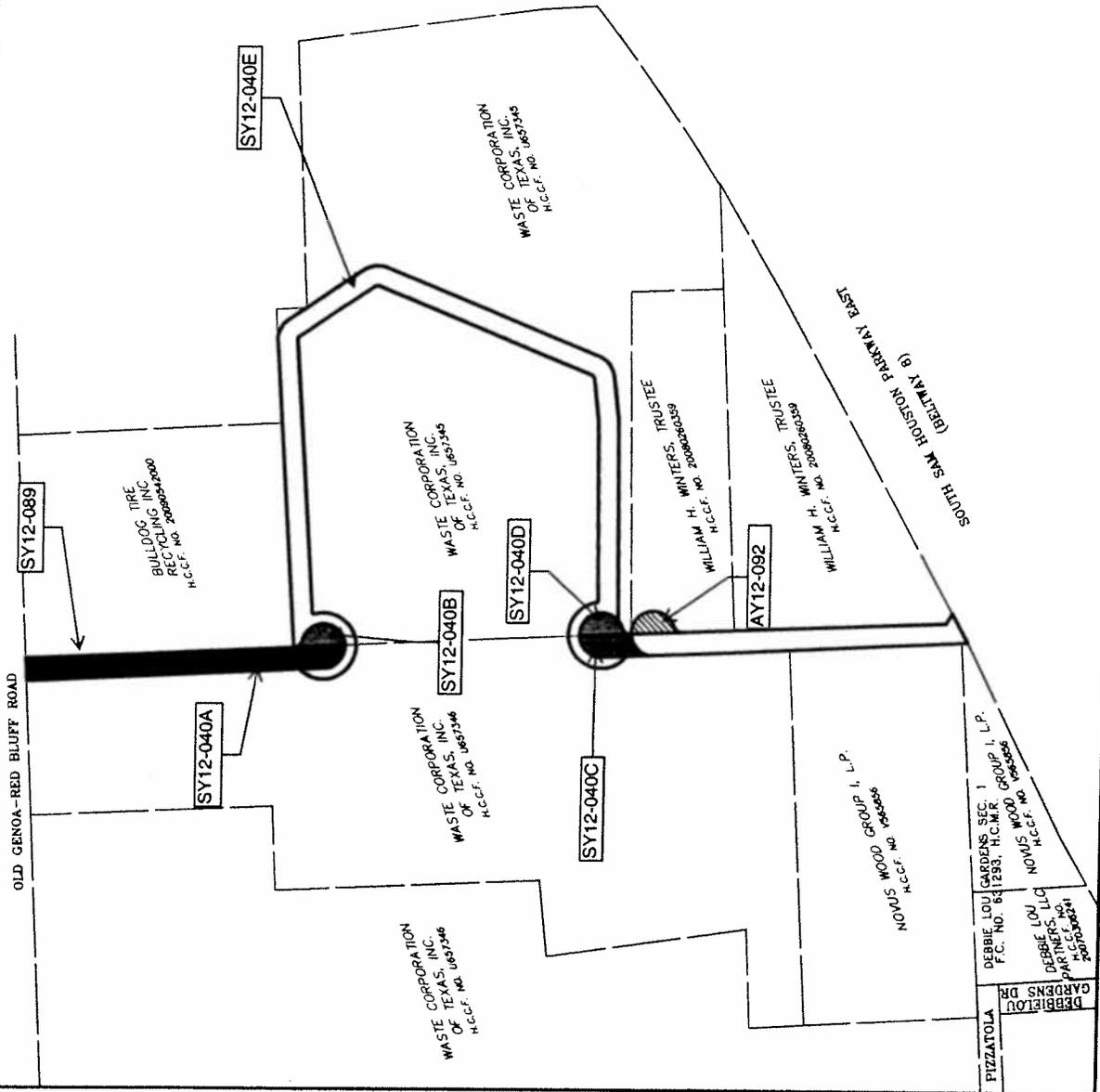
DWK:NPC:tp

- c: Jun Chang, P.E., D.WRE
Marta Crinejo
David Feldman
Marlene Gafrick
Terry A. Garrison
Daniel Menendez, P.E.
Jeffrey Weatherford, P.E., PTOE



Parcels SY12-040A through SY12-040E, SY12-089, and AY12-092

Abandonment and sale of the northern portion of Haynesworth Lane, from Old Genoa-Red Bluff Road south to its terminus, ±8,475 square feet of the southern portion of Haynesworth Lane, two cul-de-sacs, and a 55-foot-wide drainage easement, in exchange for conveyance to the City of right-of-way for and construction of a cul-de-sac, all located in the J.O. Ross Subdivision, out of the H.C. Burnett Survey, A-1063, and/or Genoa Gardens Subdivision, out of the H.C.M.R., H.T. & B. R.R. Company Survey, A-387.



Brown & Gay Engineers, Inc.
10777 Westheimer, Suite 400, Houston, TX 77042
Tel: 281-466-8700 Fax: 281-466-8701
www.browngay.com

WASTE CORPORATION
HAYNESWORTH ROAD
AND
DRAINAGE EASEMENT
ABANDONMENT EXHIBIT

Scale:	1" = 300'
Sub. No.	536-01
Date:	07-07-11
Exhibit:	NO. 1

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9348

Subject: Purchase of an Aircraft Rescue and Firefighting Vehicle through the State of Texas Procurement and Support Services Contract for the Houston Airport System S38-E24254-S

Category #
4

Page 1 of 1

Agenda Item

8

FROM (Department or other point of origin):

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

Origination Date

May 07, 2012

Agenda Date

JUL 03 2012

DIRECTOR'S SIGNATURE

CDF


Council District(s) affected

B

For additional information contact:

Dallas Evans Phone: (281) 230-8001
Ray DuRousseau Phone: (832) 393-8726

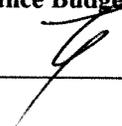
Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the purchase of an Aircraft Rescue and Firefighting (ARFF) vehicle through the State of Texas Procurement and Support Services Contract in the amount of \$937,000.00 for the Houston Airport System.

Award Amount: \$937,000.00

Finance Budget



\$937,000.00 - HAS-AIF Capital Outlay Fund (Fund 8012)

SPECIFIC EXPLANATION:

The Director of the Houston Airport System and the City Purchasing Agent recommend that City Council approve the purchase of an ARFF vehicle from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program in the amount of \$937,000.00 for the Houston Airport System and that authorization be given to issue a purchase order to the State contract supplier, DACO Fire Equipment, Inc. This truck will be used at the George Bush Intercontinental Airport to respond to aircraft emergencies.

This new ARFF vehicle consists of a cab and chassis mounted with a firefighting body and associated firefighting equipment. It will meet the EPA's current emission standards for vehicles with diesel engines. This vehicle will come with warranties of three years/36,000 miles on the cab and chassis, twenty years on the firefighting body and one year on the firefighting equipment. The life expectancy of this vehicle is twelve years. This new vehicle will replace Shop No. 33523, an existing nine-year-old unit that has reached its life expectancy and will be sent to auction for disposition.

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

Hire Houston First:

This procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicited because the department is utilizing an Interlocal or Cooperative Purchasing Agreement for this purchase.

Buyer: Lena Farris
Requisition No. 10132748

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:



REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9392

Subject: Purchase of a Trailer-Mounted Brush Chipper and a Trailer-Mounted Vacuum System Through the Houston-Galveston Area Council for the Houston Airport System
S38-E23990-H

Category #
4

Page 1 of 1

Agenda Item

9

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

Origination Date
May 21, 2012

Agenda Date
JUL 03 2012

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
B

For additional information contact:

Dallas Evans Phone: (281) 230-8001
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the purchase of a trailer-mounted brush chipper and a trailer-mounted vacuum system through the Houston-Galveston Area Council (H-GAC) for the Houston Airport System.

Award Amount: \$84,570.99

Finance Budget

\$84,570.99 - HAS AIF Capital Outlay Fund (Fund 8012)

SPECIFIC EXPLANATION:

The Director of the Houston Airport System and the City Purchasing Agent recommend that City Council approve the purchase of a diesel-powered trailer-mounted brush chipper and a gasoline-powered trailer-mounted vacuum system through the Interlocal Agreement for Cooperative Purchasing with H-GAC in the amount of \$84,570.99 for the Houston Airport System, and that authorization be given to issue a purchase order to the H-GAC contractor, Vermeer Equipment of Texas, Inc d/b/a Vermeer-Texas Louisiana. This new brush chipper will be used at the George Bush Intercontinental Airport by the Department's grounds maintenance personnel to convert trees and limbs into mulch for use in the airport's beautification project and the vacuum system will be used by physical plant maintenance personnel at George Bush Intercontinental Airport to clean sump stations and tunnel baggage transportation areas.

This new equipment will meet the EPA's current emission standards for equipment equipped with diesel and gasoline engines. The brush chipper will come with a full one-year warranty and the life expectancy is seven years. The vacuum system will come with a full two-year warranty and the life expectancy is ten years.

Both the trailer-mounted brush chipper and the trailer-mounted vacuum will be additions to the Department's fleet at the George Bush Intercontinental Airport. Currently, the Department does not have a comparable trailer-mounted brush chipper in its fleet inventory that will perform the required mulching tasks. The Department does have a similar vacuum system in its fleet inventory, but it is too large to access some of the limited over-head clearance areas that require cleaning.

Hire Houston First:

This procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicited because the department is utilizing an Interlocal or Cooperative Purchasing Agreement for this purchase.

Buyer: Lena Farris
PR Nos. 10126896 & 10128550

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

MA
D

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9415

Subject: Approve the Purchase of Construction Services for Heating, Ventilation and Air Conditioning System Replacements at Fire Station Nos. 7, 28, 51 and the Val Jahnke Training Facility for the General Services Department C24318E

Category #
4

Page 1 of 2

Agenda Item

10/10A

FROM (Department or other point of origin):

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

Origination Date

June 04, 2012

Agenda Date

JUL 03 2012

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
D, J I

For additional information contact:

Jacquelyn L. Nisby Phone: (832) 393-8023
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance appropriating \$200,000.00 out of the Fire Consolidated Construction Fund (Fund 4500) and the purchase of construction services for heating, ventilation and air conditioning system replacements at Fire Station Nos. 7, 28, 51, and the Val Jahnke Training Facility through the Interlocal Agreement for Cooperative Purchasing with the Harris County Department of Education in an amount of \$195,519.75 and contingencies (2.24% for unforeseen changes within the scope of work) in the amount of \$4,480.25 for a total amount not to exceed \$200,000.00 for the General Services Department.

Spending Authority Amount: \$200,000.00

Finance Budget

\$200,000.00 - Fire Consolidated Construction Fund (4500) WBS No.- C-0000EQ-0006-5-01-01

SPECIFIC EXPLANATION:

The Director of the General Services Department and the City Purchasing Agent recommend that City Council approve an ordinance appropriating \$200,000.00 out of the Fire Consolidated Construction Fund (Fund 4500). It is further recommended that City Council approve the purchase of construction services for heating, ventilation and air conditioning (HVAC) system replacements at Fire Station Nos. 7, 28, 51 and the Val Jahnke Training Facility through the Interlocal Agreement for Cooperative Purchasing with the Harris County Department of Education in the amount of \$195,519.75 and contingencies (2.24% for unforeseen changes within the scope of work) in the amount of \$4,480.25 for a total amount not to exceed \$200,000.00 for the General Services Department and that authorization be given to issue purchase orders, as required, to the Harris County Department of Education contractor, Baseline Paving and Construction, Inc., a designated City business. The Harris County Department of Education entered into the contract with Baseline Paving and Construction, Inc. on May 18, 2010 for an initial one-year term with six one-year options to renew for a maximum duration of seven years.

The scope of work requires the construction contractor to furnish all labor, equipment, materials, supervision and transportation necessary to remove and properly dispose of four existing HVAC systems: one each at Fire Station No. 7, located at 1402 Elgin; Fire Station No. 28, located at 3000 Chimney Rock; Fire Station No. 51, located at 6902 Bellaire Blvd. and the Val Jahnke Training Facility, located at 8030 Braniff. The Contractor shall also be required to furnish and install a 15-ton air handler to match the existing 15-ton dual circuit condenser at Fire Station No. 7; a twin 5-ton furnace and coils to match the existing 10-ton dual circuit condenser at Fire Station No. 28; a 10-ton roof-top unit at Fire Station No. 51 and a 130-ton scroll chiller at the Val Jahnke Training Facility. The HVAC equipment at these facilities is over 20 years old and has a history of frequent breakdowns, resulting in inadequate cooling capacity at the facilities housing firefighters who provide emergency services 24/7. The new equipment will come with a full one-year warranty, including workmanship, and the life expectancy is 20 years. The contractor shall have 180 calendar days to complete this project after receipt of the notice-to-proceed.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

10/10A

Date: 6/4/2012	Subject: Approve the Purchase of Construction Services for Heating, Ventilation and Air Conditioning System Replacements at Fire Station Nos. 7, 28, 51 and the Val Jahnke Training Facility for the General Services Department C24318E	Originator's Initials AL	Page 2 of 2
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Hire Houston First:

This procurement is exempt from the City's Hire Houston First Ordinance. Bids/Proposals were not solicited because the department is utilizing an Interlocal or Cooperative Purchasing Agreement for this purchase.

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.

Buyer: Art Lopez

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9435

Subject: Approve an Ordinance Authorizing a State of Texas Fleet Contract Political Subdivision Addendum and Approve Spending Authority for Fuel Cards and Related Services for the Fleet Management Department

Category #
4

Page 1 of 1

Agenda Item

11-11A

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

Origination Date
June 26, 2012

Agenda Date
JUL 03 2012

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
Kim Burley Phone: (832) 393-6920
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance authorizing a State of Texas Fleet Contract Political Subdivision Addendum between the City of Houston and the State of Texas to allow the City to utilize the State fuel card contract; and 2) approve spending authority in an amount not to exceed \$39,000,000.00 for fuel cards and related services from the Texas State Council on Competitive Government contract through the State of Texas Cooperative Purchasing Program for the Fleet Management Department (FMD)

Estimated Spending Authority: \$39,000,000.00

Finance Budget

\$39,000,000.00 - Fleet Management Fund (1005)

SPECIFIC EXPLANATION:

The Director of the Fleet Management Department and the City Purchasing Agent recommends that City Council 1) approve an ordinance authorizing a State of Texas Fleet Contract Political Subdivision Addendum between the City of Houston and the State of Texas to allow the City to utilize the State fuel card contract; and 2) approve spending authority in an amount not to exceed \$39,000,000.00 for fuel cards and related services from the Texas State Council on Competitive Government contract through the State of Texas Cooperative Purchasing Program for the Fleet Management Department (FMD) and that authorization be given to issue purchase orders, as necessary, to the State of Texas contractor, U.S. Bank National Association ND. The spending authority is expected to sustain the department for approximately 60 months.

The fuel cards are primarily used by the Houston Fire and Police Departments. Both departments use the cards in areas of the City where there are no nearby City-owned fueling facilities, including the southwest Houston, Kingwood and Greenspoint areas. The Fire Department also uses the cards for unleaded emergency vehicles in areas where the fire stations' unleaded fuel tanks have been converted to diesel. This permits larger, less frequent deliveries of diesel fuel, and decreased transportation costs. It also reduces the response time to alarms for unleaded Fire Department emergency vehicles by eliminating the need to return to the fire station for fuel. The fuel cards are also available to other City departments such as Public Works & Engineering, where it is deemed cost effective and operationally beneficial to use.

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

Hire Houston First:

This procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicited because the department is utilizing a Cooperative Purchasing Agreement for this purchase.

Buyer: Murdock Smith III

REQUIRED AUTHORIZATION

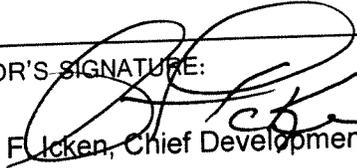
Finance Department:

Other Authorization:

Calvin D. Wells FMD

Other Authorization:

REQUEST FOR COUNCIL ACTION

SUBJECT: Resolution approving Bylaws adopted by Houston Forensic Science LGC, Inc.		Page 1 of 1	Agenda Item # 12
FROM (Department or other point of origin): Mayor's Office		Origination Date June 29, 2012	Agenda Date JUL 03 2012
DIRECTOR'S SIGNATURE:  Andrew F. Icken, Chief Development Officer		Council District affected: ALL	
For additional information contact: Andy Icken (832-393-1064)		Date and identification of prior authorizing Council action: Resolution No. 2012-17	
RECOMMENDATION: Approve a resolution approving Bylaws adopted by Houston Forensic Science LGC, Inc.			
Amount and Source of Funding: N.A.			
SPECIFIC EXPLANATION:			
<p>Chapter 431, Texas Transportation Code, authorizes the creation of a local government corporation to aid and act on behalf of a local government to accomplish any governmental purpose.</p> <p>On June 6, 2012, the City Council passed Resolution No. 2012-17, which memorialized Council's finding that the creation of a local government corporation to operate an independent center providing the City with accurate and timely analysis of forensic evidence and related services will accomplish an important governmental purpose, namely, to enhance the welfare and safety of the public. Resolution 2012-17 also (a) authorized the City's creation of Houston Forensic Science LGC, Inc. (the "Corporation") to operate the center and (b) approved the form of the Corporation's Certificate of Formation, which has been submitted to the Texas Secretary of State.</p> <p>On June 20, 2012, the Corporation held its organizational meeting, at which meeting the Board of Directors adopted bylaws for the Corporation (the "Bylaws," an accurate copy of which are attached to the proposed resolution). Section 431.101(a), Texas Transportation Code, requires that the bylaws of a local government corporation be approved by the governing body for which the corporation was created. If approved, the proposed resolution will constitute the required approval of the Corporation's Bylaws.</p>			
REQUIRED AUTHORIZATION			
Other Authorization:	Other Authorization:	Other Authorization:	

City of Houston, Texas, Resolution No. 2012- _____

A RESOLUTION APPROVING BYLAWS FOR HOUSTON FORENSIC SCIENCE LGC, INC., A LOCAL GOVERNMENT CORPORATION, AND CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE SUBJECT.

WHEREAS, Chapter 431, Texas Transportation Code, authorizes the creation of a local government corporation to aid and act on behalf of a local government to accomplish any governmental purpose of the local government; and

WHEREAS, on June 6, 2012, the City Council of the City of Houston, Texas (the "City") passed Resolution No. 2012-17, which memorialized the City Council's finding that the creation of a local government corporation to operate an independent center providing the City with accurate and timely analysis of forensic evidence and related services will accomplish an important governmental purpose, namely, to enhance the welfare and safety of the public; and

WHEREAS, Resolution No. 2012-17 authorized the City's creation of Houston Forensic Science LGC, Inc. (the "Corporation"), a local government corporation, to operate the said independent center; and

WHEREAS, Resolution No. 2012-17 approved the form of the Corporation's Certificate of Formation; and

WHEREAS, on June 20, 2012, the Corporation held its organizational meeting, at which meeting the Board of Directors adopted bylaws for the Corporation (the "Bylaws," an accurate copy of which are attached hereto as Exhibit A); and

WHEREAS, Section 431.101(a), Texas Transportation Code, requires that the bylaws of a local government corporation be "approved by ordinance, resolution, or order adopted by the governing body" for which the corporation was created to aid and act on behalf of; and

WHEREAS, the City Council desires to approve the Bylaws of Houston Forensic Science LGC, Inc.; **NOW, THEREFORE**;

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

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

Section 2. That the Bylaws of Houston Forensic Science LGC, Inc., are

APPROVED.

Section 3. That, if any provision, section, subsection, sentence, clause, or phrase of this Resolution, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Resolution or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Resolution that no provision hereof shall become inoperative or fail by reason of any unconstitutionality or other invalidity of any other portion hereof, and all provisions of this Resolution are declared to be severable for that purpose.

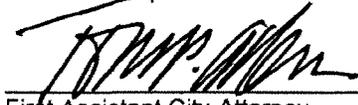
Section 4. That this Resolution shall take effect immediately upon its passage and approval by the Mayor; however, in the event the Mayor does not sign this Resolution within five days after its passage and adoption, the Resolution shall take effect in accordance with Article VI, Section 6, of the Houston City Charter.

PASSED and ADOPTED this ____ day of _____, 2012.

APPROVED this ____ day of _____, 2012.

Mayor of the City of Houston

Requested by Andrew F. Icken
Chief Development Officer

Prepared by 

First Assistant City Attorney

LD File No. 0421100101001

HOUSTON FORENSIC SCIENCE LGC, INC.

BYLAWS

Date of Adoption: June 20, 2012

(1.1)

EXHIBIT A

BYLAWS OF HOUSTON FORENSIC SCIENCE LGC, INC.

PREAMBLE

These Bylaws govern the affairs of Houston Forensic Science LGC, Inc. (the "Corporation"), a non-profit local government corporation whose purpose is to aid and to act on behalf of the City of Houston, Texas (the "City") to accomplish a governmental purpose of the City; namely, to create and to govern the operation of an independent center (the "Houston Forensic Science Center") to provide accurate and timely analysis of forensic evidence and related services.

ARTICLE 1 – RULES OF CONSTRUCTION; DEFINITIONS

These Bylaws shall be construed under the laws of the State of Texas, and all references to statutes, regulations, ordinances, and orders shall be construed to include any amendments of the said laws. In addition, the rules of construction and definitions in Section 1-2 of the City's Code of Ordinances shall apply to these Bylaws, which are to be construed liberally to effectuate the purposes described in the Corporation's Certificate of Formation (the "Certificate of Formation").

ARTICLE 2 – DIRECTORS

SECTION 2.01. MANAGEMENT. Subject to the Certificate of Formation and these Bylaws, management of the affairs of the Corporation shall be vested in the directors, who together constitute the Board of Directors (the "Board").

SECTION 2.02. QUALIFICATIONS, APPOINTMENT, AND REMOVAL. The qualifications of the directors as well as the procedures for their appointment and removal shall be as prescribed by the Certificate of Formation.

SECTION 2.03. CHAIRMAN. The Chairman of the Board (the "Chairman") shall be selected as provided in the Certificate of Formation. In furtherance of the purposes of the Corporation and subject to any limitations contained in the Certificate of Formation and these Bylaws, the Chairman, by resolution of the Board, may execute all bonds, notes, deeds, conveyances, assignments, mortgages, notes, contracts, and other instruments of any kind in the name of the Corporation.

SECTION 2.04. VICE CHAIRMAN. From among its members the Board shall select a Vice Chairman of the Board. The Vice Chairman shall perform the duties and exercise the powers of the Chairman upon the Chairman's death, absence, disability, resignation, or inability to perform the duties of the office.

SECTION 2.05. MANNER OF CONDUCTING MEETINGS. Meetings of the Board may be held by telephone conference, video conference, internet broadcast, or other means of

communication technology, but only as authorized by Chapter 551 of the Texas Government Code (the "Open Meetings Act").

SECTION 2.06. ANNUAL MEETINGS. The Board shall meet at least annually at a time and place in the City designated by resolution of the Board. Failure to hold an annual meeting at the designated time or place shall not work a dissolution of the Corporation nor impair the powers, rights, and duties of the Corporation's directors and officers.

SECTION 2.07. REGULAR MEETINGS. The Board may provide for regular meetings by resolution stating the time and place of such meetings. Further notice of the Board's regular meetings shall not be required except as may be necessary to comply with the Open Meetings Act.

SECTION 2.08. SPECIAL MEETINGS; EMERGENCY MEETINGS. Special meetings and emergency meetings of the Board shall be held when called by the Chairman of the Board or by two or more directors. For the purposes of these Bylaws, an "emergency meeting" is a meeting of the Board to consider a circumstance that, in the absence of immediate action by the Board, may have a material, adverse impact upon the Corporation or the operation of the Houston Forensic Science Center. The person(s) calling the special or emergency meeting shall provide the Secretary of the Corporation (the "Secretary") with a statement of the reason(s) for the meeting, which statement shall be included in the notice of the meeting.

SECTION 2.09. NOTICE. The Board shall cause a notice of each of its meetings to be filed in the same manner as required of a governing body of a municipality under the Open Meetings Act. In addition, the Secretary shall give notice to each director at least three days before each annual, regular, or special meeting of the Board or committee of the Board, and at least three hours before any emergency meeting of the Board. For the purposes of these Bylaws, "notice" to a director shall not be construed to require actual notice. Notice by telephone, mail, fax, delivery, or e-mail to the address of each director according to the records of the Corporation shall be deemed effective when given by the Secretary.

SECTION 2.10. QUORUM. A majority of the directors shall constitute a quorum for the consideration of matters related to the Corporation. The act of a majority of the directors present and voting at a meeting at which a quorum is in attendance shall constitute an act of the Board, unless the act of a greater number is required by law, by the Certificate of Formation, or by these Bylaws. A director may not vote by proxy.

SECTION 2.11. PROCEDURES. At its meetings the Board shall consider matters related to the purpose of the Corporation in such order as the Board may determine. The Chairman shall preside at all meetings of the Board, except that the Vice Chairman shall preside when the Chairman is absent. In the absence of the Chairman and the Vice Chairman, a temporary chairman shall be chosen by the Board from among the directors present. The Secretary shall act as secretary of all meetings of the Board, but in the

absence of the Secretary the presiding officer may appoint any person to act as secretary of the meeting. As required by Section 394.025 of the Texas Local Government Code (made applicable to the Corporation by Section 431.102 of the Texas Transportation Code), the Corporation shall keep minutes of the proceedings of the Board.

SECTION 2.12. DUTIES. Directors shall discharge their duties with ordinary care and in a manner each director reasonably believes to be in the Corporation's best interests. In this context, "ordinary care" means the care that ordinarily prudent persons in similar positions would exercise under similar circumstances. In discharging their duties, directors may rely in good faith on information, opinions, reports, or analyses, including financial data, prepared or presented by persons reasonably appearing to be qualified in such matters. A director is not relying in good faith if he has knowledge that renders such reliance unwarranted or unreasonable. Directors are not deemed to have the duties of trustees of a trust with respect to the Corporation or with respect to property held or administered by the Corporation, including property subject to restrictions imposed by a donor or other transferor of the property.

SECTION 2.13. ACTIONS. The Board shall make every reasonable effort to act by consensus. Any action taken by the Board must be taken at a meeting conducted as prescribed by the Certificate of Formation, these Bylaws, and applicable law. The Board may not take action by consent in lieu of a meeting.

SECTION 2.14. DISCLOSURE OF PERSONAL INTEREST. A director with a financial or other personal interest in a transaction to which the Corporation is or may be a party must disclose all material facts concerning the transaction, including every potential personal benefit and potential conflict of interest. The disclosure must be made in a writing tendered to the other directors as promptly as possible under the circumstances, whether or not the transaction has been completed. A director who has made, or who should have made, such a disclosure shall neither participate in nor vote on the Board's consideration of matters related to the transaction.

SECTION 2.15. COMMITTEES OF THE BOARD. The Board may designate two or more directors to constitute a committee. The President of the Corporation shall be an ex-officio, non-voting member of each committee. A committee shall keep minutes of their proceedings and report the same to the Board. A committee may adopt rules for its own governance, provided that no such rule is inconsistent with the Certificate of Formation, or with these Bylaws, or with any resolution of the Board.

SECTION 2.16. RESIGNATION OF DIRECTORS. A director may resign at any time. Such resignation shall be made in writing and shall take effect at the time specified therein, or, if no time is specified, at the time of its receipt by the Chairman or the Secretary. Acceptance of a resignation shall not be necessary to make it effective, unless expressly so provided in the resignation.

ARTICLE 3 – OFFICES

The initial principal office of the Corporation shall be at 900 Bagby St., Suite 422, Houston, Texas 77002. The Corporation may maintain such other offices and facilities as the Board may determine are in the best interests of the Corporation.

ARTICLE 4 – REGISTERED OFFICE AND REGISTERED AGENT

The Corporation shall maintain a registered office and a registered agent in Texas. The Corporation's registered office may be, but need not be, the same as its principal office. The Board may change the Corporation's registered office and/or its registered agent, but only with the consent of the City Council, as evidenced by a resolution approved by majority vote, and only in accordance with the Texas Business Organizations Code.

ARTICLE 5 – OFFICERS

SECTION 5.01. APPOINTMENT OF OFFICERS. The Board shall appoint a President, a Vice President, a Secretary, and a Treasurer of the Corporation. The persons appointed may not be directors of the Corporation but may be employees of the City. The persons appointed shall hold the said offices until the next annual meeting of the Board, at which meeting the Board shall appoint (or reappoint) persons to hold the said offices until the next annual meeting, repeating the cycle annually. Any two or more offices, other than the offices of President and Secretary, may be held by the same person.

SECTION 5.02. REMOVAL OF OFFICERS. Any officer of the Corporation may be removed by the Board at any time, with or without cause, except that such removal shall be without prejudice to the contract rights, if any, of the officer removed.

SECTION 5.03. PRESIDENT. The President shall be the chief executive officer of the Corporation and the Executive Director of the Houston Forensic Science Center. If and as authorized by the Board, the President may sign, with the Secretary or another officer of the Corporation, all bonds, notes, deeds, conveyances, assignments, mortgages, notes, contracts, and other instruments of any kind in the name of the Corporation. The President also shall perform other duties prescribed from time to time by the Board.

SECTION 5.04. VICE PRESIDENT. The Vice President shall perform the duties and exercise the powers of the President upon the President's death, absence, disability, resignation, or inability to perform the duties of the office, except that the Vice President shall not act as the Executive Director of the Houston Forensic Science Center without the Board's approval as evidenced by a resolution. The Vice President also shall perform other duties prescribed from time to time by the Board or by the President.

SECTION 5.05. SECRETARY. The Secretary shall keep the minutes of the meetings of the Board in one or more books provided for that purpose, see that all notices are duly

given as required by law or by these Bylaws (specifically including Section 7.04 below), serve as custodian of the records of the Corporation, and in general perform the duties incident to the office of Secretary. The Secretary also shall perform other duties prescribed from time to time by the Board or by the President.

SECTION 5.06. TREASURER. The Treasurer shall be the chief financial officer of the Corporation and shall have custody of, and responsibility for, all funds of the Corporation. The Treasurer shall receive and give receipts for funds due and payable to the Corporation; deposit all funds of the Corporation in one or more depository institutions as provided by these Bylaws; and in general perform the duties incident to the office of Treasurer. The Treasurer also shall perform other duties prescribed from time to time or by the Board or by the President.

ARTICLE 6 – FINANCIAL MATTERS

SECTION 6.01. FISCAL YEAR. The fiscal year of the Corporation shall be the same as the fiscal year of the City.

SECTION 6.02. DEPOSITS. All funds of the Corporation shall be deposited to the credit of the Corporation in a state or national bank or other federally insured depository institution selected by the Board, subject to and in accordance with the requirements of Chapter 105 of the Texas Local Government Code and, as applicable, the Public Funds Investment Act (Chapter 2256 of the Texas Government Code).

SECTION 6.03. PAYMENTS. All checks, drafts, or orders for payments of money or other transfers of funds shall be signed or otherwise authorized by such officer or officers of the Corporation and in such manner as shall be determined by resolution of the Board. In the absence of such resolution, such instruments shall be signed by the Secretary or the Treasurer and countersigned by the President.

SECTION 6.04. ASSISTANCE TO CITY'S DIRECTOR OF FINANCE. The Board shall take such actions as necessary to enable the Director of the City's Finance Department (the "Director of Finance") to perform the duties imposed by Section 5.4 of City of Houston Executive Order No. 1-29.

SECTION 6.05. AUDITS. The Board shall cause to be maintained a proper and complete system of records and accounts of all business, transactions, and affairs of the Corporation. Within a reasonable time after the end of each fiscal year, the Board shall cause the preparation of a financial statement for the Corporation, which statement shall meet all requirements established by the Director of Finance and shall be prepared by an independent certified public accountant approved by the Director of Finance. The Treasurer promptly shall furnish to the Board, the Mayor of the City (the "Mayor"), and the City Council a copy of each such statement and the accompanying auditor's report.

ARTICLE 7 – GENERAL PROVISIONS

SECTION 7.01. SUPREMACY OF CERTIFICATE OF FORMATION. These Bylaws are subject to and governed by the Certificate of Formation.

SECTION 7.02. ADMINISTRATIVE SERVICES. With the Mayor's approval, the Chairman or the President may appoint one or more employees of the City to perform administrative services for the benefit of the Corporation.

SECTION 7.03. BACKGROUND INVESTIGATIONS. The President shall implement and maintain a program by which the background of each officer and employee of the Corporation is investigated in a timely manner. The program shall not differ materially from background investigations conducted by the Houston Police Department prior to the hiring of civilian employees. Results of the investigations shall be provided to the President, the Chairman, and the Vice Chairman.

SECTION 7.04. REQUIRED BOOKS AND RECORDS. The Corporation shall maintain the books and records as required by Section 3.151 of the Texas Business Organizations Code, together with such additional records, documents, and physical things reasonably expected of a well-managed, fully accredited forensic science center.

SECTION 7.05. ACCESS TO BOOKS AND RECORDS. As required by Section 5.3.2.5 of City of Houston Executive Order No. 1-29, the books and records of the Corporation shall be available for review upon request by the Mayor, the Director of Finance, or the Controller of the City.

SECTION 7.06. AMENDMENT. These Bylaws may be amended, which amendment shall be effective upon approval by the City Council and the Mayor, as evidenced by a resolution approved by majority vote, following approval of the amendment by the affirmative vote of a majority of the directors at a meeting of the Board, provided that notice of the proposed amendment shall have been received by each director at least five business days before the said meeting.

SECTION 7.07. EFFECTIVE DATE. These Bylaws shall be effective upon approval by the City Attorney of the City (the "City Attorney") and adoption by an affirmative vote of a majority of the directors at a meeting of the Board, provided that notice of the proposed adoption shall have been received by each director at least five business days before the said meeting.

APPROVED:



David M. Feldman, City Attorney
City of Houston

DATE: 6/22/12

CERTIFICATE

The undersigned hereby certifies that these Bylaws are the true and correct Bylaws of the Corporation; that these Bylaws have been approved by the City Attorney; and that these Bylaws were duly adopted by the Board of Directors of the Corporation on June 20, 2012.

Executed this 22 day of June, 2012.



(Signature)

Patti Richards
(Printed Name of Secretary or Acting Secretary)

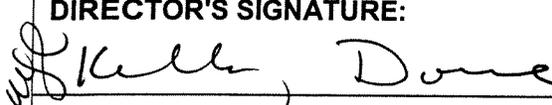
TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

Reso

SUBJECT: Resolution approving the issuance of tax-exempt revenue refunding bonds by Mission Economic Development Corporation on behalf of Republic Services, Inc.	Category #	Page 1 of 1	Agenda Item# 13
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FROM (Department or other point of origin): Department of Finance	Origination Date: 06/15/2012	Agenda Date JUL 03 2012
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DIRECTOR'S SIGNATURE: 	Council District Affected: Districts B, E & K
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For additional information contact: Cristy C. Edwards Phone: 713-221-1346 Gary L. Wood Phone: 832-393-6440 Amanda K. Edwards Phone: 713-221-3318	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary) Adopt resolution approving the issuance of the Mission Economic Development Corporation Solid Waste Disposal Revenue Refunding Bonds, Series 2012 (Republic Services, Inc. Project), the proceeds of which will be loaned to Republic Services, Inc. to refund prior bonds issued by Mission Economic Development Corporation in 2007 and thereby refinance improvements located at certain solid waste disposal collection and landfill facilities located within the City of Houston and other facilities located outside of the City.

Amount of Funding: Not Applicable	Finance Budget:
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Source of Funding: General Fund Grant Fund Other (Specify) Enterprise Fund

SPECIFIC EXPLANATION:

Pursuant to the Texas Development Corporation Act, Texas Local Government Code, Chapter 501 (the "Act"), Mission Economic Development Corporation seeks to issue its Solid Waste Disposal Revenue Refunding Bonds, Series 2012 (Republic Services, Inc. Project) (the "2012 Bonds") to refund its Solid Waste Disposal Revenue Bonds (Allied Waste North America, Inc. Project) Series 2007A (the "2007A Bonds") that were used to finance improvements located at certain solid waste disposal collection and landfill facilities located within the City of Houston and other facilities located outside of the City (the "Project"). Proceeds of the 2012 Bonds will loaned to Republic Services, Inc. and will only be used to refinance already-existing facilities, and will not finance any new projects. A portion of the Project is located at several sites within the boundaries of the City. Republic Services, Inc. will be obligated to make payments at the times and in the amounts necessary to pay debt service on the 2012 Bonds. The 2012 Bonds will never be payable from any funds of any city (including the City of Houston), any county or the State of Texas. Because a portion of the Project is located in the City, federal tax law and the Act require that City Council approve the issuance of the Bonds and the Project and request the bond issuer to exercise its power within the City for the purpose of issuing the 2012 Bonds and refinancing the local portion of the Project. By granting the requested approval, the City will not undertake or create any debt, obligation or liability. Therefore, it is recommended that the City approve the Resolution.

Recommendation:

Approval of this Resolution is recommended.

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: An ordinance directing the development of a service plan and calling public hearings for the general purpose annexation of certain territory in the vicinity of Kingwood Drive on the northeast side of Lake Houston	Category #	Page 1 of 1	Agenda Item # H
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FROM (Department or other point of origin): Planning and Development Department	Origination Date June 26, 2012	Agenda Date July 3, 2012
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DIRECTOR'S SIGNATURE: <i>Martina A. Sapich</i>	Council District affected: E
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For additional information contact: Nicole Smothers Phone: 713-837-7856	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary)
That Council approve an ordinance directing the development of a service plan and calling public hearings for the general purpose annexation of certain territory in the vicinity of Kingwood Drive on the northeast side of Lake Houston.

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

The City has received a petition from The Commons of Lake Houston requesting that the city annex for general purposes property that is located near Kingwood Drive on the northeast side of Lake Houston. The area to be annexed consists of 148.19 acres of land owned entirely by the petitioners.

The area being considered for annexation will include 173 lots on which single family homes will be constructed with 37 of them being waterfront homes. Upon full build out, the anticipated taxable value of the property to be annexed will be approximately \$55,840,000. There are currently no residents in the area to be annexed.

The annexation process is expected to be completed in October, 2012.

This matter was heard by the Housing, Sustainable Growth and Development Committee on June 26, 2012, and the committee reported favorably on the annexation.

The suggested hearing dates are July 25, 2012 and August 1, 2012 in City Council chambers.

This item cannot be tagged.

Copy: Marta Crinejo, Agenda Director
David Feldman, City Attorney
Sameera Mahendru, Assistant City Attorney
Anna Russell, City Secretary

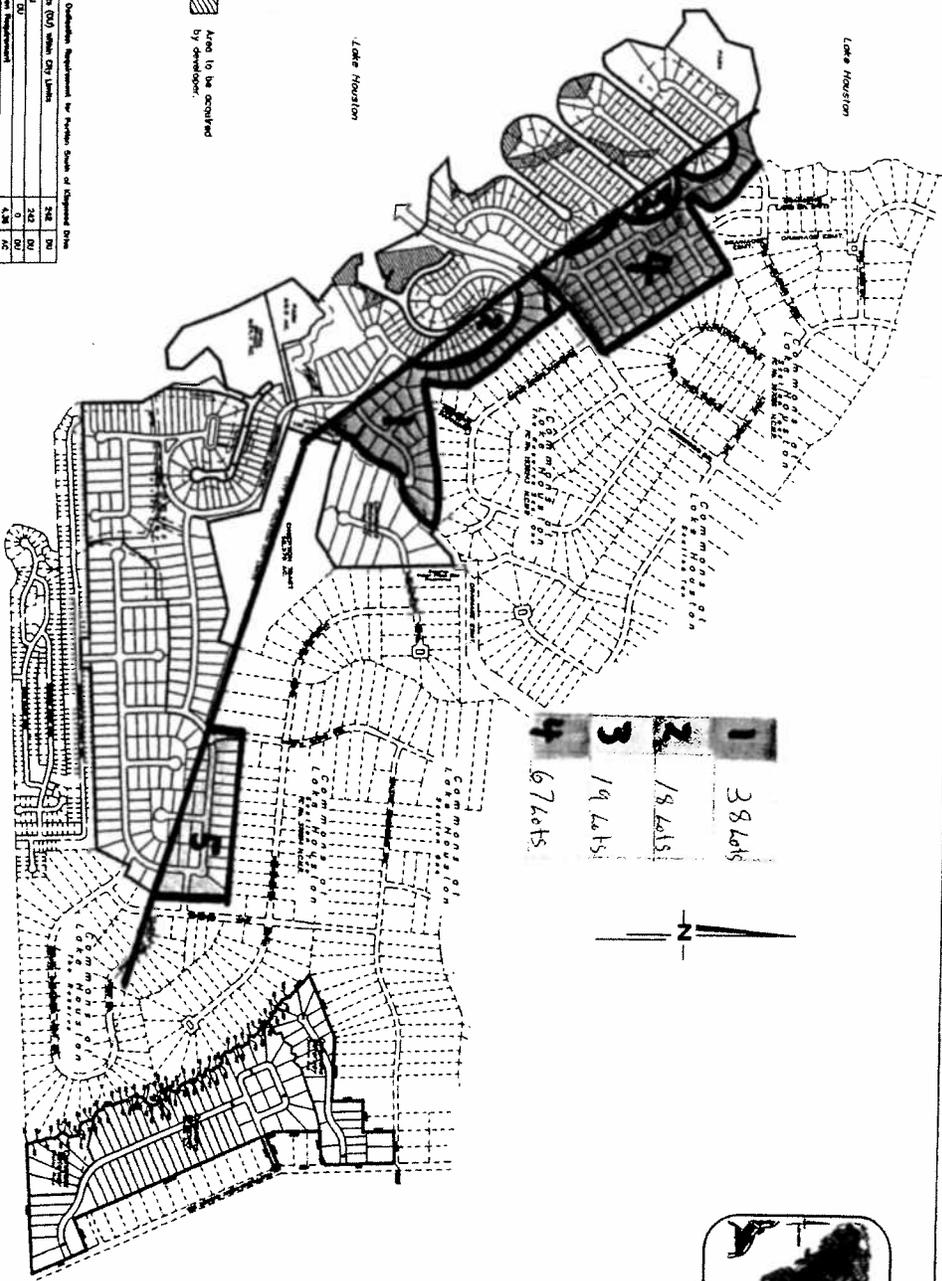
REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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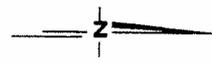
Proposed Final Ordinance Requirements for Future Status of Proposed Data

A	No. of Existing Units (EX) within City Limits	242	20
B	No. of Proposed Units	242	20
C	No. of Existing Units (EX) outside City Limits	0	20
D	No. of Proposed Units	0	20
E	Percent Total (Existing/Proposed) (City Limits)	4.38	20
F	Percent Total (Existing/Proposed) (Outside City Limits)	0.00	20

Area to be acquired by developer.



1	38 Lots
2	18 Lots
3	19 Lots
4	67 Lots



NOTES:
 1) ALL PUBLIC UTILITIES SHALL BE MAINTAINED AND/OR RELOCATED AS NECESSARY.
 2) ALL UTILITIES SHALL BE MAINTAINED AND/OR RELOCATED AS NECESSARY.

5
 31 Lots

COMMONS AT LAKE HOUSTON
 BEING 727.03 ACRES OF LAND
 AS SHOWN ON THE SURVEY, A-778, A-779, A-780, AND A-781
 IN THE COUNTY OF HARRIS, TEXAS

THE SHOWN ON THE SURVEY, A-778, A-779, A-780, AND A-781

PREPARED BY: KERRY R. GILBERT & ASSOCIATES
 12000 Katy Road, Suite 1000
 Houston, Texas 77024
 (281) 416-1200



VIOLATION OF THE
 COMMONS AT LAKE HOUSTON

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

HCD12-93

SUBJECT: An Ordinance awarding individual contracts of less than \$100,000, for a total amount not exceed \$2,093,234 to the lowest responsive and responsible bidder, Joshua Dade Contractors, for the demolition and reconstruction of 23 houses.

Category #

Page 1 of 3

Agenda Item # 15

FROM:

Neal Rackleff, Director
Housing and Community Development Department

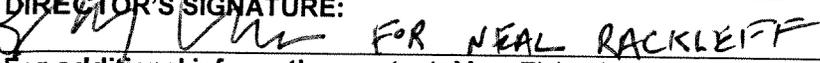
Origination Date

6/13/2012

Agenda Date

JUL 03 2012

DIRECTOR'S SIGNATURE:

WJ  FOR NEAL RACKLEFF

For additional information contact: Marc Eichenbaum
Phone: (713) 865-4557

Council District affected:

B,D,H, I & K

Date and identification of prior authorizing Council action:

Ord. No. 2011-0442 6/08/2011
Ord. No. 2012-198 2/29/2012
Ord. No. 2012-0506 5/30/2012

RECOMMENDATION: The Department recommends approval of an Ordinance awarding individual contracts of less than \$100,000, for a total amount not exceed \$2,093,234 to the lowest responsive and responsible bidder, Joshua Dade Contractors, for the demolition and reconstruction of 22 houses funded with CDBG-Disaster Recovery funds, and one (1) house funded with regular CDBG funds.

Maximum Contract Amount:

\$2,093,234.00

Finance Budget:

SOURCE OF FUNDING

General Fund Grant Fund Enterprise

Community Development Block Grant – Disaster Recovery (CDBG-DR) – \$2,006,917.00
Community Development Block Grant – (CDBG) – \$86,317.00

SPECIFIC EXPLANATION:

The Housing and Community Development Department (HCDD) recommends City Council approval of an ordinance appropriating \$2,006,917 in Hurricane Ike Disaster Recovery (CDBG-DR) funds for the reconstruction of up to 22 homes, and \$86,317 in regular, annual Community Development Block Grant funds for the reconstruction of one (1) house. The houses will be built by Joshua Dade Contractors through a Master Contractor Agreement detailing general terms and conditions, and individual agreements for each approved property. The total funding amount of the 23 individual agreements, includes:

Amount	Activity
\$1,902,940.00	Demolition Construction Costs (including labor and materials)
\$190,294.00	Contingency reserve for unforeseen changes within the scope of work.
\$2,093,234.00	Total

Additionally, the ordinance authorizes HCDD's Director to sign and issue a Tri-Party Reconstruction Agreement with both the contractor and homeowner. The Director of HCDD may terminate this contract at any time upon 30-days written notice to the contractor.

The scope of work for the reconstructed homes will require the contractor to provide all labor, materials, permits, drawings/plans supervision, transportation, equipment and incidentals necessary to demolish, clean/remove debris and reconstruct the single-family dwellings in accordance to the Housing Quality Standards.

The contractor was selected as the "the lowest responsive and responsible bidder" from an Invitation to Bid (ITB) for Competitive Sealed Bids issued by HCDD. The ITB was advertised in accordance with the requirements of the State of Texas bid laws. Bids were received from eight (8) companies, including Joshua Dade Contractors, SWMJ Construction, Inc., General Contractor Services, Inc., Altura Homes DFW, LP, Sullivan Land Services, Excello, Baylor Asset Management and Lazer Homes. The bids were evaluated based on price and capacity to perform. Joshua Dade Contractors was the lowest bidder with the capacity to perform the demolition and reconstruction of the 23 homes. The construction cost of each property does not exceed \$100,000.

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

Date
6/13/12

SUBJECT: An Ordinance awarding individual contracts of less than \$100,000, for a total amount not exceed \$2,093,234 to the lowest responsive and responsible bidder, Joshua Dade Contractors, for the demolition and reconstruction of 23 houses.

**Originators
Initials**


**Page
2 of 3**

The proposed activity satisfies the City's 10% MBE/SBE subcontracting requirement. The HCDD will monitor this award. The project's MBE/SBE subcontracting is as follows:

Name	Type of Work	Amount	Percentage
The Project Manager Group	Concrete	\$173,250	8.28
The Project Manager Group	Framing	\$62,120	2.97
	Total:	\$235,370	11.25

The proposed contractor is required to comply 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.

The HCDD recommends approval of this Ordinance.

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

Homeowner	Address	Council District
CDBG-DR		
Carolyn Jackson	822 Fair Street Houston, TX 77088	B
Pamela Wilhite	10209 Homestead Road, Houston, TX 77016	B
Pablo Tirado	9257 Haddick Street, Houston, TX 77028	B
Reva Janvier	3706 Belk Street, Houston, TX 77087	I
Pamela Jones	6508 Jensen Drive, Houston, TX 77026	H
Lloyd & Janetta Hickey	1911 ½ Davis Street, Houston, TX 77026 - ADA	B
Robbie Mae Chatman	8014 Willow Street, Houston, TX 77088 - ADA	B
Jennie Moses	4905 Burma Road, Houston, TX 77033	D
Juan & Maria Lerma	6702 Schambray Street, Houston, TX 77085	K
Cynthia Funchess	3602 Alsace Street, Houston, TX 77021	D
Deborah Mose	4510 Nichols Street, Houston, TX 77020	B
Ora Allen Blake	212 E. 33 rd Street Houston, TX 77018 - ADA	H
Euris Tezeno	7302 Mountbatten Street, Houston, TX 77033	D
Melvin Berry	4009 Knoxville Street, Houston, TX 77051	D
McKenny Pouncey	6115 Micollet Street, Houston, TX 77016	B
Dezree Carter	10519 Homestead Road, Houston, TX 77016	B
Earl J. Hume	5709 Dorbrandt Street, Houston, TX 77023	I
Eva & Laschandra Noel	4625 Ireland Street, Houston, TX 77016 - ADA	H
Gracie Smith	4008 McKinley Street, Houston, TX 77051	D
Robert Johnson	7521 Weyburn Street, Houston, TX 77028	B
Vera Smith	894 N. Victory Drive, Houston, TX 77088	B
Jacqueline Shepherd	6214 Paddington Street, Houston, TX 77085	K
CDBG		
Ruth Brown	3522 Corksie Street, Houston, TX 77051 - ADA	D

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

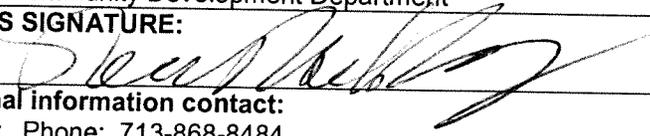
SUBJECT: The Housing and Community Development Department recommends approval of an ordinance enacting the following Substantial Amendments in the total amount of \$2,845,713.84 to the HOME Investment Partnerships Funds (HOME) program summary budgets under the 2002, 2004, 2006, 2007, 2008, 2009, 2010, and 2011 Annual Action Plans.

Category #	Page 1 of 2	Agenda Item # 16
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FROM :
Neal Rackleff, Director
Housing and Community Development Department

Origination Date
6/5/12

Agenda Date
JUL 03 2012

DIRECTOR'S SIGNATURE:


Council District(s) affected:

For additional information contact:
Brenda Scott Phone: 713-868-8484

Date and identification of prior authorizing Council action: various

RECOMMENDATION:

The Housing and Community Development Department recommends approval of an ordinance enacting the following Substantial Amendments in the total amount of \$2,845,713.84 to the HOME Investment Partnerships Funds (HOME) program summary budgets under the 2002, 2004, 2006, 2007, 2008, 2009, 2010, and 2011 Annual Action Plans.

Amount of Funding:

NO FUNDING REQUIRED

Finance Budget:

SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund Other
HOME Investment Partnerships (Fund 5000)

SPECIFIC EXPLANATION:

In accordance with HUD regulations and the Citizen's Participation Plan (CPP), the City is required to amend components of its Consolidated Plan/Action Plan, for a variety of reasons, including when a change in the scope of an activity or reallocation of funds increases or decreases the budget of an activity by more than twenty-five (25%) of the original budget.

Over the years, several Community Housing Development Organizations (CHDOs) have not been able to build and sell a number of homes originally contracted for. Therefore, the previously allocated, but unused funds need to be reallocated to an alternative activity so they may be successfully expended. The Housing and Community Development Department recommends approval of an ordinance enacting the following Substantial Amendments in the total amount of \$2,845,713.84 to the HOME Investment Partnerships Funds (HOME) program summary budgets under the 2002, 2004, 2006, 2007, 2008, 2009, 2010, and 2011 Annual Action Plans.

Activity

The 2002 HOME Budget is amended as follows:

	<u>Decrease</u>	<u>Increase</u>
Community Housing Development Organizations (CHDOs) Acquisition/Rehabilitation Multi-Family Units	(\$35,376.55)	\$35,376.55

The 2004 HOME Budget is amended as follows:

Community Housing Development Organizations (CHDOs) Operations	(\$11,372.48)	
Home Admin/CHDO Operating	(\$50,000.00)	
Multi-Family Acquisition/Rehabilitation/New Construction/Relocation		\$61,372.48

The 2006 HOME Budget is amended as follows:

Single Family Development	(\$310,000.00)	
Multi-Family Acquisition/Rehabilitation/New Construction/Relocation		\$310,000.00

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

Date 6/5/12	The Housing and Community Development Department recommends approval of an ordinance enacting the following Substantial Amendments in the total amount of \$2,845,713.84 to the HOME Investment Partnerships Funds (HOME) program summary budgets under the 2002, 2004, 2006, 2007, 2008, 2009, 2010, and 2011 Annual Action Plans.	Originators Initials 	Page 2 of 2
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Activity	<u>Decrease</u>	<u>Increase</u>
The 2007 HOME Budget is amended as follows:		
Community Housing Development Organizations (CHDOs) Operations	(\$19,981.40)	
CHDO Pre-Development Loans (Part of CHDO Set-Aside)	(\$185,500.00)	
Multi-Family Acquisition/Rehabilitation/New Construction/Relocation		\$205,481.40
The 2008 HOME Budget is amended as follows:		
Community Housing Development Organizations (CHDOs) Operations	(\$69,423.74)	
Single Family Development/New Construction	(\$800,000.00)	
Multi-Family Acquisition/Rehabilitation/New Construction/Relocation		\$869,423.74
The 2009 HOME Budget is amended as follows:		
Community Housing Development Organizations (CHDOs) Operations	(\$246,731.67)	
Multi-Family Acquisition/Rehabilitation/New Construction/Relocation		\$246,731.67
The 2010 HOME Budget is amended as follows:		
Community Housing Development Organizations (CHDOs) Operations	(\$300,000.00)	
Multi-Family Acquisition/Rehabilitation/New Construction/Relocation		\$300,000.00
The 2011 HOME Budget is amended as follows:		
Community Housing Development Organizations (CHDOs) Operations	(\$628,714.00)	
Community Housing Development Organizations (CHDO's) Pre-Development Assistance	(\$188,614.00)	
Multi-Family Acquisition/Rehabilitation/New Construction/Relocation		\$817,328.00
	Total	\$2,845,713.84

This item was presented to the Housing, Sustainable Development and Growth Committee on June 19, 2012. Therefore, approval of this ordinance is recommended.

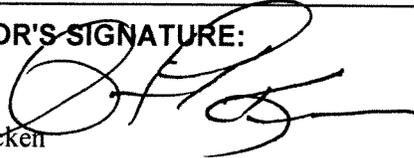
cc: City Secretary
 Legal Department
 Mayor's Office

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance approving a Second Amendment to Lease and Development Agreement with Houston Aquarium, Inc., relating to development of the Fire Alarm Building and settlement of atax abatement dispute.	Page 1 of 1	Agenda Item 17
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FROM (Department or other point of origin): Mayor's Office	Origination Date 6/25/2012	Agenda Date JUL 03 2012
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DIRECTOR'S SIGNATURE:  Andy F. Icken Chief Development Officer	Council District affected: H
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For additional information contact: Andy Icken 832-393-1064	Date and identification of prior authorizing Council action:
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RECOMMENDATION: It is recommended that City Council approve a Second Amendment to Lease and Development Agreement with Houston Aquarium, Inc., relating to development of the Fire Alarm Building and settlement of a tax abatement dispute.

Amount and Source Of Funding: N/A

SPECIFIC EXPLANATION: In 2001, the City entered into a Lease and Development Agreement with a Landry's affiliate, Houston Aquarium, Inc., for the property that currently houses the Downtown Aquarium. In 2008, the City amended the lease to add the property that was formally the Fire Alarm Building. That amendment provided that Landry's would develop the property as an "entertainment, retail, educational, exhibit and/or restaurant" complimenting the Downtown Aquarium.

In 2002, the City and another Landry's affiliate, Landry's Management L.P. entered into a tax abatement agreement relating to the construction of the Inn at the Ballpark. After an audit in 2009, data indicated a potential breach of Landry's obligations in the tax abatement agreement. The audit showed that Landry's did not employ the required number of full-time employees at the hotel and did not maintain the required valuation for purposes of taxation. As a result, the City began proceedings to recapture the abated taxes unpaid by Landry's in 2004 and 2005 (the years that Landry's took advantage of the abatement but was not in compliance) of \$110,612 for tax year 2004 and \$29,318 for tax year 2005, plus interest.

- To settle the disputed abatement, Landry's has proposed to amend the original Aquarium lease again to provide:
- that Landry's will demolish the Fire Alarm Building and landscape the property as green space by December 31, 2012;
 - that the City will suspend its efforts to recapture the abated taxes until December 31, 2012;
 - that, if the demolition/landscaping is completed, with approval of all specifications by the Mayor or her designee, by December 31, 2012, then the City will release Landry's for the disputed taxes; and
 - that, if the demolition/landscaping is not completed by December 31, 2012, then, by January 15, 2013, Landry's will pay the disputed amount plus interest.

The proposed amendment does not alter Landry's original obligation to construct a new facility on the Fire Alarm Building property; however, Landry's has asked that the deadline for that development be moved from 2013 to June 30, 2015. If development does not occur by that date, the lease will be in default and the City can take back the property. Agreeing to this proposal would avoid the expense of potential litigation of the Tax Abatement Agreement and the vagaries that are present with litigation. With this agreement, we avoid the potential \$500,000 costs of demolition and remediation of the Fire Alarm building and have new green space until such time as it is developed or reverts to city property. The commitment to create another economic development activity downtown outweighs the latent uncertainties enforcing abatement eligibility.

REQUIRED AUTHORIZATION

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REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

Subject: Approve an Ordinance Amending Ordinance 2011-800 to Increase the Maximum Contract Amount for the Contract with Alvarez & Marsal Business Consulting, LLC for Phase II of Consulting for Accounts Receivables and Collections; also authorizing reimbursement of original contract cost with funds generated from the contract

Category #
4

Page 1 of 2

Agenda Item

18

FROM (Department or other point of origin):

Kelly Dowe
Finance Director
Finance Department

Origination Date

6/28/12

Agenda Date

JUL 03 2012

DIRECTOR'S SIGNATURE

Handwritten signature of Kelly Dowe

Council District(s) affected

All

For additional information contact:

Kelly Dowe Phone: (713) 221-0935
Bruce Haupt Phone: (713) 837-9880

Date and Identification of prior authorizing Council Action:

Ordinance 2011-800 on September 14, 2011

RECOMMENDATION: (Summary)

Approve an ordinance allocating funding in an amount of \$1,460,000.00 for the second phase of consulting services for citywide accounts receivables and collections operations for the Finance Department on the contract with Alvarez & Marsal Business Consulting, LLC for a maximum contract amount of \$2,607,183.65; and, also authorizing reimbursement of the capital cost of the original contract, in the amount \$1,147,183.65, with General Fund money generated from the first phase of the project.

AMOUNT & SOURCE OF FUNDING:

Maximum Contract Amount: \$2,607,183.65
Additional Contract Allocation Amount: \$1,460,000.00 – General Fund
Fund Transfer Authorization: \$1,147,183.65 – Authorizing transfer from General Fund to Misc Cap. Projects/Acquisitions CP Ser E (Fund 4039)

SPECIFIC EXPLANATION:

The Finance Department recommends that City Council approve an ordinance allocating funding in an amount \$1,460,000.00 for a second phase of consulting services for citywide accounts receivables and collections operations for the Finance Department on the contract with Alvarez & Marsal Business Consulting, LLC, for a maximum contract amount of \$2,607,183.65. The funding for this allocation is included in the recently approved FY13 budget.

The Finance Department also recommends approval of an ordinance authorizing the transfer, in the amount \$1,147,183.65, from the General Fund to Misc Cap. Projects/Acquisitions CP Ser E, in order to reimburse the capital cost of the first phase of the project with funds generated during the first phase of the project.

ARC Project Phase II: A briefing on Phase II the Citywide Accounts Receivable & Collections (ARC) Project will be delivered to the Council Budget and Fiscal Affairs Committee on July 2, 2012. The briefing covered ARC Phase II plans to maintain current positive momentum and capture additional revenue and process improvement opportunities related to: EMS Billing & Collections; Citywide Permitting Compliance, Processes and Systems; and, Implementation of the AR Data Warehouse including automation of the Vendor Management Scorecards.

The scope of work for Phase II of the Citywide ARC Project requires that the contractor will perform the following activities:

- EMS Billing & Collections: Develop and execute go-forward strategy to manage billing process; Update hospital interfaces and build relationships; and, Manage the implementation of secondary collection vendor(s)
- Citywide Permitting Efforts: Enact citywide processes for non-compliant businesses; Strengthen enforcement via inter-departmental collaboration; Improve online customer contact and experience;

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

Date: 7/2/2012	Subject: Approve an Ordinance Amending Ordinance 2011-800 to Increase the Maximum Contract Amount for the Contract with Alvarez & Marsal Business Consulting, LLC for Phase II of Consulting for Accounts Receivables and Collections; also authorizing reimbursement of original contract cost with funds generated from the contract	Originator's Initials	Page 2 of 2
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Consolidate HFD permitting and inspection systems; Implement a new ARA permitting system; and, Develop and implement performance measures

- Citywide Data Warehouse: Implement the AR data warehouse; Develop citywide dashboard; and, Automate the vendor scorecards

The total cost for providing Phase II consulting services related to Citywide ARC Project is estimated at \$1,460,000.00. The expected revenue generated from Phase II ARC project activities in FY 2013 is projected at \$6.8 million with a return on investment of over 4 times the cost.

ARC Project Phase I: The contractor achieved all Phase I ARC project requirements and has assisted the City in generating over \$1.9 million dollars to date. Policies, processes and systems have also been put in place that will generate an additional \$6.3 million dollars in FY2013 for a return on investment over 4 times the cost of the project

M/WBE Subcontracting:

The Office of Business Opportunity has reviewed the scope of work and has determined there is capacity of a 10% MWBE goal, and the vendor has agreed to make a good faith effort to achieve such participation. The original contract was awarded with a 10% goal. The contractor has been paid \$1,079,600.00 to date. Of this amount \$126,525.00 has been paid to MWBE sub-contractors.

REQUEST FOR COUNCIL ACTION

RCA# 9452

TO: Mayor via City Secretary

Subject: Approve an Appropriating Ordinance and Approve a supplemental schedule for Agreement No. 4600011452 with Dell Financial Services, LLC for Microsoft Software and license maintenance services for the fleet of City desktops

Category #
1

Page 1 of 1

Agenda Item

19

FROM (Department or other point of origin):

Charles T. Thompson
Chief Information Officer
Information Technology

Origination Date

June 29, 2012

Agenda Date

JUL 03 2012

DIRECTOR'S SIGNATURE

CSG
May Ann Grant for Charles T. Thompson

Council District(s) affected

All

For additional information contact:

Gary Merris Phone: (832) 393-0065
Somayya Scott Phone: (832) 393-0082

Date and Identification of prior authorizing Council Action: 06/27/12 Ord. 2012-0607

RECOMMENDATION: (Summary)

Adopt ordinance approving: 1) the appropriation of \$859,266.40 out of Equipment Acquisition Consolidated Fund, 2) approving a supplemental schedule for Agreement No. 4600011452 with Dell Financial Services, LLC for Microsoft Software license and maintenance services for the City of desktops managed by all City Departments except the Houston Public Library Department (HPL) and the Houston Airport Systems Department (HAS) as they maintain their own agreement and 3) authorizing issuance of purchase orders not to exceed \$859,266.40.

Award Amount: \$859,266.40.

Finance Budget

\$859,266.40 - FY13 Equipment Acquisition Consolidated Fund (1800)

SPECIFIC EXPLANATION:

The Chief Information Officer requests City Council approve an Ordinance to appropriate \$859,266.40 from the Equipment Acquisition Consolidated Fund and authorize a supplemental schedule for Agreement No. 4600011452 with Dell Financial Services, LLC for Microsoft Software license maintenance services for the City desktops managed by all City Departments with the exception of the Houston Public Library Department (HPL) and the Houston Airport Systems Department (HAS) as they maintain the own agreement.

On June 27, 2012, City Council approved Ordinance No. 2012-0607 authorizing an increase on the spending authority from \$9,162,971.92 to \$12,934,902.22 for Agreement No. 4600011452 with Dell Financial Services, LLC to enable paying for a true-up component on desktop and user utilization.

The sum of \$859,266.40 is appropriated for purchase orders for related software set out on the supplemental schedule. The supplemental schedule will become effective upon City's issuance of a purchase order not to exceed \$859,266.40.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9409

Subject: Ordinance Authorizing a First Amendment to Contract No. 4600008207 for Backflow Preventers Certification, Testing and Repair Services for the Public Works and Engineering Department S23-L22249-A1

Category #
4

Page 1 of 1

Agenda Item

20

FROM (Department or other point of origin):

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

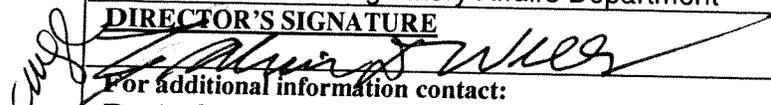
Origination Date

June 01, 2012

Agenda Date

JUL 03 2012

DIRECTOR'S SIGNATURE

CVW


Council District(s) affected
All

For additional information contact:

David Guernsey Phone: (832) 395-3640
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:

Ordinance no. 2007-1127; Passed 10-10-2007

RECOMMENDATION: (Summary)

Approve an amending ordinance authorizing a first amendment to the contract between the City of Houston and Gowan, Inc. to extend the contract term from November 1, 2012 to October 31, 2014 for backflow preventers certification, testing and repair services for the Public Works and Engineering Department.

No Additional Funding Required

Finance Budget

SPECIFIC EXPLANATION:

The Director of Public Works and Engineering Department and the City Purchasing Agent recommends that City Council approve an amending ordinance authorizing a first amendment to the Contract between the City of Houston and Gowan, Inc. to extend the contract term from November 1, 2012 to October 31, 2014 for backflow preventers certification, testing and repair services for the Public Works & Engineering Department (PWE). The City Purchasing Agent may terminate this contract anytime upon 30-days written notice to the contractor.

This contract was awarded on October 10, 2007 by Ordinance No. 2007-1127 for a five year term in the amount of \$1,073,467.32. Expenditures as of May 16, 2012 totaled \$459,258.00. The first amendment will extend the contract term for two additional years. In consideration for the two-year contract extension, the contractor has agreed to freeze year five pricing through October 31, 2014.

The scope of work requires the contractor to provide supervision, labor, materials, supplies, tools, equipment and transportation necessary for yearly certifications, testing, preventative maintenance and remedial repair of approximately 220 backflow preventers at locations citywide. The testing and certification of the backflow preventers is required annually, whenever the units are repaired, and when new backflow preventers are installed. This equipment prevents wastewater from backing up into the City's freshwater supply.

This contract was awarded with an 11% MWBE participation goal and Gowan, Inc. is currently achieving .05%. The Mayor's Office of Business Opportunity will continue to monitor this contract to ensure maximum MWBE participation.

Buyer: Roy Breaux

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

AD



CITY OF HOUSTON

Interoffice

Correspondence

To: Carlecia D. Wright, Director
Mayor's Office of Business Opportunity

From: Roy Breaux, Procurement Specialist
ARA Strategic Purchasing Division

cc:

Date: 5/16/2012

Subject: Final Request for Verification of MWDBE Participation

Prime Contractor Gowan, Inc.

OA/BPO No. 4600008207 Start Date 11/01/2007 End Date 10/31/2012

Contract Description Back Flow Preventers Certification, Testing & Repair Services

Prime Contact Person/Phone/Email Ron Ford (713) 696-5404

MWBE Goal 11% Scheduled MWBE Part. 11% Amt. Paid by City (to date) \$456,528.20

Scheduled S/MWBEs Dixie Hardware Plumbing & Electrical

FOR OFFICE OF BUSINESS OPPORTUNITY USE ONLY

Total MWBE Dollar Amt. Paid \$249.35 MWBE Part. Achieved .05%

MWBE Rating: Outstanding Satisfactory X Unsatisfactory

Comments Company was unable to utilize the company listed and has failed to secure a replacement. Prime states that they have limited opportunities for parts or materials but believes they may be able to utilize about \$4,000 a month with a parts supplier. They will submit a letter and look for an additional MWBE firm. Contract is mostly for testing.

Approved by Morris Scott
Division Manager

Morris Scott (handwritten signature)

Date 5/16/2012

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Amendment No. 3 to the Contract for Professional Engineering Services with Amani Engineering, Inc. for Upgrade of Sanitary Sewer Lift Stations and Storm Water Lift Stations at George Bush Intercontinental Airport/Houston (IAH) Project No. 638 (WBS# A-000516-0001-3-01-02; A-000561-0004-3-01-02; A-000561-0004-3-01-03; Contract No. 4600008984)

Category #9

Page 1 of 2

Agenda Item # 21

FROM (Department or other point of origin):
Houston Airport System

Origination Date
May 29, 2012

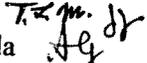
Agenda Date
JUL 03 2012

DIRECTOR'S SIGNATURE: 

For M.C.D.

Council District affected:
B

For additional information contact:

Lance Lytle  Phone: 281/233-1889
Adil Godiwalla  Phone: 281/233-1934

Date and identification of prior authorizing Council action:

08/13/2008 (O) 2008-720; 06/10/2009 (O) 2009-516; 01/26/2011 (O) 2011-066

AMOUNT & SOURCE OF FUNDING:

CIP No. A-0561.10.....\$ 47,357.00 HAS Arpt Improvement (8011)
CIP No. A-0561.11.....\$ 43,640.00 HAS Arpt Improvement (8011)
CIP No. A-0516.04.....\$ 9,003.00 HAS Arpt Improvement (8011)
Total.....\$100,000.00

KR

Prior appropriations:

08/13/08.....\$450,000.00
HAS Arpt Improvement (8011)
06/10/09.....\$300,000.00
HAS Arpt Improvement (8011)
01/26/11.....\$200,000.00
HAS Arpt Improvement (8011)
Total.....\$950,000.00

RECOMMENDATION: (Summary) Enact an ordinance to approve Amendment No. 3 to the contract for Professional Engineering Services with Amani Engineering, Inc. and appropriate the necessary funds to finance the cost of these services.

SPECIFIC EXPLANATION: On August 13, 2008, City Council approved a contract with Amani Engineering to perform professional engineering services in connection with the rehabilitation design of storm water and sanitary sewer lift stations at IAH. Services provided consisted of a preliminary and final design and construction phase services for upgrade of two sanitary sewer lift stations at Gates C-45 and D-4 and a storm water lift station.

On June 10, 2009, Council approved Amendment No. 1 for additional services in connection with the sanitary sewer investigation services for Terminals A, B, C, D and the Federal Inspection Services facility at IAH. This assessment was necessary to determine the cause of numerous blockages of sanitary sewer lines, and to evaluate the adequacy of the existing sanitary sewer system infrastructure, including interior terminal building field lines, trunk sewer lines and lift stations. In addition, Amendment No. 1 provided for the design of an above-ground air conditioned structure and all the related mechanical, electrical and plumbing systems for the Motor Control Center necessary for the Storm Water Lift Station No. 1 to operate under the expanded capacity. The assessment identified a need for comprehensive improvements to the sanitary sewer system infrastructure at IAH, including rehabilitation of sanitary sewer lift stations to extend their life and increase their capacity.

On January 26, 2011, Council approved Amendment No. 2 to provide professional engineering services for design of improvements for seven sanitary sewer lift stations and facilities within the terminal areas at IAH. The design for these seven lift stations is now completed.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization: 

Date May 29,	Subject: Amendment No. 3 to the Contract for Professional Engineering Services with Amani Engineering, Inc. for Upgrade of Sanitary Sewer Lift Stations and Storm Water Lift Stations at George Bush Intercontinental Airport/Houston (IAH) Project No. 638 (WBS # A- 000516-0001-3-01-02; A-000561-0004-3-01-02; A-000561-0004-3-01-03; Contract No. 4600008984)	Originator's Initials SM	Page 2 of 2
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It is now requested that Council approve Amendment No. 3 for construction phase services on the following construction projects that have been designed under this contract:

- Project Nos. 638A and 698, which will rehabilitate and upgrade one (1) Storm Water Lift Station and two (2) Sanitary Sewer Lift Stations at Terminal D-West and at Gate D-4, as well as re-route an existing 8” Sanitary Sewer line in Central Cargo area and upgrade it to a 12” sanitary sewer line .
- Project 638B, which will rehabilitate six (6) Sanitary Sewer Lift Stations and one (1) Aircraft Receiving Station:
 1. Terminal-A North Lift Station
 2. Terminal-A South Lift Station
 3. Terminal-B Parking Complex (APM) Lift Station
 4. Terminal-C Parking Complex Lift Station
 5. Physical Plant Maintenance (PPM) Lift Station
 6. Economy Parking Lot (now Ecopark) Lift Station
 7. Terminal-B Aircraft Receiving Station (North Triturator)

The contract term for construction phase services for PN638A and PN698 is 365 Calendar days and 270 days for PN638B.

PAY OR PLAY: 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 Participation: The Minority/Women Business Enterprise (M/WBE) goal for this contract is twenty-four percent (24%) and will be met by the following certified firms:

Firms	Type of Work	Amount	%
Ambiee Engineers, Inc.	Mechanical Engineering	\$ 3,000.00	3.00%
Gupta & Associates, Inc.	Electrical Engineering	\$18,000.00	18.00%
Kalluri Group, Inc.	Electrical	\$ 3,000.00	3.00%
Total		\$24,000.00	24.00%

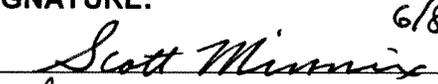
Amani Engineering, Inc. is currently achieving 24.69% on a 24% M/WBE goal.

Some portion of this project may be eligible for funding under the FAA AIP Grant or PFC program.

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Award Construction Contract Times Construction, Inc. Briar Meadow Park WBS No. F-000770-0001-4	Page 1 of 2	Agenda Item 22
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FROM (Department or other point of origin): General Services Department	Origination Date	Agenda Date JUL 03 2012
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DIRECTOR'S SIGNATURE: Scott Minnix <i>6/8/12</i> 	Council District(s) affected: F
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For additional information contact: Jacquelyn L. Nisby <i>JLN</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: \$426,000.00 Parks Consolidated Construction Fund (4502) \$465,336.00 Parks & Recreation Dedication Fund (4035) \$891,336.00 Total Funding	Finance Budget:
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SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council award a construction contract to Times Construction, Inc. on the proposal amount of \$787,200.00 to provide construction services for Briar Meadow Park for the Houston Parks and Recreation Department.

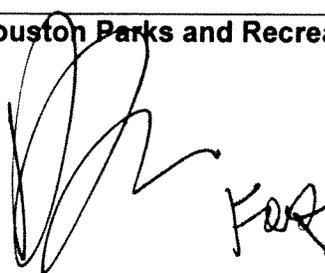
PROJECT LOCATION: 7703 Richmond (490Z)

PROJECT DESCRIPTION: The scope of work includes demolition of the playground, tennis courts and walkways, construction of new concrete sidewalk, a concrete plaza, decomposed granite trail, new tennis courts and new playground, as well as, overlay of the existing parking lot, new entry fencing, new picnic shelter, site furniture, site grading and drainage, irrigation and tree planting.

The contract duration for this project is 150 days. M2L Associates is the design consultant and construction manager for this project.

PROPOSALS: On February 24 and March 2, 2012, GSD advertised a Request for Competitive Sealed Proposals (CSP) for construction services for Briar Meadow Park. The CSP contained selection criteria that ranked respondents on experience, references, schedule and contractor responsibility. The Statements of Qualifications were due on March 15, 2012, and six firms responded. GSD evaluated the respondents and four of the six firms received sufficient points and were requested to submit proposals. The four firms submitted proposals on May 3, 2012. Times Construction, Inc. submitted the lowest proposal and offers the best value for the City based on the advertised criteria.

REQUIRED AUTHORIZATION CUIC ID # 25PARK176

General Services Department:  Richard A. Vella Chief of Design & Construction Division	Houston Parks and Recreation Department: NOT  Joe Turner Director
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Date	SUBJECT: Award Construction Contract Times Construction, Inc. Briarmeadow Park WBS No. F-000770-0001-4	Originator's Initials DE	Page 2 of 2
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PROPOSALS CONT: The four firms are ranked as follows:

PROPOSER

1. Times Construction, Inc.
2. Millis Development & Construction, Inc.
3. Jerdon Enterprise, LP
4. Carrera Construction, Inc.

AWARD: It is recommended that City Council award the construction contract to Times Construction, Inc. and appropriate funds for the project, including an additional \$32,000.00 for construction management services under the existing contract with M2L Associates and \$19,000.00 for engineering testing services under a purchase order to Associated Testing Laboratories, Inc.

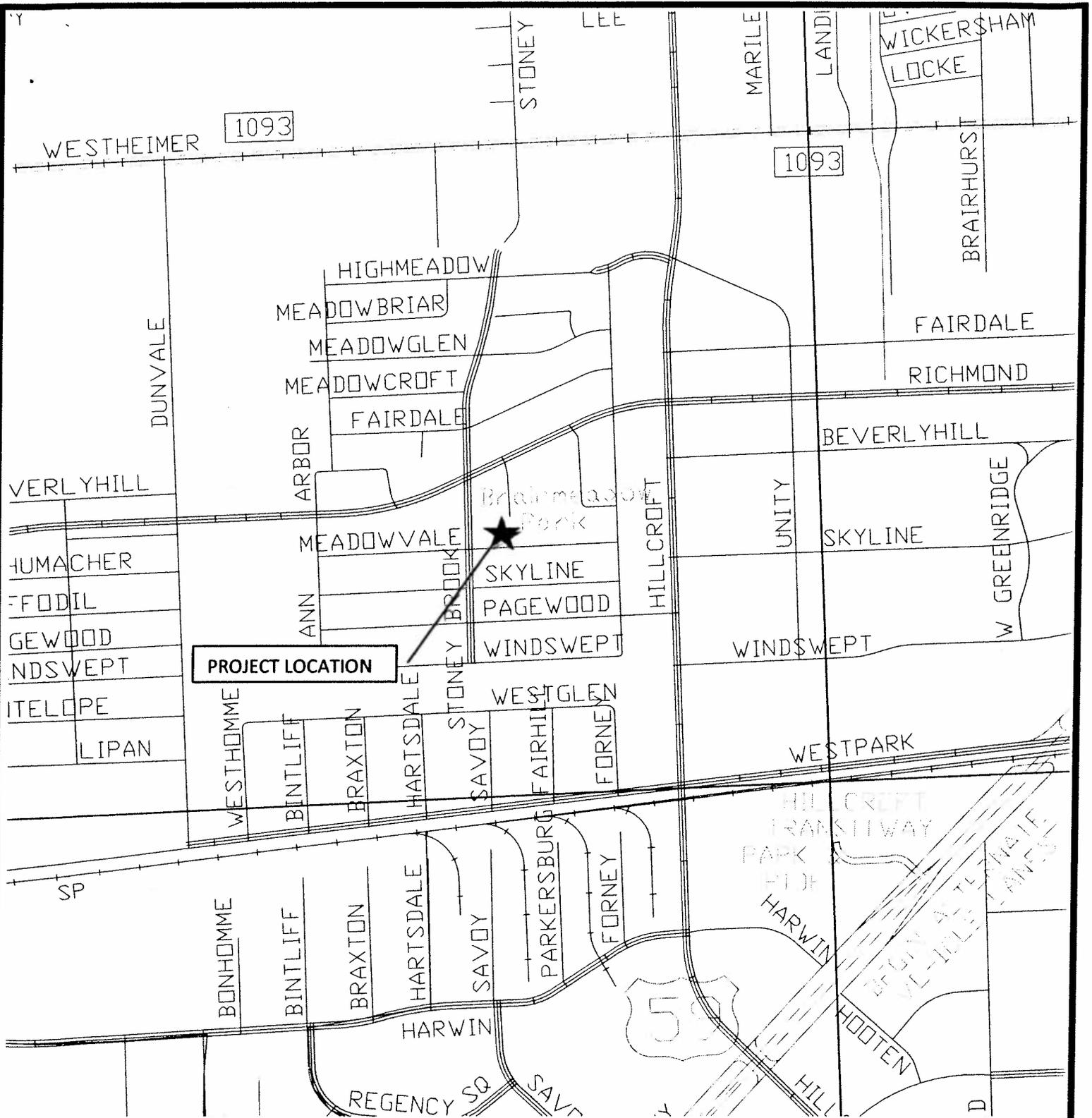
FUNDING SUMMARY:

\$ 787,200.00	Construction Contract Services
\$ <u>39,360.00</u>	5% Contingency
\$ 826,560.00	Total Contract Services
\$ 32,000.00	Construction Management
\$ 19,000.00	Engineering Testing
\$ <u>13,776.00</u>	Civic Art (1.75%)
\$ 891,336.00	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 benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

HIRE HOUSTON FIRST: The proposed contract requires compliance with the City's "Hire Houston First" Ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, the proposed contractor meets the requirements for Hire Houston First.

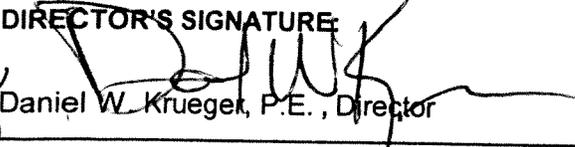
SM:JLN:RAV:LJ:DE:de
 c: Marta Crinejo, Jacquelyn L. Nisby, Mark Ross, Luci Correa, Yuhayna McCoy, Calvin Curtis, Chris Gonzales, Morris Scott, Gabriel Mussio, Martha Leyva, File 712

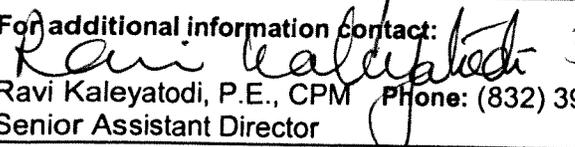


Briar Meadow Park
 7703 Richmond
 Houston, TX 77063

SUBJECT: Public Highway At-Grade Crossing Agreement between the City of Houston and Union Pacific Railroad for Reconstruction of Harvey Wilson Drive from Lockwood Drive to Clinton Drive WBS Number N-000733-0002-3	Page 1 of <u>2</u>	Agenda Item # <u>23</u>
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date JUL 03 2012
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DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council District affected: H JK AA
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For additional information contact:  Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 Senior Assistant Director	Date and identification of prior authorizing Council action: Ordinance #: 2009-0546, Dated: 6/17/2009
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RECOMMENDATION: (Summary)
 Adopt an ordinance approving and authorizing the Public Highway At Grade Crossing Agreement between the City of Houston and Union Pacific Railroad and appropriate funds.

Amount and Source of Funding:
 Total of \$166,240.00 from Fund 4042 - Street & Traffic Control and Storm Drainage DDSRF. *M.R. 5/9/2012*

PROJECT NOTICE/JUSTIFICATION: This project is part of the Street & Traffic Capital Improvement project (CIP) and is necessary to meet City of Houston standards, improve traffic and provide drainage improvements.

DESCRIPTION/SCOPE: This project consists of the reconstruction of approximately 6,500 linear feet of existing undivided two lane concrete roadway and rollover curbs, driveways, storm drainage, street lighting, traffic control and necessary underground utilities. The Project will include an underground storm sewer with new inlets to provide improved conveyance of storm water to mitigate street flooding.

LOCATION: This section of the Harvey Wilson Road is generally located between Lockwood Drive on the West and Clinton Drive on the East. The project is located in Key Map Grids 494L and 494 M.

SCOPE OF AGREEMENT AND FEE: The City of Houston is in the final design phase of Harvey Wilson Road Paving and Drainage project under Ordinance Number 2009-0546 which passed Council June 17, 2009. Since the alignment of this segment of Harvey Wilson Road crosses the Union Pacific Railroad tracks, it is necessary to construct a grade crossing over the railroad tracks and that cooperation with Union Pacific Railroad is established through an agreement. The New Public Highway Agreement sets forth terms and conditions for Union Pacific Railroad to provide right of entry for the City of Houston to construct a Grade crossing structure within Union Pacific Railroad right of way. This agreement also includes engineering design review for compliance with Union Pacific Railroad standards, flagging on project jobsite during construction by Union Pacific Railroad personnel and other services that could be rendered by Union Pacific Railroad. The estimate cost for this agreement is \$144,555.00. The total appropriation requested is \$166,240.00 which includes \$21,685.00 for CIP Cost Recovery.

REQUIRED AUTHORIZATION **CUIC ID#20AZA11**

Finance Department:	Other Authorization:	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director, Engineering and Construction Division
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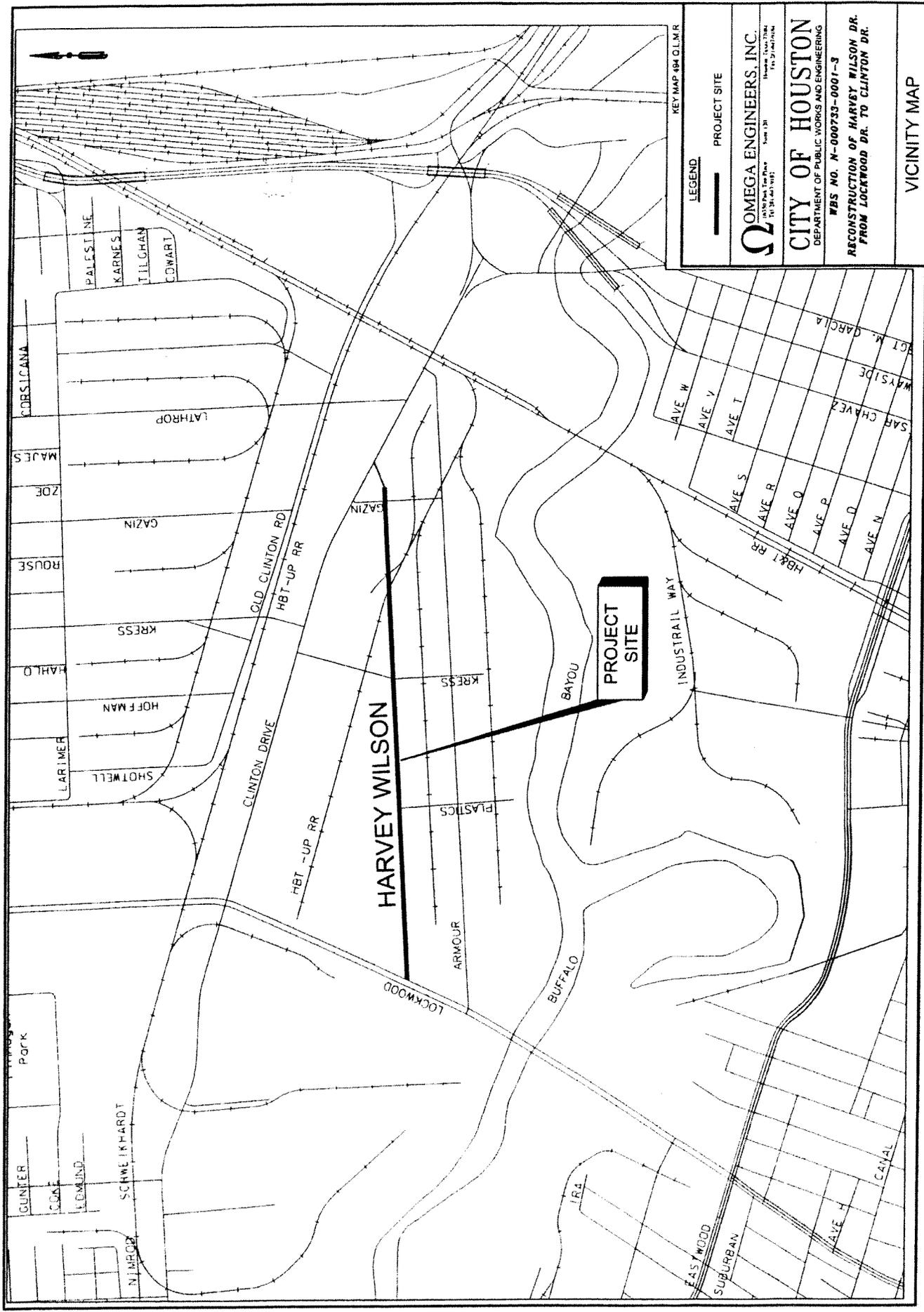
Date	Subject: Public Highway At-Grade Crossing Agreement between the City of Houston and Union Pacific Railroad for Reconstruction of Harvey Wilson Drive from Lockwood Drive to Clinton Drive. WBS Number N-000733-0002-3	Originator's Initials	Page 2 of 2
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ACTION RECOMMENDED: It is recommended that City Council adopt an ordinance approving and authorizing the Public Highway At-Grade Crossing Agreement between the City of Houston and Union Pacific Railroad and appropriate \$166,240.00 for the City of Houston's cost participation on this project.

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

JK AA
DWK:DRM:RK:JK:AA

ec: File: N-000733-0002-3 (3.7 Agreement RCA)
Z:\design\A-SB-DIV\PROJECTS\N-000733-2 Harvey Wilson\RR rca.doc



KEY MAP 484 D.L.M.R.

LEGEND

— PROJECT SITE

Ω OMEGA ENGINEERS, INC.
INCORPORATED IN TEXAS
 1100 WEST 17TH STREET, SUITE 200
 HOUSTON, TEXAS 77058
 (713) 461-1987

CITY OF HOUSTON
 DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
 WBS NO. N-000733-0001-3
**RECONSTRUCTION OF HARVEY WILSON DR.
 FROM LOCKWOOD DR. TO CLINTON DR.**

VICINITY MAP

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Construction Contract with Boyer, Inc. for Storm Water & Sanitary Sewer Lift Stations Upgrade and Sanitary Sewer Re-Routing in Central Cargo Area at George Bush Intercontinental Airport/Houston (IAH) PN638A & 698 (WBS #A-000561-0004-4-01-01 and WBS#A-000516-001-4-01-01)

Category #9

Page 1 of 2

Agenda Item # 24

FROM (Department or other point of origin):
Houston Airport System

Origination Date
May 29, 2012

Agenda Date
JUL 03 2012

DIRECTOR'S SIGNATURE: *M. J. ...*

Council District affected:
B

For additional information contact:
Lance Lyttle *T. J. ...* Phone: 281/233-1889
Adil Godiwalla *Ag* 281/233-1934

Date and identification of prior authorizing Council action:
N/A

AMOUNT & SOURCE OF FUNDING:
CIP No.: A-0561.06 \$3,754,487.00 HAS Arpt Improvement (8011)
CIP No.: A-0516.01 \$1,016,426.00 HAS Arpt Improvement (8011)
Total \$4,770,913.00 *KL*

Prior appropriations:
N/A

RECOMMENDATION: (Summary) Enact an ordinance to award a construction contract to Boyer, Inc. and appropriate the necessary funds to finance the cost of these services.

PROJECT LOCATION: George Bush Intercontinental Airport/Houston (IAH)

SPECIFIC EXPLANATION: This project will provide construction services to rehabilitate and upgrade one Storm Water Lift Station and two Sanitary Sewer Lift Stations at Terminal D-West and at Gate D-4 at IAH. In addition, the project will re-route and upgrade an existing sanitary sewer line in Central Cargo area at IAH. The sanitary sewer line and the three lift stations have exceeded the useful life and are in need of rehabilitation and upgrades to meet the current capacity needs and COH code standards.

The scope of work for this project consists of the following:

- Upgrades to Storm Water Lift Station No. 1, including new pumps, filters, updated control systems, upgraded back-up emergency power system, and Mechanical, Electrical, and Plumbing (MEP).
- Upgrades to Sanitary Sewer Lift Stations at Terminal D-West and at Gate D-4, including new pumps, new sump, filters, MEP, discharge lines, upgraded control systems, upgraded back-up emergency power systems, and a new grinder for each Sanitary Lift Station.
- Re-routing of an existing 8" Sanitary Sewer line in Central Cargo area. The new line will be upgraded to a 12" sanitary sewer line. The location of proposed 12" sanitary sewer line will impact two (2) CenterPoint Energy Electrical duct banks on Mecom Road between Viscount and Airmail Road. As a result, CenterPoint Energy will need to re-route the duct banks. The existing water lines in the area will need to be adjusted to maintain the standard clearance with the new sewer line.

REQUIRED AUTHORIZATION

NDT

Finance Department:

Other Authorization: *[Signature]*

Other Authorization:

Date May 29, 2012	Subject: Construction Contract with Boyer, Inc. for Storm Water & Sanitary Sewer Lift Stations Upgrade and Sanitary Sewer Re-Routing in Central Cargo Area at George Bush Intercontinental Airport/Houston (IAH) PN638A & 698 (WBS #A-000561-0004-4-01-01 and WBS#A-000516-001-4-01-01)	Originator's Initials SM	Page 2 of 2
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The contract term is 365 calendar days. Construction documents were prepared by Amani Engineering, Inc.

BID DATE: Bids were received on March 1, 2012, as follows:

<u>Company</u>	<u>Bid Amount</u>
1. Boyer, Inc.	\$4,336,913.00
2. Peltier Brothers Construction, Ltd.	\$4,761,800.00
3. Comfort Systems USA South Central	\$5,136,908.00
4. R+B Group, Inc.	\$5,270,752.00

ENGINEERING SERVICES TESTING CONTRACT: The contract for engineering testing services will be provided by HTS, Inc. Consultants, under Contract No. 73359.

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

\$4,336,913.00	Construction Contract
\$ 347,000.00	Construction Contingency (8%)
\$ 87,000.00	Engineering Testing Services (2%)
\$4,770,913.00	Total Appropriation

PAY OR PLAY: 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.

HIRE HOUSTON FIRST: The proposed contract requires compliance with the City's 'Hire Houston First' ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, the proposed contractor meets the requirements of Hire Houston First.

MBE & SBE PARTICIPATION: The Minority Business Enterprise (MBE) goal is eighteen percent (18%) and the Small Business Enterprise (SBE) goal is eight percent (8%), which comprises a total overall goal of twenty-six percent (26%) for this contract. The goal will be met by the following certified firms.

<u>Firms</u>	<u>Type of Work</u>	<u>Amount</u>	<u>%</u>
Medina Supply, Inc. (MBE)	Electrical Supplies	\$ 406,750.00	9.38%
Access Data Supply, Inc. (MBE)	Concrete Materials/Pipe Supplier	\$ 346,500.00	7.99%
Precision Land Surveying, Inc. (MBE)	Land Surveying	\$ 15,000.00	0.35%
Forde Construction Company (SBE)	Asphalt Paving	\$ 27,244.00	0.63%
P.A. Berrios Trucking (MBE)	Trucking	\$ 20,000.00	0.46%
T. Gray Utility & Rehab Co., LLC (SBE)	Manhole/Sewer Rehab	\$ 170,644.00	3.93%
Stripes & Stops Co., Inc. (SBE)	Traffic Control Supplies	\$ 7,198.00	0.17%
Holes Incorporated (SBE)	Concrete Demolition	\$ 7,235.00	0.17%
Demac Concrete Contractors, In. (SBE)	Concrete Construction	\$ 134,350.00	3.10%
	Total	\$1,134,921.00	26.18%

Some portion of this capital project may be eligible for reimbursement under the PFC program.