

AGENDA - COUNCIL MEETING - TUESDAY - JANUARY 7, 2014 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Gonzalez

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

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

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

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - JANUARY 8, 2014 - 9:00 A. M.

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

HEARINGS - 9:00 A.M.

1. **PUBLIC HEARING** on the proposal to use approximately 6,986 square feet of Stuebner-Airline Park for a sanitary sewer corridor - **DISTRICT B - DAVIS**

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 2 through 19

AGENDA - JANUARY 8, 2014 - PAGE 2

MISCELLANEOUS - NUMBERS 2 and 3

2. REQUEST from Mayor for confirmation of the appointment of **ASHLEY R. THRETON**, to Position Four to the **HOUSTON CLEAN CITY COMMISSION**, for a term to expire February 1, 2016
3. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **BOARD OF PUBLIC TRUSTS**, for terms to expire 3/22/2015:
 - Position One - **PARVIN AHMADI MCVEY**, reappointment
 - Position Three - **KIM E. JONES**, appointment
 - Position Five - **KATHERINE M. YZAGUIRRE**, reappointment
 - Position Seven - **BRIE KELMAN**, appointment
 - Position Nine - **LILLIE J. SCHECHTER**, reappointment

DAMAGES - NUMBER 4

4. RECOMMENDATION from City Attorney for settlement of claim of **MEMORIAL HERMANN HEALTH SYSTEM** - \$65,101.91 - Property and Casualty Fund

ACCEPT WORK - NUMBERS 5 through 7

5. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$439,313.00 and acceptance of work on contract with **JERDON ENTERPRISE, L. P.** for Open Space Projects at Various Parks - 7.83% over the original contract amount and under 10% contingency amount - **DISTRICTS C - COHEN; D - BOYKINS; F - NGUYEN and H - GONZALEZ**
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,294,280.31 and acceptance of work on contract with **JFT CONSTRUCTION, INC** for Whiteheather Storm Sewer Improvements Segment III 0.92% under the original contract amount - **DISTRICT K - GREEN**
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$485,602.21 and acceptance of work on contract with **ISI CONTRACTING, INC** for On-Call Bridge Repairs City Wide Work Order Contract 2.88% under the original contract amount - **DISTRICT C - COHEN**

PROPERTY - NUMBER 8

8. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Janet Baccus, P.E., Jones & Carter, Inc, on behalf of GIIC Houston, LLC, and FC42 Houston, LLC, (Kenneth E. Aboussie, Jr., Owner of both businesses) for abandonment and sale of a 20-foot-wide utility easement located within Reserve A, Block 1, in exchange for conveyance to the City of a 20-foot-wide storm sewer easement, located within Tract 10, both out of the W.M. White Survey, A-836, Parcels SY14-003 and LY14-010 - **DISTRICT G - PENNINGTON**

PURCHASING AND TABULATION OF BIDS - NUMBERS 9 and 10

9. **D.L. ELLIOTT ENTERPRISES, INC** for Emergency Waterline Break Repair Services for the Department of Public Works & Engineering - \$166,000.00 - Enterprise Fund - **DISTRICT H - GONZALEZ**

PURCHASING AND TABULATION OF BIDS - continued

10. **SOUTHERN CRUSHED CONCRETE, LLC** for Reclaimed Asphalt Pavement Concrete Materials for Various Departments - \$33,515,188.44 - 5 years - General and Other Funds

ORDINANCES - NUMBERS 11 through 19

11. ORDINANCE amending the volume of the City of Houston Construction Code known as the City of Houston Residential Energy Conservation Code; containing findings; providing an effective date; providing for severability
12. ORDINANCE approving and authorizing the submission of an application for grant assistance from the Texas Department of Transportation for the FY14 Impaired Driving Mobilization Grant; declaring the City's eligibility for such grant; authorizing the Chief of the Houston Police Department or his designee to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program
13. ORDINANCE approving and authorizing an agreement between the City of Houston and **ICF INCORPORATED, L.L.C.** for the Development of a Preparedness Plan - \$298,306.23 Grant Fund
14. ORDINANCE appropriating \$2,216,900.00 out of Metro Construction – Other, awarding contract to **P^2MG,LLC DBA P2MG, LLC** for Safe Sidewalk Program Work authorization project; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing services, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Metro Construction - Other
15. ORDINANCE appropriating \$6,293,232.00 out of Metro Projects Construction DDSRF, awarding contract to **DURWOOD GREENE CONSTRUCTION CO** for City Wide Overlay Package #20; 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, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Metro Projects Construction DDSRF
16. ORDINANCE appropriating \$6,605,583.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, LLC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund
17. ORDINANCES Nos. 2013-1183 to 2013-1185, passed first reading December 18, 2013 for Ordinances granting to the following listed as A through C, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions and making certain findings related thereto
SECOND READING
 - A. **HOLCOMB ENVIRONMENTAL OIL SERVICES LLC**, a Texas Limited Liability Company (2013-1183)
 - B. **TOMMY MILES GARBAGE SERVICE**, a Texas Partnership - (2013-1184)
 - C. **THE DUMPSTER GUYS, LLC**, a Texas Limited Liability Company - (2013-1185)

ORDINANCES - continued

18. ORDINANCES Nos. 2013-1186 to 2013-1199, passed first reading December 18, 2013 for Ordinances granting to the following listed as A through N, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions and making certain findings related thereto

SECOND READING

- A. **TEXAS ENVIRONMENTAL CONTROL, INC**, a Texas Corporation - **(2013-1186)**
- B. **SPECIALIZED MAINTENANCE SERVICES, INC**, a Texas Corporation - **(2013-1187)**
- C. **K & S CONSTRUCTION SERVICES, LLC**, a Texas Limited Liability Company - **(2013-1188)**
- D. **STERICYCLE SPECIALTY WASTE SOLUTIONS, INC**, a Delaware Corporation - **(2013-1189)**
- E. **LEGACEE INTERNATIONAL ENVIRONMENTAL SERVICES, INC**, a Texas Corporation **(2013-1190)**
- F. **DANIEL RODRIGUEZ DBA A-HAWK GREASE TRAP**, a Texas Sole Proprietorship **(2013-1191)**
- G. **AMIR BENJAMIN DBA JAYCO VACUUM SERVICES**, a Texas Sole Proprietorship **(2013-1192)**
- H. **J.A. GAMEZ TRUCKING SERVICES**, a Texas Partnership - **(2013-1193)**
- I. **CLEANER EARTH GROUP, LLC**, a Texas Limited Liability Company - **(2013-1194)**
- J. **COMBS INDUSTRIAL SERVICES, INC. DBA ONSITE ENVIRONMENTAL**, a Tennessee Corporation - **(2013-1195)**
- K. **MAGNOLIA ENVIRONMENTAL SERVICES**, a Texas Partnership - **(2013-1196)**
- L. **ALFRED SAVOY JR. DBA DIRT WORKS UNLIMITED**, a Texas Sole Proprietorship **(2013-1197)**
- M. **SET ENVIRONMENTAL, INC**, an Illinois Corporation - **(2013-1198)**
- N. **AARON OIL COMPANY, INC**, a Texas Corporation - **(2013-1199)**

19. ORDINANCES Nos. 2013-1135 to 2013-1140, passed second reading December 18, 2013 for Ordinances granting to the following listed as A through F, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions and making certain findings related thereto

THIRD AND FINAL READING

- A. **DANIELS SHARPSMART, INC**, a Delaware Corporation - **(2013-1135)**
- B. **R. M. WOODS INC DBA DRANE RANGER VACUUM SERVICE**, a Texas Corporation **(2013-1136)**
- C. **WASTE PARTNERS OF TEXAS, INC**, a Delaware Corporation - **(2013-1137)**
- D. **TAP INC DBA TAP ENVIRONMENTAL**, a Texas Corporation - **(2013-1138)**
- E. **INTERGULF CORPORATION, INC**, a Texas Corporation - **(2013-1139)**
- F. **WASTEWATER TRANSPORT SERVICE, LLC**, a Texas Limited Liability Company **(2013-1140)**

MATTERS HELD - NUMBERS 20 through 23A

20. ORDINANCE approving and authorizing an agreement between the City of Houston and **AT&T CORP.** for a Central Office-Based Business Communications System Services (Plexar) for Houston Information Technology Services; providing a maximum contract amount - \$2,000,000.00 2 years with three one-year options - Central Service Revolving Fund

TAGGED BY COUNCIL MEMBER DAVIS

This was Item 16 on Agenda of December 18, 2013

MATTERS HELD - continued

21. ORDINANCE approving and authorizing a contract between the City and **MCCONNELL & JONES LLP/BANKS, FINLEY, WHITE & CO., a Joint Venture Partnership** known as M&J/BFW Team for Professional Auditing Services; providing a maximum contract amount \$7,000,000.00 3 years with two one-year options - General Fund

TAGGED BY COUNCIL MEMBERS PENNINGTON AND MARTIN

This was Item 18 on Agenda of December 18, 2013

22. ORDINANCE approving and authorizing an airport advertising concession agreement between the City of Houston and **THE JOINT VENTURE FOR THE ADVERTISING CONCESSION AT HOUSTON AIRPORTS, LLC** at George Bush Intercontinental Airport/Houston and William P. Hobby Airport - **DISTRICTS B - DAVIS and I - GALLEGOS**

TAGGED BY COUNCIL MEMBER RODRIGUEZ

This was Item 51 on Agenda of December 18, 2013

23. Written Motion by Council Members Costello and Green to amend Section 3-1 of the proposed following ordinance as follows:

Grocery store means establishments of at least 10,000 square feet of retail space, excluding space used to sell items subject to the motor fuels tax, and generally known as supermarkets and grocery stores engaged in retailing a general line of food, such as canned and frozen foods; fresh fruits and vegetables; and fresh and prepared meats, fish and poultry. Included in this industry are delicatessen-type establishments primarily engaged in retailing a general line of food. Excluded from this industry are establishments with gross receipts from the sale of alcoholic beverages that exceed 25% and establishments that provide for on-premises consumption. A "grocery store" may only sell beer and wine, but not distilled spirits, and in calculating the percentage of alcohol sales to total sales, the sale of items subject to the motor fuels tax must be excluded from the calculation of total sales.

- a. ORDINANCE **AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Alcohol Free Zones; containing findings and other provisions relating to the foregoing subject; providing for severability

POSTPONED BY MOTION #2013-0823, 12/18/13

This was Item 46 on Agenda of December 18, 2013

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

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

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

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

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

NOTICE is hereby given that a Regular Meeting of the City Council of the City of Houston will be held **TUESDAY, JANUARY 7, 2014 at 1:30 p.m. and WEDNESDAY, JANUARY 8, 2014 at 9:00 a.m.** with the reading of the descriptions, captions or titles of the agenda items by the City Secretary to begin not earlier than 60 minutes before the scheduled commencement, in the Council Chamber, Second Floor, City Hall, 901 Bagby, for the purpose of conducting the regular business and affairs of the City of Houston listed on the attached Agenda.

WITNESS my official signature this the 26th day of DECEMBER, 2013.

City Secretary

CERTIFICATE

I certify that the attached notice of meeting was posted on the Bulletin Board of the City Hall of the City of Houston, Texas, on DECEMBER 26, 2013 at : p.m.

by _____

for Anna Russell
City Secretary

**CITY COUNCIL CHAMBER - CITY HALL 2nd FLOOR - TUESDAY
JANUARY 7, 2014 – 2:00 PM**

NON-AGENDA

3MIN

3MIN

3MIN

MR. DON NICHOLS – 3130 Crestdale – 77080 – 832-574-0586 – Medical condition while working for the City

MR. EMMANUEL HURD – 6427 Rosemary – 77016 – 281-987-1038 – HPD

MS. DEE DEE WALTERS – 6550 Hillcroft – 77081 – 713-780-8421 – Public accommodate language

MR. FARMER JOE ICE T – 909 Texas #1203 – 77002 – 832-517-0418 – Cleaning up City lots and putting Farms on it

TO: Mayor & City Secretary

Henry 7TH 1-0-11

Subject: Motion establishing a date for a public hearing on the proposal to use approximately 6,986 square feet of Stuebner-Airline Park for a sanitary sewer corridor. WBS No. R-000267-0112-3

Category # *WLD*

Page 1 of 1

Agenda Item *60*

FROM (Department or other point of origin):

Origination Date: *12/5/13*

Agenda Date *JAN 08 2014*
~~DEC 11 2013~~

Department of Public Works and Engineering

DIRECTOR'S SIGNATURE:

[Signature]
Daniel W. Krueger, P.E., Director

Council District(s) affected:

B TH

For additional information contact

[Signature]
Ravi Kaleyatodi, P.E., CPM
Senior Assistant Director

11/14/13
Phone: (832) 395-2326

Date and Identification of prior authorizing Council Action: Not applicable

RECOMMENDATION: (Summary): Approve a Motion establishing a date for a public hearing on the proposal to use approximately 6,986 square feet of Stuebner-Airline Park for a sanitary sewer corridor in connection with the abandonment of the Willow Run Wastewater Treatment Plant and flow diversion for the West Mount Houston and Rutherford lift stations

Amount of Funding: No funding

9AM 1-8-14

SPECIFIC EXPLANATION:

Stuebner-Airline Park (the "Park") was acquired by the City in 1987 and consists of approximately 26.8225 acres located at 9201 Veterans Memorial Drive. Park amenities include a playground, splash pad, outdoor pavilion and walking trails. The Department of Public Works and Engineering ("PWE") has requested to use approximately 0.1604 acres (6,986 square feet) of the Park for a sanitary sewer corridor in connection with the abandonment of the Willow Run Wastewater Treatment Plant ("WWTP") and flow diversion for the West Mount Houston and Rutherford lift stations (the "Project").

The Project will include construction of a 12-inch sanitary sewer along the west boundary of the Park, diverting flows from the West Mount Houston lift station to the gravity sewer within the Willow Run WWTP. The Project will extend from the West Mount Houston lift station on the north, the Park on the east, the Willow Run WWTP on the south, and Harris County Channel P-118-32-00 on the west. As part of the Project, PWE will require a ten foot wide sanitary sewer easement across approximately 6,896 square feet of the Park. Since routing the sanitary sewer corridor through public street right-of-way would significantly increase the length of the sanitary sewer line and adversely affect the constructability of the Project, there is no feasible and prudent alternative to the use of a portion of the Park for the Project. The Project will have a minimal impact on the Park, as it will involve a trenchless method of construction (micro-tunneling), and minimal site clearing will be needed to remove tall grass and weeds to access tunnel pit from the West Mount Houston lift station. Excavation will only occur at the location of the tunnel shaft. In addition, as part of the Project, PWE will install an 8-inch sanitary sewer stub-out to serve future restroom facilities at the Park. The affected surface of the easement area will be restored with sod or hydromulching. When installation has been completed, the sanitary sewer facilities will be sub-surface and will not interfere with the continued use of the surface of the easement area for park purposes.

Texas Parks and Wildlife Code Chapter 26 requires the City to publish three public notices and hold a public hearing prior to authorizing the use or taking of park land for non-park purposes. Notices for the Project will be published in the Houston Chronicle on December 16, December 23, and December 30, 2013. The proposed date of the public hearing is Wednesday, January 8, 2014, at 9:00 a.m., in Council Chambers, 2nd Floor, City Hall, 901 Bagby Street, Houston, Texas. On January 15, 2014, PWE will bring an ordinance to Council to make findings relating to the public hearing.

cc: David M. Feldman, City Attorney

File No. R-000267-0112-3

DWK:DRM:RJK:EN:ME:TH

CUIC ID# 20TH10

Other Authorization:

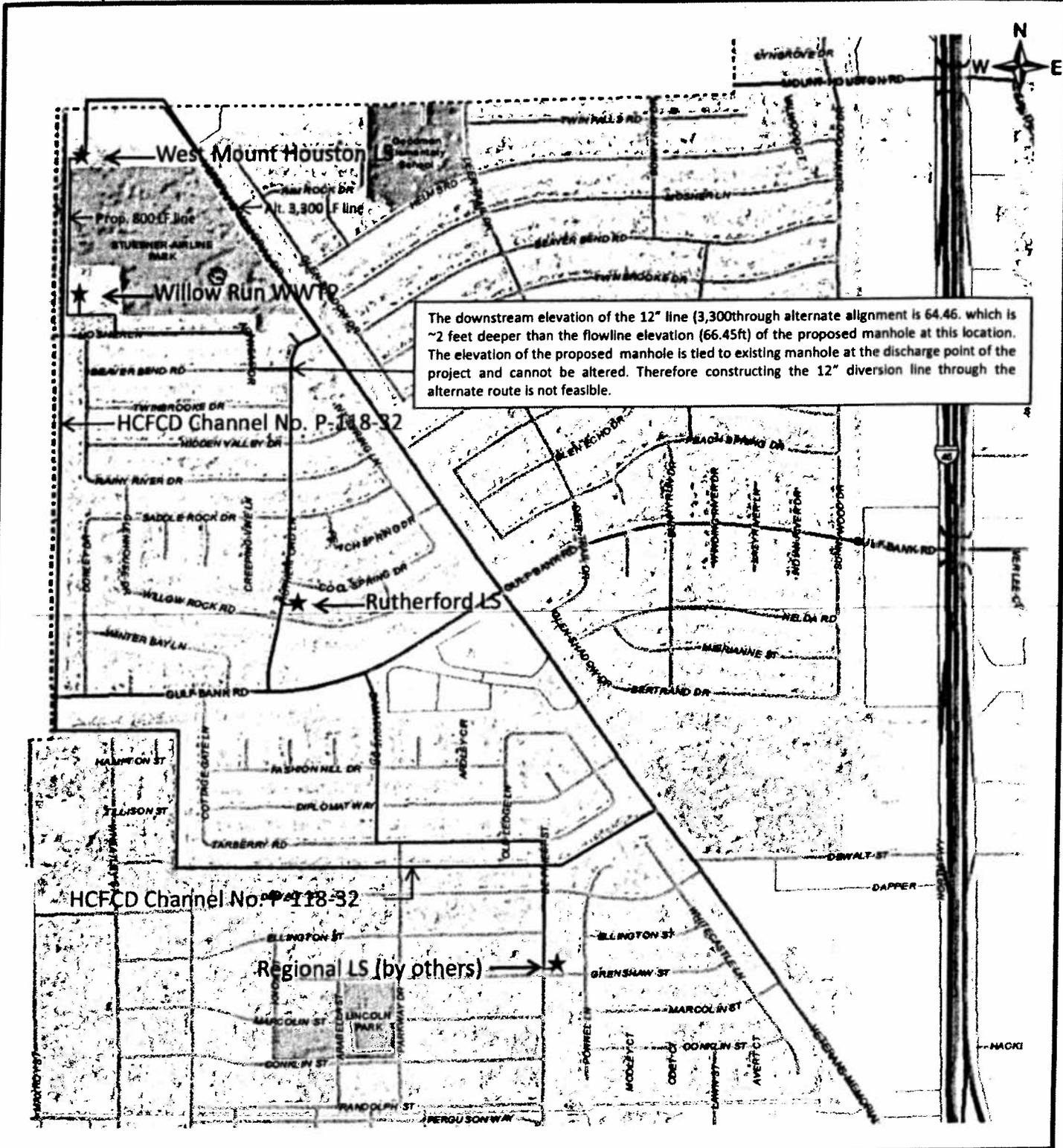
[Signature]
Joe Turner, Director, Houston Parks and Recreation Department

Other Authorization:

[Signature]
Jun Chang, P.E., D.WRE, Deputy Director
Public Utilities Division

Other Authorization:

[Signature]
Daniel R. Menendez, P.E., Deputy Director
Engineering and Construction Division



- Proposed Alignment (thru the Park) to divert W. Mount Houston LS
800 LF of 12" line @ 0.26% min. slope
- Alternate Alignment (avoiding the Park) to divert W. Mount Houston LS
3,300LF of 12" line @ 0.26% min. slope
- Overall Project Alignment

WBS No. R-000267-0112-3
Proposed Project Alignment
& Alternate Alignment Comparison



ANNISE D. PARKER
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

2

JAN 08 2014

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 12-17-13
date

COUNCIL MEMBER: _____

December 13, 2013

The Honorable City Council
City of Houston, Texas

Dear Council Members:

Pursuant to Section 39-32 of the City of Houston Code of Ordinances, I am nominating the following individual for appointment to the Houston Clean City Commission, subject to Council confirmation:

Ashley R. Threeton, appointment to Position Four, for a term to expire February 1, 2016.

The résumé of the nominee is attached for your review.

Sincerely,

Annise D. Parker
Mayor

AP:JC:jsk

Attachment

cc: Ms. Robin Blut, Executive Director, Keep Houston Beautiful



2



ANNISE D. PARKER
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

3

JAN 08 2014

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 12-17-13
date

COUNCIL MEMBER: _____

December 13, 2013

The Honorable City Council
City of Houston

Dear Council Members:

Pursuant to Section 36-21 of the City of Houston Code of Ordinances, I am appointment or reappointing the following individuals to the Board of Public Trusts, subject to City Council confirmation:

- Parvin Ahmadi McVey, reappointment to Position One, for a term to expire March 22, 2015;
- Kim E. Jones, appointment to Position Three, for a term to expire March 22, 2015;
- Katherine M. Yzaguirre, reappointment to Position Five, for a term to expire March 22, 2015;
- Brie Kelman, appointment to Position Seven, for a term to expire March 22, 2015;
- and
- Lillie J. Schechter, reappointment to Position Nine, for a term to expire March 22, 2015.

Résumés are attached for your review.

Sincerely,

Annise D. Parker
Mayor

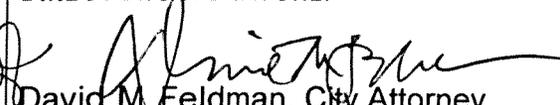
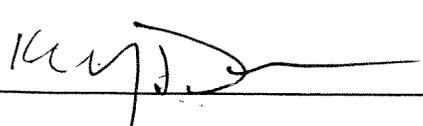
AP:JC:jsk

cc: Ms. Sherry Mose, Secretary, Board of Public Trusts



3

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary		
SUBJECT: Proposed Settlement of Claim of Memorial Hermann Health System	Page 1 of 1	Agenda Item 4
FROM (Department or other point of origin): Legal Department	Origination Date: 12.4.13	Agenda Date: JAN 08 2014
DIRECTOR'S SIGNATURE:  David M. Feldman, City Attorney	Council District(s) affected: All	
For additional information contact: Harlan D. Heilman 832-393-6455	Date and Identification of prior authorizing Council Action:	
RECOMMENDATION (Summary): Approve the referenced claim settlement.		
Amount and Source of Funding: Property and Casualty Fund (Fund 1004)		
SPECIFIC EXPLANATION: FOR SETTLEMENT PURPOSES ONLY Memorial Hermann Health System, the subject claimant, has filed a claim against the City of Houston for property damages arising out of a motor vehicle accident on February 25, 2012. The claimant alleges that Dwayne Bronikowski, an employee in the Houston Fire Department, Operations Division, Fire Suppression Section, failed to control speed resulting in damage to the claimant's porte-cochere. The employee's supervisor has been notified of the claimant's allegations. The claimant's porte-cochere sustained significant structural damage and it seeks to recover the total amount of \$67,899.00 which represents the actual cost to repair the property. After reviewing the claimant's repair summary, we adjusted the demand by \$2,797.09 representing a reduction in the repair contractor's overhead and eliminating two items (steel post driver and safety vest) which were not needed to repair the damage. A settlement offer of \$65,101.91 was extended to the claimant and they have accepted the compromised amount. The City has exposure in an amount of at least \$65,101.91 in actual damages. It is my recommendation that it is in the best interest of the City to settle this matter for \$65,101.91 with warrant made payable to Memorial Hermann Health System, 929 Gessner, Suite 2579, Houston, Texas 77024.		
Finance Director: 	Other Authorization:	Other Authorization:

SUBJECT: Accept Work Jerdon Enterprise, L.P. Open Space Projects at Various Parks WBS No. F-002003-0001-4, F-002007-0001-4, F-002006-0001-4 F-000763-0001-4, F-000668-0002-4, F-000742-0002-4, F-002001-0001-4	Page 1 of 2	Agenda Item 5
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FROM (Department or other point of origin): General Services Department	Origination Date	Agenda Date JAN 08 2014
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copy

DIRECTOR'S SIGNATURE: Scott Minnix 	Council District affected: C, D, F, H
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For additional information contact: Jacquelyn L. Nisby 	Phone: 832-393-8023	Date and identification of prior authorizing Council action: Ordinance No. 2012-75, January 25, 2012
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RECOMMENDATION: The General Services Department recommends approval of final contract amount of \$439,313.00 and acceptance of work on contract with Jerdon Enterprise, L.P. for the Open Space Projects at Various Parks – 7.83% over the original contract amount and within the 10% contingency.

Amount and Source of Funding: No Additional Funding Required	Finance Budget:
Previous Funding: \$456,147.70 Parks Consolidated Construction Fund (4035)	

SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve the final contract amount of \$439,313.00 or 7.83% over the original contract amount, accept the work and authorize final payment to Jerdon Enterprise, L.P. for construction services in connection with the Open Space Projects at Various Parks for the Houston Parks and Recreation Department.

PROJECT LOCATIONS:

Clark Park	9718 Clark	453B	Dist. H
Ervan Chew Park	4502 Dunlavy	492Z	Dist. C
Harwin Park	11305 Harwin	529C	Dist. F
Law Park	6100 Vasser	534Y	Dist. D
Mangum Manor Park	5235 Saxon	451L	Dist. C
St. Lo Park	7335 St. Lo Road	534S	Dist. D
Veterans Memorial Park	1800 Tidwell	453D	Dist. H

REQUIRED AUTHORIZATION CUIC ID # 25PARK220

General Services Department:  Richard A. Vella Chief of Design & Construction Division	Houston Parks and Recreation Department: <i>NO</i>  Joe Turner Director
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Date	SUBJECT: Accept work Jerdon Enterprise, L.P. Open Space Projects at Various Parks WBS No. WBS No. F-002003-0001-4, F-002007-0001-4, F-002006-0001-4, F-000763-0001-4, F-000668-0002-4, F-000742-0002-4, F-002001-0001-4	Originator's Initials MS	Page 2 of 2
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PROJECT DESCRIPTION: The scope of work included the following improvements:

Clark Park – Installed a new concrete plaza, site furnishings, and seeded the disturbed areas.

Ervan Chew Park – Provided site grading for positive drainage and seeded the disturbed areas.

Harwin Park – Removed existing asphalt walking trail and replaced with new 8' wide concrete walking trail; raised parking lot to improve drainage; installed new benches with concrete pads; installed new concrete apron for drinking fountain; removed and replaced existing accessible parking spaces with new accessible ramp; striped parking lot; accessible signage; and seeded the disturbed areas.

Law Park – Purchased, delivered and installed security lighting and seeded the disturbed areas.

Mangum Manor Park – Installed block retaining wall, area drains inlets, site grading for positive drainage, mulch and seeded the disturbed areas.

St. Lo Park – Installed a new concrete plaza, handrails, site furnishings and seeded the disturbed areas.

Veterans Memorial Park – Purchased, delivered, and installed security lighting, associated landscape, irrigation and seeded the disturbed areas.

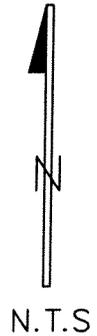
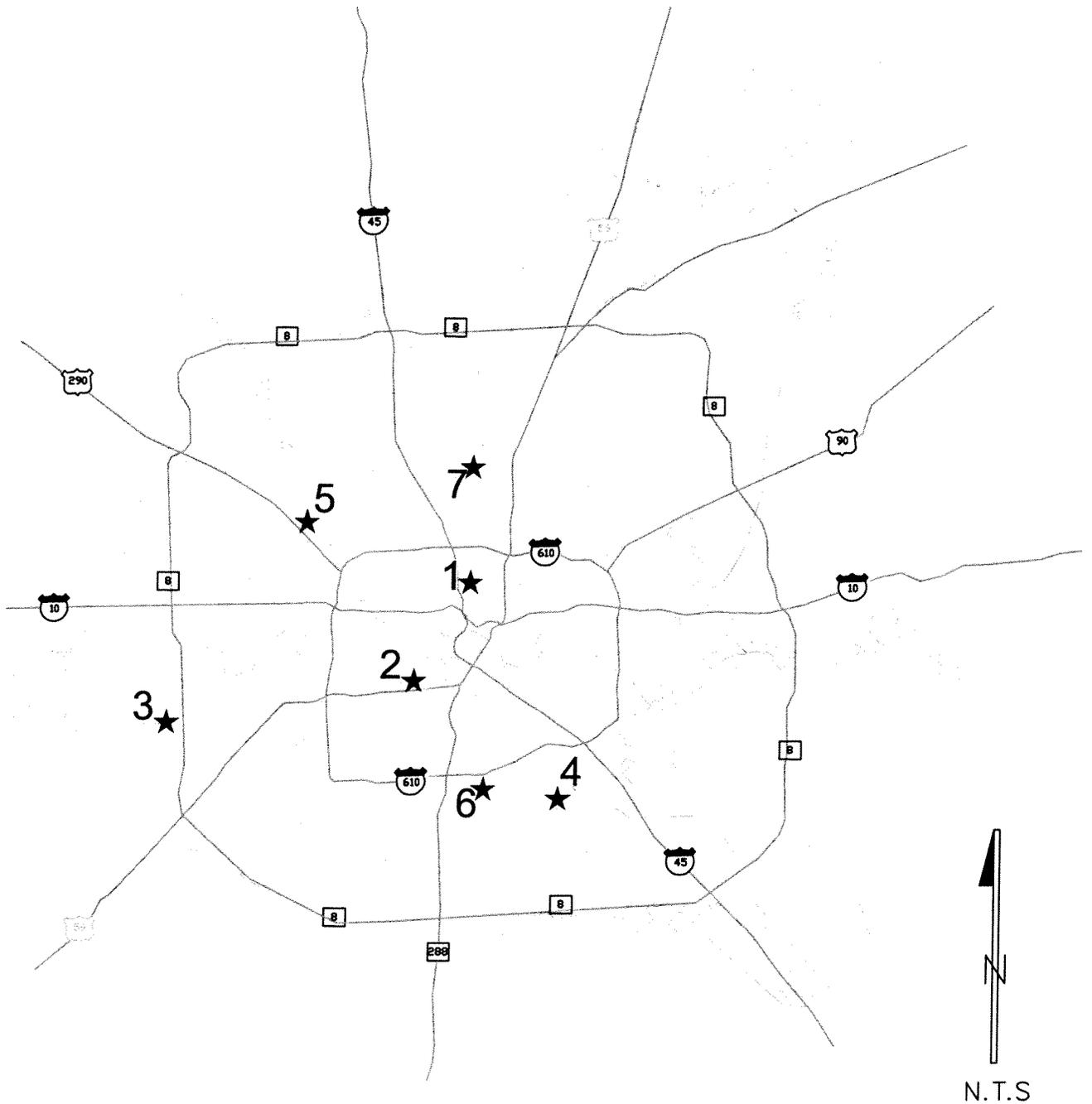
M2L & Associates was the design consultant and construction manager for this project.

CONTRACT COMPLETION AND COST: The contractor completed the project within 290 days: the original contract time of 150 days plus 140 days approved by Change Orders. The final cost of the project including Change Orders is \$439,313.00 an increase of \$31,906.00 over the original contract amount.

PREVIOUS CHANGE ORDERS: Change Orders 1-4 added new sidewalk section at Clark Park; added new handrails and site grading at St. Lo Park; added new sidewalk section and concrete pads, new concrete apron and raised south east section of the parking lot at Harwin Park; replaced concrete paving, added new accessible ramp, sidewalk and curb at Mangum Manor Park; and replaced existing irrigation system at Veterans Memorial Park.

SM:JLN:RAV:LJM:MS:bo
 c: Marta Crinejo, Jacquelyn L. Nisby, Mark Ross, Luci Correa, Calvin Curtis, Morris Scott, Carlecia D. Wright, Gabriel Mussio, Chris Gonzales, Martha Leyva, Beatrice Ornelas, File 1008

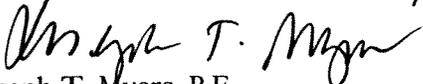
CITY OF HOUSTON
HARRIS COUNTY, TEXAS



) Clark Park	9718 Clark	77076	453B	H
) Ervan Chew Park	4502 Dunlavy	77098	492Z	C
) Harwin Park	11305 Harwin	77072	529C	F
) Law Park	6100 Vasser	77033	534Y	D
) Mangum Manor Park	5235 Saxon	77092	451L	C
) St. Lo Park	7335 St. Lo Rd	77033	534S	D
) Veterans Memorial Park	1800 Tidwell	77093	453D	H

COUNCIL DISTRICT "-"

KEY MAP NO. ----

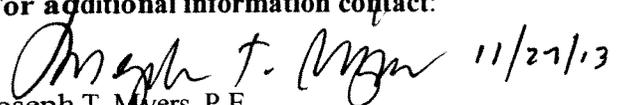
SUBJECT: Accept Work for Whiteheather Storm Sewer Improvements Segment III; WBS No. M-000262-0003-4; S-000500-0099-4.		Page 1 of 1	Agenda Item # 6
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date	Agenda Date JAN 08 2014
DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director		Council District affected: K	
For additional information contact:  12/9/13 Joseph T. Myers, P.E. Sr. Assistant Director Phone: (832) 395-2355		Date and identification of prior authorizing Council action: Ord. # 2011-0207 dated: 03/23/2011	
RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$8,294,280.31 or 0.92% under the original Contract Amount, accept work and authorize final payment.			
Amount and Source of Funding: No additional funding required. Total (original) appropriation of \$9,626,000.00 with \$9,006,300.00 from Drainage Improvement Commercial Paper Series F Fund No. 4030 and \$619,700.00 from Water and Sewer System Consolidated Construction Fund No. 8500.			
PROJECT NOTICE/JUSTIFICATION: This project was required for Drainage Improvements to reduce the risk of structural flooding and impaired emergency vehicle mobility caused by insufficient storm water drainage capacity; including modification of street conveyance and addressing storm water flow mitigation as applicable.			
DESCRIPTION/SCOPE: This project consisted of the installation of approximately 12,400 linear feet of 24-inch to 66-inch reinforced concrete pipe storm sewers including all appurtenances, approximately 280 linear feet of corrugated metal pipe outfall, approximately 5,160 linear feet of 12-inch to 8-inch waterlines including all appurtenances. Concrete roadways were reconstructed with curb and gutter, sidewalks and driveways. SES Horizon Consulting Engineers, Inc. designed the project with 460 calendar days allowed for construction. The project was awarded to JFT Construction, Inc. with an original Contract Amount of \$8,371,395.72.			
LOCATION: The project is generally bounded by West Orem Drive on the north, Sims Bayou on the south, Whiteheather Drive on the west, and Buffalo Speedway on the east. The project is located in Key Map Grid 572N and 572J.			
CONTRACT COMPLETION AND COST: The Contractor, JFT Construction, Inc., has completed the work under the subject Contract. The project was completed on time with additional 69 days approved by Change Orders No. 2 and 3. The final cost of the project, including overrun and underrun of estimated unit price quantities and previously approved Change Orders No. 1 and 2 is \$8,294,280.31 a decrease of \$77,115.41 or 0.92% under the original Contract Amount.			
The decreased cost is a result of the difference between planned and measured quantities. This decrease is primarily the result of an underrun in Paving Item No. 55 – 8-inch reinforced concrete pavement (high early strength), which was not necessary to complete the project.			
M/SBE PARTICIPATION: The M/SBE goal established for this project was 16%. According to Mayor's Office of Business Opportunity, the participation was 16.11%. Contractor's M/SBE performance evaluation was rated Satisfactory.			
DWK:DRM:JTM:PAK:AJK:ha H:\E&C Construction\South Sector\PROJECT FOLDER\M-000262-0003-4 (Whiteheather 3)\21.0 Close-Out Documentation\RCA\RCA - Closeout.doc			

REQUIRED AUTHORIZATION

20HA266

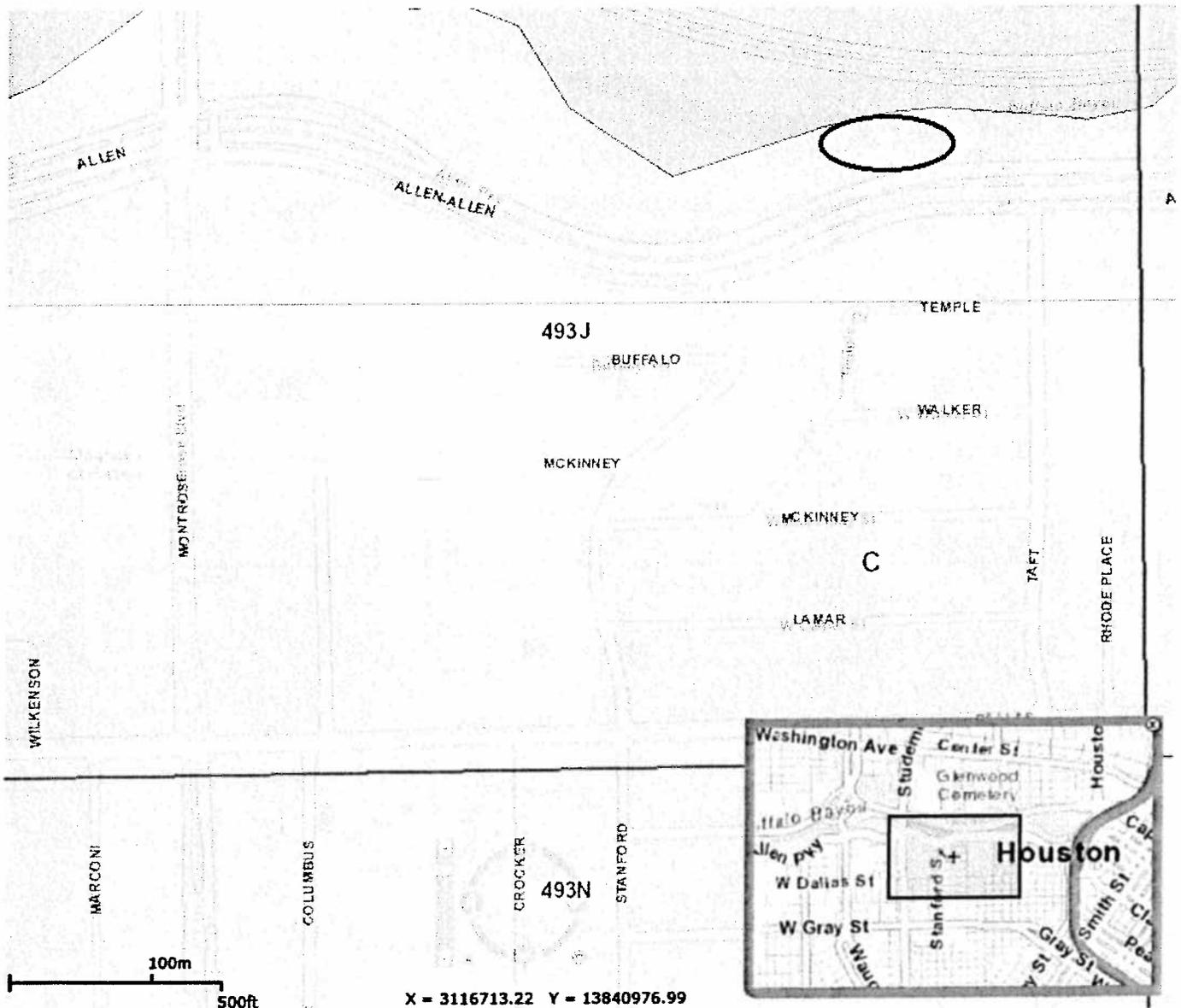
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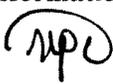
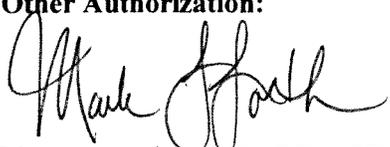
Finance Department:	Other Authorization:	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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SUBJECT: Accept Work for On-Call Bridge Repairs City Wide Work Order Contract; WBS No. N-00445N-0026-4.		Page 1 of 1	Agenda Item # 7
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date	Agenda Date JAN 08 2014
DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director		Council District affected: All (C)	
For additional information contact:  11/27/13 Joseph T. Myers, P.E. Sr. Assistant Director Phone: (832) 395-2355		Date and identification of prior authorizing Council action: Ord. # 2011-0082 dated: 02/02/2011	
RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$485,602.21 or 2.88% under the original Contract Amount, accept work and authorize final payment.			
Amount and Source of Funding: No additional funding required. Total (original) appropriation of \$585,000.00 from Street and Bridge Consolidated Construction Fund No. 4506.			
PROJECT NOTICE/JUSTIFICATION: This was an On-Call bridge related repairs project primarily for miscellaneous type of bridge repair work throughout the City of Houston. The scope of the work included mobilization, traffic control and removal and replacement of minor bridge structures including approach slabs, guard rails, slope paving etc. The Public Works Engineering Department issued work order(s) over a one-year period.			
DESCRIPTION/SCOPE: Work of the contract was for bridge repairs in various locations throughout the City of Houston. The scope of Work was determined by a work order and Public Works and Engineering issued work authorizations with a specific scope of work and location for Contractor's execution as appropriate with 365 calendar days allowed for the Contract. The Contract was awarded to ISI Contracting, Inc. based on an Adjustment Factor of 1.150 rather than a monetary amount. The Adjustment factor was applied on individual unit price items in the Contract documents. 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 has a not-to-be-exceeded amount of \$500,000.00.			
LOCATION: The project area is located in Council District C in the Key Map Grid 493J.			
CONTRACT COMPLETION AND COST: The Contractor, ISI Contracting, Inc., has completed the work under the subject Contract. The project was completed on time with an additional 354 days approved by Change Order No. 2. The final cost of the project, including overrun and underrun of estimated unit price quantities and previously approved Change Order No. 1 is \$485,602.21 a decrease of \$14,397.79 or 2.88% under the original Contract Amount.			
The decreased cost is a result of actual work authorization scope. This decrease is primarily the result of an underrun in various General Items, Pavement & Misc. Items, Bridge Repair Items (TxDOT), Extra Unit Price Items, and Cash Allowance, which were not necessary to complete the work authorization.			
M/WBE PARTICIPATION: The Contract was not goal-oriented per Art. V, Chapter 15.			
DWK:DRM:JTM:AK:AJK:ha H:\E&C Construction\South Sector\PROJECT FOLDER\N-00445N-0026-4 (Oncall Bridge Rep CW)\21.0 Close-Out Documentation\RCA\RCA - Closeout.doc			
REQUIRED AUTHORIZATION			20HA260 MS
Finance Department:	Other Authorization:	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division	

Project Location:

There was one Work Authorization issues for this Contract. The location was on the South Side of Buffalo Bayou along Allen Parkway, just West of Taft Street. The work occurred in Council District C and Key Map 493J.



SUBJECT: Request for the abandonment and sale of a 20-foot-wide utility easement located within Reserve A, Block 1, in exchange for conveyance to the City of a 20-foot-wide storm sewer easement, located within Tract 10, both out of the W.M. White Survey, A-836. Parcels SY14-003 and LY14-010		Page <u>1</u> of <u>2</u>	Agenda Item # 8
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 12/20/13	Agenda Date JAN 08 2014
DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director		Council District affected: G  Key Map: 491V	
For additional information contact:  Nancy P. Collins Phone: (832) 395-3130 Senior Assistant Director-Real Estate		Date and identification of prior authorizing Council Action:	
RECOMMENDATION: (Summary) It is recommended City Council approve a Motion authorizing the abandonment and sale of a 20-foot-wide utility easement located within Reserve A, Block 1, in exchange for conveyance to the City of a 20-foot-wide storm sewer easement, located within Tract 10, both out of the W.M. White Survey, A-836. Parcels SY14-003 and LY14-010			
Amount and Source of Funding: Not Applicable			
SPECIFIC EXPLANATION: Janet Baccus, P.E., Jones & Carter, Inc., 6335 Gulfton, Suite 100, Houston, Texas, 77081, on behalf of GIIC Houston, LLC, and FC42 Houston, LLC, (Kenneth E. Aboussie, Jr., Owner of both businesses), requested the abandonment and sale of a 20-foot-wide utility easement located within Reserve A, Block 1, in exchange for conveyance to the City of a 20-foot-wide storm sewer easement, located within Tract 10, both out of the W.M. White Survey, A-836. GIIC Houston, LLC, and FC42 Houston, LLC, plan to construct a multi-family residential complex, a hotel, and commercial office space in the location of the existing utility easement. This is Part One of a two-step process in which the applicant will first receive a City Council authorized Motion acknowledging the concept of the subject request. Upon the applicant satisfactorily completing all transaction requirements including those enumerated below, the Department of Public Works and Engineering will forward a subsequent recommendation to City Council requesting passage of an Ordinance effecting the sale. The Joint Referral Committee reviewed and approved this request. Therefore, it is recommended: 1. The City abandon and sell a 20-foot-wide utility easement located within Reserve A, Block 1, in exchange for conveyance to the City of a 20-foot-wide storm sewer easement, located within Tract 10, both out of the W.M. White Survey, A-836; 2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property; 3. The applicant be required to: (a) prepare and submit a hydraulic analysis regarding the proposed storm sewer changes to the Office of the City Engineer; (b) cut, plug, and abandon the 30-inch storm sewer line, from manhole #3246683 west to its terminus; (c) construct a 48-inch or 54-inch storm sewer line, from manhole #3246683 of the 30-inch storm sewer line in Mid Lane south ±200 feet to the proposed storm sewer easement and then east to the Harris County Flood Control District storm sewer ditch east of the applicant's property; (d) the size of the proposed storm sewer line will be determined upon full review and written approval by the Office of the City Engineer (OCE) of the completed hydraulic analysis and the plan and profile drawings submitted to OCE; and (e) all of the foregoing items must be completed under proper permits and at no cost to the City;			
s:\dob\sy14-003.rc1.doc		CUIC #20DOB9390 A	
REQUIRED AUTHORIZATION			
Finance Department:	Other Authorization:	Other Authorization:  Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division	

Date:

Subject: Request for the abandonment and sale of a 20-foot-wide utility easement located within Reserve A, Block 1, in exchange for conveyance to the City of a 20-foot-wide storm sewer easement, located within Tract 10, both out of the W.M. White Survey, A-836. **Parcels SY14-003 and LY14-010**

**Originator's
Initials**

DD

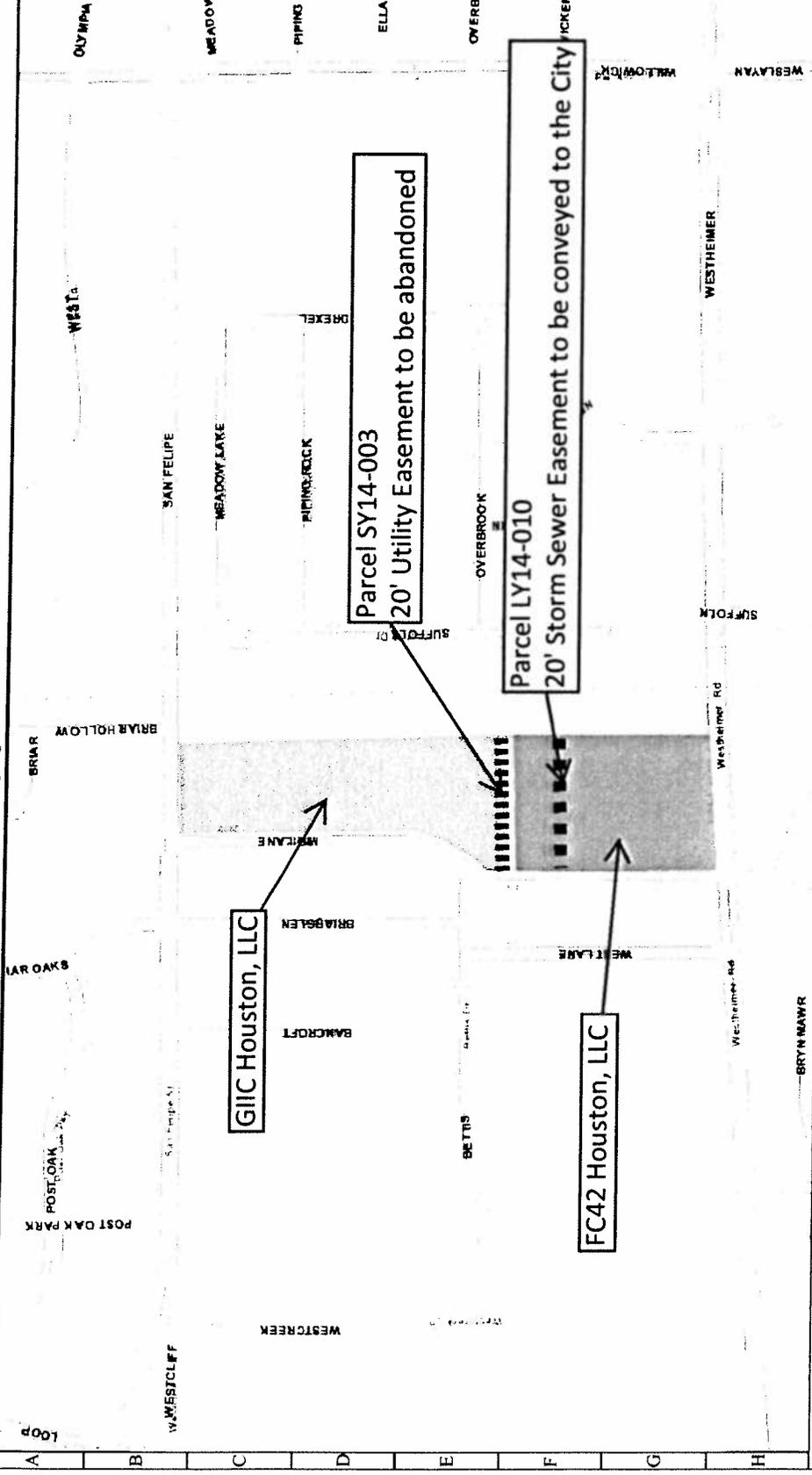
**Page
2 of 2**

4. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the utility easement being abandoned and sold;
5. The applicant be required to contact CenterPoint Energy for approval to grant an easement to the City for the proposed location of the 48-inch or 54-inch storm sewer line;
6. The applicant be required to obtain written approval for the transaction from Harris County Flood Control District for outflow into its storm sewer ditch from the proposed location of the 48-inch or 54-inch storm sewer line;
7. The applicant be required to prepare drawings that show all public utilities (storm sewer) that are to be abandoned, relocated, and/or constructed as part of this project and submit drawings to the Office of the City Engineer for plan review and approval. A copy of the Motion shall be attached to the plan set when it is submitted for plan review;
8. The Legal Department be authorized to prepare the necessary transaction documents; and,
9. Inasmuch as the value of the City's property interest is not expected to exceed \$1,000,000.00, that the value be established by an independent appraiser appointed by the Director of Public Works and Engineering.

DWK:NPC:dob

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

Abandonment and sale of a 20-foot-wide utility easement located within Reserve A, Block 1, in exchange for the conveyance to the City of a 20-foot-wide storm sewer easement, located within Tract 10, both out of the W.M. White Survey, A-836. **Parcels SY14-003 and LY14-010**



1 inch = 129 feet

CITY OF HOUSTON
 Department of Public Works and Engineering
 Geographic Information & Management System (GIMS)
 DISCLAIMER: THIS MAP REPRESENTS THE BEST INFORMATION AVAILABLE TO THE CITY.
 THE CITY DOES NOT WARRANT ITS ACCURACY OR COMPLETENESS.
 FIELD VERIFICATIONS SHOULD BE DONE AS NECESSARY.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9919^o

Subject: Emergency Waterline Break Repair Services for the Public Works & Engineering Department
S12-E24830

Category #
4

Page 1 of 1

Agenda Item

9

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance Department

Origination Date

November 21, 2013

Agenda Date

JAN 08 2014

DIRECTOR'S SIGNATURE

Handwritten initials

Calvin D. Wells

Council District(s) affected

H

For additional information contact:

David Guemsey Phone: (832) 395-3640
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve payment to D.L. Elliott Enterprises, Inc. in the total amount of \$166,000.00 for emergency waterline break repair services for the Public Works & Engineering Department.

Payment Amount: \$166,000.00

Finance Budget

Handwritten signature

\$166,000.00 - Water and Sewer System Operating Fund (Fund 8300)

SPECIFIC EXPLANATION:

The Director of the Public Works & Engineering Department and the City Purchasing Agent recommend that City Council approve payment to D.L. Elliott Enterprises, Inc. in the total amount of \$166,000.00 for emergency waterline break repair services for the Public Works & Engineering Department and that authorization be given to issue an automated (SAP) purchase order.

On June 5, 2013, the Department's Utility Maintenance Branch personnel discovered that the 8" water distribution line was leaking underneath the Union Pacific railroad tracks, located at 2300 Quitman. The ruptured waterline flooded the space between the two tracks, deteriorated the subbase material and reduced the amount of potable water and water pressure available, posing an imminent threat to the health and safety of the citizens in the vicinity of the ruptured waterline and to the citizens serviced by this waterline. The Strategic Purchasing Division issued an emergency purchase order on June 5, 2013 to address this emergency.

The scope of work required the contractor to immediately mobilize and provide all labor, materials, equipment, supervision and transportation necessary to remove and replace 200 linear feet of the 8" potable water distribution line. The contractor's responsibilities included, but were not limited to providing traffic control, environmental and laboratory testing, trenching, excavating, welding and replacing 200 linear feet of the 8" potable water distribution line and line casing, installing two 8" water control valves on each end of the replacement line and restoring the disturbed property to its original condition. The work also included removal of all debris and excess project materials upon completion.

This recommendation is made pursuant to Chapter 252, Section 252.022 (a) (2) "a procurement necessary to preserve or protect the public health and safety of the municipality's residents" of the Texas Local Government Code for exempted procurements.

Buyer: Martin L. King

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

Handwritten initials

9

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9938

Subject: Formal Bids Received for Reclaimed Asphalt Pavement (RAP) Concrete Materials for Various Departments
S05-S24686

Category #
4

Page 1 of 2

Agenda Item

10

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance Department

Origination Date

December 09, 2013

Agenda Date

JAN 08 2014

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

All

For additional information contact:

David Guernsey Phone: (832) 395-3640
Desiree Heath Phone: (832) 393-8742

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Southern Crushed Concrete, LLC on its low bid in an amount not to exceed \$33,515,188.44 for reclaimed asphalt materials for various departments.

Estimated Spending Authority \$33,515,188.44

Finance Budget

[Signature]

\$30,919,599.69 Dedicated Drainage and Street Renewal Fund (2310)
\$ 2,369,950.00 PWE-W&S System Operating Fund (8300)
\$ 204,968.75 General Fund (1000)
\$ 20,670.00 HAS-Revenue Fund (8001)
\$33,515,188.44 TOTAL

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Southern Crushed Concrete, LLC on its low bid in an amount not to exceed \$33,515,188.44 for reclaimed asphalt pavement materials. It is further requested that authorization be given to make purchases, as needed, for a 60 month period. This award consists of RAP materials to be used by the Public Works and Engineering Department, the Houston Airport System, and the Houston Parks and Recreation Department to construct, repair and maintain streets, pavements, airport runways and taxiways, including the City's pedestrian jogging and biking paths.

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

<u>COMPANY</u>	<u>TOTAL AMOUNT</u>
1. Southern Crushed Concrete, LLC	\$33,515,188.44
2. Century Asphalt	\$35,922,250.00
3. American Materials	\$37,088,640.63

Hire Houston First:

The proposed award 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 supplier does not meet the requirements of Hire Houston First; no Hire Houston First firms were within three percent.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

[Signature]

10

Date: 12/9/2013	Subject: Formal Bids Received for Reclaimed Asphalt Pavement (RAP) Concrete Materials for Various Departments S05-S24686	Originator's Initials KK	Page 2 of 2
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M/WBE Subcontracting:

This bid was issued with an 11% goal for M/WBE participation. **Southern Crushed Concrete, LLC** has designated the below-named company as its certified M/WBE subcontractor.

<u>NAME</u>	<u>TYPE OF WORK</u>	<u>DOLLAR AMOUNT</u>
R&A Transport, Inc.	Delivery of Liquid Asphalt	\$3,686,670.73

This award will be monitored by the Office of Business Opportunity.

Buyer: Kristina Kollaja

Estimated Spending Authority

<u>Department</u>	<u>FY2014</u>	<u>Out Years</u>	<u>Total</u>
Public Works and Engineering	\$3,402,008.01	\$29,887,541.68	\$33,289,549.69
Parks and Recreation	\$25,280.00	\$179,688.75	\$204,968.75
Houston Airport System	\$2,756.00	\$17,914.00	\$20,670.00
Totals	\$3,430,044.01	\$30,085,144.43	\$33,515,188.44

SUBJECT: An ordinance amending the volume of the City of Houston construction code known as the City of Houston Residential Energy Conservation Code; containing findings; providing an effective date; providing for severability; and declaring an emergency.	Category #	Page 1 of 1	Agenda Item # 11
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 12/20/13	Agenda Date JAN 08 2014
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DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council District affected: All
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For additional information contact: <i>28 12/3/13</i> Thomas Hosey, CBO, CASp Phone: (832) 394-9088 Building Official	Date and identification of prior authorizing Council action: None
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RECOMMENDATION: (Summary) Approve an ordinance to modify the City of Houston Residential Energy Conservation Code to increase energy efficiency by an additional 5% for a total of 15% above the code for one and two family homes, townhouses and apartments up to three stories.

Amount and Source of Funding: N/A

SPECIFIC EXPLANATION:
PROJECT: I NOTICE/JUSTIFICATION

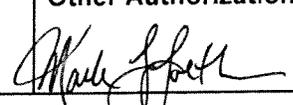
In December 2011, city council passed ordinance 2011-1087 which adopted the Houston Residential Energy Conservation Code. The 2009 International Energy Conservation Code (IECC) with local amendments forms the Houston Residential Energy Conservation Code based on a state law designating the 2009 version of the IECC as the energy code in this state. The code applies to new construction while alterations to existing structures must comply with the new code only to the extent of the work covered by a permit.

The local amendments included a five percent increase in energy efficiency above the minimum code. The 2011-1087 ordinance also required a proposal to be placed on the Council agenda in each of the next two years, prior to the end of 2012 and prior to the end of 2013, for consideration of up to an additional five percent increase in each subsequent year based on the applicable economic, technological and marketplace conditions existing at that time. This above-code requirement in Section 110 is proposed to increase by another 5 percent from the current ten percent to a total fifteen percent above-code energy efficiency.

The proposed amendments have been approved by Texas A&M Energy Systems Lab (ESL) as required by state law. As in previous versions of the Residential Energy Conservation Code, a list of option packages from ESL is included for ease of compliance. With this update another compliance path has been added at the request of the Greater Houston Builders Association for a software performance method based on the 2012 IECC.

The proposed modification was reviewed by stakeholders representing Construction Industry Council (CIC), an organization of industry groups and trade associations. CIC membership comprises over 30 groups such as the Association of Building Contractors, Associated General Contractors, American Institute of Architects, Building Owners and Managers Association, Greater Houston Builders Association, Greater Houston Restaurant Association, Houston Apartment Association, Houston Gulf Coast Building & Construction Trades Association, Houston Real Estate Council, Independent Electrical Contractors, Institute of Real Estate Management, Mechanical Contractors Association, Society of Fire Protection Engineers, and the United States Green Building Council. Each provides delegates and alternates who are eligible to participate in meetings and code reviews. Other participants in attendance were representatives from Environment Texas, an environmental advocacy group, SPEER and Houston Air Alliance. Further, code review subcommittee meetings are open to all interested parties.

REQUIRED AUTHORIZATION CUIC# 20SWB11

Finance Department:	Other Authorization:	Other Authorization: 
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Revised

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Approval of an ordinance allowing the Houston Police Department to apply for and accept funding for the FY14 Impaired Driving Mobilization Grant	Category #	Page 1 of 1	Agenda Item # 12
FROM: (Department or other point of origin): Houston Police Department	Origination Date 12/20/13		Agenda Date JAN 08 2014
DIRECTOR'S SIGNATURE: Charles A. McClelland, Jr., Chief of Police	Council Districts affected: All		
For additional information contact: Joseph A. Fenninger, CFO and Deputy Director 713-308-1770	Date and identification of prior authorizing Council Action:		

copy

RECOMMENDATION: (Summary)
The Houston Police Department recommends City Council approve an ordinance authorizing application for and acceptance of the grant funds for the Texas Department of Transportation FY14 Impaired Driving Mobilization Grant.

Amount of Funding: Grant Revenue	Finance Budget:						
<table border="1"> <tr> <td>TXDOT</td> <td>IN-KIND MATCH</td> <td>TOTAL FUNDING</td> </tr> <tr> <td>\$149,999.56</td> <td>\$170,169.76</td> <td>\$320,169.32</td> </tr> </table>	TXDOT	IN-KIND MATCH	TOTAL FUNDING	\$149,999.56	\$170,169.76	\$320,169.32	
TXDOT	IN-KIND MATCH	TOTAL FUNDING					
\$149,999.56	\$170,169.76	\$320,169.32					

SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund Other (Specify)
Texas Department of Transportation/Amount Requested: \$149,999.56

SPECIFIC EXPLANATION:

Texas Department of Transportation FY14 Impaired Driving Mobilization Grant

The Houston Police Department (HPD) is applying to the Texas Department of Transportation for the Impaired Driving Mobilization Grant. The Texas Department of Transportation will provide \$149,999.56 and HPD will provide an in-kind match of \$170,169.76 for a total of \$320,169.32.

HPD will use the funding of overtime in four waves of enforcement surrounding holiday times known to increase in DWI crashes, deaths, and injuries. The in-kind portion of the budget refers to mileage, indirect costs, and fringe costs for hourly wages paid to employees. All overtime paid to personnel during the grant period will be fully reimbursed by the Texas Department of Transportation.

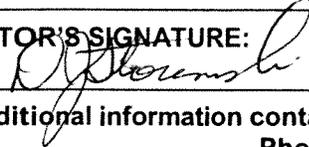
REQUIRED AUTHORIZATION

Finance Budget:	Other Authorization: 12/16/13	Other Authorization:
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SUBJECT: ICF International –Contract for Regional Catastrophic Preparedness Planning for Community Preparedness Research, Assessment, and Plan	Category	Page 1	Agenda Item # 13
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FROM (Department or other point of origin): Dennis J. Storemski, Mayor's Office of Public Safety and Homeland Security	Origination Date: 12/3/13	Agenda Date JAN 08 2014
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DIRECTOR'S SIGNATURE: 	Council District affected: All
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For additional information contact: Jackie Miller Phone: 832-393-0922	Date and Identification of prior authorizing Council action:
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RECOMMENDATION: (Summary) The City of Houston intends to award a contract to support program analysis, survey and focus group research, and development of a community preparedness plan for the 13-county Houston-Galveston Area Council region.

Amount of Funding: \$298,306.23	F & A Budget:
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SOURCE OF FUNDING: [X] **Grant Funds:** \$298,306.23 Texas Division of Emergency Management (pass-through from DHS)

SPECIFIC EXPLANATION:

In 2008, the U.S. Department of Homeland Security awarded grants to ten high risk urban areas to engage in regional catastrophic preparedness planning. While a great deal of emergency planning has already occurred across the region, this process is intended to ensure that plans are in place for truly catastrophic incidents. The City of Houston is the fiscal agent for the grant funds and a Regional Catastrophic Planning Team (RCPT) was convened to lead this initiative that includes public and private sector representatives.

SCOPE OF WORK

In the first phase of the program, our site completed a comprehensive planning baseline and the development of regional Concepts of Operations for response to catastrophic disasters. The second phase of the program, which is ongoing, is the training and exercise phase. The third phase includes a focus on community preparedness planning. Our goal in this phase is to bridge the gaps in community preparedness and develop a comprehensive preparedness picture of the region. We must identify social factors that create barriers to preparedness and determine appropriate ways to reach all communities in our region.

The City of Houston intends to award this contract to support the program analysis, survey and focus group research, and development of a community preparedness plan for the 13-county Houston-Galveston Area Council region. The required deliverables for this phase are:

- 1) Baseline analysis of existing community preparedness research in the Houston-Galveston Region
- 2) Evaluation of individual, household, and community preparedness through appropriate research methods
- 3) Development of a community preparedness plan.

Throughout the entire project, the Regional Catastrophic Planning Team intends to ensure that all appropriate stakeholder groups are engaged and actively involved in the research and planning process. This will include but not be limited to city and county jurisdictions within the 13-county Houston-Galveston Area.

VENDOR SELECTION

Following the publication of a Request for Qualifications, a review team of regional subject matter experts convened to review the proposals received from vendors. The team recommended ICF International to support this effort, and the recommendation was approved by the RCPT's Executive Committee.

REQUIRED AUTHORIZATION

F & A Director:	Other Authorization:	Other Authorization:
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JK

PROJECT COST: The total cost of this project is \$2,216,900.00 to be appropriated as follows:

•	Bid Amount	\$1,925,775.00
•	Contingencies	\$ 96,288.75
•	Engineering and Testing Services	\$ 60,000.00
•	CIP Cost Recovery	\$ 134,836.25

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

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

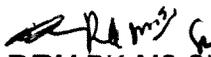
PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

M/WBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 9% MBE goal and 6% WBE goal for this project.

<u>MBE - Name of Firm</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Site and Field Engineering, LLC	Construction Management	\$173,319.75	9.00%

<u>WBE - Name of Firm</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Advantage Manhole & Concrete Services, Inc.	Concrete Construction	\$115,546.50	6.00%

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

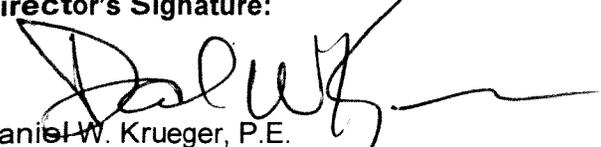

DWK:DRM:RK:MS:SK:as/ddh

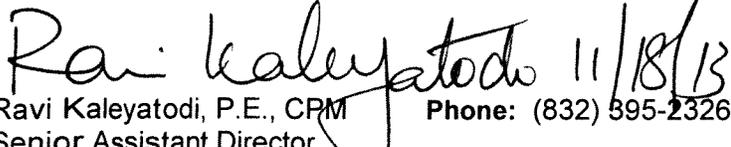
H:\design\VA-NP-DIV\Sidewalks\N-320610-0001-4\1.0 Design Contract\1.2 RCA\Construction RCA N-320610-0001-4.doc

ec: File No. N-320610-0001-4 (1.2 RCA)

SUBJECT: Contract Award for City Wide Overlay Package #20 WBS No. N-321037-0069-4	Page 1 of 2	Agenda Item # 15
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FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date: 12/20/13	Agenda Date: JAN 08 2014
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Director's Signature:  Daniel W. Krueger, P.E.	Council District affected: All RA
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For additional information contact:  Ravi Kaleyatodi, P.E., CPM Senior Assistant Director Phone: (832) 395-2326	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
 Accept low bid, award construction Contract and appropriate funds.

Amount and Source of Funding: \$6,293,232.00 from Fund 4040 – METRO Projects Construction, DDSRF
 W.P. 12/5/2013

PROJECT NOTICE/JUSTIFICATION: This project is part of the City Wide Overlay Program and is required to improve and maintain a safe road surface and accessibility.

DESCRIPTION/SCOPE: This project consists of the resurfacing of arterial and major thoroughfare streets with asphalt overlay along with the repair and improvements to curbs and accessible ramps. The project involves the design and construction of hot mix asphaltic concrete, base repair, and pavement markings as needed. The Contract duration for this project is 365 calendar days. This project was designed by an In-House team.

LOCATION: Major thoroughfares and arterials throughout the City of Houston.

BIDS: This project was advertised for bidding on September 20, 2013. Bids were received on October 10, 2013. The three (3) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. Durwood Greene Construction Co.	\$5,444,850.00
2. Angel Brothers Enterprises, Ltd.	\$5,527,195.00
3. Hubco, Inc.	\$7,574,510.00

AWARD: It is recommended that this construction contract be awarded to Durwood Greene Construction Co. with a low bid of \$5,444,850.00 and that Addendum Number 1 be made a part of this Contract.

LTS No. 7124 CUIC ID #20RA29

Finance Department:	Other Authorization:	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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PROJECT COST: The total cost of this project is \$6,293,232.00 to be appropriated as follows:

•	Bid Amount	\$5,444,850.00
•	Contingencies	\$ 272,242.50
•	Engineering and Testing Services	\$ 195,000.00
•	CIP Cost Recovery	\$ 381,139.50

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

Construction Management Services will be provided by In-house staff of the construction branch.

HIRE HOUSTON FIRST:

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

PAY OR PLAY PROGRAM:

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

M/WSBE PARTICIPATION:

The low bidder has submitted the following proposed program to satisfy the 12% MBE goal, and 7% WBE goal for this project.

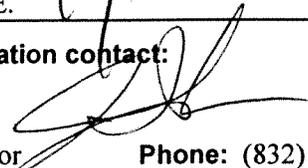
<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. R & A Transport, Inc.	Supplier of Liquid Asphalt	\$326,691.00	6.00%
2. Atlantic Petroleum & Mineral Resources, Inc.	Reseller of Diesel Fuel	\$219,971.94	4.04%
3. Reliable Signal & Lighting Solutions, LLC	Traffic Signal Installation (Loop Detectors)	\$ 50,092.62	0.92%
4. Curb Planet, Inc.	Concrete Curbs & Concrete Curb and Gutters	\$ 58,259.89	1.07%
TOTAL		\$655,015.45	12.03%

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Procon Enterprises, Inc.	Reinforcing Steel	\$ 81,128.27	1.49%
2. Fleetcard Inc	Fuel	\$ 80,039.30	1.47%
3. Holes Incorporated	Concrete Cutting	\$ 9,800.73	0.18%
TOTAL		\$170,968.30	3.14%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. PB&J Pavement Marking, Inc.	Pavement Markings and Sign Installation	\$108,897.00	2.00%
2. Contractors Paving Supply, LLP	Construction Material Supplier	\$ 69,149.60	1.27%
3. Work Zone Products, Inc.	Traffic Control Devices	\$ 9,800.73	0.18%
4. Central Construction Services, Inc.	Concrete Sawing & Joint Sealing	\$ 31,035.65	0.57%
TOTAL		\$218,882.98	4.02%

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

DRM
DWK:DRM:RK:MS:RA

SUBJECT: Contract Award for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods WBS# R-000266-0209-4		Page 1 of 2	Agenda Item # 16
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 12/20/13	Agenda Date JAN 08 2014
DIRECTOR'S SIGNATURE  Daniel W. Krueger, P.E.		Council District affected: All	
For additional information contact: Jason Iken, P.E. Senior Assistant Director  Phone: (832) 395-4989		Date and identification of prior authorizing Council action: N/A	
RECOMMENDATION: (Summary) Accept low bid, award construction contract, and appropriate funds.			
Amount and Source of Funding: \$6,605,583.00 from Water and Sewer System Consolidated Construction Fund No. 8500. This project is eligible for low interest funding through a State Revolving Fund (SRF) Equivalency loan.		<i>W.P. 11/19/2013</i>	
SPECIFIC EXPLANATION: This project is part of the Neighborhood Sewer Rehabilitation Program and is required to renew/replace various deteriorated neighborhood collection systems throughout the City.			
DESCRIPTION/SCOPE: This project consists of sanitary sewer rehabilitation by sliplining and pipe bursting methods. The contract duration for this project is 730 calendar days.			
LOCATION: The project area is generally bounded by the City Limits.			
BIDS: Two (2) bids were received on August 15, 2013 for this project as follows:			
<u>Bidder</u>		<u>Bid Amount</u>	
1. PM Construction & Rehab, LLC		\$6,205,316.93	
2. Portland Utilities Construction Company, LLC		\$6,856,826.25	
LTS No. 7166		REQUIRED AUTHORIZATION	
File/Project No. WW 4257-139		CUIC# 20JAI485	
Finance Department	Other Authorization:	Other Authorization:  Jun Chang P.E., D.WRE, Deputy Director Public Utilities Division	

Date	Subject: Contract Award for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods WBS# R-000266-0209-4	Originator's Initials	Page 2 of 2
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AWARD: It is recommended that this construction contract be awarded to PM Construction & Rehab, LLC, with a low bid of \$6,205,316.93.

PROJECT COST: The total cost of this project is \$6,605,583.00 to be appropriated as follows:

- Bid Amount \$6,205,316.93
- Contingencies \$310,266.07
- Engineering Testing Services \$90,000.00

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

HIRE HOUSTON FIRST: Hire Houston First does not apply to this expenditure, because it involves the use of federal funds and is subject to specific procurement rules of the federal government.

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

M/WSBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 12.94 % MBE goal, and 8.72 % WBE goal for this project.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Chief Solutions, Inc.	Clean & Televisive Sewer Lines	\$186,159.51	3.00%
Standard Cement Materials, Inc.	Manhole Rehabilitation	\$140,860.69	2.27%
5M Rope & Supply, LLC	Supplies	\$401,484.01	6.47%
J. A. Gamez Trucking Services	Dump Truck Services	\$74,463.80	1.20%
	TOTAL	\$802,968.01	12.94%

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
CBL Industries, LLC	Concrete/Asphalt Pavement	\$270,551.82	4.36%
Deanie Hayes, Inc.	Supplies	\$270,551.82	4.36%
	TOTAL	\$541,103.64	8.72%

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


 DWK:JC:JI:DR:MB:LT:al

File No. WW 4257-139

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT:

Ordinances granting Commercial Solid Waste Operator Franchises

Category #

Page 1 of 1

Agenda Item#

17-37-A-C

FROM: (Department or other point of origin):

Tina Paez, Director
Administration & Regulatory Affairs

Origination Date

12/5/2013

Agenda Date

~~DEC 18 2013~~

DIRECTOR'S SIGNATURE:



Council Districts affected:

JAN 08 2014

ALL

For additional information contact:

Juan Olguin *JFO* Phone: (832) 393- 8528
Naelah Yahya Phone: (832) 393- 8530

Date and identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve ordinances granting Commercial Solid Waste Operator Franchises

Amount of Funding:

REVENUE

FIN Budget:

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

SPECIFIC EXPLANATION:

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

1. Holcomb Environmental Oil Services LLC
2. Tommy Miles Garbage Service
3. The Dumpster Guys, LLC

The proposed ordinances grant the Franchisees the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each Franchisee agrees to pay to the City an annual Franchise Fee equal to 4% of their annual gross revenue, payable quarterly. To verify Franchisee compliance with the franchise, the City has the right to inspect, and the company has the duty to maintain, required customer records during regular business hours. The franchise contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed franchise term is 10 years from the effective date.

The Pay or Play Program does not apply to the solid waste franchises.

REQUIRED AUTHORIZATION

Finance Director:

36AC

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT:

Ordinances granting Commercial Solid Waste Operator Franchises

Category #

Page 1 of 1

Agenda Item#

18-38A-N

FROM: (Department or other point of origin):

Tina Paez, Director
Administration & Regulatory Affairs

Origination Date
12/12/2013

Agenda Date

~~DEC 18 2013~~

DIRECTOR'S SIGNATURE:

Tina Paez

Council Districts affected:

JAN 08 2014

ALL

For additional information contact:

Juan Olguin *JFO* Phone: (832) 393- 8528
Naelah Yahya Phone: (832) 393- 8530

Date and identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve ordinances granting Commercial Solid Waste Operator Franchises

Amount of Funding:
REVENUE

FIN Budget:

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

SPECIFIC EXPLANATION:

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

1. Texas Environmental Control, Inc.
2. Specialized Maintenance Services, Inc.
3. K & S Construction Services, LLC
4. Stericycle Specialty Waste Solutions, Inc.
5. Legacee International Environmental Services, Inc.
6. Daniel Rodriguez DBA A-Hawk Grease Trap
7. Amir Benjamin DBA Jayco Vacuum Services
8. J.A. Gamez Trucking Services
9. Cleaner Earth Group, LLC
10. Combs Industrial Services, Inc. DBA Onsite Environmental
11. Magnolia Environmental Services
12. Alfred Savoy Jr. DBA Dirt Works Unlimited
13. SET Environmental, Inc.
14. Aaron Oil Company, Inc.

The proposed ordinances grant the Franchisees the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each Franchisee agrees to pay to the City an annual Franchise Fee equal to 4% of their annual gross revenue, payable quarterly. To verify Franchisee compliance with the franchise, the City has the right to inspect, and the company has the duty to maintain, required customer records during regular business hours. The franchise contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed franchise term is 10 years from the effective date.

The Pay or Play Program does not apply to the solid waste franchises.

REQUIRED AUTHORIZATION

Finance Director:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary		RCA #	
SUBJECT: Ordinances granting Commercial Solid Waste Operator Franchises		Category # <i>19-3958</i>	Page 1 of 1 <i>A-f</i>
FROM: (Department or other point of origin): Tina Paez, Director Administration & Regulatory Affairs		Origination Date 11/25/2013	Agenda Date DEC 11 2013 <i>JAN 08 2014</i>
DIRECTOR'S SIGNATURE: <i>[Signature]</i>		Council Districts affected: ALL	
For additional information contact: Juan Olguin <i>JFO</i> Phone: (832) 393- 8528 Naelah Yahya Phone: (832) 393- 8530		Date and identification of prior authorizing Council Action:	

RECOMMENDATION: (Summary)

Approve ordinances granting Commercial Solid Waste Operator Franchises

Amount of Funding: REVENUE	FIN Budget:
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SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund Other (Specify)

SPECIFIC EXPLANATION:

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

1. Daniels Sharpsmart, Inc.
2. R.M. Woods Inc. DBA Drane Ranger *VACUUM SERVICE*
3. Waste Partners of Texas, Inc.
4. TAP Inc. DBA TAP Environmental
5. Intergulf Corporation
6. Wastewater Transport Service, LLC

The proposed ordinances grant the Franchisees the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each Franchisee agrees to pay to the City an annual Franchise Fee equal to 4% of their annual gross revenue, payable quarterly. To verify Franchisee compliance with the franchise, the City has the right to inspect, and the company has the duty to maintain, required customer records during regular business hours. The franchise contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed franchise term is 10 years from the effective date.

The Pay or Play Program does not apply to the solid waste franchises.

REQUIRED AUTHORIZATION

Finance Director:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9867

Subject: Approve an Ordinance Awarding a Sole Source Contract for Central-Office-Based Business Communications System Services for Houston Information Technology Services / S10-E24162

Category #
4

Page 1 of 2

Agenda Item

20 #16

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance Department

Origination Date

December 10, 2013

Agenda Date

~~DEC 18 2013~~

JAN 08 2014

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

All

For additional information contact:

Charles T. Thompson
Joyce Hays

Phone: (832) 393-0082

Phone: (832) 393-8723

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a sole source contract to AT&T Corp., in an amount not to exceed \$2,000,000.00 for central office-based business communications system services for Houston Information Technology Services.

Maximum Contract Amount: \$2,000,000.00

Finance Budget

\$2,000,000.00 - Central Service Revolving Fund (1002)

SPECIFIC EXPLANATION:

The Chief Information Officer and the City Purchasing Agent recommend that City Council approve an ordinance awarding a two-year sole source contract, with three one-year options to AT&T Corp., in an amount not to exceed \$2,000,000.00 for central office-based business communications system services (Plexar) for Houston Information Technology Services (HITS). The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

The scope of work requires the contractor to provide all labor, material, and supervision to provide Plexar-custom services by an arrangement of simulated exchange access lines, station lines, switching equipment, customer facility groups, and other facilities located on company premises, based on the concept of simulated exchange access lines which allow the contractor to provide a grade of service based on the customer's individual usage needs. Additionally, the contractor shall provide real-time, web access reporting dashboard and City-approved formatted ad hoc scheduled reports.

The Plexar-custom service is a central-office-based business communications system that serves customers with a minimum of 75 stations within a single serving office, and is provided by AT&T Corp., utilizing existing AT&T Corp. facilities and equipment.

AT&T Corp. is the sole source incumbent contractor who provides the City with the current sole source private network and general exchange tariffed services, and maintains exclusivity based on a combination of having: (a) standing as a Local Exchange Carrier in Houston, Texas; (b) product ownership and naming rights; and (c) legacy permission by the Texas Public Utility Commission.

This recommendation is made pursuant to Chapter 252, Section 252.022 (a) (7) "a procurement of items that are available from only one source" of the Texas Local Government Code for exempt procurements.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

MCX

Date: 12/10/2013	Subject: Approve an Ordinance Awarding a Sole Source Contract for Central-Office-Based Business Communications System Services for Houston Information Technology Services / S10-E24162	Originator's Initials GB	Page 2 of 2
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Pay or Play Program:

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

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 sole source contractor for this purchase.

Buyer: Greg Hubbard

Estimated Spending Authority

DEPARTMENT	FY 2014	OUT YEARS	TOTAL
Houston Information Technology Services	\$800,000.00	\$1,200,000.00	\$2,000,000.00



AT&T Government & Education Solutions
6500 W. Loop So., Zone 5.3
Bellaire, TX 77401

T: 713.567.1234
F: 832.553.8047
www.att.com

May 31, 2013

City of Houston
Somayya Scott
611 Walker St.
8th Floor
Houston, TX 77251

Ms Scott,

This is to inform you that AT&T provides the following sole source tariffed services to the City of Houston ('Services') pursuant to the rates, terms and conditions of the AT&T Texas tariffs identified below:

- **Analog Private Line Service:** *Private Network Services Tariff, § 2*
- **311 Service:** *General Exchange Tariff § 47*
- **Telebranch Service:** *General Exchange Tariff § 21*
- **Plexar Service:** *General Exchange Tariff § 45*

AT&T maintains exclusivity based on one, all or a combination of having: (a) standing as LEC (Local Exchange Carrier) in Houston, TX, (b) product ownership and naming rights, (c) legacy permission by Texas PUC (Public Utility Commission). AT&T is a sole source provider of the aforementioned products and services.

Respectfully,

Michael A. Collins
Strategic Account Lead
AT&T Government & Education Solutions

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9648

Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Professional Auditing Services for the Finance Department/S37-T24529

Category #
9

Page 1 of 2

Agenda Item

21 #8

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance Department

Origination Date

October 29, 2013

Agenda Date

JAN 08 2014
~~DEC 18 2013~~

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Kelly Dowe Phone: (832) 393-9051
Joyce Hays Phone: (832) 393-8723

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to McConnell & Jones LLP (M&J) & Banks, Finley, White & Co. (BFW), a Joint Venture Partnership under the assumed name of M&J/BFW Team, in a total amount not to exceed \$7,000,000.00 for professional auditing services for the Finance Department.

Maximum Contract Amount: \$7,000,000.00

Finance Budget

\$7,000,000.00 - General Fund (1000)

SPECIFIC EXPLANATION:

The Director of the Finance Department and the City Purchasing Agent recommend that City Council approve an ordinance awarding a three-year contract, with two one-year options, to McConnell & Jones LLP (M&J) & Banks, Finley, White & Co. (BFW), a Joint Venture Partnership under the assumed name of M&J/BFW Team, in an amount not to exceed \$7,000,000.00 for professional auditing services for the Finance Department. The Department Director may terminate this contract at any time upon 30-days written notice to the contractor.

This contract provides auditing services that include the Comprehensive Annual Financial Report (CAFR), Single Audit Report including the Schedule of Expenditures of Federal Awards, State of Texas Single Audit/Uniform Grant Management Standards and Special Services. This contractor will assist the Finance Department in providing professional services in the fiscal years ending June 30, 2014 through June 30, 2018 for audit of the basic financial statements as listed in the COH Comprehensive Annual Financial Report (CAFR), and audits of federal and state awards and special services as needed.

The scope of work requires the contractor to provide all labor, materials, and supervision necessary to perform audits covering the financial statements of all funds and account groups of the City, which include a variety of governmental, proprietary and fiduciary funds. The contractor also conducts reviews of the City's investments and systems for procurement, inventory, cash receipts processing, payroll and petty cash.

This Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws. Seventy-two prospective proposers downloaded the solicitation document from SPD's e-bidding website and, as a result, proposals were received from: Belt Harris Pechacek, LLLP, Deloitte & Touche, LLP, Grant Thornton, LLP and McConnell & Jones LLP (M&J) & Banks, Finley, White & Co. (BFW), a Joint Venture Partnership under the assumed name of M&J/BFW Team. The evaluation committee consisted of stakeholders representing the interests of four intra-dependent Departments: Aviation, Controller's Office, Finance and the Public Works & Engineering. The Proposals were evaluated based upon the following criteria:

- Expertise/Experience/Qualifications:
- Proposed Strategy and Operational Plan:

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

NT

Date: 10/29/2013	Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Professional Auditing Services for the Finance Department/S37-T24529	Originator's Initials JH	Page 2 of 2
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- Conformance to RFP Requirements:
- Local Government Auditing Experience:

McConnell & Jones LLP (M&J) & Banks, Finley, White & Co. (BFW), a Joint Venture Partnership under the assumed name of M&J/BFW Team was determined to be the best respondent.

M/WBE Subcontracting

This RFP was issued as a goal-oriented contract with a 24% M/WBE participation level. However, McConnell & Jones LLP (M&J) & Banks, Finley, White & Co. (BFW) has exceeded that goal and committed to a 54% goal. McConnell & Jones LLP (M&J) & Banks, Finley, White & Co. (BFW) has designated the below-named companies as its certified M/WBE subcontractors.

<u>Subcontractor</u>	<u>Type of Work</u>	<u>Percent</u>	<u>Amount</u>
HRSS, LLP	Audit	5%	\$350,000.00
McConnell & Jones, LLP	Audit	49%	\$3,430,000.00

The Office of Business Opportunity will monitor this contract.

Pay or Play Program

The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees 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 does not meet the requirements as a Hire Houston First company because they are not classified as a City and/or Local Business; and no Hire Houston First firms were within five percent of the total RFP score.

ESTIMATED SPENDING AUTHORITY

Department	FY 2014	Out Years	Total
Finance	\$600,000.00	\$6,400,000.00	\$7,000,000.00

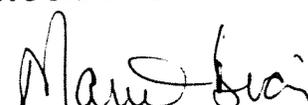
Buyer: Joyce Hays

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Airport Advertising Concession Agreement - The Joint Venture for the Advertising Concession at Houston Airports, LLC - George Bush Intercontinental Airport/Houston (IAH) and William P. Hobby Airport (HOU).	Category #	Page 1 of 2	Agenda Item #
		22	5746

FROM (Department or other point of origin): Houston Airport System (HAS)	Origination Date November 18, 2013	Agenda Date DEC 11 2013

DIRECTOR'S SIGNATURE: 	Council District affected: B, I	DEC 10 2013 JAN 08 2014

For additional information contact: Kathy Elek <i>Kee</i> Phone: 281-233-1826 Ian Wadsworth <i>INW</i> Phone: 281-233-1682	Date and identification of prior authorizing Council action: N/A
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AMOUNT & SOURCE OF FUNDING: REVENUE: Estimated \$10,000,000 per year <i>Mul</i>	Prior appropriations: N/A
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RECOMMENDATION: (Summary)
Enact an Ordinance approving and authorizing the execution of an Airport Advertising Concession Agreement with The Joint Venture for the Advertising Concession at Houston Airports, LLC at George Bush Intercontinental Airport/Houston (IAH) and William P. Hobby Airport (HOU).

SPECIFIC EXPLANATION:

In September 2012, HAS issued a Request for Proposals (RFP) to provide a fully-integrated, high quality, professionally designed and managed advertising concession program at George Bush Intercontinental Airport/Houston (IAH) and William P. Hobby Airport (HOU). The RFP incorporated three proposal options: Package A – IAH only; Package B – HOU only; Package C – IAH and HOU. Proposals were submitted by Clear Channel Airports and The Joint Venture for Airport Advertising at Houston Airports, LLC (a joint venture formed between JCDecaux Airport, Inc. and Cavazos Communications and Resources).

A selection committee evaluated the proposals based on the following criteria: Compensation to HAS (40 points); Advertising Plan, Design, and Capital Investment (25 Points); Experience (15 Points); Management & Operations (20 Points). An additional 5 points were available to any Proposer who formed a joint venture with a qualified ACDBE firm to achieve the ACDBE goal.

Based on the information provided in the proposals and the evaluation criteria defined in the RFP, the evaluation committee recommended The Joint Venture for the Advertising Concession at Houston Airports, LLC for Package A and Clear Channel Airports for Package B. On April 11, 2013, Clear Channel Airports declined its award citing interest in only Package C. Accordingly, HAS reevaluated its recommendation based on Package C proposals and the Joint Venture for the Advertising Concession at Houston Airports, LLC was awarded the agreement for both airports.

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:
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Date November 18, 2013	SUBJECT: Airport Advertising Concession Agreement - The Joint Venture for the Advertising Concession at Houston Airports, LLC - George Bush Intercontinental Airport/Houston (IAH) and William P. Hobby Airport (HOU).	Originator's Initials	Page 2 of 2
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The pertinent terms and conditions of this agreement are as follows:

1. **Contracting Party**
The Joint Venture for the Advertising Concession at Houston Airports, LLC is a joint venture formed between JCDecaux Airport, Inc. and Cavazos Communications and Resources. Cavazos is a local Houston firm and a certified ACDBE company with the City of Houston.
2. **Scope of Service**
Concessionaire will develop, install, operate, maintain, and manage a non-exclusive Airport Advertising Concession program at IAH and HOU. The program will include new digital displays, static displays, banners and wraps, power station poles, shopping and dining directories, interactive information multi-language kiosks, security check point bins and other media as approved by HAS.
3. **Capital Investment**
Concessionaire will expend a minimum of \$3.8 million initially to install new advertising displays, touchscreen directories, and other equipment. In addition, Concessionaire will expend a minimum of \$700,000 in the fourth contract year and a further \$1.0 million, if the option period is exercised, to update advertising displays.
4. **Financial Terms**
Concessionaire will pay a concession fee equal to the greater of 70% of gross revenues or a Minimum Annual Guarantee (MAG). In the first 12 months following a 180-day installation period, the MAG is \$4.0 million. Thereafter, for each successive 12-month period, the MAG is 85% of the actual compensation due to the City during the preceding 12 months.
5. **Term**
The term will be seven (7) years, plus a three-year option period.
6. **ACDBE Goal**
The Mayor's Office of Business Opportunities has established ACDBE participation goals of 5.3% of gross receipts at IAH and 13.0% at HOU. Cavazos, the joint venture partner and a certified ACDBE company, will be responsible for posting ads, maintaining and repairing advertising fixtures, as well as selling advertisement space.
7. **Performance Security**
Concessionaire will provide a performance security in an amount equal to 50% of the first year's projected compensation to the City.

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JAN 08 2014

MOTION NO. 2013 0823

MOTION by Council Member Bradford that the following items be postpone to the next City Council Regular Council Meeting:

- A. Written Motion by Council Members Costello and Green to amend Section 3-1 of the proposed following ordinance as follows:

Grocery store means establishments of at least 10,000 square feet of retail space, excluding space used to sell items subject to the motor fuels tax, and generally known as supermarkets and grocery stores engaged in retailing a general line of food, such as canned and frozen foods; fresh fruits and vegetables; and fresh and prepared meats, fish and poultry. Included in this industry are delicatessen-type establishments primarily engaged in retailing a general line of food. Excluded from this industry are establishments with gross receipts from the sale of alcoholic beverages that exceed 25% and establishments that provide for on-premises consumption. A "grocery store" may only sell beer and wine, but not distilled spirits, and in calculating the percentage of alcohol sales to total sales, the sale of items subject to the motor fuels tax must be excluded from the calculation of total sales.

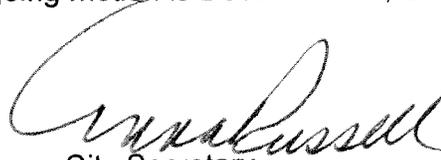
- B. Ordinance amending Chapter 3 of the Code of Ordinance relating to Alcohol Free Zones

Seconded by Council Member Pennington and carried.

Mayor Parker, Council Members Brown, Davis, Cohen, Adams, Martin, Hoang, Pennington, Rodriguez, Gonzalez, Laster, Green, Costello, Burks, Noriega, Bradford and Christie voting aye
Nays none

PASSED AND ADOPTED this 18th day of December 2013.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is December 24, 2013.


City Secretary

December 18, 2013

Dear Colleagues,

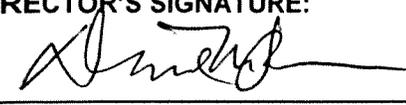
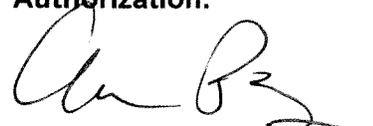
RE: Agenda Item #46

We moved to amend the proposed ordinance, so that the definition of Grocery Store in Section 3-1 reads as follows:

Grocery store means establishments of at least 10,000 square feet of retail space, excluding space used to sell items subject to the motor fuels tax, and generally known as supermarkets and grocery stores engaged in retailing a general line of food, such as canned and frozen foods; fresh fruits and vegetables; and fresh and prepared meats, fish and poultry. Included in this industry are delicatessen-type establishments primarily engaged in retailing a general line of food. Excluded from this industry are establishments with gross receipts from the sale of alcoholic beverages that exceed 25% and establishments that provide for on-premises consumption. A "grocery store" may only sell beer and wine, but not distilled spirits, and in calculating the percentage of alcohol sales to total sales, the sale of items subject to the motor fuels tax must be excluded from the calculation of total sales.

Stephen Costello and Larry V. Green

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance amending Chapter 3 of the Code of Ordinances, relating to the applicability of alcohol-free zones to grocery stores.		Page 1 of 1	Agenda Item #
		1231A	4624
FROM (Department or other point of origin): City Attorney		Origination Date December 4, 2013	Agenda Date DEC 11 2013 DEC 18 2013 JAN 08 2014
DIRECTOR'S SIGNATURE: 		Council District affected: All	
For additional information contact: David M. Feldman Phone: 832.393.6412		Date and identification of prior authorizing Council action: N/A	
RECOMMENDATION: (Summary) That Council enact the proposed ordinance to exempt grocery stores from the applicability of the 300 -foot alcohol-free zone.			
Amount and Source of Funding: N/A			
SPECIFIC EXPLANATION: <p>The City of Houston is experiencing a problem common to many large cities around the country. The problem is that of "food deserts" - areas where nutritional food is not readily accessible. There is an overwhelming need for grocery stores in these areas. Residents of food deserts have no alternative but to utilize private cars, travel several miles on foot, use public transit to gain access to healthful food or simply do without nutritional food. The physical distance from fresh foods determines eating behaviors and preferences for palatable, processed foods. To create a healthy relationship with food, researchers recommend creating a direct connection between fresh produce and the consumer.</p> <p>Chapter 3 of the Code of Ordinances currently allows only restaurants that sell and serve alcoholic beverages for on-premise consumption to locate within 300 feet of a church, public school, or public hospital. The proposed ordinance would allow grocery stores located within 300 feet of a church, public or private school, or public hospital to sell alcoholic beverages. Based upon information gathered through the work of the Grocery Store Task Force, it is believed this action would incentivize more grocery stores to open in areas where they are needed but unwilling to do so because of current economic challenges.</p>			
REQUIRED AUTHORIZATION			
Other Authorization: 		Other Authorization: Tina Paez, Director Administration & Regulatory Affairs	

case

City of Houston, Texas, Ordinance No. 2013-_____

AN ORDINANCE AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO ALCOHOL FREE ZONES; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, areas where nutritional food is not readily accessible are called "food deserts" and;

WHEREAS, like other large cities in this country, the City of Houston has a number of food deserts; and

WHEREAS, the city council seeks to incentivize retailers to provide healthy options to residents of these food deserts; and

WHEREAS, relaxing the restrictions regarding sale of alcoholic beverages within 300 feet of a school, church, or public hospital will provide such incentives; **NOW, THEREFORE**,

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

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

Section 2. That Section 3-1 of the Code of Ordinances, Houston, Texas, is hereby amended by (1) deleting the number designations before each definition therein and (2) adding a new definition, in the appropriate alphabetical order position, that reads as follows:

"Grocery store means an establishment of at least 10,000 square feet and generally known as supermarkets and grocery stores engaged in retailing a general line of food, such as canned and frozen foods; fresh fruits and vegetables; and fresh and prepared meats, fish, and poultry. Included in this industry are delicatessen-type establishments primarily engaged in retailing a general line of food."

Section 3. That Subsection (a) of Section 3-2 of the Code of Ordinances, Houston, Texas, is hereby amended by inserting the following after the existing text:

"The provisions of this subsection shall not apply to the operation of a grocery store."

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

Section 5. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this ___ day of _____, 201__.

APPROVED this ___ day of _____, 201__.

Mayor of the City of Houston

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

City Secretary

Prepared by Legal Dept. _____
CMH:asw 12/5/2013 First Assistant City Attorney
Requested by Tina Paez, Director, Department of Administration and Regulatory Affairs
L.D. File No. 0371300 382001