AGENDA - COUNCIL MEETING - TUESDAY - JUNE 24, 2014 - 1:30 P. M. COUNCIL CHAMBER - SECOND FLOOR - CITY HALL 901 BAGBY - HOUSTON, TEXAS

INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Stardig

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 - JUNE 25, 2014 - 9:00 A. M.

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

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 53

MISCELLANEOUS - NUMBER 1

1. RECOMMENDATION from Director Finance Department to approve the Fiscal Year 2015-2019 Capital Improvement Plan (CIP) and establish a charge of \$75.00 plus postage for the adopted CIP documents and a charge of \$5.00 plus postage for a CD version

ACCEPT WORK - NUMBERS 2 and 3

- RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,581,397.32 and acceptance of work on contract with MCKINNEY CONSTRUCTION, INC, for Waterline Replacement in Beamer Area - 3.11% under the original contract amount - <u>DISTRICT D - BOYKINS</u>
- RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,176,728.76 and acceptance of work on contract with PEPPER-LAWSON CONSTRUCTION, L.P. for Rehabilitation of Chlorine Scrubbers at East Water Purification Plant and Southwest Repump Station - 3.27% under the original contract amount - <u>DISTRICTS E - MARTIN and G - PENNINGTON</u>

PROPERTY - NUMBERS 4 through 6

- 4. RECOMMENDATION from Director Department of Public Works & Engineering, on request from Tracy Youngblood, Brown and Gay Engineers, Inc, on behalf of Pinto Urban Building L.L.C. (Ernie Cockrell, President), for (1) abandonment and sale of a 25-foot-wide portion of Abbott Street, from William Street (Willia Street) to Douglass Street adjacent to Reserve A, (2) abandonment of a 25-foot-wide portion of Abbott Street, from William Street to Douglass Street adjacent to Lot 14, Block 13, and (3) sale of a 25-foot-wide portion of City fee-owned property in exchange for various improvements to Spotts Park which equal or exceed the value of the 25-foot-wide City fee-owned land, all located within the Riverside Park Addition, out of the John Austin Survey, Parcels SY14-080, SY14-105, and SY14-106 DISTRICT H GONZALEZ
- 5. RECOMMENDATION from Director Department of Public Works & Engineering, on request from Mike Hayes, Alpine Engineering & Construction, LLC, on behalf of Richmond Cummins, LP, (John Andell, Manager) and Dana's Wish Richmond, Ltd., [Dana's Wish GP, LLC (Ernest D. Rapp, Manager), General Partner], for abandonment and sale of a 5-foot-wide utility easement, between Cummins Street and Timmons Lane, located within Block 2, Riviera Additions, out of the A. C. Reynolds League Survey, A-61, Parcels SY14-088 and SY14-118 DISTRICT C COHEN
- 6. RECOMMENDATION from Director Department of Public Works & Engineering, on request from Henry Vadie, SFT Investments, on behalf of 220 Hyde Park, L.L.C, (Fred Sharifi, Owner) and Long T. Nguyen (206 Hyde Park Boulevard, Owner), for abandonment and sale of a 15-foot-wide alley, between Fairview Street and Hyde Park Boulevard, along Lots 1, 2, 5A, 6A, 7A, 8A and Tract 206, Block 15, located in the Fairgrounds Extension Subdivision, out of the Obedience Smith Survey, Parcels SY14-097 and SY14-117 **DISTRICT C COHEN**

PURCHASING AND TABULATION OF BIDS - NUMBERS 7 through 18

- 7. **BASELINE PAVING AND CONSTRUCTION, INC** for Installation of Automatic Entry Door Openers for the General Services Department on behalf of the Department of Health & Human Services Department \$250,212.00 and contingencies for a total amount not to exceed \$274,982.99 Grant Fund
- 8. **CMP SUSAQUEHANNA HOLDINGS CORP KRBE** for promoting the Health Intervention Initiative/Annual HIV Testing and Concert Event for the Health & Human Services Department \$150,000.00 Grant Fund
- 9. **NATIONAL CINEMEDIA NETWORKS** for On-screen, Lobby and Mobile Advertising Services for programs within the Harris County Area Agency on Aging for the Health & Human Services Department \$162,027.80 Grant Fund

PURCHASING AND TABULATION OF BIDS - continued

- 10. **JOHN A. WALKER ROOFING CO., INC** to provide Roof and Parking Lot Remediation Services for the General Services Department on behalf of the Housing and Community Development Department \$177,560.000 and contingencies for a total amount not to exceed \$195,316.00 Grant Fund
- 11. **DNB ENTERPRISES, INC** for Emergency Repair of an Aboveground Storage Tank for the General Services Department on behalf of the Houston Police Department \$15,000.00 General Fund
- 12. **BIO-LANDSCAPE AND MAINTENANCE, INC** for Purchase of Various Types of Trees, including Planting and Maintenance Services through the Interlocal Agreement for Cooperative Purchasing with the Harris County Department of Education for the Parks & Recreation Department \$99,995.65 General Fund
- 13. **3M COGENT, INC** for Purchase of 3M Cogent Software/Hardware Upgrades and Maintenance Services for the Houston Police Department \$564,129.87 General Fund
- 14. CAREGIVERS INTERNATIONAL CORPORATION \$73,990.00, BRIGGS EQUIPMENT, INC \$98,620.00 and AMERICAN MATERIAL HANDLING, INC \$122,888.00 for Forklifts for the Department of Public Works & Engineering
- 15. **DRESSER, INC** for Emergency Blower Replacement Parts and Repair Services for the Department of Public Works & Engineering \$454,027.08 Enterprise Fund
- 16. **ENVIRONMENTAL IMPROVEMENTS, INC (aka El²)** for Pakscan PH2 Rotork® SCADA Control System Upgrade Services for the Department of Public Works & Engineering \$220,287.00 Enterprise Fund
- 17. **GOWAN, INC** to Remove, Furnish and Install a Variable Frequency Drive at 69th Street Wastewater Treatment Plant for the Department of Public Works & Engineering \$64,400.00 Enterprise Fund
- 18. **TERRA RENEWAL, LLC** for Emergency On-Site Water Treatment Sludge Dewatering, Transport and Disposal Services for Department of Public Works & Engineering \$474,787.26 Enterprise Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 19 through 53

- 19. RESOLUTION expressing no objection to an application from **THE WOMEN'S HOME** to the Texas Department of Housing and Community Affairs for Tax Credits for proposed development for affordable rental housing to be located at 2060 Jacquelyn Drive in the City of Houston, Texas **DISTRICT A STARDIG**
- 20. RESOLUTION expressing no objection to an application from **THE NATIONAL BENEVOLENT ASSOCIATION OF THE CHRISTIAN CHURCH (DISCIPLES OF CHRIST)** to the Texas Department of Housing and Community Affairs for Tax Credits for rehabilitation of a development for affordable rental housing located at 600 East Tidwell Road in the City of Houston, Texas **DISTRICT H GONZALEZ**
- 21. RESOLUTION expressing no objection to an application from RIVERSIDE CENTER FOR HEALTHY LIVING, INC, an affiliate of Kissito Healthcare, Inc to the Texas Department of Housing and Community Affairs for Tax Credits for proposed development for affordable rental housing to be located at 4320 Old Spanish Trail in the City of Houston, Texas DISTRICT D BOYKINS

RESOLUTIONS AND ORDINANCES - continued

- 21-1 RESOLUTION adopting guidelines for the City's participation in public-private partnerships
- 22. ORDINANCE AMENDING SECTIONS 1-10 and 1-15, ARTICLE VI OF CHAPTER 5, and SECTION 44-85 OF THE CITY CODE OF ORDINANCES, pertaining to Game Rooms; providing an effective date; providing for severability
- 23. ORDINANCE authorizing the issuance of City of Houston, Texas, Convention & Entertainment Facilities Department Hotel Occupancy Tax and Special Revenue and Refunding Bonds, Series 2014; authorizing the Mayor and City Controller to approve certain terms thereof and certain other procedures relating thereto; providing for the payment thereof; authorizing the defeasance, final payment, and discharge of Certain Outstanding Bonds; making other provisions regarding such Bonds and matters incident thereto; awarding the sale of the Series 2014 Bonds; approving a Preliminary Official Statement and authorizing distribution thereof; approving preparation and distribution of a Final Official Statement; authorizing a Bond Purchase Agreement, an Escrow Agreement, a Paying Agent/Registrar Agreement, and authorizing a loan of a portion of the bond proceeds to Houston First Corporation to fund the redesign of Avenidas De Las Americas and the front entrance of the George R. Brown Convention Center; and declaring an emergency
- 24. ORDINANCE approving and authorizing contract between the City and **ASPYRA**, **LLC** for Software Support Services for the Cyberlab Laboratory Information System Information Technology Test Process System at the Houston Department of Health and Human Services; providing a maximum contract amount
- 25. ORDINANCE approving and authorizing various contracts between the City of Houston and 1) THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON, 2) MEMORIAL HERMANN HEALTH SYSTEM, and 3) HARRIS COUNTY HOSPITAL DISTRICT, d/b/a HARRIS HEALTH SYSTEM, respectively, for routine HIV Screening Services; providing maximum contract amounts
- 26. ORDINANCE accepting the proposal from **TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL**, approving and authorizing the purchase of Radio Equipment and Tower Insurance \$231,314.00 Property and Casualty Fund
- 27. ORDINANCE approving and authorizing an agreement for Professional Services and Litigation Support Services between the City and **OMNIVERE**, **L.L.C.**, **doing business as LIGHTHOUSE DATA SOLUTIONS** for the Legal Department; providing a maximum contract amount \$200,000.00 Property and Casualty Fund
- 28. ORDINANCE approving and authorizing Amendment No. 1 to Lease Agreement between the City of Houston and ENTERPRISE JET CENTER, INC d/b/a JET AVIATION HOUSTON, INC, for certain premises at William P. Hobby Airport Revenue DISTRICT I GALLEGOS
- 29. ORDINANCE approving and authorizing first amendment to Grant Agreement and first amendment to Loan Agreement between the City of Houston and **HOUSTON AREA COMMUNITY DEVELOPMENT CORPORATION** to reduce by \$1,510,633.00 the amount of a grant of funds appropriated from the Homeless and Housing Consolidated Bond Fund, to deappropriate \$1,510,633.00 of the funds previously appropriated for the grant, and to increase by \$1,510,633.00 the amount of a loan of Federal "HOME" Funds to assist with the rehabilitation of a single room occupancy facility, located in the vicinity of 320 Hamilton Street in Houston, Texas, that provides affordable housing to low and very low income households **DISTRICT I GALLEGOS**

RESOLUTIONS AND ORDINANCES - continued

- 30. ORDINANCE deappropriating \$320,000.00 from the TIRZ Affordable Housing Fund previously appropriated under Ordinance No. 2009-1142 for the Development of Affordable Single Family Housing in the Trinity Gardens and Fourth Ward Areas; reappropriating \$320,000.00 out of TIRZ Affordable Housing Fund for use in Single Family Activities, including Single Family Home Repair, Homebuyer Assistance and Project Delivery Costs
- 31. ORDINANCE approving and authorizing an agreement between the City of Houston and ASSETWORKS, LLC. for Renewal of Software Maintenance and Support for Fleet Management Information System for Various Departments; providing a maximum contract amount \$659,198.00 Central Services Revolving Fund
- 32. ORDINANCE approving and authorizing second amendment to the contract between the City of Houston and **AMERICAN BOTTLING COMPANY OF TEXAS** to extend the contract term (approved by Ordinance No. 2004-754)
- 33. ORDINANCE approving and authorizing second amendment to the contract between the City of Houston and FRESH BREW GROUP USA, LP to extend the contract term (Approved by Ordinance No. 2004-754)
- 34. ORDINANCE approving and authorizing second amendment to Contract 4600009455 between the City of Houston and **PMAM CORPORATION** for Burglar Alarm Administration Services for the Administration and Regulatory Affairs Department
- 35. ORDINANCE appropriating \$316,081.08 out of Metro Projects Construction DDSRF and \$89,299.69 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to the consent agreement between the City of Houston and **THE METROPOLITAN TRANSIT AUTHORITY** for the Betterment of the City Utility Facilities (Approved by Ordinance No. 2008-0567); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF and the Water & Sewer System Consolidated Construction Fund **DISTRICT H GONZALEZ**
- 36. ORDINANCE appropriating \$10,000,000.00 out of the Miscellaneous Capital Projects / Acquisitions CP Series E Fund for the Grade Separated Betterment of the Light Rail Crossing of the Tracks At Harrisburg And Hughes; authorizing and approving a supplement to the consent agreement between the City of Houston and THE METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY (Approved by Ordinance No. 2008-0567) DISTRICTS H GONZALEZ and I GALLEGOS
- 37. ORDINANCE consenting to the addition of 26.1646 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 185**, for inclusion in its district
- 38. ORDINANCE consenting to the addition of 200.217 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 143**, for inclusion in its district
- 39. ORDINANCE consenting to the addition of 69.2238 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 84**, for inclusion in its district
- 40. ORDINANCE consenting to the addition of 0.9462 acres of land to **PORTER MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

RESOLUTIONS AND ORDINANCES - continued

- 41. ORDINANCE consenting to the addition of 7.6464 acres of land to **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 36**, for inclusion in its district
- 42. ORDINANCE appropriating \$163,000.00 out of General Improvement Consolidated Construction Fund, \$54,000.00 out of Equipment Acquisition Consolidated Fund, \$381,000.00 out of Public Library Consolidated Construction Fund, \$1,155,000.00 out of Parks Consolidated Construction Fund, \$112,000.00 out of Police Consolidated Construction Fund, \$100,000.00 out of Miscellaneous Capital Projects/Acquisitions Fund, \$55,000.00 out of Solid Waste Consolidated Construction Fund, and \$200,000.00 out of Equipment Acquisition Consolidated Fund, as an additional appropriation to the Task Order and Job Order Contracting Program for FY2014 (Approved by Ordinance No. 2013-1059)
- 43. ORDINANCE appropriating \$812,500.00 from the Parks & Recreation Dedication Fund, to the Public Works & Engineering W&S System Operating Fund; for transfer of two parcels of land at 437 West 26th Street (SY14-031) and 1502-1508 Herkimer Street (SY14-032), Houston, Harris County, Texas, from the Public Works & Engineering Department to the Parks & Recreation Department **DISTRICT C COHEN**
- 44. ORDINANCE appropriating \$301,383.70 out of Fire Consolidated Construction Fund; awarding construction contract to **AIA GENERAL CONTRACTORS, INC** for Remediation, Removal and Installation of Underground Storage Tanks at Fire Station No. 5; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the city; holding the bidder in default if it fails to meet the deadlines; providing funding for materials testing, project management and construction oversight and contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund **DISTRICT A STARDIG**
- 45. ORDINANCE appropriating \$282,711.40 out of Fire Consolidated Construction Fund; awarding construction contract to AIA GENERAL CONTRACTORS, INC for Remediation, Removal and Installation of Underground Storage Tanks at Fire Station No. 36; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the city; holding the bidder in default if it fails to meet the deadlines; providing funding for materials testing, project management and construction oversight and contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund DISTRICT I GALLEGOS
- 46. ORDINANCE appropriating \$307,000.30 out of Parks Consolidated Construction Fund; awarding construction contract to **AIA GENERAL CONTRACTORS**, **INC** for Underground Storage Tank Remediation, Removal and Replacement at Three Sites; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the city; holding the bidder in default if it fails to meet the deadlines; providing funding for materials testing services, and contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund **DISTRICTS D BOYKINS and J-LASTER**
- 47. ORDINANCE appropriating \$459,807.00 out of Parks Consolidated Construction Fund and approving and authorizing Professional Architectural Services Contract between the City of Houston and HARRISON KORNBERG ARCHITECTS, LLC., for Design and Construction Phase Services for the New Community Center at Judson Robinson Sr. Park Community Center; providing funding for the Civic Art Program and contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund DISTRICT B DAVIS

RESOLUTIONS AND ORDINANCES - continued

- 48. ORDINANCE appropriating \$19,091.70 out of Metro Projects Construction DDSRF for relocation of a pipeline for the Buffalo Speedway Paving and Drainage: Holmes Road to West Airport Boulevard Project; approving a pipeline adjustment reimbursement services agreement with CENTERPOINT ENERGY INTRASTATE PIPELINES, LLC DISTRICT K GREEN
- 49. ORDINANCE appropriating \$10,241,499.50 out of Street & Traffic Control and Storm Drainage DDSRF-A, \$790,500.50 out of Street & Traffic Control and Storm Drainage DDSRF, and \$1,915,500.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to STERLING CONSTRUCTION COMPANY, INC for Pleasantville Drainage and Paving (Sub-Project 1); 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 Street & Traffic Control and Storm Drainage, Street & Traffic Control and Storm Drainage DDSRF and the Water & Sewer System Consolidated Construction Fund DISTRICT B DAVIS
- 50. ORDINANCE appropriating \$2,240,000.00 out of Street & Traffic Control and Storm Drainage DDSRF, awarding contract to **LECON, INC** for Inwood Forest Subregional Detention Basins; 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 Street & Traffic Control and Storm Drainage **DISTRICT A STARDIG**
- 51. ORDINANCE appropriating \$982,000.00 out of Metro Projects Construction DDSRF awarding contract to **ISI CONTRACTING**, **INC** for Work Order Bridge Rehabilitation/Replacement Citywide; 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, CIP Cost Recovery and contingencies relating to construction of facilities financed by Metro Projects Construction DDSRF
- 52. ORDINANCE appropriating \$2,195,350.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **LEM CONSTRUCTION CO., INC** for E. Coli Compliance—Chlorination Systems for Turkey Creek, Westway, and Kingwood West Wastewater Treatment Plants; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required 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 Water & Sewer System Consolidated Construction Fund **DISTRICTS A STARDIG; E MARTIN and G PENNINGTON**
- 53. ORDINANCE appropriating \$10,500,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **S. J. LOUIS CONSTRUCTION OF TEXAS, LTD.,** for abandonment of Willow Run WWTP and Flow Diversion for W. Mount Houston and Rutherford Lift Stations; 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 Water & Sewer System Consolidated Construction Fund **DISTRICT B DAVIS**

END OF CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 54 and 55

MISCELLANEOUS

- 54. RECEIVE nominations for Positions 10 and 11 of the **HOUSTON MUNICIPAL EMPLOYEES PENSION SYSTEM BOARD OF TRUSTEES**, for three year terms
- 55. RECEIVE nominations for Positions 2 and 4 of the **REBUILD ADVISORY COMMITTEE BOARD OF DIRECTORS**, for three year terms

MATTERS HELD - NUMBERS 56 through 61

56. MOTION by Council Member Gonzalez/Seconded by Council Member Bradford to adopt recommendation to award to **CUSTOM LOGIC DESIGN**, **INC** for Emergency Alert System and Dispatch Software Licenses Upgrades, Maintenance and Support Services for the Houston Fire Department - \$360,725.00 - General and Grant Funds

TAGGED BY COUNCIL MEMBER GREEN

This was Item 17 on Agenda of June 18, 2014

- 57. ORDINANCE authorizing the issuance of one or more Series of City of Houston, Texas Public Improvement Refunding Bonds as may be further designated, described and provided herein; authorizing the payment and security thereof and certain designated City Officials to approve the principal amount, interest rates, prices, terms and sale thereof; authorizing such officials to determine the outstanding obligations to be refunded and/or defeased; approve certain other procedures, provisions and agreements related thereto, including authorizing the execution and delivery of one or more purchase contracts, Paying Agent/Registrar Agreements, Escrow Agreements, and other agreements; approving the use of a Preliminary Official Statement and authorizing the preparation and distribution of an Official Statement in connection with such offering; authorizing the engagement of Bond Counsel and Special Disclosure Counsel; making certain findings and other declarations necessary and incidental to the issuance of such refunding bonds; and declaring an emergency TAGGED BY COUNCIL MEMBER MARTIN

 This was Item 25 on Agenda of June 18, 2014
- 58. ORDINANCE approving an amended agreement for Legal Services between the City of Houston and BECK REDDEN LLP, Formerly BECK REDDEN & SECREST LLP for representation of the City in matters pertaining to a Contractual Dispute with CENTERPOINT ENERGY HOUSTON ELECTRIC LLC related to maintenance of street lights and delivery of lumens; establishing a maximum contract amount \$1,633,265.01 Property and Casualty Fund TAGGED BY COUNCIL MEMBERS BRADFORD, KUBOSH and COSTELLO This was Item 54 on Agenda of June 18, 2014
- 59. ORDINANCE appropriating \$18,278,100.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing first amendment to Professional Engineering Services Contract between the City of Houston and LOCKWOOD, ANDREWS & NEWNAM, INC for Engineering Services associated with the Surface Water Transmission Program

TAGGED BY COUNCIL MEMBER GREEN

This was Item 59 on Agenda of June 18, 2014

MATTERS HELD - continued

60. ORDINANCE approving and authorizing contract between the City of Houston and **PERDUE**, **BRANDON**, **FIELDER**, **COLLINS** & **MOTT**, **LLP AND GREENBERG TRAURIG**, **LLP**, functioning as a Joint Venture for the collection of delinquent ad valorem taxes

DELAYED BY MOTION #2014-591, 6/18/14 together with proposed amendments submitted by the Legal Department

This was Item 74 on Agenda of June 18, 2014

61. ORDINANCE approving and authorizing contract between the City of Houston and LINEBARGER GOGGAN BLAIR & SAMPSON, LLP for the Collection of Delinquent Ad Valorem Taxes TAGGED BY COUNCIL MEMBER NGUYEN

This was Item 53 on Agenda of June 18, 2014

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Robinson 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

TO: Mayor via City Secretary REQUEST FOR COL	JNCIL AC	TION			
SUBJECT: Approval of the Fiscal Year 2015-2019 Capital Improvement Plan	1	Category #	Page 1 of 1	Agenda Item	
FROM (Department or other point of origin):	Origination Date Agenda Date			ate	
Finance Department	June 10, 2014 JUN 2 5 201			25 2014	
DIRECTOR'S SIGNATURE:	Council District(s) affected: All				
For additional information contact: Jennifer Olenick Phone: 832-393-9112	Date and identification of prior authorizing Council action:			authorizing	
RECOMMENDATION: That City Council approve by Motion the Fiscal Year 2015-2019 Capital Improvement Plan (CIP) and establish a charge of \$75.00 plus postage for the purchase of the adopted CIP documents and a charge of \$5.00 plus postage for the purchase of a CD version of the CIP.					
Amount and Source of Funding: N/A	Finance	Budget:			
The FY2015-2019 Capital Improvement Plan (CIP) supports impro of living for Houstonians, with an emphasis on drainage, transports affordable housing and public safety. The plan emphasizes the re and the selective addition and expansion of facilities. The FY2015-2019 CIP book contains vertical construction projects for its clients (Fire, Health, Library, Parks, Police and Solid Waste) Engineering (Street & Traffic, Storm Drainage, Water and Wastew addition, Information Technology, Fleet, Equipment, and Compone This format is identical to last year's format providing greater ease. The FY2015-2019 CIP calls for appropriations of over \$7.8 billion of appropriations for the Public Improvement & Citywide Capital Prog Component Unit Programs \$851 million and \$6.05 billion for the Error The Finance Department recommends that City Council approve the \$75.00 plus postage per book to cover printing costs and \$5.00 plus purchased at the City Secretary's office. The adopted CIP will be a Library and on the City's website located at http://www.houstontx.g Attached are redlined pages of the FY2015-2019 Capital Improvement	ation infra placement supporte supporte projects ater) and ent Units of in locating during the rams total aterprise F ne FY2018 is postage available fov/cip/ind	structure, month and rehability and rehability the Gensupported by the Houston with the Hou	bility, quality itation of existeral Service Public Worl Airport Systeral programs program typeiod. Planned by \$1.05 billing at the Diving at the D	of life, sting facilities being facilities and em. In are included. e. don, a charge of which can be owntown	
Tinance Authorization: Authorization: Other Authorization:		Othe	er Authoriza	tion:	

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION Page SUBJECT: Accept Work for Waterline Replacement in Beamer Area; Agenda Item 1 of 1 WBS No. S-000035-0128-4. FROM (Department or other point of origin): **Origination Date** Agenda Date 6/19/14 Department of Public Works and Engineering DIRECTOR'S SIGNATURE Council District affected: D Daniel W. Krueger, P.E., Director For additional information contact: Date and identification of prior authorizing Mr to Man 6/13/14 Council action: Joseph T. Myers, P.E. Ord. # 2012-0950 dated: 11/07/2012 Sr. Assistant Director Phone: (832) 395-2355 **RECOMMENDATION:** (Summary) Pass a motion to approve the final Contract Amount of \$2,581,397.32 or 3.11% under the original Contract Amount, accept the Work and authorize final payment. Amount and Source of Funding: No additional funding required. Total (original) appropriation of \$3,049,000.00 from Water and Sewer System Consolidated Construction Fund No. 8500. PROJECT NOTICE/JUSTIFICATION: This project was part of the City's Water Line Replacement Program and was required to replace and upgrade water lines within the City to increase availability of water, improve circulation and fire protection. **DESCRIPTION/SCOPE:** This project consisted of approximately 33,866 linear feet 4-inch, 6-inch, 8-inch and 12-inch diameter water lines, valves and appurtenances. CLR, Inc. designed the project with 260 calendar days allowed for construction. The project was awarded to McKinney Construction, Inc. with original Contract amount of \$2,664,220.00. **LOCATION:** This project area is generally bounded by Fuqua on the north, South Sam Houston Parkway East on the south, Beamer Road on the east, and Stover Street on the west in the Key Map Grids 576S, T, W & X. **CONTRACT COMPLETION AND COST:** The Contractor, McKinney Construction, Inc., has completed the work under the subject Contract. The project was completed on time with additional 92 days approved by Change Order No. 1. The final cost of the project, including overrun and underrun of estimated unit price quantities is \$2,581,397.32, a decrease of \$82,822.68 or 3.11% 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 underrun in various Base Unit Price Items and Extra Unit Price Items, which were not necessary to complete the project. MWBE/SBE PARTICIPATION: The MBE/SBE goal established for this project was 20%, According to Office of Business Opportunity, the participation was 27.16%. Contractor's MBE/SBE performance evaluation was rated Outstanding. DWK:DRM:JTM: H:\E&C Construction\East Sector\PROJECTS\S-000035-0128-4 WLR Beamer Area\21.0 CloseOuts\RCA\RCA - Closeout.doc 10

REQUIRED AUTHORIZATION			7
Finance Department:	Other Authorization:	Other Authorization:	
		files to	
		Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division	r

PUBLIC WORKS & ENGINEERING DEPARTMENT

ENGINEERING AND CONSTRUCTION DIVISION WATER LINE REPLACEMENT IN BEAMER AREA WBS NO. S-000035-0128-4







LEGEND

KEY MAP GRID 576 S,T,W,X

COUNCIL DISTRICT D

COUNCIL MEMBER WANDA ADAMS

VICINITY MAP

ROAD WITH PROPOSED WATERLINE EXIST ROAD

	33,866	TOTAL			
0	2534	8 & 12	KINGSPOINT	STOVER	FUQUA
D	1614	12	PARKWAY EAST	KIRKSHIRE	BEAMER
D	1116	8	KIRKVALLEY	NEWTON	ZZZWYZ
0	1562	6&8	BEAMER	KIRKVILLE	KIRKVALLEY
0	1421	6 & 6	BEAMER	KIRKVILLE	KIRKHOLLOW
0	1444	688	BEAMER	KIRKFALLS	KIRKMEADOW
0	1238	8	BEAMER	KIRKFALLS	KIRKDALE
0	878	8	KIRKMEADOW	NEWTON	KIRKVILLE
	1280	8	KIRKDALE	NEWTON	KIRKFALLS
0	1081	4 & 8	KIRKDALE	BEAMER	KIRKSHIRE
ם	822	Oo	CARIBBEAN	NEWTON	GRENADIER
0	615	8	END	GRENADIER	CORUM
0	627	œ	PARKWAY EAST	KIRKFALLS	NEWTON
0	1870	æ	KIRKFALLS	SOUTHPORT	NEWTON
0	1076	8	CARIBBEAN	NEWTON	SANTA MONICA
D	1160	8	CARIBBEAN	NEWTON	E883
D	970	00	CARIBBEAN	NEWTON	SOUTHPORT
D	1861	8	END (EAST)	BUENA PARK	RAMBLING TRAIL
D	1479	4, 8 & 12	CARIBBEAN	KINGSPOINT	BUENA PARK
5	861	8	BUENA PARK	KINGSPOINT	HOFFER
0	3233	8	KIRKFALLS	KINGSPOINT	CARIBBEAN
0	1623	6, 8 & 12	STOVER	FUQUA	CARMALEE
0	521	8	CARMALEE	FUQUA	IC+TER
0	909	6 & 8	CARMALEE	FUQUA	ALDIS
0	873	ο.	CARMALEE	FUQUA	NEWTON
0	1198	8	CARMALEE	FUQUA	STOVER
DISTRICT	LENGTH (FT)	SIZE (IN)	70	FROM	STREET NAME

CLR, Inc.

TX Firm Reg. No. 275

19530 F.M. 362, Waller, Texas 77484 Surveyors GIS

Engineers

Phone: (713) 462-0993

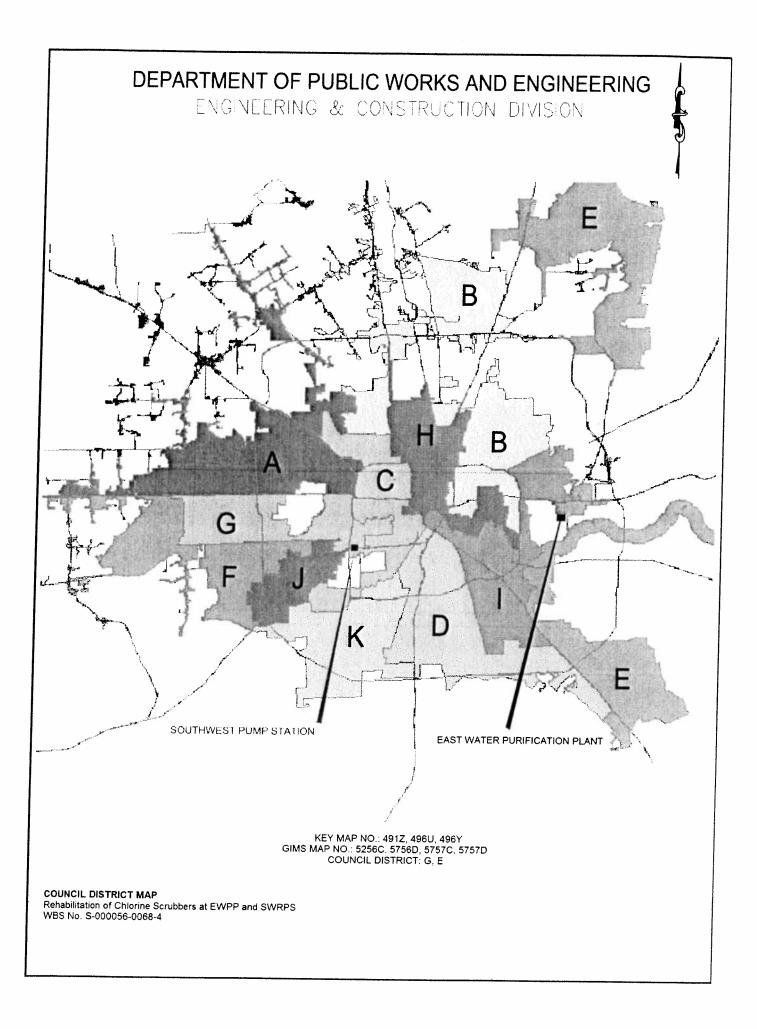
Fax: (713) 462-2732

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION SUBJECT: Accept Work for Rehabilitation of Chlorine Scrubbers at Page Agenda Item East Water Purification Plant, WBS No. S-000056-0058-4 and 1 of 1 Southwest Repump Station, WBS No. S-001000-0035-4. FROM (Department or other point of origin): **Origination Date** Agenda Date 6/12/14 Department of Public Works and Engineering DIRECTOR'S SIGNATURE JUN 25 2 Council District affected: Daniel W. Krueger, P.E., Director For additional information contact: Date and identification of prior authorizing Council action: Ord. # 2011-0478 dated: 06/15/2011 Sr. Assistant Director Phone: (832) 395-2355 Ord. # 2012-0849 dared: 09/26/2012 RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$1,176,728.76 or 3.27% under the total Contract Amount, accept the work, and authorize final payment. Amount and Source of Funding: No additional funding required. Total (original) appropriation of \$1,161,000.00 from the Water and Sewer System Consolidated Construction Fund No. 8500. Additional appropriation of \$183,193.76 from the Water and Sewer System Consolidated Construction Fund No. 8500 for a total appropriation of \$1,344,193.76. PROJECT NOTICE/JUSTIFICATION: This project was part of the City's Capital Improvement Program to increase the safety, reliability and the efficiency of operations at the East Water Purification Plant and Southwest Repump Station. **<u>DESCRIPTION/SCOPE</u>**: This project consisted of the repair and rehabilitation of the chlorine gas scrubber equipment and associated systems including: recirculation pumps, motors, valves, fiberglass reinforced plastic duct dampers, control panels, digital level indicators, loading bay doors and sump pump systems. Malcolm Pirnie, Inc. designed the project with 220 calendar days allowed for construction. The project is awarded to Pepper-Lawson Construction, L.P with an original Contract Amount of \$1,033,400.00 and an additional appropriation of \$183,193.76 for a revised total Contract Amount of \$1,216,593.76. LOCATION: The Project is located at 2300 Federal Road and 4410 Westpark Drive in the Key Map Grids 496 U, Y and 491 Z. **CONTRACT COMPLETION AND COST:** The Contractor, Pepper-Lawson Construction, L.P., has completed the work under the subject Contract. The project was completed on time with an additional 245 days approved by Change Order No. 1. The final cost of the project, including overrun and underrun of estimated unit price quantities and previously approved Change Order No. 1 is \$1,176,728.76, a decrease of \$39,865.00 or 3.27% under the total Contract Amount. The decrease cost is a result of between planned and measured quantities of Extra Unit Price Items and Cash Allowance Items, which was not necessary to complete the project. M/SBE PARTICIPATION: The M/SBE goal established for this project was 18%. According to Mayor's Office of Business Opportunity, the participation was 18.67%. Contractor's M/SBE performance evaluation was rated Satisfactory. DWK:DRM:JTM:SKF:TGD:ha H:\E&C Construction\Facilities\Projects\S-000056-0058-4 Rehab. CL2 Scrubbers EW, SWRPS\Close Construction\RCA\RCA - Closeout.doc REQUIRED AUTHORIZATION 20HA313

REQUIRED AUTHORIZATION 20HA313

Finance Department: Other Authorization: Other Authorization:

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



TO: Mayor via City Secretary	REQUEST FOR COUNC	IL ACTION		
SUBJECT: (1) Abandonment and Abbott Street, from William Street adjacent to Reserve A, (2) abandon Abbott Street, from William Street 14, Block 13, and (3) sale of a 25-fo property, in exchange for various in	sale of a 25-foot-wide portion of (Willia Street) to Douglass Street ment of a 25-foot-wide portion of to Douglass Street adjacent to Lo ot-wide portion of City fee-owner	of Page et 1 of 2 of d	Agenda Item #	
equal or exceed the value of the 25-located within the Riverside Park Survey. Parcels SY14-080, SY14-10	foot-wide City fee-owned land, al Addition, out of the John Austin	1	4	
FROM (Department or other poin		Origination Date	Agenda Date	
Department of Public Works and Eng	gineering	6/19/14	JUN 2 5 201	
DIRECTOR'S SIGNATURE: Daniel W. Krueger, P.E., Director		Council District affected: H Key Map: 493J	i	
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 (1) abandonment and sale of a 25-foot-wide portion of Abbott Street, from William Street (Willia Street) to Douglass Street adjacent to Reserve A, (2) abandonment of a 25-foot-wide portion of Abbott Street, from William Street to Douglass Street adjacent to Lot 14, Block 13, and (3) sale of a 25-foot-wide portion of City fee-owned property in exchange for various improvements to Spotts Park which equal or exceed the value of the 25-foot-wide City fee-owned land, all located within the Riverside Park Addition, out of the John Austin Survey. Parcels SY14-080, SY14-105, and SY14-106				
Amount and Source of Funding: Not Applicable				
SPECIFIC EXPLANATION: Tracy Youngblood, Brown and Gay Engineers, Inc., 10777 Westheimer Road, Suite 400, Houston, Texas 77042, on behalf of Pinto Urban Building L.L.C. (Ernie Cockrell, President), requested the abandonment and sale of Abbott Street, from William Street (Willia Street) to Douglass Street, located within the Riverside Park Addition, out of the John Austin Survey. Pinto Urban Building, L.L.C., an abutting property owner, plans to construct an office building in the location of the subject street. Since the subject street abuts the west side of Spotts Park, concurrence was obtained from the Houston Parks and Recreation Department. The eastern portion of Abbott Street will be abandoned and incorporated into the Houston Parks and Recreation Department's fee-owned land (Spotts Park). The City will sell the 25-foot-wide portion of fee-owned property to the applicant. Signs notifying the public of the pending street abandonment application were posted for at least thirty days. This is Part One of a two-step process in which the 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 abandonment and sale. The Joint Referral Committee reviewed and approved this request. Therefore, it is recommended:				
p:\tp\sy14-080.rca1.doc	REQUIRED AUTHORIZA		C #20TP9456	
Finance Department:	Other Authorization:	Other Authorization: Mark L. Loetnen, P.E., CFM, F. Deputy Director Planning and Development Ser		

F&A 011.A Rev. 3/94 7530-0100403-00

Date:

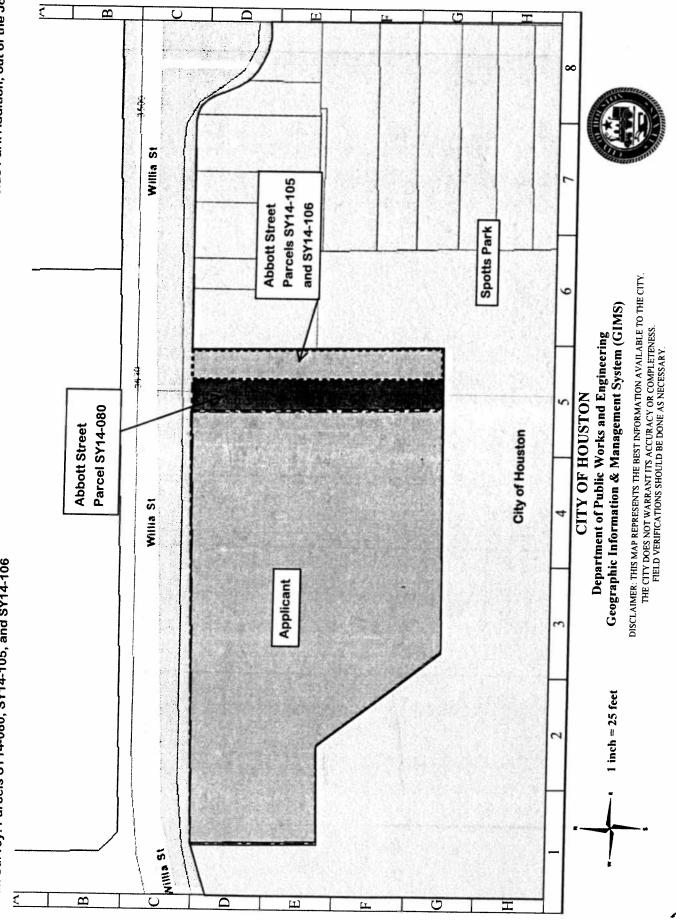
- 1. The City abandon and sell a (1) 25-foot-wide portion of Abbott Street, from William Street (Willia Street) to Douglass Street adjacent to Reserve A, (2) abandon a 25-foot-wide portion of Abbott Street, from William Street to Douglass Street adjacent to Lot 14, Block 13 (abutting Spotts Park), and (3) sell a 25-foot-wide portion of City fee-owned property, in exchange for various improvements to Spotts Park which equal or exceed the value of the 25-foot-wide City fee-owned land, all located within the Riverside Park Addition, out of the John Austin Survey.
- 2. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the right-of-way being abandoned and sold;
- 3. 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;
- 4. The applicant be required to: (a) eliminate the public street appearance of Abbott Street along William Street by removing pavement and extending the curbs and sidewalks; (b) remove and return the traffic control signs and poles to the City of Houston Traffic and Transportation Division, 2200 Patterson Street, Houston, Texas; (c) remove and return the street light to CenterPoint Energy prior to completion of the abandonment transaction; and (d) complete all of the foregoing items at no cost to the City and under the proper permits;
- 5. The applicant be required to relocate the fire hydrant located in Abbott Street to the William Street (Willia Street) right-of-way; and complete the foregoing item at no cost to the City and under the proper permits obtained through the Office of the City Engineer and separate from any other project permits;
- 6. The applicant be required to prepare drawings that show all public utilities (water) that are to be abandoned, relocated, and/or constructed as part of this project specific to the abandonment requirements 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.
- 7. The Legal Department be authorized to prepare the necessary transaction documents; and
- 8. Inasmuch as the value of the City's property interests are not expected to exceed \$1,000,000.00, that the value be established by an independent appraiser appointed by the Director of Public Works and Engineering.

DWK:NPC:tp

c: Jun Chang, P.E., D.WRE
Marta Crinejo
David Feldman
Terry A. Garrison
Daniel Menendez, P.E.
Joe Turner
Patrick Walsh, P.E.
Jeffrey Weatherford, P.E., PTOE

PARCEL MAP

(2) abandonment of a 25-foot-wide portion of Abbott Street, from William Street to Douglass Street adjacent to Lot 14, Block 13, and (3) sale of a 25-foot-wide SUBJECT: (1) Abandonment and sale of a 25-foot-wide portion of Abbott Street, from William Street (Willia Street) to Douglass Street adjacent to Reserve A, portion of City fee-owned property, in exchange for various improvements for Spotts Park, all located within the Riverside Park Addition, out of the John Austin Survey. Parcels SY14-080, SY14-105, and SY14-106

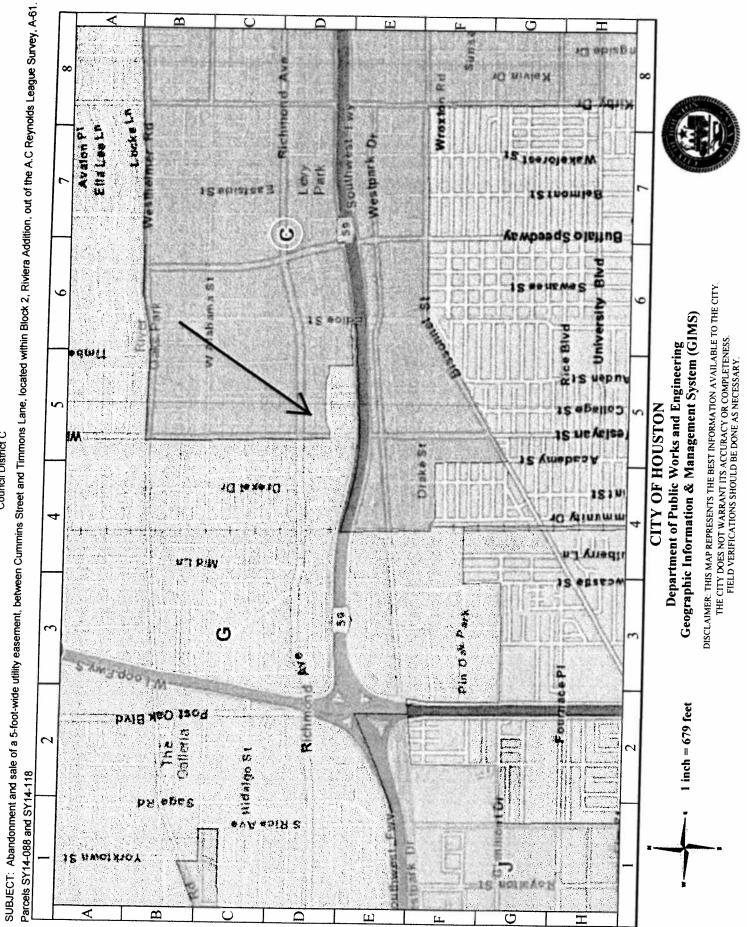


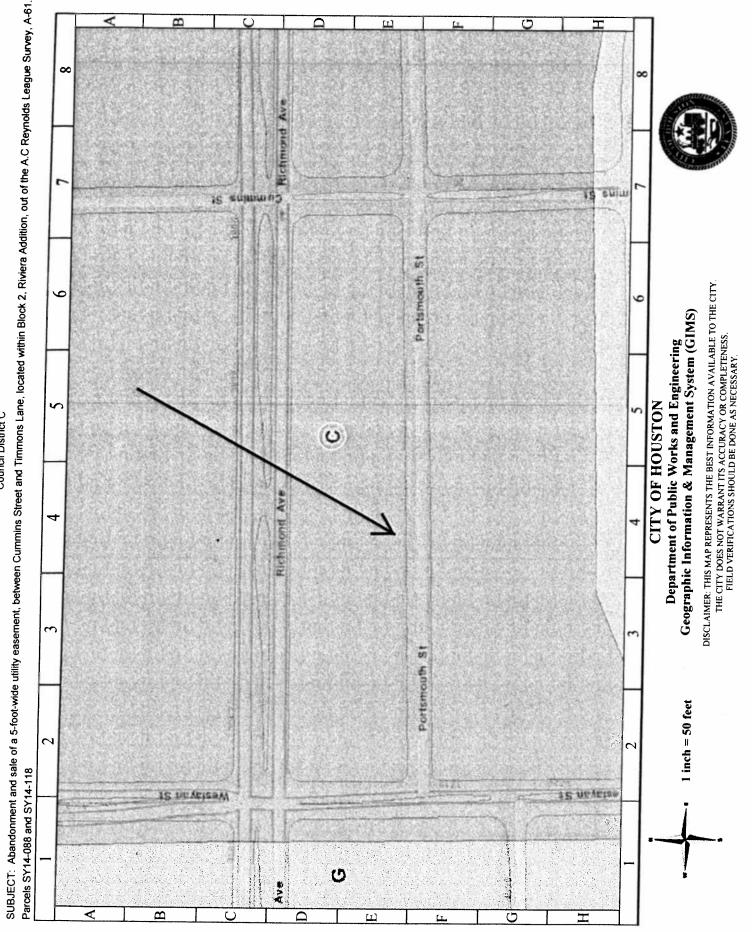
TO: Mayor via City Secre	etary REQUEST FOR COUNC	CIL ACTION	
SUBJECT: Request for t	the abandonment and sale of a 5-foot-wide	Page	Agenda Item
located within Block 2.	on Cummins Street and Timmons Lane	, <u>1</u> of <u>2</u>	
League Survey, A-61. Pa	Riviera Addition, out of the A.C Reynold rcels SY14-088 and SY14-118	5	5
FROM (Department or	other point of origin):	Origination Date	Agenda Date
Denortment of Buklie Wes	dtr ' '	6/19/14	JUN 25 20
Department of Public Word DRECTOR'S SIGNAT	ticks and Engineering	•	
DANS TOK SSIGNAT	OKO:	Council District affected	C Namb
	47		() av
Daniel W Krueger, P.E., I		Key Map: 492W	10
For additional information	on contact:	Date and identification	of prior authorizing
(sup	()	Council Action:	•
Nancy P. Collins	Phone: (832) 395-3130		
Senior Assistant Director-I	Real Estate		
RECOMMENDATION:	(Summary) It is recommended City Coun	cil approve a Motion authori	zing the abandonment
and said of a J-100t-wide	utility easement, between Cummins Str e A.C Reynolds League Survey, A-61. Pa	eet and limmons lane loc	pated within Plant 2
Amount and	1. 11		
Source of Funding: Not A SPECIFIC EXPLANATION			
SI ECIFIC EXPLANATION	<u>on</u> :		
Survey, A-61. Richmond parking structure. Dana's operation of its existing bus		iera Addition, out of the A et area for construction of a ject easement with its abutt	C Reynolds League n office building and ting property for the
requirements including the subsequent recommendation	estep process in which the applicant will of the subject request. Upon the application of the subject request. Upon the application of the subject requesting passage of an proved this request. Therefore, it is recommended.	plicant satisfactorily completed for Public Works and Engine Ordinance effecting the sale	eting all transaction
1. The City abandon and swithin Block 2, Riviera A	ell a 5-foot-wide utility easement, betwee addition, out of the A.C Reynolds League	en Cummins Street and Tin Survey, A-61;	nmons Lane, located
2. The applicants be require (Mylar) survey plat and fi	d to furnish the Department of Public Wo eld notes of the affected property;	rks and Engineering with a c	durable, reproducible
3. The applicants be require the utility easement being	d to obtain a letter of no objection from e sold;	each of the privately owned u	utility companies for
p:\bam\sy14-088.rc1.doc		CUIC #2	20BAM9464
Finance Department:	REQUIRED AUTHORIZATION Other Authorization: Of	<u> </u>	
- operations	Other Authorization:	her Authorization:	
		Manthoth	
/	No.	THE LOOPED DE CENT	TOF
Į.		rk L. Loethen, P.E., CFM, P puty Director	IUE
0.1.011.4.7		nning and Development Serv	vices Division

F&A 011.A Rev. 3/94 7530-0100403-00

1

Date:	Subject: Request for the abandonment and sale of a 5-foot-wide utility easement, between Cummins Street and Timmons Lane, located within Block 2, Riviera Addition, out of the A.C Reynolds League Survey, A-61. Parcels SY14-088 and SY14-118	Originator's Initials	Page <u>2</u> of <u>2</u>			
 4. The Legal Department be authorized to prepare the necessary transaction documents; and 5. 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:bam						
c: Jun Chang, P.I Marta Crinejo David Feldman Terry A. Garris Daniel Menend Patrick Walsh,	n son dez, P.E.					





TO Mayor via City Soorotom, DEOUEST FOR COUNC	H ACTION				
TO: Mayor via City Secretary REQUEST FOR COUNCE SUBJECT: Request for the abandonment and sale of a 15-foot-wide alley, between Fairview Street and Hyde Park Boulevard, along Lots 1, 2, 5A, 6A, 7A, 8A, and Tract 206, Block 15, located in the Fairgrounds Extension Subdivision, out of the Obedience Smith Survey. Parcels SY14-097 and SY14-117	Page of	Agenda Item #			
FROM (Department or other point of origin):	Origination Date	Agenda Date			
Department of Public Works and Engineering	6/19/14	UN 2 5 2014			
BIRECTOR'S SIGNATURE:	Council District affected: C				
L Wh	CS				
Dániel W. Krueger, P.E., Director	Key Map: 493N				
For additional information contact:	Nancy P. Collins Senior Assistant Director-Real Estate Council Action: Council Action:				
Senior Assistant Director-Real Estate					
Senior Assistant Director-Real Estate RECOMMENDATION: (Summary) It is recommended City Councard sale of a 15-foot-wide alley, between Fairview Street and Hyde Fand Tract 206, Block 15, located in the Fairgrounds Extension SuParcels SY14-097 and SY14-117	cil approve a motion authorizing	5A. 6A. 7A 8A			
Senior Assistant Director-Real Estate RECOMMENDATION: (Summary) It is recommended City Councard sale of a 15-foot-wide alley, between Fairview Street and Hyde Fand Tract 206, Block 15, located in the Fairgrounds Extension SuParcels SY14-097 and SY14-117 Amount and	cil approve a motion authorizing	5A. 6A. 7A 8A			
Senior Assistant Director-Real Estate RECOMMENDATION: (Summary) It is recommended City Councard sale of a 15-foot-wide alley, between Fairview Street and Hyde Fand Tract 206, Block 15, located in the Fairgrounds Extension SuParcels SY14-097 and SY14-117	cil approve a motion authorizing	5A. 6A. 7A 8A			

applicants' plan to construct a multi-use real estate development over the subject area.

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 15-foot-wide alley along Lots 1, 2, 5A, 6A, 7A, 8A, and Tract 206, Block 15, located in the Fairgrounds Extension Subdivision, out of the Obedience Smith Survey;
- 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) cut, plug, and abandon the existing 6-inch sanitary sewer line located within the subject alley, (b) construct a new 8-inch sanitary sewer line and manhole from the 6-inch sanitary sewer line in Hyde Park Boulevard to the 48-inch sanitary sewer line in Taft Street, (c) install a new backend manhole at the proposed terminus of the 6-inch sanitary sewer line in Fairview Street, (d) relocate any existing service connections to the 12inch sanitary sewer line in Mason Street or the 8-inch sanitary sewer line in Hyde Park Boulevard, and (e) complete all of the foregoing items at no cost to the City and under the proper permits obtained through the Office of the City Engineer and separate from any other project permits:

p:\cs\sy14-097.rc1.doc		CUIC #20CS9470
	REQUIRED AUTI	HORIZATION
Finance Department:	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 15-foot-wide alley, between Fairview Street and Hyde Park Boulevard, along Lots 1, 2, 5A, 6A, 7A, 8A, and Tract 206, Block 15, located in the Fairgrounds Extension Subdivision, out of the Obedience Smith Survey. Parcels SY14-097 and SY14-117	Originator's Initials CS	Page 2_ of _2_
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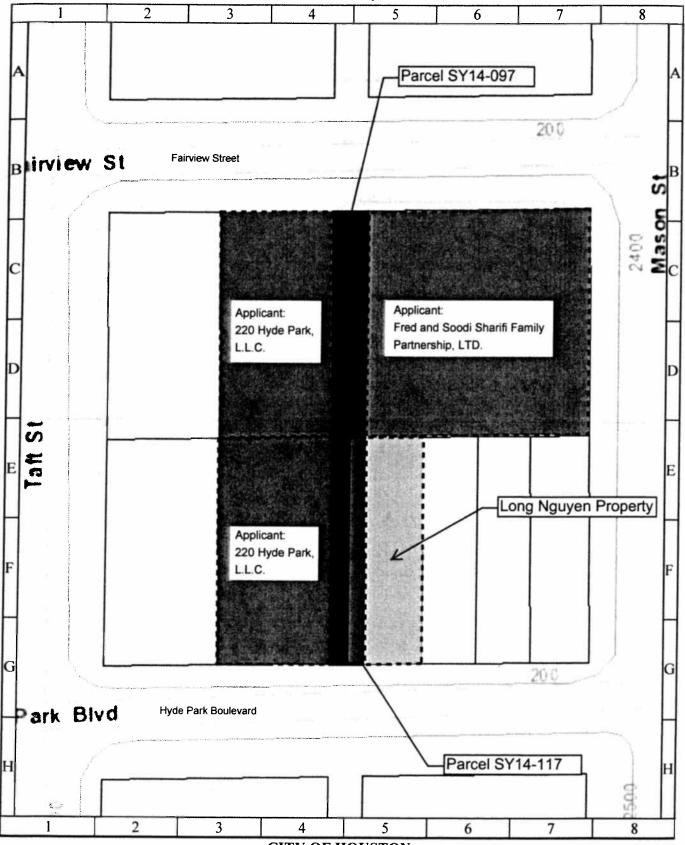
- 4. The applicant be required to prepare drawings that show all public utilities (sanitary sewer) that are to be abandoned, relocated, and/or constructed as part of this abandonment request and submit the drawings to the Office of the City Engineer for plan review and approval. A copy of the Motion shall be attached to the plan set when it is submitted for plan review;
- 5. The applicant be required to provide letters of no objection from each of the privately owned utility companies for the alley being abandoned;
- 6. The Legal Department be authorized to prepare the necessary transaction documents; and
- 7. 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.

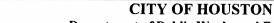
DWK:NPC:cs

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

Parcei map

Subject: Abandonment and sale of a 15-foot-wide alley along Lots 1, 2, 5A, 6A, 7A, 8A, and Tract 206, Block 15, located in the Fairgrounds Extension Subdivision, out of the Obedience Smith Survey. Parcels SY14-097 and SY14-117





Department of Public Works and Engineering
1 inch = 13 Geographic Information & Management System (GIMS)

DISCLAIMER: THIS MAP REPRESENTS THE BEST INFORMATION AVAILABLE TO THE CITY.

TO THE CITY.
THE CITY DOES NOT WARRANT ITS ACCURACY OR COMPLETENESS.
FIELD VERIFICATIONS SHOULD BE DONE AS NECESSARY.





1					
	REQUEST FOR COUN	NCIL ACTION	I		
TO: Mayor via City Secretary				RC	A# 10130
	eived for the Installation of Autom		Category #	Page 1 of 2	Agenda Item
Door Openers for the Ger	half of the	4			
Department of Health and					
WBS No. H-000102-0003	3-4-02-01				
S50-C24982					
FROM (Department or other	point of origin):	Origination	Date	Agenda Date	e t
Calvin D. Wells					
City Purchasing Agent		June 2	20, 2014	JUN 2	E 2014
Finance Department				JUN Z	o 2014
DIRECTOR'S SIGNATURE Council District(s) affected					
Jallin XIV	ull	All			
For additional information cor				prior authorizi	ing
Jacquelyn L. Nisby	Phone: (832) 393-8023	Council Act	ion:		-
Ray DuRousseau	Phone: (832) 393-8726				
RECOMMENDATION: (Sum					
Approve an award to Base	line Paving and Construction, Inc	c. on its low b	id meeting s	pecifications	in the
amount of \$250,212.00 and	d contingencies (9.9% for unfores	seen change	s within the s	cope of work	() in the
amount of \$24,770.99 for a	total amount not to exceed \$274	4,982.99 for t	he installatio	n of automat	ic entry door
openers Citywide for the General Services Department on behalf of the Houston Department of Health and					

Award Amount: \$274,982.99

Human Services.

Finance Budget

\$274,982.99 - Federal Government CDBG (Fund 5000)

SPECIFIC EXPLANATION:

The Director of the General Services Department and the City Purchasing Agent recommend that City Council approve an award to Baseline Paving and Construction, Inc. on its low bid meeting specifications in the amount of \$250,212.00 and contingencies (9.9% for unforeseen changes within the scope of work) in the amount of \$24,770.99 for a total amount not to exceed \$274,982.99 for the installation of automatic entry door openers Citywide for the General Services Department on behalf of the Houston Department of Health and Human Services (HDHHS), and that authorization be given to issue purchase orders, as required. The public entry doors and bathroom doors at HDHHS Multi-Service and Health Centers are not automatic entry doors and this makes it difficult for senior citizens, people with disabilities and adults with children in strollers to enter these buildings and bathrooms.

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

	<u>Company</u>	Total Amount
1.	Baseline Paving & Construction, Inc.	\$250,212.00
2.	General Contractor Services, Inc.	\$255,053.00
3.	Level Infrastructure, LLC	\$399,915.00

The scope of work requires the construction contractor to provide all equipment, labor, materials, tools, supervision and transportation necessary to furnish and install automatic entry door openers at the locations listed below. The scope of work includes, but is not limited to, the installation of electrically-operated door openers, actuators, bollards (as required) and minor repairs to restore affected areas of work to their original condition to provide a turnkey project at the following locations: Southwest Multi-Service Center (6400 High Star), Northeast Multi-Service Center (9720 Spaulding), La Nueva Casa De Amigos Health Center (1809 North Main), Northside Health Center (8504 Schuller), Magnolia Multi-Service/Health Center (7037 Capitol), and the Fifth Ward Multi-Service Center (4014 Market St.). The installation of the automatic entry door openers comes with a one-year warranty on all materials and workmanship. The contractor shall have 75 calendar days to complete the work on this project upon receipt of the notice to proceed.

	REQUIRED AUTHORIZATION		NDT
Finance Department:	Other Authorization:	Other Authorization:	

Date:	Subject: Formal Bids Received for the Installation of Automatic Entry	Originator's	Page 2 of 2
6/20/2014	Door Openers for the General Services Department on behalf of the	Initials	Tuge 2 of 2
	Department of Health and Human Services	AL	
	WBS No. H-000102-0003-4-02-01		
	S50-C24982		

Hire Houston First:

subject to specific procurement rules of the Federal Government.

The Hire Houston First Ordinance does not apply to this contract because the City is using Federal funds which are Pay or Play Program: The City's Pay or Play Ordinance 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. Buyer: Art Lopez

Copy of LOG FROM LINEBARGER 03-13-2014

	The state of the s					54-8CA-10027		File Comp	On behalf of Ronald C. Green, City Controller	of the City Controller certific year is listed below for the c
		THE RESERVE OF THE PARTY OF THE	G. THE TAX TO A CONTROL OF THE CONTR	Magnolia, TX 77355	37817 FM 1774	Baseline Paving & Construction, Inc.		Company Name/Address	n, City Controller	of the City Controller certifies that the tax delinquency status for the current tax year is listed below for the contracting entities contained in this log.
Magnolia, IX 77355	37817 FM 1774	Tanya White					Notice MARCH 2014- FEBRUARY 2015			DX c
	COLUMN TO THE PROPERTY OF THE	no del found			A STATE OF THE PERSON NAMED IN COLUMN NAMED IN	no del found	Account No.			
							City Tax		***************************************	
							Tax County Tax			
		And the second s	The first of the f	an Carried Contract C			Years			
	THE PARTY OF THE P	no account found at HCTO		THE TOTAL PROPERTY OF	WOODERS	THE PROPERTY OF THE PROPERTY O	Notes			

: Mayor via City Secretary	REQUEST FOR COUNCIL A	ACTION			
SUBJECT: Approval of a purchas Intervention Initiative/Annual HIV Cumulus Radio Houston (KRBE 104.	Testing and Concert Even	Health it from	Category #	Page 1 of 1	Agenda Item #
FROM: Stephen L. Williams, M.Ed., M Director-Houston Department of Health		Origina	tion Date	Agenda D	Date
<u>'</u>	<i></i>	06/1	6/2013	Į.	N 2 5 2014
ØÍRECTOR'S SIGNATURE:	hefores for	Council	District affec	ted: ALL	
For additional information contact:	<i>O</i>	Date an Council		tion of prior a	uthorizing
Kathy Barton - Telephone: 832-393-	5045 ; 713-826-5801				
RECOMMENDATION: Approval of a Testing and Concert Event from Cum	purchase order for promoting	g the He 04.1)	alth Interve	ention Initiativ	/e/Annual HIV
			1		
Amount of Funding: Total Allocation	- \$150,000.00 nent – Grant Funds (5000)			Finance:	
rederal Governi	nent – Grant Funds (5000)				
SOURCE OF FUNDING: [] Genera	I Fund [X] Grant Fund []	Enterpris	se Fund [] Other (Spe	ecify)
SPECIFIC EXPLANATION:					
The Houston Department of Health and Human Services (HDHHS) requests City approval of a purchase order for promoting the Health Intervention Initiative/Annual HIV Testing and Concert Event from Cumulus Radio Houston (KRBE 104.1). This event was previously called HIP HOP for HIV and sponsored by KBXX. The total allocation under this agreement is \$150,000.00 from the date the purchase order is issued through September 2, 2014. The City will issue purchase order to CMP Susaquehanna Holdings Corp KRBE.					
HDHHS, in collaboration with Cumulus, KRBE 104.1, conducts the largest HIV testing event in the United States. The goal of this project is to test 15,000 participants between the ages of 15-40 years of age at approximately 30 testing sites. The collaboration will create an opportunity to test and link participants to care if positive and offer one-on-one counseling sessions to high risk participants for HIV/STD. The participants will receive a free ticket to the Astros vs. Marlins game on Saturday July 26, 2014. There will be an interactive concert following the game with various artists.					
Cumulus(KRBE) will provide a comp	orehensive promotional/marke	eting med	dia plan, wh	nich will includ	de:
 HDHHS name mentions as sponsor with 450 (:30) recorded promo announcements, 450 (:15) recorded promo announcements and 150 (:10) live promo announcements. Event listing on the KRBE homepage. Event listing on dedicated page on KRBE.com. Social media posts 42 (:30) thank you promo announcements. Procurement of 15,000 tickets to the July 26th Astros game. Coordination of every aspect of the special concert event. 					
	REQUIRED AUTHORIZAT	TION			
Finance Director	Other Authorization:		Other Aut	thorization:	-

Date

6-16-2014

Approval of a purchase order for promoting the Health Intervention Initiative/Annual HIV Testing and Concert Event from Cumulus Radio Houston (KRBE 104.1).

Originator's Initials TWK

Page 2 of 2

M/WBE Subcontractor:

This is a not a goal oriented contract as defined In Section 15-82 of the Houston Code of Ordinances because contracts for advertising are exempt from the competitive bidding requirement pursuant to Section 252.022 of the Texas Local Government Code.

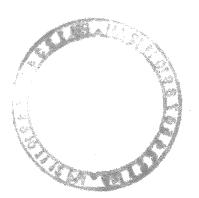
Pay or Play Program:

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 the City policy.

Hire Houston First:

This procurement is exempt from the requirements of the City's Hire Houston First Ordinance. Bid/proposals were not solicited because the HDHHS is utilizing this contractor for this purchase of advertising.

cc: Agenda Director Finance Department Legal Department



TO: Mayor via City Secretary	REQUEST FOR COUNCIL						
and mobile advertising service	UBJECT: Approval of a purchase order for on-screen, lobby nd mobile advertising services from National Cinemedia # etworks for programs within the Harris County Area gency on Aging						
FROM (Department or other poin Stephen L. Williams, M.Ed., M.P.A. Director-Houston Department of Hea		Origina 6/16/20	ition Date 14	Agenda Date JUN 2 5 2014			
DIRECTOR'S SIGNATURE:	Lar	Counci ALL	l District affec				
For additional information contact Telephone: 832-393-50	: Kathy Barton 45; 713-826-5801		id identification l action: N/A	n of prior	authorizing		
RECOMMENDATION: Approval of advertisement a pufrom National Cinemedia	urchase order for on-scree	n, lobby	and mobile	advertisi	ing services		
	Amount of Funding: Maximum Amount: \$162.027.80 Federal/Local/State Passthrough – Fund 5030 Finance Department						
SOURCE OF FUNDING: [] General Fund [X] Grant Fund [] Enterprise Fund [] Other (Specify)							
advertisement services will be display second messages (spots) will provide Insurance Program and the Gulf Coas and Cinemark movie venues and will order through August 31, 2014.	information on services availab st Aging and Disability Resource	le throug Center.	h the Healthca These spots w	re Marketp ill run in Re	olace egal. AMC		
This recommendation is made pursual "advertising, other than legal notices"	nt to Section 252.022(a)(16) of th from the competitive bidding req	e Texas l uiremen	_ocal Governmets.	ent Code, v	vhich exempts		
M/WBE Subcontractor: This is a not a goal oriented contract as defined in Section 15-82 of the City Code of Ordinances because contracts for advertising are exempt from the competitive bidding requirement pursuant to Section 252.022 of the Texas Local Government Code.							
Pay or Play Program: The proposed Purchase Order agreement 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 the City policy.							
Hire Houston First: This procurement is exempt from the requirements of the City's Hire Houston First Ordinance. Bid/proposals were not solicited because the HDHHS is utilizing this contractor for this purchase of advertising.							
cc: Finance Department Legal Department Agenda Director							
	REQUIRED AUTHORIZATI	ON					
Finance Department Other Authorization: Other Authorization:							

,						
	REQUEST FOR COU	NCIL ACTION				
TO: Mayor via City Secretary				RCA	A# 10121	
Subject: Formal Bids Received Remediation Services for the of the Housing and Communi S50-C25022	General Services Departme	nt on behalf	Category #	Page 1 of 2	Agenda Item	
FROM (Department or other point	Origination 1	Date	Agenda Date			
Calvin D. Wells						
City Purchasing Agent		June 20, 2014		JUN 2 5 2014		
Finance Department				GOIL TO THE		
DIRECTOR'S SIGNATURE	ell	1	rict(s) affected			
For additional information contact		B				
Jacquelyn L. Nisby	Phone: (832) 393-8023	Council Action		prior authorizi	ng	
Ray DuRousseau	` ,	Council Actio	on:			
	Phone: (832) 393-8726					
RECOMMENDATION: (Summary						
Approve an award to John A. V	valker Rooting Co., Inc. on it	s low bid mee	ting specific	ations in the	amount of	
\$177,560.00 and contingencies	(10% for unforeseen chang	es within the	scope of wor	rk) in the amo	ount of	

Approve an award to John A. Walker Roofing Co., Inc. on its low bid meeting specifications in the amount of \$177,560.00 and contingencies (10% for unforeseen changes within the scope of work) in the amount of \$17,756.00 for a total amount not to exceed \$195,316.00 to provide roof and parking lot remediation services for the General Services Department on behalf of the Housing and Community Development Department.

Award Amount: \$203,866.00

Finance Budget

\$203,866.00 - Federal Government (Fund 5000)

SPECIFIC EXPLANATION:

The Director of the General Services Department and the City Purchasing Agent recommend that City Council approve an award to John A. Walker Roofing Co., Inc. on its low bid in the amount of \$177,560.00 and contingencies (10% for unforeseen changes within the scope of work) in the amount of \$17,756.00 for a total amount not to exceed \$195,316.00 to provide roof and parking lot remediation services for the General Services Department on behalf of the Housing and Community Development Department, and that authorization be given to issue purchase orders as necessary. The roof is leaking in several locations and the parking lot has multiple locations where the surface has deteriorated and causing a safety hazard.

The total appropriation of \$203,866.00 includes \$195,316.00 to provide roof and parking lot remediation and \$8,550.00 for material testing services under an existing contract with Professional Service Industries, Inc.

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

	<u>Company</u>	Total Amount
1.	John A. Walker Roofing Co., Inc.	\$177,560.00
2.	Level Infrastructure, LLC	\$192,300.00
3.	General Contractor Services, Inc.	\$342,862.00
4.	Restocon Corporation	\$410,298.00
5.	Times Construction, Inc.	\$426,000.00

The scope of work requires the construction contractor to provide all equipment, labor, materials, tools, supervision and transportation necessary to provide roof and parking lot remediation services at the Victory Preparatory Academy, located at 2903 Jensen Drive. The scope of work includes, but is not limited to, roof repair and installation of an elastomeric coating over the entire roof; resurfacing and restriping the entire

REQUIRED AUTHORIZATION					
Finance Department:	Other Authorization:	Other Authorization:			

Date: 6/20/2014	Subject: Formal Bids Received to Provide Roof and Parking Lot Remediation Services for the General Services Department on behalf of the Housing and Community Development Department S50-C25022	Originator's Initials AL	Page 2 of 2
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parking lot. Materials and workmanship for this project are warranted for one year. The contractor shall have 45 calendar days to complete the work on this project upon receipt of the notice to proceed.

Hire Houston First:

The Hire Houston First Ordinance does not apply to this contract because the City is using Federal funds which are subject to specific procurement rules of the Federal Government.

Pay or Play Program:

The City's Pay or Play Ordinance 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.

Buyer: Art Lopez

TO: Mayor via City Secretary	REQUEST FOR COU	NCIL ACTION		D.C.	A# 10125
Subject: Approve Payment for	or the Emergency Repair of ar for the General Services Dep Department	Category #	Page 1 of 1	A# 10127 Agenda Item	
FROM (Department or other poi	nt of origin):	Origination	 Date	Agenda Date	
Calvin D. Wells					
City Purchasing Agent Finance Department		June 1	3, 2014	JUN 2	5 2014
DIRECTOR'S SIGNATURE		Council Dist	rict(s) affected	1	
Malin XW	ella	Council Dist	rici(s) arrected	1	
Jacquelyn L. Nisby Ray DuRousseau RECOMMENDATION: (Summa	Phone: (832) 393-8023 Phone: (832) 393-8726	Date and Ide Council Acti		prior authoriz	ing
Approve payment of an emergency \$15,000.00 for the emergency behalf of the Houston Police I	gency purchase order issued to repair of an aboveground store	to DNB Enter orage tank for	prises, Inc. ii the General	n the total an I Services De	nount of epartment on
Payment Amount: \$15,000.00)			Finance Bud	get
\$15,000.00 - General Fund (1	000)				
approve payment of an ement \$15,000.00 for an abovegrous authorization be given to issue On May 7, 2014, the General and cleaning of an 8,000 avgation was corroded to the point that the saddle supporting the AS rupturing. The Department, the situation. The Strategic Proculaddress this emergency. The in with subsequent discovery of order to DNB Enterprises, Incapproval. The scope of work required the supervision and transportation new AST saddle.	and storage tank repair for an automated (SAP) purchase Services Department personals gallon aboveground storage the saddle could not be repair needed to be immediately nerefore, requested an emerginement Division issued an enitial cost to refinish, sandblase the corroded saddle, and the corroded saddle, and the contractor to provide all	or the General se order. The discovered ge tank (AST) aired. Therefore removed and gency purchal emergency post and clean to the requirement \$57,265.00 labor, materials.	d during the that the sa ore, the Dep dreplaced to urchase order to urchase order to issue a and therefo	refinishing, significant determinent deter	sandblasting ing the tank ermined that e AST from emergency 14, 2014 to D. However, by purchase City Council
This recommendation is made preserve or protect the public Code for exempted procuremer Buyer: Roy Korthals	health and safety of the mu	ction 252.022 unicipality's re	(a) (2) "a pr esidents" of	ocurement n the Texas C	ecessary to Government
	REQUIRED AUTHOR	IZATION			
Finance Department:	Other Authorization:	IZATION	Other Authori	ization:	

4						
TO: Mayor via City Secretary	REQUEST FOR COUR	NCIL ACTION		D.C.	A# 10117	
	Subject: Approve the Purchase of Various Types of Trees, Including Category					
Planting and Maintenance	Services through the Interlocal	Agracment	4	Page 1 of 2	Agenda Item	
	with the Harris County Depart	,				
	Parks and Recreation Departn					
S50-N24956E	and Necreation Departing	IEIIL			12	
FROM (Department or other po	int of origin):	origin): Origination Date				
Calvin D. Wells		Origination	Date	Agenda Dat	•	
City Purchasing Agent		June 2	0, 2014			
Finance Department			•	JUN 2	5 2014	
DIRECTOR'S SIGNATURE		Council Dist	rict(s) affected			
allum & h	ille	D, G, I				
For additional information conta	iet:		ntification of	prior authoriz	ing	
Luci Correa	Phone: (832) 395-7057	Council Acti			6	
Ray DuRousseau	Phone: (832) 393-8726					
RECOMMENDATION: (Summa		······································		······································		
Approve the purchase of vari	ous types of trees, including pl	anting and m	aintenance s	services for a	a total	
amount not to exceed \$99,99	95.65 through the Interlocal Ag	reement for C	ooperative F	Purchasing w	ith the	
Harris County Department of	Education for the Houston Par	ks and Recre	ation Depar	tment.		
			•			
Aand A				Finance Bud	get	
Award Amount: \$99,995.65						
\$00,005 65 Conoral Fund (1000)					
\$99,995.65 - General Fund (1000)					
exceed \$99,995.65 through Department of Education for purchase order, as required.	reation Department and the City s of trees, including planting a the Interlocal Agreement for the Parks and Recreation Depa to the Harris County Depart	nd maintenan Cooperative	ce services Purchasing	for a total at with the H	mount not to arris County	
supplies and transportation in services at the locations listed trees and provide maintenance includes watering, mulching, vermain alive and healthy through	he contractor to provide all su ecessary to provide various ty on page 2 of 2. The contractor se for a 24-month period after the weed control and staking. The gh the end of the 24-month guation of the purchase order ten	rpes of trees, shall be require trees are plate contractor grantee period	including ped to furnish nted and accuracy the function of the	lanting and and plant 41 cepted. The nat all trees j tv period").	mainténance 0 – 15 gallon maintenance planted shall The warranty	
Trees clean our air, reduce pol forest helps attract businesse Houston's continued economi Neighborhood Action Plan (SN	es and residents and encoura ic vitality. The planting location	ges neighbor ns for this pu	hood revital rchase were	ization; both selected to	are key to	
<u>Hire Houston First:</u> The proposed contract requires opportunity for Houston busine Houston First Ordinance. The purchase.	esses and supports iob creation	 This procur 	rement is exc	empt from th	e Citv's Hire	
Pay or Play Program: The proposed contract requires employees of City contractors. is utilizing an Interlocal or Coop	This procurement is exempt from	n the Citv's 'F	'av or Plav' F	arding health rogram. The	benefits for department	
	REQUIRED AUTHOR	IZATION			NDT	
Finance Department:	Other Authorization:		Other Author	ization:	-	

Date:	Subject: Approve the Purchase of Various Types of Trees, Including	Originator's	Page 2 of 2
6/20/2014	Planting and Maintenance Services through the Interlocal Agreement	Initials	
	for Cooperative Purchasing with the Harris County Department of	AL	
	Education for the Houston Parks and Recreation Department		
	S50-N24956E		

LOCATION LIST

<u>LOCATION LIST</u>				
Address	Type of Tree	Size	Quantity	Council District
Reed Road from Scott to Rosehaven	Winged Elm (Ulmus Alata)	15 gal.	5	D
	Bur Oak (Quercus Macrocarpa)	15 gal.	10	
	Green Ash (Fraxinus Pennsylvanica)	15 gal.	25	
	Cedar Elm (Ulmus Crassifolia)	15 gal.	10	
	Mexican Oak	15 gal.	5	
	Red Maple	15 gal.	15	
	Pine Tree	15 gal	10	
Subtotal:			80	
Airport from Scott to MLK	Winged Elm (Ulmus Alata)	15 gal.	5	D
	Bald Cypress (Taxodium Distichum)	15 gal	25	
	Bur Oak (Quercus Macrocarpa)	15 gal.	10	
	Cedar Elm (Ulmus Crassifolia)	15 gal.	10	
	Mexican Oak	15 gal.	5	
	Red Oak	15 gal.	20	
	Pine Tree	15 gal.	10	
Subtotal:			<u>85</u>	
Cullen from Airport to Almeda-Genoa Road	Mexican Plum (Prunus Mexicana)	15 gal.	5	D
	Cedar Elm (Ulmus Crassifolia)	15 gal.	10	
	Live Oak (Quercus Virginiana)	15 gal.	15	
	Sweet Gum	15 gal.	10	
	Pine Tree	15 gal.	5	
	Mexican Oak	15 gal.	5	
Subtotal:			<u>50</u>	
Mykawa from 610 to Airport	Live Oak (Quercus Virginana)	15 gal.	50	D&I
	Bur Oak (Quercus Macrocarpa)	15 gal	30	
	Green Ash	15 gal.	50	
	Bald Cypress	15 gal.	25	
	Red Oak	15 gal.	20	
	Red Maple	15 gal.	10	
Subtotal:			<u>185</u>	
Chimney Rock from I-10 to	Live Oak (Quercus Virginiana)	15 gal.	10	G
Memorial Subtotal:			10	-
Subtotal:			10	.
Grand Total:			410	All Districts

Buyer: Art Lopez

*		······································			
REQUEST FOR COUN	CIL ACTION				
TO: Mayor via City Secretary				A# 10153	
Subject: Approve the Sole Source Purchase of 3M Cogent Category #		Page 1 of 2	Agenda Item		
Software/Hardware Upgrades and Maintenance Services for	or the	4			
Houston Police Department/S37-E25080					
				12	
FROM (Department or other point of origin):	Origination	Date	Agenda Date)	
Calvin D. Wells					
City Purchasing Agent	June 0	9, 2014	JUN 2 5 2014		
Finance Department		JUN 2		, 0 2014	
DIRECTOR'S SIGNATURE	Council Dist	rict(s) affected			
Callin I Well	All	• •			
For additional information contact:	Date and Ide	ntification of	prior authorizi	ng	
Joseph A. Fenninger/11/1/ ₁₂ / ₁₄ Phone: (713) 308-1770	Council Action	on:	-		
Joyce Hays \\ \int \lambda \la					
RECOMMENDATION: (Summary)	•				
Approve the sole source purchase of automated fingerprint i	dentification	system (AFI	S) software/h	nardware	
upgrades and maintenance in the total amount not to exceed					
Department.					
,					
		4	Finance Budg	get	
Award Amount: \$564,129.87					
	<u> </u>				
\$564,129.87 - General Fund (1000)					
CDECIFIC EVDI ANATION.					

SPECIFIC EXPLANATION:

The Chief of Police and the City Purchasing Agent recommend that City Council approve the sole source purchase of 3M Cogent Automated Fingerprint Identification System (AFIS) software/hardware upgrades and annual maintenance in the total amount not to exceed \$564,129.87 for the Houston Police Department (HPD) and that authorization be given to issue a purchase order to 3M Cogent, Inc.

The Automated Fingerprint Identification System (AFIS) at HPD provides identification services through fingerprint analysis. This integrated technology system supports patrol and investigative units in the field and at HPD facilities to assist in solving crimes, thereby enhancing officer and public safety. The purchase of the original system was approved by City Council on February 21, 2007.

This purchase will consist of upgrading the AFIS equipment to Microsoft Windows 7 as Windows XP is no longer supported and does not meet Criminal Justice Information (CJIS) policies. In addition this will allow for the annual payment for maintenance. The following items will be included in the upgrade:

- Tenprint Matcher
- Palmprint and Reverse Matcher
- Fingers Matcher
- Workflow/Image Processing Server
- AFIS Server/Database Server
- Webarchive License
- Client upgrade for workstations
- Professional Services

3M Cogent, Inc. is the sole source provider and exclusive manufacturer of the PMA, CLS1 Scanner, BlueCheck, and Mobile Ident II communication devices, as well as being the sole source developer of the AFIS software. As these devices and the integrated software are developed and manufactured exclusively

	REQUIRED AUTHORIZATION)N	ND
Finance Department:	Other Authorization.	Other Authorization:	
	77 -111		

Date: Subject: Approve the Sole Source Purchase of 3M Cogent 6/9/2014 Software/Hardware Upgrades and Maintenance Services for the Houston Police Department/S37-E25080	Originator's Initials JH	Page 2 of 2
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by 3M Cogent, Inc., no other biometric provider has the ability, knowledge or expertise to maintain and support the 3M Cogent AFIS system. Further, the source code for all Cogent software is exclusive to Cogent and is protected as a trade secret.

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

Houston Hire 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: Joyce Hays

Attachment: M/WBE zero-percentage document approved by the Mayor's Office of Business Opportunity.



Goal Modification Request Form

To:	Assistant Director Office of Business Opportunity	Solicitation Number:
	office of Business Opportunity	Estimated Dollar Amount: \$ 565,000
From:	Patricia Cheesman/IRM Manager	
	Requestor's Name/Title HPD	
	Department	_
Type of	Solicitation: Bid Proposal Other	
Name a	nd Intent of this Solicitation: Upgrade Autom	nated Fingerprint Identification System (AFIS) softwa
and har	dware to Windows 7 as Windows XP is no	longer supported and HPD must meet Criminal
Justice	(CJIS) policies. Additionally this is for the a	nnnual maintenance for the items.
Goal on If goal w Why was	Last Contract: Was Goal Met: Yes vas not met, what percentage did the vendor achiesn't goal achieved: E SELECT THE TYPE OF GOAL MOI (Waiver, Reduced Goal, Goal Revision After Adve	No O
WAIVE	R	
I am requ	nesting a <u>waiver</u> of the MWBE Goal: Yes	No O
Reason f	or waiver:	
	A public or administrative emergency e with unusual immediacy;	xists which requires the goods or services to be provided
	City department to be able to select its c	ch a specialized, technical or unique nature as to require the ontractor without application of MWSBE provisions (such financial advisors or technical consultants);
	If application of MWSBE provisions work City or unduly delay acquisition of the interest of the City; or	ald impose an unwarranted economic burden or risk on the goods or services, or would otherwise not be in the best
0		

0	If the possible MWSBE participation level based on MWSBE availability would produce negligible MWSBE participation.
•	Other: 3M Cogent, Inc. is the sole source provider and exclusive manufacturer. The source
•	code for all Cogent software is exclusive to Cogent and is protected as a trade secret.
Detail	ed Explanation of waiver reason: The equipment and the integrated software are developed
	nanufactured exclusively by 3M Cogent, Inc., no other biometric provider has the ability
	intain and support the 3M Cogent AFIS system.
REDUCED G	OAL (To be completed by the department prior to advertisement)
	g a MWBE contract-specific goal below the following citywide goals:
Construction (3	34%); Professional Services (24%); Purchasing (11%)
	If yes, complete a Contract-Specific Goal Setting Worksheet and submit with this form.
GOAL REVIS	SION AFTER ADVERTISEMENT
I am requesting	a <u>revision</u> of the MWBE Goal: Yes No
	New Proposed Goal:
	Date: Number of Solicitations Received: Estimated Dollar Amount: \$
	n for request:
COOPERATIV	VE OR INTER-LOCAL AGREEMENT
	ative/Inter-Local Purchasing Agreement? Yes No Goal Requested:
	e: Yes \(\cappa_{\text{No}}\) No \(\cappa_{\text{No}}\)
	explore opportunities for using certified firms? Yes No N/A
	plain why not:
,,	
Concurrence:	
Patricia Cheesman	6/6/14 Patricia Cheesman
Department Initia	0/0/14
реранияси ини	ator Date Department Director or Designee Date
Approved by:	. 0
Waish	- I hung 6/6/14
OBO Assistant D	Director or Designee Dota
	mettor or designed pate /



311

May 29, 2014

Houston Police Department Identification Division AFIS Unit

Re: 3M Cogent CAFIS Hardware and Software

To whom it may concern,

This letter will confirm that 3M Cogent, Inc. is the sole and exclusive manufacturer of the Programmable Matching Accelerator (PMA), CLS1 scanner, BlueCheck and MobileIdent-II devices as well as the sole developer of all AFIS system software listed below. These items are tightly integrated with one another and work together to provide all core AFIS functionalities including data entry, fingerprint capture and storage, searching and matching. This is especially true for the PMA which is designed to work specifically with Cogent's matching algorithms. Further, the source code for all Cogent software is exclusive to Cogent and is protected as a trade secret. Therefore, no other entity has the ability to modify or update Cogent software.

Only 3M Cogent, Inc. is authorized to sell, maintain or modify the below listed hardware and software in the State of Texas:

- CLS1 Full Cabinet Livescan with CLS1 Scanner and Cogent Livescan Software
- Cogent Portable Livescan with CLS1 Scanner and Cogent Livescan Software
- CAFIS Multifunction Software (AFIS Entry and Verification)
- Cogent AFIS Core Server
- Cogent Interface and Region Servers
- Cogent Secondary Matcher
- Cogent Programmable Matching Accelerator (PMA)
- Cogent MobileID Server
- Cogent Web Archive Server
- Cogent BlueCheck and MobileIdentII Handheld Devices

Because these devices and the integrated software are developed and manufactured exclusively by 3M Cogent, Inc., no other biometric provider has the ability, knowledge nor expertise to maintain and support the 3M Cogent AFIS system.

Should you have questions, please do not hesitate to contact me directly or via email at (626) 325-9600 or jziska@mmm.com

Sincerely,

James Ziska Senior Project Manager 3M Cogent, Inc jziska@mmm.com

	REQUEST FOR COU	NCIL ACTION	***************************************		
TO: Mayor via City Secretary				RC.	A# 10067
Subject: Formal Bids Received for	or Forklifts for the Public V	Vorks &	Category #	Page 1 of 2	Agenda Iten
Engineering Department			4		
S40-N24835					
					10
FROM (Department or other point of					17
Calvin D. Wells	origin):	Origination 1	Date	Agenda Dat	e "
City Purchasing Agent		May 2	1, 2014		- 0011
Finance Department		Iviay 2	1, 2014	JUN 2	5 2014
DIRECTOR'S SIGNATURE		Council Distr	rict(s) affected		
Jellin DW	en	All	rici(s) affected		
For additional information contact:			ntification of	orior authorizi	inσ
Kenneth Hoglund	Phone: (832) 393-6901	Council Actio	on:		···· ·s
Ray DuRousseau	Phone: (832) 393-8726				
RECOMMENDATION: (Summary)					
Approve various awards as shown	n below in the total amoun	t of \$295,498	.00 for forkli	fts for the Pu	blic Works
& Engineering Department.					
Award Amount: \$295,498.00	•			Finance Bud	get
4200, 100:00					
\$295,498.00 - PWE Combined Uti	lity System General Purpo	se Fund (Fur	nd 8305)		
		oo rana (ran	ia 0000)		
SPECIFIC EXPLANATION:				· · · · · · · · · · · · · · · · · · ·	
The Director of the Public Works	& Engineering Departmer	t and the City	/ Purchasing	Agent reco	mmend that
City Council approve various awa	rds, as shown below, in t	he total amou	int of \$295 a	198 NN for el	ectric liquid
petroleum gas (LPG) and diesel p	powered forklifts for the F	Public Works	& Engineeri	ng Departme	ent and that
authorization be given to issue pur	chase orders. These fork	lifts will be us	ed by the D	enartment's	Wastewater
Derations Division to move, load	and unload materials in	varehouse or	perations at	wastewater	plants. The
forklifts that will be purchased are i	ncluded in the adopted F	∕14 Equipmer	nt Acquisition	n Plan.	,,,,
This project was advertised in a	ccordance with the requ	rements of the	he State of	Texas bid	laws. Five
prospective bidders downloaded tr	ne solicitation document fi	om SPD's e-l	bidding web	site and thre	e bids were
received.					
Caragivara International Comm					
Caregivers International Corpor	ation: Award on its low	bid for Item	Nos. 1 (or	e 4,000-lb.	lift capacity
electric powered forklift) and 4 (one	12,000-lb lift capacity LP	G powered fo	rklift) in the	amount of \$7	73,990.00.
Company	-				
Company American Meterial Handling	Total Amount	,			
1. American Material Handling		tial Bid/Highe	r Unit Price)		
2. Caregivers International C	•				
Briggs Equipment, Inc.	\$80,052.00				
Priggs Equipment Inc. Asserts	and the transfer of the same				
Briggs Equipment, Inc.: Award of	on its low bid for Item No	os. 2 (one 5,	000-lbs. lift	capacity LP	G powered
forklift) and 3 (three 5,000-lbs. lift ca	apacity LPG powered fork	lifts) in the an	nount of \$98	,620.00.	
Company	Total Amazant				
	Total Amount				
1. Briggs Equipment, Inc.	\$ 98,620.00				
 American Material Handling, Caregivers International Cor 					
Caregivers International Cor	p. \$131,980.00				
	REQUIRED AUTHOR	ZATION			N I
Finance Department:	Other Authorization:		Other Authoria	zation:	

Date: 5/21/2014	Subject: Formal Bids Received for Forklifts for the Public Works & Engineering Department	Originator's	Page 2 of 2	_
3/21/2014	S40-N24835	Initials JM		

American Material Handling, Inc.: Award on its low bid for item No. 5 (one 22,000-lbs. lift capacity diesel powered forklift) in the amount of \$122,888.00.

Company
American Material Handling, Inc.
2. Briggs Equipment, Inc.

Total Amount
\$122,888.00
\$131,601.00

Item No. 6 is not being awarded.

The LPG and diesel powered forklifts will meet the EPA's current emission standards for equipment with LPG and diesel powered engines. Two of the seven (the electric and one 5,000-lbs. LPG) forklifts being purchased will replace 25 year old units that have exceeded their life expectancies and will be sent to auction for disposition. The remaining five (one 12,000-lbs. LPG, three 5,000-lbs. LPG and one 22,000-lbs. diesel), forklifts are additions to the Department's fleet inventory and will be used by its Wastewater Operations Division in various plants. These new forklifts will come with a 12-month warranty and life expectancy is ten years.

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 contractor(s) do not meet the requirements of Hire Houston First; no Hire Houston First firms responded to this Invitation to Bid.

Attachments: 1) MWBE Zero Percentage Goal document approved by the Office of Business Opportunity.

Buyer: Jeff Meekins PR's 10174602, 10174603, 10173576



Goal Modification Request Form

FEB 202014

To:	Assistant Director	OBÚ	Solicitation Number: S40-N24835
	Office of Business Opportun	ity	Estimated Dollar Amount: \$ 358,000.00 est.
From:	Nola Boone Procurement Requestor's Name/Title PWE/RMD/MMB Department	Specialist	
Type of	Solicitation: Bid / Proposa	Other	
Three P PREVIO Goal on I If goal w. Why was	PR's MMB 10174602 \$37,60 PUS CONTRACT (if any): Last Contract: 0 Was as not met, what percentage did n't goal achieved: SELECT THE TYPE OF	atment plants and p 0.00, 10174603 \$1 Yes No Goal Met: Yes the vendor achieve?	
WAIVEF			
	The service or goods required City department to be ab	ve emergency exists ; uested are of such a s le to select its contra	which requires the goods or services to be provided pecialized, technical or unique nature as to require the ctor without application of MWSBE provisions (such cial advisors or technical consultants):
	If application of MWSBE City or unduly delay acc interest of the City; or	E provisions would in quisition of the good	npose an unwarranted economic burden or risk on the s or services, or would otherwise not be in the best



If the possible MWSBE participation level based on MWSBE availability would produce negligible MWSBE participation.
Other: Based on delivery straight from the manufacturer.
Detailed Explanation of waiver reason: The forklifts would be delivered directly to City of Houston
from the manufacturer of the approve forklift rather then shipped to a local distributor and then
delivered to a specific COH facility. No additional shipping charges would be incurred.
REDUCED GOAL (To be completed by the department prior to advertisement)
I am <u>requesting</u> a MWBE contract-specific goal below the following citywide goals:
Construction (34%); Professional Services (24%); Purchasing (11%)
Yes No If yes, complete a Contract-Specific Goal Setting Worksheet and submit with this form.
GOAL REVISION AFTER ADVERTISEMENT
I am requesting a <u>revision</u> of the MWBE Goal: Yes No
Original Goal: New Proposed Goal:
Advertisement Date: Number of Solicitations Received: Estimated Dollar Amount: \$
Detailed reason for request:Estimated Dollar Amount: \$
COOPERATIVE OR INTER-LOCAL AGREEMENT
Is this a Cooperative/Inter-Local Purchasing Agreement? Yes V No Goal Requested: 0
If yes, what type: HGAC Yes No
Did Department explore opportunities for using certified firms? Yes V No N/A V
If no, please explain why not: Consolidated Traffic Controls is also the exclusive dealer in the
State of Texas for the complete line of products manufactured by RTC Manufacturing.
Concurrence;
Who boone 2/19/14 AP Auren aliaban
1 John 2/19/14 Department Initiator Date Department Director or Designee Date
Approved by:
Marke 3 Have 3/21/14
OBO Assistant Director or Designee Date

W-106

TO: Mayor via City Secretary	REQUEST FOR COU	NCIL ACTION	1	RC.	A# 10136	
	ver Replacement Parts and Repa	ir Services	Category #	Page 1 of 1	Agenda Iten	
FROM (Department or other	point of origin):	Origination	Data	Agenda Date	<u> </u> /=	
Calvin D. Wells	point of origing.	Origination	Origination Date May 29, 2014		Agenda Date	
City Purchasing Agent		May 2			5 2014	
Finance Department				JUN &	U LUIT	
DIRECTOR'S SIGNATURE	nues	Council Dist	trict(s) affected	ľ		
For additional information co		Date and Identification of prior authorizing				
David Guernsey	Phone: (832) 395-3640	Council Acti			6	
Ray DuRousseau	Phone: (832) 393-8726					
RECOMMENDATION: (Sun Approve payment of the er for emergency blower repl	nmary) mergency purchase order issued lacement parts and repair service	to Dresser, In s for the Publ	nc. in the tota lic Works & E	al amount of Singineering D	\$454,027.0 Department	
	•			Finance Budg	get	

Payment Amount: \$454,027.08

\$454,027.08 - 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 of the emergency purchase order issued to Dresser, Inc. in the total amount of \$454,027.08 for emergency blower replacement parts and repair services for the Public Works & Engineering Department and that authorization be given to issue an automated (SAP) purchase order.

The Strategic Procurement Division issued an emergency purchase order to Dresser, Inc. on July 22, 2013 in order to prevent public health and safety hazards and permit violations due to malfunctioning blowers at wastewater treatment facilities until a longer term agreement could be put in place. The Čity's blower replacement parts and repair services contract expired on February 26, 2013. Although proposals had been received for the new contract for blower replacement parts and repair services, the contract terms and conditions had not been finalized at the time the emergency purchase order was issued for blower replacement parts and services.

The scope of work required the contractor to provide all labor, supervision, tools, materials, parts, equipment machinery and facilities necessary to provide precision repair services on various types of blowers, including centrifugal, positive displacement, and rotary lobe vacuum for Department's Wastewater Operations Division. Services included, but were not limited to repairing/rebuilding the blowers using new parts, balancing the impellers and replacing gear keys, pins, gear cap screws and oil filters. Material and workmanship are warranted for one year after completion and acceptance of each repair/rebuild service. approximately 225 blowers located throughout the 40 wastewater treatment plants within the City. The price of a new blower, depending on the size, ranges from \$10,000.00 to \$250,000.00 and the normal useful life is 20 to 30 years.

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 AUTHORIZA	ATION	1
Finance Department:	Other Authorization:	Other Authorization:	

	•				
	REQUEST FOR COUNTO: Mayor via City Secretary			A # 100 4=	
					A# 10045
	Subject: Approve Purchase of Pakscan PH2 Rotork® SCAL		Category #	Page 1 of 1	Agenda Item
	System Upgrade Services for the Public Works & Engineer	ring	4		
	Department				
	S12-E24958				16
	FROM (Department or other point of origin):	Origination	 Date	Agenda Date	e
	Calvin D. Wells				
	City Purchasing Agent	May 29	9, 2014	IIIN 9	5 2014
	Finance Department			0011 &	
D	DIRECTOR'S SIGNATURE	1	rict(s) affected		
K	Jallem & Wills	All			
1	For additional information contact:			prior authorizi	ing
-	David Guernsey Phone: (832) 395-3640	Council Action	on:		
-	Ray DuRousseau Phone: (832) 393-8726				
	RECOMMENDATION: (Summary)	. O a m tural a un d	D-4- A	-141 (0015	
	Approve the purchase of Pakscan PH2 Rotork® Supervisory	Control and	Data Acqui	sition (SCAD	A) control
	system upgrade services for the Public Works & Engineering	Departmen	l.		
ľ				Finance Bud	get
	Spending Authority: \$220,287.00				5
	\$220,287.00 - Water & Sewer System Operating Fund (Fund	d 8300)			
f	SPECIFIC EXPLANATION:				
	The Director of the Public Works & Engineering Department	t and the Cit	v Purchasin	a Agent reco	mmend that
	City Council approve the purchase of Pakscan PH2 Rotork®	® SCADA co	ntrol system	i upgrade se	rvices in the
	total amount not to exceed \$220,287.00 and that author	rization be c	iven to issi	ue a purcha	ise order to
	Environmental Improvements, Inc. (aka El ²). The Paksca	n PH2 Roto	rk® SCADA	system is a	specialized
	hardware/wire control system that allows communication be and all 49 valve actuators at the Northeast Water Purificatio	tween the P	rogrammabi	e Logic Con	troller (PLC)
l	of the NEWPP's Pakscan PH2 Rotork® SCADA control system	nii Fiaiii (INE) em is essent	ial to mainta	upgrade and	nerations of
	the facility and is necessary to provide continuous safe and	reliable pota	ble drinkina	water to City	of Houston
	customers.	· · · · · · · · · · · · · · · · · · ·	210 U1111111119		, or modelen
	Environmental Improvements Inc. (also EI2) is the sale Date		4-45	n	
	Environmental Improvements, Inc. (aka El ²) is the sole Rote the Pakscan PH2 Rotork® SCADA control system's captive r	ork represen	tative autho	rized to sell	and service
	the ranscarring Notoin SCADA control systems captive r	epiacement	parts and co	imponents.	
	The scope of work requires the contractor to provide all	l labor, field	parts and	components	(electronic
	controller modules and cards, electrical cables and connec	ctors, includi	ina weather	proof filter	houses and
	basin repeater boxes), supplies and supervision necessary t	to upgrade tl	ne NEWPP's	s Pakscan P	H2 Rotork®
	SCADA control system.				
	This recommendation is made pursuant to Chapter 252, Sec	ction 252 022	2 (a) (7) (D)	"a procurem	ent of items
	that are available from only one source, including captive rep	placement pa	rts or comp	onents for ec	uinment" of
	the Texas Local Government code for exempted procuremen	ts.			aup.mont o.
	·				
	Hire Houston First This procurement is exampt from the City's Hire Houston Fir		_ mtale/		
	This procurement is exempt from the City's Hire Houston Fir because these captive replacement parts and components ar	rst Urginance	e. Blas/prop	osais were i	not solicited
	seedade mese capave replacement parts and components at	e only availa	nie IIOIII ONG	s source.	
ı	Buyer: Martin King/Jeff Meekins				
	Attachment: MWRF Zero Percentage Goal Document approved by the	Mayor's Office	of Dusiness	Omm = w6	

REQUIRED AUTHORIZATION Other Authorization:

Other Authorization:

Finance Department:



Goal Modification Request Form

	•	MAR 2 4 2014		
To:	Assistant Director	-	Solicitation Number:	S12-E24958
	Office of Business Opportunity	Eggin man and	Estimated Dollar Amo	unt: \$_220,287.00
From:	David Guernsey			
	Requestor's Name/Title PW&E - MMB			
	Department			
Type of	Solicitation: Bid Proposal	7 04 - [7]		
Name ar	nd Intent of this Solicitation: Solo	e source Pakscan	PH2 Rotork SCADA Contr	rol System Upgrade s-
		s No 💿		
Goal on I	ast Contract: n/a Was Goa	al Met: Yes 🔘 N	io 🔘	
If goal wa	as not met, what percentage did the	vendor achieve? _	***************************************	
Why was	n't goal achieved:			
PLEASE BELOW	SELECT THE TYPE OF G (Waiver, Reduced Goal, Goal Revisio	OAL MODIFICA on After Advertiscme	ATION REQUESTED FR	OM THE OPTIONS
WAIVER				
I am reque	sting a waiver of the MWBE Goal	: Yes 🕟 No 🤇)	
Reason for		0		
C	A public or administrative e with unusual immediacy;	mergency exists w	hich requires the goods or s	ervices to be provided
С	The service or goods requeste City department to be able to as contracts for expert witness	select its contracto	or without anolication of MU	ISRE provisions (such
0	If application of MWSBE pro City or unduly delay acquisit interest of the City; or	visions would impetion of the goods of	ose an unwarranted economic or services, or would otherw	burden or risk on the ise not be in the best

O	If the possible MWSBE participation level based on MWSBE availability would produce negligible MWSBE participation.
•	Other: Environmental Improvements. Inc. (aka EI2) is the sole Rotork® representative
	authorized to sell and service patented Pakscan PH2 SCADA Rotork® control systems.
Detai	led Explanation of waiver reason: The Pakscan PH2 SCADA Rotork® system is a specialized
pate	nted hardware/wire control system that allows communication between the Programmable
Logi	c Controllers and all 49 valve actuators at the Northeast Water Purification Plant (NEWPP)
REDUCED O	GOAL (To be completed by the department prior to advertisement)
l am <u>requestin</u>	g a MWBE contract-specific goal below the following citywide goals:
	34%); Professional Services (24%); Purchasing (11%)
Yes No (If yes, complete a Contract-Specific Goal Setting Worksheet and submit with this form.
GOAL REVIS	SION AFTER ADVERTISEMENT
I am requesting	g a <i>revision</i> of the MWBE Goal: Yes No (•)
	New Proposed Goal:
	Date:Number of Solicitations Received:Estimated Dollar Amount: \$
	n for request:
COOPERATIV	VE OR INTER-LOCAL AGREEMENT
	ative/Inter-Local Purchasing Agreement? Yes No O Goal Requested:
	explore opportunities for using certified firms? Yes No N/A
	plain why not:
ii not picase ext	Aan why not:

C	
Concurrence:	\mathcal{M}
Andell Mg	10/1 3:24-14 WK/Mules 5/24/14
Department Initia	ator Date Department Director or Designee Date
1 m m m a 4 !	
Approved by:	Let holy x/o/n
	irector or Designee Date
BO Tracking	080 Reason: 50/6 Sounce

e r	1	NEOVICE FOR COVE	Y	······································			
	TO: Mayor via City Secretary	REQUEST FOR COUN	NCIL ACTION		RC.	A# 10011	
	Subject: Formal Bids Received	to Remove, Furnish and In-	stall a	Category #	Page 1 of 2	Agenda Item	
	Variable Frequency Drive for the Public Works and Engineering			4			
	Department					. ~	
	S19-C24912					17	
	FROM (Department or other point	of origin):	Origination 1	Date	Agenda Dat	re .	
	Calvin D. Wells					- 0044	
	City Purchasing Agent		June 0	June 02, 2014		JUN 2 5 2014	
	Finance Department						
1	DIRECTOR'S SIGNATURE	1.10	1	rict(s) affected	i		
7	/ Mun Dr	Me -	All				
	or additional information contact:	D: (020) 205 2040	3		prior authoriz	ing	
1	David Guernsey	Phone: (832) 395-3640	Council Acti	on:			
	Ray DuRousseau	Phone: (832) 393-8726					
	RECOMMENDATION: (Summary)		.mt af \$64 400) 00 to rome	ua tha aviatir	an unit and	
	Approve an award to Gowan, In					-	
	furnish and install a new variable	•	n Street wasi	ewater rrea	ument Plant	ior trie	
	Public Works and Engineering D	Department.					
ı		•		*	Finance Bud	lget	
	Award Amount: \$64,400.00						

SPECIFIC EXPLANATION:

The Director of the Public Works and Engineering Department and the City Purchasing Agent recommend that City Council approve an award to Gowan, Inc. on its low bid in the amount of \$64,400.00 to remove the existing unit and furnish and install a new variable frequency drive at the 69th Street Wastewater Treatment Plant, and that authorization be given to issue a purchase order. The variable frequency drive (VFD) is used to control a constant and continuous wasting rate from Pump Station (PS) No. 11 at the 69th Street Wastewater Treatment Plant. The VFD allows plant operators to slow down the waste movement or keep it at a constant speed. The VFD puts less stress on the motor; therefore, becoming more efficient and enhances the longevity of the motor.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Eight prospective bidders downloaded the solicitation document from SPD's e-bidding website and two bids were received as outlined below:

 Company
 Total Amount

 1. Gowan, Inc.
 \$64,400.00

 2. C.F. McDonald Electric, Inc.
 \$85,000.00

\$64,400.00 - PWE - Combined Utility System General Purpose Fund (8305)

• Prior to issuing the solicitation, the Strategic Purchasing Division canvassed the City's registered vendor data base, as well as the market, to identify potential bidders who could possibly provide the type of equipment needed. As a result, seventeen potential bidders were identified and notified of the Invitation to Bid (ITB). Subsequent to the receipt of the bid, prospective bidders were contacted to determine the reason for the limited response to the ITB. Potential respondents advised that they could not compete with manufacturers or their system did not meet the specifications as advertised.

The scope of work requires the construction contractor to provide all tools, material, equipment, labor, permits, supervision and transportation necessary to remove, furnish and, install one variable frequency drive. The contractor shall install one 150HP, 460V/60HZ VFD at Pump Station No. 11 at the 69th Street

REQUIRED AUTHORIZATION					
Finance Department:	Other Authorization:	Other Authorization:			

Date: 6/2/2014	Subject: Formal Bids Received to Remove, Furnish and Install a Variable Frequency Drive for the Public Works and Engineering Department	Originator's Initials RK	Page 2 of 2
	S19-C24912	KK.	

Wastewater Treatment Plant. Materials and workmanship are warranted for two years after start up and the life expectancy of the VFD is 20 years. The contractor shall have 70 calendar days to remove the existing VFD and furnish, deliver and install the new 150HP 460V/60HZ VFD after receipt of the notice to proceed.

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 of Hire Houston First; no Hire Houston First firms were within five percent.

Buyer: Roy Korthals PR No.: 10175813

10 				
REQUEST FOR COUN	CIL ACTION			
TO: Mayor via City Secretary			RCA	A# 10142
Subject: Emergency On-Site Water Treatment Sludge Dew	atering,	Category #	Page 1 of 1	Agenda Item
I ransport and Disposal Services for the Public Works & Er	ansport and Disposal Services for the Public Works & Engineering 4			
Department				A
S12-E25066				1
				10
FROM (Department or other point of origin):	Origination 1	Date	Agenda Date)
Calvin D. Wells				
City Purchasing Agent	May 30), 2014	JUN 2 5 2014	
Finance Department			JUN	£ 0 2011
DIRECTOR'S SIGNATURE	Council Distr	ict(s) affected	1	
William & Welly	Ε			
For additional information contact:	Phone: (832) 395-3640 Date and Identification of prior authorizing Council Action:			ng
				8
Ray DuRousseau Phone: (832) 393-8726				
RECOMMENDATION: (Summary)				
Approve payment of the emergency purchase order issued t	o Terra Rene	wal, LLC in	the amount of	of
\$474,787.26 for emergency on-site water treatment sludge o	lewatering, tr	ansport and	disposal ser	vices for the
Public Works & Engineering Department.		•	•	
Payment Amount: \$474.707.00			Finance Budg	et
Payment Amount: \$474,787.26				
\$474.707.26 Water and Course Cont				
\$474,787.26 - Water and Sewer System Operating Fund (Fu	nd 8300)			
SPECIFIC EXPLANATION:				
The Director of the Public Works & Engineering Department	and the City	. Dumahaaiaa		
City Council approve payment of the emergency purchase o	rder issued to	- Tarra Dar	Agent recor	mmend that
of \$474 787 26 for emergency on-site water treatment alude	o devictorio	i erra Ren	ewal, LLC in	the amount
of \$474,787.26 for emergency on-site water treatment sludg	e dewatering	, transport a	ina disposal	services for
the Public Works & Engineering Department and that author purchase order.	orization be (given to issi	ue an autom	ated (SAP)
parariado ordor.				
On or about June 7, 2013, the East Water Durities Dist	2- (EMDD) =	L		
On or about June 7, 2013, the East Water Purification Plant's (EWPP) sludge removal capacity and potable				

On or about June 7, 2013, the East Water Purification Plant's (EWPP) sludge removal capacity and potable drinking water treatment was reduced significantly due to the breakdown of solids processing Centrifuge No. 4. With Centrifuge No. 4 inoperable, solids within the treatment basins built up resulting in the compulsory shutdown and cleaning of EWPP's Treatment Plant No. 2. An interim contractor was needed immediately to provide essential sludge dewatering and disposal services until normal sludge extraction operations, minimum pressures and production capacity could be restored throughout the EWPP's distribution system, as promulgated by Federal and State regulations. The Strategic Procurement Division issued an emergency purchase order to Terra Renewal West, LLC on July 11, 2013 to address this emergency.

The scope of work required the contractor to provide all supervision, labor, parts, tools, materials, transportation, equipment, supplies and permits necessary to provide on-site sludge dewatering, hauling and disposal services in compliance with all applicable Federal, State and local regulations.

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 AUTHORIZA	ATION	NO
Finance Department:	Other Authorization:	Other Authorization:	

HCU14-79

TO: Mayor via City Secretary	REQUEST FOR COUNCIL	ACTION 14	- Resolution - Women's	
SUBJECT: Approval of a state-require	ed Resolution of No Objection e	nabling Category	Page Agenda Item	
The Women's Home to apply for n	on-competitive, 4% federal tax	credits #	1 of 1 #	
through the Texas Department of H Women's Home Phase 2 housing comm	ousing and Community Affairs	for the	19	
FROM:		Origination Date	Agenda Date	
Neal Rackleff, Director				
Housing and Community Development		4/5/2014	JUN 25 2014	
DIRECTOR'S SIGNATURE:	OR NEAL RACKLEFF	Council District affe	ected:	
	OR NEAL RACKLEFF Stephen Tinnermon		strict A	
Phone:	713-868-8448	Council action: 3/2	ion of prior authorizing 6/2014 ; R2014-68	
RECOMMENDATION: Approval of a s	tate-required Resolution of No Ol	ojection enabling The	Women's Home to apply	
for non-competitive, 4% federal tax cre Women's Home Phase 2 housing comm	dits infoudh the Texas Denartm	ent of Housing and C	Community Affairs for the	
Amount of Funding:	idility		Cinamaa Dudaada	
	None		Finance Budget:	
SOURCE OF FUNDING []	General Fund [] Grant I	und []E	nterprise Fund	
	No funding required			
SPECIFIC EXPLANATION:				
The Women's Home, a non-profit corpo crisis, plans to construct an 84-unit apa Home's second permanent facility. The 2011.	Turierii community incated at 206	() Iacqualun Driva T	hio will ha Tha Managaria I	
Proposed financing for the facility includes non-competitive, 4% federal tax credits administered through the Texas Department of Housing and Community Affairs (TDHCA). Per new TDHCA rules, developers interested in applying for 4% tax credit equity must obtain a Resolution of "No Objection" from the City of Houston. The proposed community will be a residence for 84 low-income families, and will include 40 units reserved for chronically homeless individuals who will qualify for Permanent Operant the American Resolution of the City of Houston.				
homeless individuals who will qualify for homelessness. Therefore, the Housing Resolution of No Objection enabling The	and Community Development D	is part of the Mayor's	أ المناف المسلم منافضافانين	
The Women's Home, a 501(c)(3) organiz community input, and has very robust sup	ation in existence for over 50 yea oport from community leaders and	rs, has proactively presidents.	ursued and incorporated	
On March 26, 2014, Council approved a Resolution of Support for The Women's Home to receive TDHCA's 9% tax credits. Unlike the non-competitive 4% tax credits, the 9% credits are highly competitive, and TDHCA has not yet selected the recipients of the 9% tax credits. Because of the large number of highly qualified projects competing for limited funds under the 9% tax credit program, the Women's Home is also applying for 4% tax credits to secure funding for the project.				
This Resolution of No Objection to 4% ta June 17, 2014.	x credits was reviewed by the Ho	ousing and Communi	ty Affairs Committee on	
UD Em oo				
NR:EP:SS				
CC: CSC, FIN, MYR, LGL				
	REQUIRED AUTHORIZATION			
inance Department:	Other Authorization:	Other Aut	thorization:	
		Julio Au		

HCD14-78

	a City Secretary	REQUEST FOR COUNCIL	ACTION 14	- Resolution - Woodland
SUBJECT: Appro-	val of a state-requir	ed Resolution of No Objection, e	nabling Category	Page Agenda Item
National Benevoler	it Association to ap	oply for non-competitive, 4% fede	eral tax #	1 of 1 #
renovation of Wood	land Christian Tow	of Housing and Community Affairs	for the	20
FROM:	Taria Official Town		Origination Date	Agenda Date
Neal Rackleff, Direc				
Housing and Comm	unity Development		6/12/2014	JUN 2 5 2014
DIRECTOR'S SIGN	ATURE: (FOR	NEAL RACKLEFF)	Council District aff	
For additional info	rmation contact:	Stephen Tinnermon		istrict H
	Phone:	713-868-8448	Council action: N/	
RECOMMENDATIO		a state-required Resolution of	No Objection, enab	ling National Benevolent
Community Affairs for	ly for non-competi or the renovation of	tive, 4% federal tax credits thro Woodland Christian Towers	ough the Texas Dep	partment of Housing and
Amount of Funding	i:	vvoodiand Christian Towers		Finance Budget:
	,.	None		rillance budget:
SOURCE OF FUND	INC .	0		
SOURCE OF FUND	ING []	General Fund [] Grant	Fund [] E	nterprise Fund
		No funding required		
SPECIFIC EXPLAN	ATION:			
Moodland Christian	Towers is a 127	mit Continu O officialists to 1		
owner intends an ex	Towers is a 127-u	nit Section 8 affordable housing to this 44-year-old building. Pro	property located at 6	600 E. Tidwell Road. The
federal tax credits a	dministered through	the Texas Department of Housi	posed financing included and Community A	fairs (TDHCA) Por now
rules promulgated by	the TDHCA, deve	lopers interested in applying for 4	% tax credit equity m	ust obtain a Resolution of
"No Objection" from	he City of Houston.	The state of the s	70 tax ordan oquity in	ast obtain a resolution of
T L				
include 28 units rose	ation project will d	ramatically improve the living co	nditions for 127 low-	income families, and will
of the Mayor's initi	iative to end chro	homeless individuals who will qua onic homelessness. Therefore,	the Housing and C	ipportive Housing as part
Department recomm	ends Council appr	ove this Resolution of "No Obje	ction" enabling the b	community bevelopment
credits.	••		ono., onabing are b	ionower to apply for tax
The items was and				
i ne item was reviewe	ad by the Housing a	and Community Affairs Committee	on June 17, 2014.	
	,			
NR:EP:SS				
Cc: CSC, FIN, MYR,	LGL			
P		REQUIRED AUTHORIZATION		
Finance Department:		Other Authorization:	Other Au	uthorization:
		3	1	j

HCD 14-80

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION 14 – Resolution – Klssito						
SUBJEC	CT: Approval of a state required	l Resolution of No Objection, ena	bling	Category	Page	Agenda Item
Riversid	e Center for Healthy Living, Inc.	to apply for non-competitive, 4%		#	<u>1</u> of <u>1</u>	#
rederal t	ax credits through the Texas De	partment Housing and Communit	ty			
commun	or the Riverside Center for Healt	ny Living affordable housing				2/
FROM:	ity.		Origin	ation Data	Aganda	Data
1	ckleff, Director		•	ation Date	Agenda	
	and Community Development		6/	12/2014	JU	N 25 2014
	OR'S SIGNATURE:		Counc	il District affe	ected:	
\mathbb{L}/\mathcal{V}	m mm (FOR	NEAL PACKLIFF)		Di	strict D	
For add	itional information contact:	Stephen Tinnermon	Date a	nd identificat	ion of pri	or authorizing
	Phone: 7	713-868-8448	Counc	il action: N/A	١	•
RECOM	MENDATION: Approval of a st	ate required Resolution of No O	bjection,	enabling Riv	erside Ce	nter for Healthy
Living, Ir	ic. to apply for non-competitive,	4% federal tax credits through the	he Texa	s Department	Housing	and Community
Affairs fo	r the Riverside Center for Healt	ny Living affordable housing com	munity		-y	_
Amount	of Funding:	Mana			Finance	e Budget:
		None				
SOURCE	OF FUNDING []	General Fund [] Grant I	Fund	[]E	nterprise	Fund
		No funding required			•	
SPECIFI	C EXPLANATION:	ranang required			······································	
21 = 211 1	 					
Riverside	Center for Healthy Living, Inc.	intends to construct a 112-unit a	affordab	le housina co	mmunity t	to be located at
4320 Old	Spanish Trail. The borrower	r is a partnership between Volu	inteers	of America (\	/OA). wh	ich will provide
developm	nent and management services	s, and Kissito Healthcare Inc. (F	(issito),	which will pro	ovide serv	vices related to
healthcar	e and tenant support Propos	sed financing for the facility incl	udes no	on-competitive	. 4% fed	eral tax credits
administe	ered through the Texas Departn	nent of Housing and Community	Affairs	(TDHCA). Pe	r new rule	es promulgated
by the TE	OHCA, developers interested in	applying for 4% tax credit equity	must ob	tain a resolut	ion of "no	objection" from
the City o	f Houston.					
The prop	asad community will be a resid	anno for 440 law income formities	4			
age in pl	ace and will include 66 units	ence for 112 low income families reserved for chronically homele	targe	ted toward se	niors who	will be able to
Supportiv	e Housing as part of the Mayor	's initiative to end chronic homele	SS IIIUIV	hy 2015 Th	ill quality	for Permanent
Communi	ty Development Department re	commends Council approval of	this res	olution of "no	ciciole, li Chiection	n" enabling the
borrower	to apply for tax credits.	commente courien approval of	4110 100	oldtion of the	Objection	r chabing the
The River	side project was reviewed by th	e Housing and Community Affairs	s Comm	ittee on May 1	13, 2014.	
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NR:EP:SS	•					
WIN.LF.00						
Cc: CSC.	FIN, MYR, LGL					
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Einanaa N		REQUIRED AUTHORIZATION	N			
rmance D	epartment:	Other Authorization:		Other A	ıthorizati	on:
				1		

T	O: Mayor via City Secretary REQUEST FOR COL			
	SUBJECT: To approve a resolution adopting guidelines for the City's participation in public-private partnerships.			Agenda Item # 2/-/
	FROM (Department or other point of origin):	Origination Date	Agenda Date	
	Kelly Dowe, Director, Finance Department David Feldman, City Attorney	6/12/14	AUL	1 -1-8-20- 14
(DIRECTOR'S SIGNATURE Council District affected: All		ected: J	JN 2 5 2014
4,	Kelly Dowe			
۲	For additional information contact: Tom Allen, First Assistant City Attorney (832-393-6411)	Date and identifica Council action: N.		or authorizing
RECOMMENDATION: (Summary) That Council approve a resolution adopting guidelines for the City's participation in public-private partnerships.				

SPECIFIC EXPLANATION:

Amount and Source of Funding: N.A.

The terms "Public-Private Partnership" and "P3" refer generally to agreements between public entities and the private sector by which the private sector makes physical assets or services available to a public entity in exchange for fixed payments over a term of twenty or more years.

The Texas Legislature has authorized municipalities and other governmental entities to enter into P3s for development of "Qualifying Projects," which include "any ... vehicle parking facility, ... water supply facility, public work, waste treatment facility, ... recreational facility, public building, technology facility, or other similar facility ... to be made available to a governmental entity for public use," or, more broadly, "any improvements necessary or desirable to real property owned by a governmental entity." Tex. Gov't Code § 2267.001(10). Before requesting or considering a P3, however, the governmental entity must adopt publicly available "guidelines" for such partnerships. *Id.* at § 2267.052(a).

The proposed resolution adopts "2267 Guidelines" for the City of Houston, enabling the City to enter into a P3 agreement if and as Council concludes such an arrangement is in the City's best interests. Although adoption of the Guidelines will establish uniform procedures for the City's consideration of P3 proposals (both solicited and unsolicited), adoption will not *require* the City to enter into any P3 contract.

The Legislature has enacted detailed requirements for 2267 Guidelines adopted by a local government. See generally Tex. Gov't Code §§ 2267.051--.066. As a result, a local government has limited discretion regarding the content of its Guidelines. More than 80% of the Guidelines proposed for the City's adoption are prescribed by statute.

2267 Guidelines have been adopted by several Texas cities, including El Paso and San Antonio. See, e.g., https://www.elpasotexas.gov/muni_clerk/agenda/07-17-12/07171209A.pdf (draft) and https://webapps1.sanantonio.gov/rfcadocs/R_9733_20121107035807.pdf.

The proposed Guidelines have been reviewed by the City's Chief Procurement Officer and by the Office of Business Opportunity; revisions suggested by both offices have been incorporated into the current draft (Draft 4.4).

REQUIRED AUTHORIZATI	ON	
Finance Department:	Other Authorization:	Other Authorization:
	DERORA F. 1/c/Age FO	PE.

City	of Houston,	Texas,	Resolution	No.	2014	-

A RESOLUTION ADOPTING GUIDELINES FOR THE CITY'S PARTICIPATION IN PUBLIC-PRIVATE PARTNERSHIPS AND CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT.

* * * * *

WHEREAS, the terms "Public-Private Partnership" and "P3" refer generally to agreements between public entities and the private sector by which the private sector makes physical assets or services available to a public entity in exchange for fixed payments over a term of twenty or more years; and

 $\label{eq:WHEREAS} \textbf{WHEREAS,} \ as\ memorialized\ in\ Section\ 2267.002(a),\ Texas\ Government\ Code,\ the\ Texas\ Legislature\ has\ found:$

- (1) That there is a public need for timely acquisition, design, construction, improvement, renovation, expansion, equipping, maintenance, operation, implementation, and installation of government facilities in this state that serve a public need and purpose;
- (2) That the public need may not be wholly satisfied by existing methods of procurement in which qualifying projects are acquired, designed, constructed, improved, renovated, expanded, equipped, maintained, operated, implemented, or installed;
- (3) That there are inadequate resources to develop new facilities, technology, and other public infrastructure and government facilities for the benefit of the citizens of this state, and there is demonstrated evidence that partnerships between public entities and private entities or other persons can meet these needs by improving the schedule for delivery, lowering the cost, and providing other benefits to the public;
- (4) That financial incentives exist under state and federal tax provisions that encourage public entities to form Public-Private Partnerships to develop "Qualifying Projects" within the meaning of Section 2267.001(10), Texas Government Code, which Projects include "any ... vehicle parking facility, ... water supply facility, public work, waste treatment facility, ... recreational facility, public building, technology facility, or other similar facility ... to be made available to a governmental entity for public use," or, more broadly, "any improvements necessary or desirable to real property owned by a governmental entity"; and
- (5) That authorizing private entities or other persons to develop or operate one

or more Qualifying Projects may serve the public safety, benefit, and welfare by making the projects available to the public in a more timely or less costly fashion; and

WHEREAS, the City Council (the "City Council") of the City of Houston (the "City") adopts by reference the said findings of the Legislature; and

WHEREAS, the Legislature has authorized political subdivisions of this state to enter into Public-Private Partnerships for the purposes stated in Section 2267.002(c), Texas Government Code, namely:

- (1) To encourage investment in this state by private entities and other persons;
- (2) To facilitate bond financing or other similar financing mechanisms, private capital, and other funding sources that support the development or operation of Qualifying Projects in order to expand and accelerate financing for such Projects; and
- (3) To provide political subdivisions of this state with the greatest possible flexibility in contracting with private entities or other persons to provide public services through Qualifying Projects,

which purposes the City Council finds serve the public interest; and

WHEREAS, Section 2267.051(a), Texas Government Code, prohibits development or operation of a Qualifying Project through a Public-Private Partnership unless the person or entity contracts with a responsible governmental entity in accordance with Chapter 2267, Texas Government Code; and

WHEREAS, the City is a "responsible governmental entity" within the meaning of Section 2267.001(11), Texas Government Code; and

WHEREAS, Section 2267.052(a), Texas Government Code, requires a responsible governmental entity to promulgate publicly available "guidelines" before requesting or considering a proposal for a Public-Private Partnership; and

WHEREAS, the City Council finds that the public interest will be well served by the City's promulgation of such guidelines, to enable the City to request or to consider proposals for Public-Private Partnerships;

WHEREAS, the City Council finds that adoption of the "Guidelines for Public-Private Partnerships" in the form attached to this Ordinance as Exhibit "A" will provide the City with additional options to obtain physical assets or services serving the needs of the public; NOW, THEREFORE,

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

Section 1. That the findings contained in the preamble of this Resolution are

determined to be true and correct and are adopted as a part of this Resolution.

Section 2. That the City Council adopts the "Guidelines for Public-Private

Partnerships" ("P3 Guidelines") in the form attached to this Resolution as Exhibit "A."

Section 3. That the City Council instructs the City's Chief Procurement Officer to

post the P3 Guidelines at http://purchasing.houstontx.gov/index.shtml no later than twenty

days after the effective date of this Resolution and to take such other actions as may be

advisable to make the Guidelines reasonably available to the public, as required by Section

2267.052(a), Texas Government Code.

Section 4. That this Resolution shall take effect immediately upon its passage and

approval by the Mayor; however, in the event the Mayor does not sign this Resolution

within five days after its passage and adoption, the Resolution shall take effect in

accordance with Article VI, Section 6, of the Houston City Charter.

PASSED AND ADOPTED this day of	, 2014.
APPROVED this day of	, 2014.

Mayor of the City of Houston

Requested by Kelly Dowe

Director, Finance Department

Prepared by Legal Dept.

First Assistant City Attorney

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CITY OF HOUSTON, TEXAS GUIDELINES FOR PUBLIC-PRIVATE PARTNERSHIPS

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ARTICLE I. PURPOSE AND SCOPE

The terms "Public-Private Partnership" and "P3" refer generally to agreements between public entities and the private sector by which the private sector makes physical assets or services available to a public entity for an extended term in exchange for fixed payments. Pursuant to the Texas Public and Private Facilities and Infrastructure Act (Chapter 2267, Texas Government Code) (the "Act," as may be amended from time to time), the City of Houston (the "City") has adopted these **Guidelines for Public-Private Partnerships** to create the City's P3 Program and to further the public purposes declared in Section 2267.002(a)-(c) of the Act.

COH Guidelines for Public-Private Partnerships

Exhibit A

Page 1

These Guidelines govern the submission and evaluation of "P3 Proposals" (defined in Article III below) by the private sector to partner with the City for the development or operation of certain improvements "necessary or desirable to real property" owned by the City. See Tex. Gov't Code § 2267.001(10). A successful P3 Proposal will result in an agreement between the private sector and the City for development, completion, financing, operation, or maintenance of a "Qualifying Project" (defined in Article III below).

It is the City's intention to comply with all mandatory provisions of the Act, whether or not these Guidelines refer to such provisions specifically.

ARTICLE II. OTHER LAWS; CONFLICTS OF INTEREST; CITY COUNCIL AUTHORIZATION

- A. These Guidelines do not supersede laws, regulations, or executive orders issued by the governments of the United States, the State of Texas, or the City, specifically including:
 - 1. Chapter 271, Texas Local Government Code, for any "Project" (defined in Article III below) including a "civil works project" within the meaning of Section 271.181(2), Texas Local Government Code;
 - 2. The Texas Professional Services Procurement Act (Chapter 2254, Texas Government Code); and
 - 3. The City's Procurement Manual dated January 24, 2014 (the "Procurement Manual," which may be modified from time to time by the Procurement Governance Board).

In the event of a conflict between these Guidelines and any federal, state, or local statutory or administrative authority, the terms of the statutory or administrative authority shall control.

- B. These Guidelines specifically incorporate by reference Sections 2267.005 ("Conflict of Interest"); 2267.0051 ("Prohibited Employment With Former or Retired Governmental Entity Employees"); and 2256.0052 ("Prohibited Employment of Responsible Governmental Entity Employees") of the Act.
- C. These Guidelines specifically incorporate by reference Pages 13-14 of the Procurement Manual ("Quiet Period / No Contact").
- D. These Guidelines are effective upon approval of the City Council of the City (the "City Council").
- E. Except as may be provided in these Guidelines, no agreement falling within the scope of these Guidelines shall be binding upon the City without prior approval by the City Council.

ARTICLE III. DEFINITIONS

These Guidelines specifically incorporate by reference the definitions in Section 2267.001 of the Act. Any variance between the capitalization of terms in the Act and in these Guidelines is

immaterial. In the event of a substantive conflict between definitions in the Act and in these Guidelines, the Act shall control. In addition to definitions appearing in the Act and elsewhere in these Guidelines, for the purposes of these Guidelines the terms listed below have the meaning stated.

City's Procurement Website is http://purchasing.houstontx.gov/index.shtml.

Confidential Materials means trade secrets, financial records, and proprietary or other confidential information exempt from disclosure under the Act or under Section 552.101, Texas Government Code.

P3 Plan means a P3 Proposal responsive to an invitation from the City's "P3 Representative" (defined in Article VII below) following the City's review of a "Pre-Proposal Letter" (defined in Article X(A)(1) below).

P3 Procurement Record means a document or other record in any form directly related to a P3 Proposal. Notwithstanding the previous sentence, P3 Procurement Record does not include (a) information excepted or otherwise exempt from the public disclosure requirements of the Texas Public Information Act (Chapter 552, Texas Government Code), or (b) information not constituting a procurement record within the meaning of Section 2267.066(f) of the Act.

P3 Proposal means any stage of a proposal, whether or not in response to a P3 Solicitation, from a private entity to enter into a P3 Contract with the City for the development or operation of a Qualifying Project.

P3 Solicitation means a request for proposals ("RFP") issued by the City for a Qualifying Project.

Procurement Governance Board means the City's Procurement Governance Board established by the Executive Order signed by Mayor Annise Parker on May 15, 2014.

Project means either a Qualifying Project or a proposed Qualifying Project, depending on context.

Proposer means a private person or entity that plans to submit or that has submitted a P3 Plan or a P3 Proposal to the City.

P3 Contract means an agreement between a public entity and a private entity by which the private entity makes physical assets or services available to the public entity for a term of twenty or more years in exchange for periodic payments.

Qualifying Project means a service or an improvement to real property provided or proposed to be provided by a private entity to the City by means of a P3 Contract, in accordance with the Act.

Solicited P3 Proposal means a P3 Proposal submitted to the City in response to a P3 Solicitation, as contemplated by Section 2267.053(b) of the Act.

Unsolicited P3 Proposal means a P3 Proposal submitted to the City but not in response to a P3 Solicitation, as contemplated by Section 2267.053(a) of the Act.

ARTICLE IV. RULES OF CONSTRUCTION; ADDITIONAL DEFINITIONS

- A. These Guidelines shall be construed under the laws of the State of Texas and the City of Houston. All references to statutes, ordinances, regulations, executive orders, administrative procedures, and similar authorities shall be construed to include any amendments or revisions of the said laws.
- B. All references in these Guidelines to a person or entity shall include the person's or entity's successors and authorized designees.
- C. Criteria and procedures prescribed by these Guidelines may not be listed in order of importance.
- D. These Guidelines specifically incorporate by reference the rules of construction and definitions in Section 1-2 of the City's Code of Ordinances, specifically including the constructions or definitions of "gender," "nontechnical and technical words," "number," "or, and," "person," and "tense."

ARTICLE V. OVERVIEW OF P3 PROGRAM

- A. A person may not develop or operate a Project unless the person contracts with the City as prescribed by these Guidelines and applicable law. See Tex. Gov't Code § 2267.051(a).
- B. The private sector may participate in the P3 Program in a variety of ways, from designing a facility to undertaking its financing, construction, operation, maintenance, or management, or any combination of these activities.
- C. Participation in the P3 Program is initiated either by responding to a P3 Solicitation or by submitting an Unsolicited P3 Proposal in the manner prescribed by these Guidelines. The City encourages private entities to submit Unsolicited P3 Proposals consistent with the purpose and scope of these Guidelines.
- D. The City will exercise full due diligence in the evaluation of P3 Proposals and will examine carefully the qualifications, capabilities, resources, and other attributes of a Proposer and its team. Proposers will be held strictly accountable for representations made and information provided to the City regarding their qualifications and experience.
- E. As contemplated by the Act, the City's P3 Program is a flexible development tool that allows innovative approaches to project development, use, and financing. The City encourages submission of P3 Proposals offering private financing in support of a Project. Such financing, which may include nontraditional mechanisms such as user fees and other forms of service payments, may give rise to commensurate risk for a successful Proposer but also provide the Proposer with benefits beyond those typically available through traditional financing methods.
- F. P3 Proposals may include in-kind consideration in an amount not less than the fair market value of the real property interest, including but not limited to construction of new facilities, alteration and restoration of existing facilities, and environmental remediation.

- G. Proposers submitting Confidential Materials to the City shall do so in hard copy only, enclosed in a separate, sealed envelope addressed and either mailed or delivered to the P3 Representative and marked "CONFIDENTIAL P3 PROGRAM MATERIALS. TO BE OPENED BY [Insert Name of P3 Representative] ONLY." Failure to so mark Confidential Materials may lead to disclosure of the information as a publicly available record. The duty lies with the Proposer to identify and mark any Confidential Materials submitted to the City.
- H. Absent an ordinance passed by the City Council, the City may not enter into more than five Comprehensive P3 Agreements (defined in Article XI below) in the same fiscal year.
- I. Absent an ordinance passed by the City Council, the City may not enter into a Comprehensive P3 Agreement unless the Proposer is reasonably likely to expend more than \$5 million to provide the Qualifying Project.
- J. Absent a legally enforceable written agreement executed by an authorized representative of the City, the City will not be responsible for any costs incurred in the preparation, submission, or presentation of a P3 Proposal.

ARTICLE VI. TEXAS PUBLIC INFORMATION ACT; RELATED MATTERS

The Act requires the City to take appropriate action under the Texas Public Information Act ("TPIA") to "protect confidential and proprietary information provided by a private entity" submitting a P3 Proposal. See Tex. Gov't Code § 2267.053(g). Similarly, information in the City's custody (including memoranda, staff evaluations, or other records prepared by City staff or by outside advisors or consultants) related to the evaluation or negotiation of a P3 Proposal may be exempt from public disclosure if disclosure before or after the execution of an Interim P3 Agreement or a Comprehensive P3 Agreement (defined in Article XI below) would adversely affect the financial interest or bargaining position of the City. Proposers are cautioned, however, that the statutory protections against public disclosure of confidential or proprietary information are not absolute. See, e.g., Tex. Gov't Code § 2267.066(c). If the City receives a request for information related to a P3 Proposal, the City will comply with the TPIA, as may be modified by the Act. In some instances, action by the Proposer may be advisable. A Proposer concerned about public disclosure of Confidential Materials should be well-informed regarding the pertinent provisions of the TPIA and the Act and consult the Proposer's legal counsel as necessary or prudent.

ARTICLE VII. CITY'S P3 REPRESENTATIVE

A. The City's Chief Procurement Officer shall serve as the City's representative ("P3 Representative") to administer the City's P3 Program and, as required by Section 2267.052(b)(1) of the Act, confer with persons considering submission of a P3 Proposal. The P3 Representative shall be available during the City's regular business hours, by appointment only. Requests to meet with the P3 Representative regarding matters within the scope of these Guidelines should be submitted in writing to the following address:

Chief Procurement Officer

City of Houston

Mailing Address: P.O. Box 1562, Houston, Texas 77251

Physical Address: City Hall, 901 Bagby St., Concourse Level, Houston, Texas 77002

- B. The P3 Representative may designate in writing another employee of the City to act in his stead with regard to any particular P3 Proposal.
- C. No later than 120 days after the effective date of these Guidelines and every 90 days thereafter, the P3 Representative shall provide to the City Council a written report regarding the status of the City's P3 Program. In addition, to report on activities of the City's P3 Program the P3 Representative shall appear before the City Council's Budget and Fiscal Affairs Committee as requested by the Committee's Chair.

ARTICLE VIII. CITY'S P3 OVERSIGHT COMMITTEE

A. As required by Section 2267.052(c)(2) of the Act, the City has established a P3 Oversight Committee consisting of qualified professionals providing "independent analyses regarding the specifics, advantages, disadvantages, and long-term and short-term costs of any [P]roposal" The members of the Committee are as follows:

Position 1 (Chair): The P3 Representative.

Position 2: A representative designated in writing by the Director of the City's

General Services Department.

Position 3: A representative designated in writing by the Director of the City's

Public Works & Engineering Department.

Position 4: A representative designated in writing by the Director of the City's

Finance Department.

Position 5: An attorney licensed to practice law in Texas designated in writing

by the City Attorney.

Position 6: A representative designated in writing by the Director of the City's

Planning & Development Department.

Position 7: A representative designated in writing by the Mayor.

- B. No designation to the Committee shall be effective until (1) the City Council has been advised in writing of the proposed designation and the proposed designee's qualifications for the position and (2) the City Council has been provided no less than fourteen days to submit to the Mayor a written objection to the proposed designation. The Mayor shall give due consideration to each such objection and may revise any designation as the Mayor sees fit.
- C. Members of the Committee do not serve for specific terms. Subject to Section VIII(B) immediately above, new members may be designated to the above Positions by the Mayor or by the respective Department Director as needed. Names of the members of the Committee and any changes in the Committee's membership will be announced at the City's Procurement Website as promptly as circumstances allow.
- D. At the instruction of the Director of the City's Finance Department, a "municipal advisor" as

defined by Title 15, Section 780-4(d)(4), United States Code, may serve as a non-voting, ex officio member of the Committee.

- E. As required by Section 2267.052(c-1) of the Act, for the evaluation of any P3 Proposal with an estimated cost of \$5 million or more for the construction or renovation of a facility, the City shall retain an architect, a professional engineer, and a certified accountant, none of whom shall be employees of the City, to advise members of the Committee serving in Positions 2, 3, and 4, respectively.
- F. The Committee is not subject to the Texas Open Meetings Act (Chapter 551, Texas Government Code). See Tex. Gov'T Code § 551.001(3).

ARTICLE IX. SOLICITED P3 PROPOSALS

- A. A P3 Solicitation shall be by RFP. These Guidelines do not govern all RFPs issued by the City. These Guidelines pertain only to a Request for Proposals for a Public-Private Partnership.
- B. A P3 Solicitation may be preceded by a Request for Information ("RFI") or a Request for Qualifications ("RFQ") if the P3 Representative reasonably concludes doing so is likely to serve the City's interests. In such event, the P3 Oversight Committee shall determine from responses to the RFI or the RFQ whether the City will proceed with the P3 Solicitation and, if so, shall identify one or more Proposers eligible to respond further to the P3 Solicitation.
- C. In most instances, a P3 Solicitation will require submission of the same information required for a P3 Plan. See generally these Guidelines at Sections X(B) & (C).
- D. Before issuing a P3 Solicitation, the City shall analyze the adequacy of the information to be supplied by the P3 Solicitation, as required by Section 2267.052(b)(9) of the Act. If the analysis indicates additional information is likely to encourage competition among private entities, the City shall revise the P3 Solicitation to include such information, subject to Section 2267.053(g) of the Act. The P3 Representative shall prepare a brief summary of the analysis required by this Section IX(D), which summary shall be a P3 Procurement Record.
- E. P3 Solicitations shall follow the City's procurement policies and procedures stated in the Procurement Manual, except as may be modified by mandatory provisions of the Act. Additional procedures and requirements applicable to a particular Solicited P3 Proposal will be specified in the P3 Solicitation, which may or may not address every provision of these Guidelines. While it is the City's duty to state the requirements for responding to a P3 Solicitation, it is the Proposer's obligation to determine from the P3 Solicitation the extent to which these Guidelines apply and to request clarification from the P3 Representative as may be necessary or prudent.
- F. At a minimum, each P3 Solicitation shall:
 - State that the City will "make a best value determination in evaluating the proposals received and consider the total project cost as one factor in evaluating the proposals," as required by Section 2267.053(b-1) of the Act;

- 2. State that the City's evaluation of Solicited P3 Proposals will consider the factors listed in Section 2267.053(b-1) of the Act, as applicable to the Project;
- 3. State that the City's evaluation of Solicited P3 Proposals will consider the extent to which the Project is likely to serve the public, according to the factors listed in Section 2267.053(c)(1)–(3) of the Act;
- 4. Include specific references to provisions in the Procurement Manual addressing the submission of information the Proposer may consider confidential or proprietary; and
- 5. Provide not less than 45 days nor more than 180 days to respond to the P3 Solicitation, although the P3 Representative may extend the deadline for responses "to accommodate a large-scale project," as authorized by Section 2267.052(b)(11)(B) of the Act.
- G. Notwithstanding Section IX(F)(5) of these Guidelines, a P3 Solicitation arising from an Unsolicited P3 Proposal submitted in accordance with Article X of these Guidelines should require responses no more than 90 days after issuance of the P3 Solicitation, absent unusual circumstances as reasonably determined by the P3 Representative,
- H. The P3 Oversight Committee shall evaluate each Solicited P3 Proposal.
 - 1. In most instances, the Committee will complete its evaluations not later than 90 days after the Solicited P3 Proposals are received by the P3 Representative. As authorized by Section 2267.052(b)(4) of the Act, this timeline may be adjusted for Solicited P3 Proposals considered a priority by the City.
 - 2. The Committee shall consider the extent of competition evidenced by Solicited P3 Proposals responsive to the P3 Solicitation. If the Committee reasonably concludes the Solicited P3 Proposals do not reflect competition among Proposers sufficient to provide the City with good value, the P3 Representative may amend, supplement, or withdraw the P3 Solicitation. See Tex. Gov't Code § 2267.052(b)(10).
 - 3. During its evaluation of a Solicited P3 Proposal, the Committee may communicate with a Proposer to clarify information in the Solicited P3 Proposal or to confirm the Proposer understood the requirements of the P3 Solicitation. The Committee shall maintain a record of each such communication, which record shall be a P3 Procurement Record.
 - 4. After evaluating the Solicited P3 Proposals, the Committee shall (a) accept a Solicited P3 Proposal for negotiation to an Interim or Comprehensive Agreement, in accordance with Articles XI and XII of these Guidelines, or (b) reject all of the Solicited P3 Proposals.
 - 5. For the purposes of these Guidelines, the Committee's acceptance of a Solicited P3 Proposal pursuant to Section IX(H)(4) above constitutes an acceptance for "conceptual stage evaluation" within the meaning of Section 2267.055(a) of the Act.

Accordingly, upon the Proposer's receipt of notice of the acceptance, the Proposer shall provide "each affected jurisdiction" with copies of the Solicited P3 Proposal, the City's notice of the acceptance, and Section 2267.055 of the Act. This Section IX(H)(5) does not apply to a P3 Proposal limited to a "service contract" as defined by Section 2267.001(13) of the Act.

- 6. Additional criteria and procedures for the evaluation of Solicited P3 Proposals shall be as described in the P3 Solicitation but shall not be inconsistent with the Act.
- I. Not later than three days after the Committee's acceptance of a Solicited P3 Proposal, the P3 Representative shall deliver to the office of each member of the City Council either a hard copy or an electronic copy of the Proposal (minus any Confidential Materials).
- J. As required by Section 2267.066(a) of the Act, not later than ten days after the Committee's acceptance of a Solicited P3 Proposal pursuant to Section IX(H)(4) above, the P3 Representative shall:
 - 1. Post a copy of the said Solicited P3 Proposal (minus any Confidential Materials) on the City's Procurement Website, with a link to a copy of these Guidelines;
 - 2. Make every reasonable effort to post a copy of the said Solicited P3 Proposal (minus any Confidential Materials) on either TexasOnline or the official website of the State of Texas; and
 - Publish in a newspaper of general circulation in the City (i) a summary of the said Solicited P3 Proposal prepared by the Proposer and (ii) the location of copies of the said Solicited P3 Proposal available for public inspection during the City's business hours.
- K. Notwithstanding any provision to the contrary in these Guidelines, no employee, consultant, or agent of the City may publish, make available for inspection, or otherwise reveal to any person not employed by or in privity with the City, any Confidential Materials except (a) as required by the Texas Public Information Act; (b) as required by court order; or (c) with the written agreement of authorized representatives of the Proposer and any other entity with a legally enforceable proprietary or legal interest in all or part of the information.
- L. Consistent with Section 2267.053(a) of the Act, any requirement stated in the Act but not stated in the P3 Solicitation or in these Guidelines shall be deemed waived by the City.
- M. If an RFQ within the scope of Section IX(B) above was issued before the City Council's approval of these Guidelines, the RFQ is presumed valid if the resulting P3 Solicitation complies with these Guidelines.

ARTICLE X. UNSOLICITED P3 PROPOSALS

Section 2267.053(a) of the Act authorizes the City to receive, evaluate, and accept for negotiation Unsolicited P3 Proposals from private persons to design, develop, finance, lease, acquire, install, construct, expand, improve, renovate, equip, operate, or maintain a Qualifying Project. **This**

Article X addresses only Unsolicited P3 Proposals.

A. PRE-PROPOSAL LETTERS

- 1. A person intending to submit an Unsolicited P3 Proposal first shall submit to the P3 Representative a "Pre-Proposal Letter" not exceeding ten pages. The Pre-Proposal Letter shall describe the Project generally and summarize the anticipated material terms of the P3 Proposal. Within 45 days after receiving the Pre-Proposal Letter, and after conferring as may be appropriate with professionals employed or retained by the City, the P3 Representative shall notify the Proposer whether the City is willing to consider entering into a P3 Contract for the Project. If yes, the P3 Representative shall either request additional information or invite the Proposer to submit a P3 Plan as described in this Article X.
- 2. By written notice to the Proposer, the P3 Representative may extend the 45-day deadline imposed by Section X(A)(1) of these Guidelines. Absent unusual circumstances, the P3 Representative shall issue no more than one such extension resulting in a total review period not exceeding 75 days. The P3 Representative shall document the reason(s) for any review period exceeding 75 days, which documentation shall be a P3 Procurement Record.

B. P3 PLANS

A P3 Plan should convey the nature of the Project, the experience and capacity of the Proposer's development team, and the financial and implementation strategies offered to ensure successful completion of the Project.

1. Cover Letter and Executive Summary.

A cover letter not exceeding five pages signed by an authorized representative of the Proposer and summarizing key components of the Project, including descriptions of the general nature of the Project, the Proposer's qualifications and experience with similar projects, and the community benefits likely to result from the Project.

2. Information Required by Statute.

As applicable to the Project, information sufficient for the City to evaluate the P3 Plan according to the factors addressed by Section 2267.052(b)(5)–(8)(A) of the Act, together with all information listed in Section 2267.053(a)(1)–(12) of the Act.

3. Additional Information Regarding Qualifications.

Information evidencing the Proposer's thorough understanding of the complexities of the Project as well as management and operational expertise sufficient to complete the Project in a timely and professional manner.

4. Additional Information Regarding Development Plan.

To the extent not already supplied, provide the following:

- a. A plan for the development, financing, and operation of the Project, specifically including an anticipated schedule of funds required, in what amounts, at what times, and from what sources.
- b. A summary of all anticipated third-party business arrangements (as examples only, agreements for ground leases, build-to-suit, long-term maintenance, employee leasing, or parking management).
- c. Preliminary schedules for:
 - i. Obtaining required permits or approvals from any federal, state, or local agencies; and
 - ii. Requesting and obtaining any financial or other commitments from public or not-for-profit sources.
- d. For a P3 Plan involving an improvement to real property:
 - i. A conceptual design including, at a minimum, the following:
 - (a) Conceptual renderings (drawings, computer aided models, aerial sketches, photomontages, or other) from which the City may deduce the nature and general character of the improvement and its relationship to the subject property and surrounding improvements;
 - (b) A conceptual site plan encompassing the subject property and portions of contiguous properties from which the City may deduce the landscape and urban design concepts of the improvement, major pedestrian entrances and proposed outdoor areas, and a circulation plan (for walking, cycling, public transportation, and motor vehicles) illustrating how the improvement will relate to public rights-of-way both to and within the site:
 - (c) A preliminary facility program describing the improvement's mix of uses, estimating square footage for each use and addressing likely parking needs; and
 - (d) Preliminary exterior building elevations illustrating massing, openings, and related elements.
 - A preliminary schedule for initiation, construction phasing, completion, and acceptance by the City.
 - iii. A proposed timeline for significant responsibilities to be performed by the City.
- e. A representation (to which the City is likely to give significant weight) regarding the full availability of all human, financial, and material resources necessary for

completion of the Project in a timely and professional manner.

f. A statement regarding any special terms, conditions, or contingencies the Proposer is offering to or requesting from the City.

5. Project Analyses.

The project analyses should support the business case of the Project. As applicable and to the extent not already supplied, provide the following:

- a. Location and Site Analysis.
 - i. An explanation of how the design of the improvement and the attributes of the site will generate significant social, financial, and economic benefits.
 - ii. A general description of properties in the immediate vicinity of the Project, together with an explanation of the impact (both economic and non-economic) the Project is likely to have on the said properties both during and after construction.
 - iii. A list of any public utilities likely to be affected by the Project and a summary of plans to accommodate same.
- b. Market and Competitive Analysis. A preliminary analysis supporting the revenue assumptions and economic viability of the Project, including forecasts of supply and demand. (If the P3 Oversight Committee accepts the P3 Plan, the City may require a more detailed analysis.)
- c. Life-Cycle Cost Analysis. A preliminary analysis enabling the City to estimate the total long-term cost of the Project and the lowest cost of ownership consistent with the City's goals for functionality, durability, design, and overall quality of the asset. (If the P3 Oversight Committee accepts the P3 Plan, the City may require a more detailed analysis.)
- d. Project Schedule. A conceptual timeline identifying all stages of project development from design to completion and acceptance by the City.
- e. Legal Analysis. A list of all permits and approvals from federal, state, and local agencies required for the development and completion of the Project, together with a description of any reasonably anticipated support for or opposition to the Project (including potential legal responses) from public or private persons or entities.

6. Additional Information Regarding Financial Matters.

To the extent not already supplied, provide the following:

a. Financial Analysis.

- i. The Proposer's financing plan for the Project, including identification of sources of capital, financing mechanisms, and amounts of debt and equity to capitalize the Project.
- A description of the sources and anticipated amounts of working capital to pay operating costs from start-up through completion and acceptance by the City.
- iii. Letters, not more than ninety days old, from authorized representatives of regulated financial institutions evidencing the existence of liquid assets or suitable unencumbered lines of credit sufficient to finance all reasonably anticipated pre-development activities.
- iv. Documentary evidence of the Proposer's liquid assets or acceptable forms of equity of a nature and in amounts sufficient to meet requirements likely to be imposed by a regulated construction lender.
- b. Project Budget. A development budget using standard estimating techniques detailing any anticipated land acquisitions, pre-development costs, and hard and soft costs from initial design through completion and the City's acceptance of the Project. The budget should include cost estimates for relocation of any utility facilities to be displaced as a result of the Project.
- c. Proforma Financial Statements.
 - i. A discounted cash flow analysis for the entire term of the Project, including estimates of costs, operating expenses, capital reserves (including, as applicable, replacement and re-tenanting reserves), net operating income, debt service, partnership or joint venture percentages, disposition benchmarks, calculations of net present value, and internal rate of return.
 - ii. A projected balance sheet, statement of losses and earnings, and income statement for the first year of the Project following the City's acceptance.

7. Additional Information Regarding Community Impact.

To the extent not already supplied, provide the following:

- a. A description of the Project's anticipated financial benefit to the City, including tax revenues and overall economic impact.
- b. A description of the Proposer's plans to comply with the City's Minority, Women, and Small Business Enterprise ("MWSBE") program as applicable to the Project.
- c. Estimates of the number and value of subcontracts generated by the Project for area subcontractors.
- d. Estimates of the number of jobs for area residents to be generated by the Project

and of the compensation (including the value of benefits) for such jobs.

- e. A description of the Project's anticipated non-financial benefits to the City.
- f. Any additional information the Proposer considers important with regard to the Project's impact on the area surrounding the Project and the City as a whole.

8. Summary of P3 Plan for Public Notice.

A Summary of the P3 Plan not exceeding 2,000 characters. The City shall publish the Summary as required by Section 2267.066(a)(2)(B) of the Act and Section X(C)(1)(c) of these Guidelines.

9. Miscellaneous.

This optional Section may be used to present additional information such as letters of recommendation, letters of interest from prospective lenders or tenants, further information concerning the Proposer's Team, and other information supporting the P3 Plan.

10. Addenda.

This optional Section may be used to present documents cited or referenced in the P3 Plan.

C. NOTICE OF P3 PLANS

- 1. Not later than three business days after receiving a P3 Plan, the P3 Representative shall deliver to the office of each member of the City Council either a hard copy or an electronic copy of the P3 Plan (minus any Confidential Materials).
- 2. As required by Sections 2267.052(b)(11) and 2267.066(a) of the Act, not later than ten days after receiving a P3 Plan, the P3 Representative shall:
 - a. Post a copy of the P3 Plan (minus any Confidential Materials) on the City's Procurement Website, with a link to a copy of these Guidelines;
 - b. Make every reasonable effort to post a copy of the P3 Plan (minus any Confidential Materials) on either TexasOnline or the official website of the State of Texas; and
 - c. Publish in a newspaper of general circulation in the City (i) a Summary of the P3 Plan prepared by the Proposer and (ii) the location of copies of the P3 Plan (minus any Confidential Materials) available for public inspection during the City's business hours.
- 3. As noted above, notwithstanding any provision to the contrary in these Guidelines, no employee, consultant, or agent of the City may publish, make available for inspection, or otherwise reveal to any person not employed by or in privity with the City, any Confidential Materials except (a) as required by the Texas Public Information Act; (b) as required by court order; or (c) with the written agreement of authorized representatives of the Proposer

- and any other entity with a legally enforceable proprietary or legal interest in all or part of the information.
- 4. As may be advisable for a particular P3 Plan, the P3 Representative may ask the City Council or a Committee of the City Council to hold a public hearing on a P3 Plan before or after the P3 Oversight Committee's evaluation of the P3 Plan pursuant to Section X(E) of these Guidelines. A public hearing conducted pursuant to this Section X(C)(4) shall not substitute for a mandatory public hearing required by Section XI(C) or by Section XII(D) of these Guidelines.

D. EVALUATION BY P3 OVERSIGHT COMMITTEE

- 1. Within 45 days after receiving a P3 Plan, the P3 Representative shall respond with a letter notifying the Proposer whether or not the City requires additional information to evaluate the P3 Plan. As authorized by Section 2267.053(d) of the Act, the letter also shall request payment of a "P3 Review Fee" to cover the City's reasonable expenses of processing, reviewing, and evaluating the P3 Plan, which expenses may include fees to be paid to financial, legal, technical, or other advisors or consultants. The P3 Review Fee shall not be less than \$2,500.
- 2. After receipt of the Review Fee, the P3 Representative shall submit copies of the P3 Plan to the P3 Oversight Committee.
- 3. The Committee shall evaluate the P3 Plan based on the following criteria:
 - a. The factors listed in Section 2267.053(b-1) of the Act, as applicable to the Project.
 - b. The extent to which the Project is likely to serve the public, according to the factors listed in Section 2267.053(c)(1)–(3) of the Act.
 - c. For a P3 Plan involving an improvement to real property, the extent to which the Project:
 - Strikes an appropriate balance between functionality and design quality;
 - Provides flexibility to accommodate reasonably foreseeable changes in technologies necessary for efficient operation of the Project;
 - iii. Provides flexibility to accommodate long-term variances in the number of City residents likely to be served by the Project; and
 - iv. Is consistent with the City's long-term goals for sustainability and protection of the environment.
 - d. Whether the entirety of the information responsive to Section X(B) of these Guidelines indicates clearly that the benefits of the completed Project will outweigh the Project's liabilities, including short-term and long-term financial costs to the City.

- e. Whether, in the Committee's reasonable judgment, a randomly selected group of 100 well-informed citizens of the City, having carefully considered the P3 Plan in its entirety, would be likely to conclude that the benefits of the completed Project will outweigh the Project's liabilities, including short-term and long-term financial costs to the City.
- Subject to applicable state law, at any time during its evaluation the Committee may request additional information from, or a meeting with, the Proposer to seek clarification regarding the P3 Plan.
- 5. Not later than 120 days after receipt of the Review Fee, the Committee shall notify the Proposer in writing whether the Committee has accepted or declined the P3 Plan.
 - a. For the purposes of these Guidelines, the Committee's acceptance of a P3 Plan constitutes the City's acceptance of a P3 Proposal for "conceptual stage evaluation" within the meaning of Section 2267.055(a) of the Act. Accordingly, no later than five business days after the Proposer's receipt of written notification of acceptance of its P3 Plan, the Proposer shall provide "each affected jurisdiction" with copies of its P3 Plan, the Committee's notice of acceptance, and Section 2267.055 of the Act. This Section X(D)(5)(a) does not apply to a P3 Plan limited to a "service contract" as defined in Section 2267.001(13) of the Act.
 - b. Not later than 60 days after the Committee has issued written notification of acceptance of a P3 Plan, the City shall issue an RFP for the Qualifying Project. The substance of the RFP shall be generally consistent with the substance of the Proposer's P3 Plan and may incorporate by reference all or part of the P3 Plan.
 - c. Procedures for the issuance of and response to the RFP described in Section X(D)(5)(b) immediately above shall comply with Article IX of these Guidelines, except that the Proposer of the original Unsolicited P3 Proposal may incorporate its P3 Plan by reference into its response to the RFP.
 - d. Upon written notification that the Committee has declined a P3 Plan, the P3 Representative shall return to the Proposer its P3 Plan, all accompanying or otherwise related documents, and all fees paid, as required by Section 2267.051(c) of the Act.

ARTICLE XI. INTERIM P3 AGREEMENTS

Section 2267.058(a) of the Act requires that the terms of each Qualifying Project be documented in a comprehensive agreement ("Comprehensive P3 Agreement") between the private sector entity

[&]quot;A responsible governmental entity that accepts an unsolicited proposal for a qualifying project" must solicit "additional proposals through a request for qualifications, request for proposals, or invitation to bid." Tex. Gov't Code § 2267.053(a-1).

In other words, acceptance by the Committee converts an Unsolicited P3 Proposal into a P3 Solicitation.

and the governmental entity. After conferring as may be appropriate with professionals employed or retained by the City, the P3 Representative will determine if a Comprehensive P3 Agreement should be preceded by an interim agreement ("Interim P3 Agreement") to the extent authorized by Section 2267.059 of the Act.

- A. If the P3 Representative determines that an Interim P3 Agreement is in the best interests of the City, the P3 Representative shall designate one or more professionals employed or retained by the City to negotiate the terms of the said Agreement.
- B. Negotiation of an Interim P3 Agreement should be completed not later than 60 days after the P3 Oversight Committee's acceptance of a Solicited P3 Proposal pursuant to Section IX(H)(4) of these Guidelines. As authorized by Section 2267.052(b)(4) of the Act, this timeline may be adjusted for P3 Proposals considered a priority by the City.
- C. As required by Section 2267.066(d) of the Act, not later than the 30th day before the City enters into an Interim P3 Agreement, the City Council or a Committee of the City Council shall hold a public hearing to consider the proposed Interim Agreement. Not less than ten business days before the public hearing, the P3 Representative shall deliver to the office of each member of the City Council either a hard copy or an electronic copy of the proposed Interim P3 Agreement. In addition, and in keeping with Section 2267.066(e) of the Act, the P3 Representative shall post the proposed Interim P3 Agreement at the City's Procurement Website not less than five business days before the public hearing.
- D. The City may not enter into an Interim P3 Agreement without prior approval by the P3 Oversight Committee and by the City Council.

ARTICLE XII. COMPREHENSIVE P3 AGREEMENTS

- A. The City shall accept no liability arising from or otherwise related to a Qualifying Project prior the City's entering into a legally enforceable Comprehensive P3 Agreement stating all rights and obligations of the parties.
- B. The P3 Representative shall designate one or more professionals employed or retained by the City to negotiate the terms of a Comprehensive P3 Agreement.
 - 1. At a minimum, every Comprehensive P3 Agreement shall:
 - Include a declaration of the specific public purpose to be served by the Project, as required by Section 2267.053(b-2) of the Act;
 - Require compliance with the City's MWSBE program by making good-faith efforts to meet either the established City-wide MWSBE goals or the MWSBE goal specific to the Qualifying Project;
 - Include a date by which performance of the Comprehensive P3 Agreement must begin, as required by Section 2267.053(f) of the Act;
 - d. Impose on the Contracting Person all obligations stated in Sections

2267.057(b) & (f) of the Act;

- e. If and as requested by the Contracting Person, provide the Contracting Person with any one or more of the powers and rights stated in Sections 2267.057(c)–(e) of the Act;
- f. Comply with Section 2267.058 of the Act;
- g. As applicable, require compliance with Section 2267.0605 of the Act ("Performance and Payment Bonds Required"); and
- h. Recite the substance of Sections 2267.065(b), (c) & (d) of the Act.
- No Comprehensive Agreement may include a term inconsistent with Section 2267.061 of the Act ("Material Default; Remedies").
- 3. Negotiation of a Comprehensive P3 Agreement should be completed not later than 90 days after the P3 Oversight Committee's acceptance of a Solicited P3 Proposal pursuant to Section IX(H)(4) of these Guidelines. In a manner not inconsistent with these Guidelines or with the Act, this timeline may be adjusted for a Comprehensive P3 Agreement that is preceded by an Interim P3 Agreement or, as authorized by Section 2267.052(b)(4) of the Act, for a Comprehensive P3 Agreement considered a priority by the City.
- C. Not later than ten days after the P3 Oversight Committee has approved a proposed Comprehensive P3 Agreement, the P3 Representative shall give public notice of the said proposed agreement in the manner described in Section X(C)(1) of these Guidelines.
- D. As required by Section 2267.066(d) of the Act, not later than the 30th day before the City enters into a Comprehensive P3 Agreement, the City Council or a Committee of the City Council shall hold a public hearing to consider the said Agreement. Not less than ten business days before the public hearing, the P3 Representative shall deliver to the office of each member of the City Council either a hard copy or an electronic copy of the proposed Comprehensive P3 Agreement.
- E. As required by Section 2267.066(e-1) of the Act, if a public hearing required by Section XII(D) of these Guidelines results in a revision of a Comprehensive P3 Agreement, not later than the 30th day before the City enters into the final Comprehensive P3 Agreement, the City Council or a Committee of the City Council shall hold a public hearing to consider the revised proposed Comprehensive P3 Agreement. Not less than ten business days before the public hearing, the P3 Representative shall deliver to the office of each member of the City Council either a hard copy or an electronic copy of the revised proposed Comprehensive P3 Agreement.
- F. The City may not enter into a Comprehensive P3 Agreement without prior approval by the P3 Oversight Committee and by the City Council.

[END]

5.3

REQUEST FOR COUNCIL	ACTION		
TO: Mayor via City Secretary		RCA	, #
SUBJECT: AN ORDINANCE AMENDING SECTIONS 1-10 AND 1-	Category #	Page 1	Agenda Item#
15, ARTICLE VI OF CHAPTER 5, AND SECTION 44-85 OF THE			14.
CITY CODE OF ORDINANCES PERTAINING TO GAME ROOMS			1 22
FROM: (Department or other point of origin):	Origination Da	ite	Agenda Date
Administration & Regulatory Affairs	June 16, 2014		June 25, 2014
DIRECTOR'S SIGNATURE:	Council Distric	ts affected:	<u> </u>
f Ary		All	
For additional information contact:	Date and identi	fication of prior	r authorizing Council
Kathryn Bruning Phone: 832-394-9414	Action: ORD 7	# 2014-112, Fel	b. 12, 2014
Captain Charles Dunn Phone: 713-308-8638			
RECOMMENDATION: (Summary)			
Approve an ordinance amending Sections 1-10 and 1-15, Article VI of C	Chapter 5, and S	ection 44-85 of	f the City Code of
Ordinances pertaining to game rooms.	• /		, ,
Amount of Funding: N/A		FIN Budget:	
SOURCE OF FUNDING: [] General Fund [] Grant Fund	d [] Enterprise	Fund [] Ot	her (Specify)

SPECIFIC EXPLANATION:

The Director of the Administration & Regulatory Affairs Department and City of Houston Police Chief Charles McClelland recommend that the City's game room ordinance, Article VI of Chapter 5 of the Code of Ordinances, be amended to reflect the terms of the Interlocal Agreement approved by City Council on February 12, 2014.

The 83rd Texas State legislature amended Chapter 234.133 of the Local Government Code enabling Harris County to promulgate regulations for the operation of game rooms within the Harris County incorporated and unincorporated areas. The legislation became effective September 1, 2013 and Harris County Commissioners Court approved game room regulations December 17, 2013 with additional revisions May 20, 2014.

The regulations allow for the City to enforce the County's more stringent regulations within City limits if it enters into an Interlocal agreement with Harris County. City Council and Harris County entered into an Interlocal Agreement, which was approved by City Council on February 12, 2014 after consideration by the Public Safety and Homeland Security Committee and Harris County Commissioner's Court on March 25, 2014. The Interlocal Agreement stipulates that the Houston Police Department will enforce the County regulations within the City of Houston and the Administration & Regulatory Affairs department will issue the County game room permit for locations within the City.

All the game rooms located in Harris County will be required to obtain a City and Harris County game room permit and follow all the Harris County regulations. City and County permits will be required for game rooms in Harris County with 6 or more amusement redemption machines, instead of the current 5 or more machines. Game rooms with 5 or less machines are not required to obtain a permit, but must comply with certain city regulations. The definitions for amusement redemption machine and game room owner are modified to be consistent with county definitions.

The Harris County game room regulations prohibit game rooms within 1500 feet from schools, churches and residential areas. Existing game rooms in the city that do not change locations or ownership will be exempt from the County's distance requirements. New game rooms located in Harris County, which include those transferring ownership, must comply with the County's distance requirements.

All game rooms in parts of the City that are in Montgomery and Fort Bend counties will still be required to adhere to city game room regulations. At this time, there are only four game rooms in these counties. All game rooms in the City were

arrent 2014 City Game Room	result, existing permitted game rooms will not be required to obtain permit expires. However, any new game rooms and games rooms any regulations and obtain the City and County permit.
	•
	IRED AUTHORIZATION
	urrent 2014 City Game Room I be required to meet all cour



JUN 2 5 2014

Sec. 1-10. Same—Specific permits, licenses, and registrations.

(3) Licenses issued pursuant to 5-171 5-163 of this Code authorizing a person to operate, use or maintain a game room or any room or place where persons are permitted to play at any game of dominoes, cards or other games, as described in section 5-162(b) of this Code:

Any offense involving gambling or possession of gambling paraphernalia.

- a. Gambling, gambling promotion, keeping a gambling place, communicating gambling information, possession of gambling devices or equipment, or possession of gambling paraphernalia as described in Chapter 47 of the Texas Penal Code;
- b. Forgery, credit card abuse or commercial bribery as described in Chapter 32 of the Texas Penal Code;
- A criminal offense as described in Chapter 34 of the Texas
 Penal Code;
- d. Criminal attempt, conspiracy or solicitation to commit any of the foregoing offenses; or any other offense to the laws of another state or of the United States that, if committed in this state, would have been punishable as one or more of the aforementioned offenses; or
- e. A criminal offense as described in Chapter 352, Subchapter

 B of the Texas Local Government Code; and
 - [1] Less than two years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date if the conviction is of a misdemeanor offense; or
 - [2] Less than five years have elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date, if the conviction is of a felony offense.

Offenses involving gambling and the possession of gambling paraphernalia shall be grounds for denial, revocation or refusal for renewal of such licenses because these businesses offer special opportunities for gambling activities.

Sec. 1-15. Conducting national criminal background checks.

(a)

This section applies to the following licenses, permits or authorizations or renewals thereof:

- (1)
- All licenses issued pursuant to article II of Chapter 8 of this Code except retail supply dealer licenses;
- Wrecker licenses issued pursuant to subdivision B of division 2 of article III of Chapter 8 of this Code;
- Licenses issued pursuant to 5-163 of this Code authorizing a person to operate, use or maintain a game room, as defined in section 5-161, or any room or place where persons are permitted to play at any game of dominoes, cards, or other games as described in section 5-162(b);
- (4)
 Authorizations for private storage lots issued pursuant to Chapter 8, article III, division 3 of this Code:
- (5)

 Permits for sexually oriented business enterprise entertainers and managers issued pursuant to article VIII of Chapter 28
- (6)

 Permits for valet parking services, issued pursuant to Chapter 26, article VII, division 2:
- (7)

 Permits for vehicle immobilization services issued pursuant to Chapter 26, article X, division 2 of this Code; or
- SGT licenses issued pursuant to section 9-58 of this Code and licenses issued pursuant to chapter 46 for school vehicle operators, pedicab operators and drivers, low-speed shuttle operators and drivers, charter or sightseeing service operators and drivers, chauffeured limousine service operators and drivers, taxicab drivers, and jitney drivers, and permits issued for taxicab,

pedicabs, low-speed shuttles, jitneys, and franchises issued pursuant to uncodified ordinances for school bus operators; or

(9)
Licenses for crafted precious metals dealers issued pursuant to article IV of Chapter 7 of this Code.

(10)

Registrations for boarding homes issued pursuant to article XIV of chapter 28 of this Code.

(11)
Licenses issued for dance halls pursuant to chapter 5, article III, of this Code.

ARTICLE VI. GAME ROOMS

Secs. 5-161—5-170. Reserved.

Sec. 5-171. Required.

(a)

(d)

It shall be unlawful to operate, use or maintain any room or place in the city where persons are permitted to play at any game of dominoes, cards or other games, and for the use of which, or privilege of playing therein or thereat, any money or its equivalent, or any check or counter in lieu of money shall be paid or received, or where memberships are sold for anything of value for the privilege of playing therein or thereat, without first securing a license therefor.

(b)

The application for a license shall be in the form prescribed by the director of administration and regulatory affairs or his designee and shall contain such information as he shall require. Any failure to provide the information required by this section or a determination by the director that inaccurate, erroneous or incomplete information has been submitted shall be grounds for denial of the application by director.

(c)

The proposed game room must comply with this chapter 5, and with chapter 44 of this Code if applicable, at the time of the submission of the application for a license.

Each application shall also be accompanied by (i) a copy of a certificate of occupancy issued by the building official as appropriate for the proposed game room, and (ii) in the case of a game room to be operated under an assumed name, a true and correct copy of the registration of the assumed name filed in the office of the

Harris County Clerk, bearing the file mark or stamp that evidences its filing in that office. Any failure to provide the documents required by this subsection shall be grounds for denial by the director of the application to which it applies.

(e)

A license may be renewed for the following calendar year beginning October 1 of each year by filing a completed application for each license and paying the applicable fee set forth in section 5-172 or 5-188 of this Code. A renewal application shall be subject to the same requirements in this section for a license application.

(Codo 1968, § 36-127; Ord. No. 08-1145, § 2, 12-10-08; Ord. No. 09-867, § 5, 9-23-09; Ord. No. 2011-779, § 2, 9-7-2011)

Sec. 5-172. License fee—Levied; amount.

There shall be levied and collected from every person operating, maintaining or managing, or causing to be operated, maintained or managed, any room or place in the city for the purpose set out in section 5-171 of this Code the annual license fee stated for this provision in the city fee schedule for each separate establishment used or maintained; provided, license fees for licenses issued for game rooms as defined in section 5-181 of this Code shall be levied and collected as provided in section 5-188 of this Code.

(Godo 1968, § 36-128; Ord. No. 07-1113, § 1, 10-3-07; Ord. No. 2010-1016, § 2, 12-15-2010; Ord. No. 2011-779, § 3, 9-7-2011; Ord. No. 2011-1168, § 13, 12-14-2011)

Sec. 5-173. Grounds for denial, revocation or suspension.

(a)

There shall be an investigation of each application received under this division to determine whether the applicant has been convicted of an applicable offense as specified in section 1-10 of this Code. If it appears that the applicant has been convicted of such an offense, the director of administration and regulatory affairs shall follow the procedures set forth in section 1-9 of this Code.

(b)

A license issued under this division shall be subject to revocation by the director of administration and regulatory affairs pursuant to the applicable provisions of sections 1-9 and 1-10 of this Code.

(c)

Any failure of a proposed game room to meet all requirements of this chapter 5, and chapter 44 of this Code if applicable, shall be grounds for denial of a game room license.

(Ord. No. 08-52, § 18, 1-16-08, off, 1-26-08; Ord. No. 09-867, § 6, 9-23-09; Ord. No. 2013-157, § 5, 2-20-2013)

Sec. 5-174. Same—Payment; receipt constitutes license.

The license fees provided for in section 5-172 and section 5-188 of this Code shall be paid to the director of administration and regulatory affairs, who, upon receipt of such fees and subject to the following terms hereof, shall give a receipt to the taxpayer therefor in the name of the city, signed by the director, which receipt shall be a license for the operation of the game rooms set out in this division and division 3 of this chapter 5 until the thirty-first day of December of the year for which the license was issued.

(Code 1968. § 36-129; Ord. No. 08-52, § 19. 1-16-08, eff. 1-26-08; Ord. No. 08-1145, § 3, 12-10-08; Ord. No. 2011-779, § 4, 9-7-2011)

Sec. 5-175. Violations.

Any person operating, using or maintaining any room or place for which a license is required by this division without first paying the fee and securing a license therefor, or who operates, uses or maintains such place after the license therefor has been revoked, shall, upon conviction, be fined as provided in section 1-6 of this Code for each day that such room or place is so operated.

(Code 1968, § 36-132)

Sec. 5-176. Exemptions.

This division shall not be construed to embrace bona fide fraternal organizations and lodges, social clubs or social gatherings in private residences for the sole purpose of sociability and amusement.

(Code 1968, § 36-133)

Sec. 5-177. Effect.

Each licensee under this article must meet and comply with all requirements of law applicable to the premises or any activity conducted thereon and the issuance of a license under this article shall not excuse the licensee, his agents or employees or any patrons of such premises therefrom.

Sec. 5-178. Hearings.

Any applicant desiring to contest the denial of a game room license under section 5-173(c) of this Code may request a hearing before a hearing officer designated by the director of the administration and regulatory affairs department or his designee in accordance with the following procedures:

(1)

A request for hearing must be in writing and delivered to the director within ten days of the denial. The applicant waives the right to hearing if the request is not timely received by the director.

The only issue before the hearing officer shall be whether or not the proposed game room complies with the requirements of section 5-173(c) of this Code.

(3)

If the hearing officer determines that a proposed game room does not comply with section 5-173(c) of this Code, then application for a game room license shall be denied. The applicant may re-apply for a game room license if changes are made to bring the proposed game room into compliance with section 5-173(c).

The decision of the hearing officer shall be final.

(Ord. No. 09-867, § 7, 9-23-09)

Secs. 5-179, 5-180. Reserved.

Sec. 5-181. Definitions.

(4)

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Amusement redemption machine means a recreational machine that provides the user with an opportunity to receive something of value other than a right to replay and in which credits, or the equivalent thereof, are accumulated when: a particular configuration of like symbols is displayed in a random fashion by the machine; symbols or numbers are matched to a randomly selected symbol or number determined by the machine; a combination of cards is arrived at and valued in a traditional hierarchy for purposes of poker; or a combination of cards is arrived at and points assigned for purposes of blackjack.

Game room means a building, facility, or other place that contains more than four amusement redemption machines.

Game room owner means an individual who has an ownership interest in a game room.

(Ord. No. 07-1113, § 2, 10-3-07; Ord. No. 2010-754, § 3, 9-29-2010)

Sec. 5-182. Unrestricted access by law enforcement officer.

It shall be the duty of any owner, manager, or employee of a game room, or other person exercising control over a game room, a portion of a game room, or an amusement redemption machine, to provide any law enforcement officer with immediate unrestricted

access during business hours to all areas of a game room and to all amusement redemption machines.

(Ord. No. 07-1113, § 2. 10-3-07; Ord. No. 2010-754, § 4, 9-29-2010)

Sec. 5-183. Inspection by law enforcement officer.

(a)

Any law enforcement officer may inspect a game room or an amusement redemption machine located in the city to determine whether the game room or amusement redemption machine complies with this division and state law.

(b)

An owner, manager, or employee of a game room or other person who does not allow a law enforcement officer to inspect a game room or amusement redemption machine commits an offense.

(Ord. No. 07-1113, § 2, 10-3-07)

Sec. 5-184. Game room sign required.

(a)

A game room owner shall mark each entrance to a game room with a sign that:

(1)

States "GAME ROOM" in four inch or larger block letters; and

(2)

Is legible and visible at all times from a distance of 25 feet.

(b)

Any signage required by this section shall be in conformance with the Sign Code.

(Ord. No. 07-1113, § 2, 10-3-07)

Sec. 5-185. Egress doors.

It shall be the duty of any owner, manager, or employee of a game room, or other person exercising control over a game room or a portion of a game room, or over a building, facility, or other place that contains amusement redemption machines, to provide egress doors during business hours that are readily openable from the egress side without the use of a key or special knowledge or effort, in conformance with the *Construction Code* and *Fire Code*.

(Ord. No. 07-1113. § 2. 10-3-07; Ord. No. 2010-754, § 5, 9-29-2010)

Sec. 5-186. Transparent, uncovered windows required.

(a)

Any building, facility, or other place that contains four or fewer amusement redemption machines must have at least one window in the front of the building

meeting the criteria set forth in sections 5-186(e)(2), 5-186(e)(3), and 5-186(e)(4) allowing a clear and unobstructed view of all amusement redemption machines.

(b)

It shall be the duty of any owner, manager, or employee of a game room, or other person exercising control over a game room or a portion of a game room, to provide transparent glass in each game room window.

It shall be unlawful for any person to cover a game room window or otherwise block or obscure the view of any amusement redemption machine through a game room window.

It shall be unlawful for any person to exhibit or display, or to permit to be exhibited or displayed, for commercial use five or more amusement redemption machines unless such machines are located in a game room building or structure with not fewer than two windows or transparent walls or panels of glass or other material that permit a clear, unobstructed view of both the interior of the game room and each amusement redemption machine located therein, by a person outside the building or structure standing in an area open to and accessible by a member of the public at all times the game room is in operation.

It shall be unlawful for any person to exhibit or display, or to permit to be exhibited or displayed, for commercial use any amusement redemption machine in a game room unless the required transparent walls or windows of the game room:

Are located on at least two sides of the game room, and each amusement redemption machine located therein is visible through such walls or windows; and

(2)
At the lowest point are not more than four feet above the adjacent sidewalk or ground level; and

(3)
At the highest point are at least eight feet higher than the adjacent sidewalk or ground level; and

Are at least four feet wide.

(Ord. No. 07-1113, § 2. 10-3-07; Ord. No. 08-1145, § 4, 12-10-08; Ord. No. 2010-754, §§ 6--8, 9-29-2010)

(4)

(G)

(d)

(e)

(1)

This division shall not be construed to authorize or permit the keeping, exhibition, operation, display, or maintenance of any machine that is prohibited by the constitution of this state or Chapter 47 of the Texas Penal Code.

(Ord. No. 07-1113, § 2, 10-3-07)

Sec. 5-188. License fee—Levied; amount.

There shall be levied and collected from every person operating, maintaining or managing, or causing to be operated, maintained or managed, any game room as defined in section 5-181 of this Code the annual license fee stated for this provision in the city fee schedule for each separate game room used or maintained. Licenses shall be issued in accordance with divisions 2 and 3 of this chapter 5.

(Ord. No. 2011-779, § 5, 9-7-2011; Ord. No. 2011-1168, § 13, 12-14-2011)

ARTICLE VI. GAME ROOMS

DIVISION 1. IN GENERAL

Sec. 5-161. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Amusement redemption machine means any electronic, electromechanical, or mechanical contrivance designed, made, and adopted for bona fide amusement purposes that rewards the player exclusively with noncash merchandise, prizes, toys, or novelties, or a representation of value redeemable for those items, that have a wholesale value available from a single play of the game or device of not more than 10 times the amount charged to play the game or device once, or \$5, whichever amount is less.

Director means the director of administration and regulatory affairs department or his designee.

Random generator machine means a type of amusement redemption machine that is recreational and provides the user with an opportunity to receive something of value other than a right to replay and in which credits, or the equivalent thereof, are accumulated when: a particular configuration of like symbols is displayed in a random fashion by the machine; symbols or numbers are matched to a randomly selected symbol or number determined by the machine; a combination of cards is arrived at and valued in a

traditional hierarchy for purposes of poker; or a combination of cards is arrived at and points assigned for purposes of blackjack.

Game room means a building, facility, or other place that contains six or more amusement redemption machines.

Game room owner means an individual who:

- (1) Has an ownership interest in or receives income from a game room or an amusement redemption machine located in a game room;
- (2) Is a partner, director, or officer of a business, company, or corporation that has an ownership interest in a game room or in an amusement redemption machine located in a game room;
- (3) Is a shareholder that holds more than ten percent of the outstanding shares of a business, company, or corporation that has an ownership interest in a game room or in an amusement redemption machine located in a game room;
- (4) Has been issued by the county clerk an assumed name certificate for a business that owns a game room or an amusement redemption machine located in a game room;
- (5) Signs a lease for a game room;
- (6) Opens an account for utilities for a game room;
- (7) Receives a certificate of occupancy for a game room;
- (8) Pays for advertising for a game room; or
- (9) Signs an alarm permit for a game room.

Operator means an individual who supervises, manages, or participates in the performance of activities that contribute to the functioning of a game room, including the following activities:

(1) Operates a cash register, cash drawer, or other depository on the premises of a game room or of a business where the money earned or the records of credit card transactions or other credit transactions

- generated in any manner by the operation of a game room or activities conducted in a game room are kept:
- (2) Displays, delivers, or provides to a customer of a game room; merchandise, goods, entertainment, or other services offered on the premises of a game room;
- (3) Take orders from a customer of a game room for merchandise, goods, entertainment, or other services offered on the premises of a game room; or
- (4) Acts as a door attendant to regulate entry of customers or other persons into a game room.

Sec. 5-162. License required.

- (a) It shall be unlawful for an owner or operator of a game room to operate, use, or maintain a game room without first obtaining city game room license and if required under this article, a county game room permit.
- (b) It shall be unlawful to operate, use or maintain any room or place in the city where persons are permitted to play at any game of dominoes, cards or other games, and for the use of which, or privilege of playing therein or thereat, any money or its equivalent, or any check or counter in lieu of money shall be paid or received, or where memberships are sold for anything of value for the privilege of playing therein or thereat, without first securing a license therefor.
- (c) An application for an existing game room location that is submitted by an individual who is different from the individual named as the owner or operator on the current application or a re-application for an existing game room location after denial or revocation shall be considered a new application and not a renewal.

Sec. 5-163. Game room license for game rooms and similar establishments.

- (a) A game room owner shall obtain a license from the city for each game room located in the city.
- (b) The owners or operator of a place where dominoes, cards, or other games are permitted, as described in section 5-162(b) of this Code, shall obtain a license from the city for each place.

- (c) The application for a city license required by this section shall be in the form prescribed by the director or his designee and shall contain such information as he shall require. Any failure to provide the information required by this section or a determination by the director that inaccurate, erroneous or incomplete information has been submitted shall be grounds for denial of the application by director.
 - (1) The proposed game room must comply with this chapter 5 and with chapter 44 of this Code, if applicable, at the time of the submission of the application for a license.
 - (2) Each application shall also be accompanied by (i) a copy of a certificate of occupancy issued by the building official as appropriate for the proposed game room; (ii) in the case of a game room to be operated under an assumed name, a true and correct copy of the registration of the assumed name filed in the office of the Harris, Fort Bend, or Montgomery County Clerk, bearing the file mark or stamp that evidences its filing in that office; and (iii) non-refundable fee(s) for the license as stated in the city fee schedule. Any failure to provide the documents required by this item shall be grounds for denial by the director.
- (c) The director shall investigate each application received under this section to determine whether the applicant has been convicted of an applicable offense as specified in section 1-10 of this Code. If it appears that the applicant has been convicted of such an offense, the director of administration and regulatory affairs shall follow the procedures set forth in section 1-9 of this Code.
- (d) A license issued under this section shall be subject to revocation by the director of administration and regulatory affairs pursuant to the applicable provisions of sections 1-9 and 1-10 of this Code.
- (e) Any failure of a proposed game room to meet all requirements of this article or chapter 44 of this Code or to obtain a county permit if required, shall be grounds for denial, revocation, or suspension of a game room license.
- (f) Each city game room license is valid for one year and shall expire on the anniversary date of the issuance of the license. A license may be renewed for the following calendar year beginning 60 days before the expiration of the current license by filing a completed application for each license and paying the applicable fee set forth in the city fee schedule. A renewal application shall be subject to the same requirements in this section as for an initial city game room license application.

Sec. 5-164. Hearings.

Any applicant desiring to contest the denial, revocation, or suspension of a game room license under section 5-163(e) of this Code may request a hearing before a hearing officer designated by the director in accordance with the following procedures:

- A request for hearing must be in writing and delivered to the director within ten days of the denial. The applicant waives the right to hearing if the request is not timely received by the director.
- (2) The only issue before the hearing officer shall be whether or not the proposed game room complies with the requirements of this Article and Chapter 44 of this Code, including obtaining a county permit if required.
- (3) If the hearing officer determines that a proposed game room does not comply with the requirements of this Article or Chapter 44 of this Code, then application for a game room license shall be denied. The applicant may re-apply for a game room license if changes are made to bring the proposed game room into compliance with this Article and Chapter 44 of this Code.
- (4) The decision of the hearing officer shall be final.

Sec. 5-165. County game room permit.

- (a) Game room owners shall obtain a Harris County permit or renewal thereof in addition to a city game room license issued pursuant to section 5-163 of this Code for each game room in the city that is located in Harris County by submitting to the director an application and the application fee for a Harris County Game Room Permit and City License stated in the city fee schedule. The application fee covers both the county permit and the city license. The license or permit shall be issued by the county or its designated agent in accordance with Harris County regulations and shall be subject to Harris County regulations. Applicants shall refer to Harris County's regulations for permitting requirements. County permit application forms may be obtained from the city.
- (b) Applications for Harris County game room permits shall follow county regulations regarding, denial, revocation or suspension of a permit and the appeal thereof.

Sec. 5-166 to 5-170. Reserved.

DIVISION II. REQUIREMENTS.

Sec. 5-171. Applicability.

This division shall apply to game rooms with only a city license.

Sec. 5-172. License displayed.

The game room owner or the owner and operator of a place where dominoes, cards, or other games are permitted, as described in section 5-162(b) of this Code, shall display within plain sight of an accessible public area of each game room a current permit or license for that game room.

Sec. 5-173. Game room sign required.

- (a) A game room owner or the owners and operators of a place where dominoes, cards, or other games are permitted, as described in section 5-162(b) of this Code, shall mark each entrance to a game room with a sign that:
 - (1) States "GAME ROOM" in four inch or larger block letters; and
 - (2) Is legible and visible at all times from a distance of 25 feet.
- (b) Any signage required by this section shall be in conformance with the Sign Code (Chapter 46 of the City of Houston Building Code).

Sec. 5-174. Egress doors.

It shall be the duty of any of the owners and operators of a place where dominoes, cards, or other games are permitted, as described in section 5-162(b) of this Code, or the owner, manager, or employee of a game room, or other person exercising control over a game room or a portion of a game room, or over a building, facility, or other place that contains amusement redemption machines, to provide egress doors during business hours that are readily opened from the egress side without the use of a key or special knowledge or effort, in conformance with the Construction Code and Fire Code. No electronic locks shall be used to prevent entry during business hours at the places described in this section.

Sec. 5-175. Transparent, uncovered windows required.

(a) The owner, manager or other person exercising control over any building, facility, or other place that contains five or fewer random generator machines shall have in the front of the building at least one

window that meets the criteria set forth in items (2), (3), and (4) of subsections 5-175 (e) of this Code and allows a clear and unobstructed view of all random generator machines.

- (b) It shall be the duty of any owner, manager, or employee of a game room, or other person exercising control over a game room or a portion of a game room, to provide transparent glass in each game room window. This subsection shall not apply to game rooms without any random generator machines.
- (c) Unless otherwise excepted, it shall be unlawful for any person to cover the windows of a game room or other location with a random generator machine or otherwise block or obscure the full view through such window of that part of the random generator machine that contains the screen and controls or where the screen and controls would be if a user is in front of the random generator machine.
- (d) It shall be unlawful for any person to exhibit or display, or to permit to be exhibited or displayed, for commercial use six or more random generator machines unless such machines are located in a game room building or structure with not fewer than two windows or transparent walls or panels of glass or other material that permit a clear, unobstructed view of both the interior of the game room and each random generator machine located therein, by a person outside the building or structure standing in an area open to and accessible by a member of the public at all times the game room is in operation.
- (f) It shall be unlawful for any person to exhibit or display, or to permit to be exhibited or displayed, for commercial use any random generator machine in a game room unless the required transparent walls or windows of the game room:
 - (1) Are located on at least two sides of the game room, and each random generator machine located therein is visible through such walls or windows; and
 - (2) At the lowest point are not more than four feet above the adjacent sidewalk or ground level; and
 - (3) At the highest point are at least eight feet higher than the adjacent sidewalk or ground level; and
 - (4) Are at least four feet wide.

Sec. 5-176. Unrestricted access by law enforcement officer.

It shall be the duty of any owner, manager, or employee of a game room, or other person exercising control over a game room, a portion of a game room, an amusement redemption machine or a place where dominoes, cards, or other games are permitted, as described in section 5-162(b) of this Code, to provide any law enforcement officer with immediate unrestricted access during business hours to all areas of a game room and to all amusement redemption machines.

Sec. 5-177. Inspection by law enforcement officer.

- (a) Any law enforcement officer may inspect a game room or an amusement redemption machine located in the city to determine whether the game room or amusement redemption machine complies with this article, county regulations, and state law.
- (b) An owner, manager, or employee of a game room or other person who does not allow a law enforcement officer to inspect a game room or amusement redemption machine commits an offense.

Sec. 5-178. Owner presence required.

The owner of a game room shall be present during inspections related to obtaining permits or licenses required under this article.

Secs. 5-179—5-185. Reserved.

DIVISION III. PENALTIES AND OTHER PROVISIONS

Sec. 5-186. Illegal machines.

This article shall not be construed to authorize or permit the keeping, exhibition, operation, display, or maintenance of any machine that is prohibited by the constitution of this state or Chapter 47 of the Texas Penal Code.

Sec. 5-187. Same—Payment; receipt constitutes license.

The license fees provided for in the city fee schedule shall be paid to the director, who, upon receipt of such fees and subject to the following terms hereof, shall give a receipt to the taxpayer therefor in the name of the city, signed by the director. The receipt shall be a license for the operation of the game rooms for one year, which shall expire on the one-year anniversary of the date it was issued.

Sec. 5-188. Violations.

Any person operating, using or maintaining any room or place for which a license is required by this division without first paying the fee and securing a license therefor, or who operates, uses or maintains such place after the license therefor has been revoked, shall, upon conviction, be fined as provided in section 1-6 of this Code for each day that such room or place is so operated.

Sec. 5-189. Exemptions.

This division shall not be construed to embrace bona fide fraternal organizations and lodges, social clubs or social gatherings in private residences for the sole purpose of sociability and amusement.

Sec. 5-190. Effect.

Each licensee under this article must meet and comply with all requirements of law applicable to the premises or any activity conducted thereon and the issuance of a license under this article shall not excuse the licensee, his agents or employees or any patrons of such premises therefrom.

		•

10. Wayor via City Secretary	REQUEST FOR COUNC	IL ACTION			
SUBJECT: Approve an ordina Texas, Convention and Entert and Special Revenue and Refu	nce authorizing the issuance of City of H ainment Facilities Department Hotel Occ unding Bonds, Series 2014.	ouston, cupancy Tax	Category #	Page 1 of <u>1</u>	Agenda Item#
FROM (Department or other Department of Finance and O	point of origin): ffice of the City Controller	Originat 6/18/20:	ion Date: 14	Agenda Da	
DIRECTOR'S SIGNATURE:	ElB. Pm	Council t	District Affecte		<u>25 2014</u>
For additional information con Jennifer Olenick Charisse Mosely	Phone: 832-393-9112 Phone: 832-393-3529	Council a			
RECOMMENDATION: (Summa Entertainment Facilities Depart	r y) Approve an ordinance authorizing t tment Hotel Occupancy Tax and Special i	he issuance o Revenue and	of City of Hous Refunding Bo	ston, Texas, (nds, Series 20	Convention ar 014.
Amount of Funding:	Not Applicable			Finance Bu	dget:
Convention and Entertainment 2014 will refund these bonds an Additionally, the Finance Working and Entertainment Proceeds, and proceeds, and proceeds, and proceeds and procee	Hotel Occupancy Tax and Special Revenue current interest rate environment. The refacilities Department Hotel Occupancy and pay any associated costs of issuance, it is group also recommends issuing an accass and the front entrance of the Georeeds of the Convention and Entertain the Houston First Corporation to fund the not exceed amount of \$100 million.	recommende Fax and Speci in an amount mount not to ge R. Brown ment Depart Projects.	d issuance of tal Revenue an up to \$50 mill exceed \$50 r Convention Coment Subording	the City of Ho d Refunding ion. nillion to be enter (the "F inate Lien co	ouston, Texas, Bonds, Series utilized to Projects"). ommercial
c Co. serving as book running ma	ommends the Convention & Entertainme Bonds, Series 2014 be issued through a nanager along with J.P. Morgan as co-mar d counsel along with Haynes and Boone, to the Budget and Fiscal Affairs Committe	egotiated fin nager. Andre , LLP and Buri	ancing with He ws Kurth LLP a ney & Foreman	utchinson, Sh	ockey, Erley
ecommendation	mmends the approval of this item.	.c on June 10	, 2014.		
	REQUIRED AUTHORIZAT	ION			
nance Director:	Other Authorization:		Other Authoriz	zation:	

TO: Mayor via City Secretary	REQUEST FOR COUNCIL A	ACTION						
SUBJECT: An ordinance authorizing Aspyra, Inc. for Cyberlab LIS (Labora system at the Houston Department of	tory Information System) IT test n	rocess	Category #9	Page 1 of 1	Agenda Item			
FROM (Department or other point Houston Department of Health and H	FROM (Department or other point of origin): Houston Department of Health and Human Services Origination Date 6/13/14 Agenda Date JUN 2 5 201							
DIRECTOR'S SIGNATURE:	Im Mullian	Counci ALL	District affec	ted:				
For additional information contact: Kathy Barton Telephone: 832-393-5045; 713-826-5801 Date and identification of prior authorizing Council action: 06-24-09; 2009-0581								
RECOMMENDATION: (Summary) An ordinance authorizing and approving a service agreement with Aspyra, Inc. for the Cyberlab LIS (Cyberlab) IT test process system at HDHHS.								
Amount of Funding: Maximum Contract Amount: \$273,165.60 Finance Department: Initial Allocation: \$53,555.32 General Fund: 1000								
SOURCE OF FUNDING: [X] General Fund [] Grant Fund [] Enterprise Fund [] Other – Special Funds								
SPECIFIC EXPLANATION:								
The Houston Department of Health and Happroving a service agreement with Aspy Cyberlab IT test process system. The coallocation of funds is \$53,555.32. The max	ra, Inc. for hardware, software and ontract is for five years and is effectimum contract amount is \$273,165.60. HDHHS laboratory testing. This agri	peripherative July 1). eement or	al devices (equi 1, 2014 through	pment) maint June 30, 20	tenance for the			
services. I) all repairs necessary to keep	the equipment in good operating o	ondition in	accordance w	ith the annlic	able functional			
The HDHHS laboratory performs approxin HDHHS public health surveillance program (BSL) 3 capabilities. It provides expertise	specifications; 2) repair or replace specified parts; and 3) improve, modify, enhance, and maintain software. The HDHHS laboratory performs approximately 264 different types of tests for hospitals, clinics, other governmental entities, and HDHHS public health surveillance programs. It is one of 11 Laboratory Response Network (LRN) labs in Texas with biosafety level (BSL) 3 capabilities. It provides expertise in areas such as testing for bioterrorism agents, testing samples for influenza, advanced viral and bacterial identification. Therefore, the routine maintenance modification, and enhancement of the Cyberlab system is imperative.							
M/WBE Subcontractor: This is a not a goal oriented contract as defisolicited because this is a sole source vendor.	ned In , Section 15-82 of the City Coo or.	de of Ordir	nances since bid	s/proposals w	vere not			
Hire Houston First: This procurement is exempt from the requirements of the City's Hire Houston First Ordinance. Bid/proposals were not solicited because Aspyra is a sole source vendor.								
Pay or Play: The proposed contract requires compliance contractors. In this case, the contractor has a	with the City's 'Pay or Play' ordinance chosen to provide health benefits to e	regarding	health benefits	for employee liance with Ci	es of City ty policy.			
cc: Legal Department Finance Department Agenda Director			· · · · · · · · · · · · · · · · · · ·					
	REQUIRED AUTHORIZATION	ON						
Finance Department	Other Authorization:		Other Author	rization:				

•	TO: Mayor via City Secretary	REQUEST FOR COUNC	IL ACTIO	DN	RCA#
	SUBJECT: An ordinance authorizing contracts between the City of Housto continuation of routine HIV screening	on and three agencies for the	Page 1	of 2	Agenda Date
	FROM: (Department or other point	of origin):	Originati	on Date	Agenda Item#
	Stephen L. Williams, M.Ed., M.P.A. Director-Houston Department of Health	and Human Services	06/12/20	14	JUN 2 5 2014
	DIRECTOR'S SIGNATURE:	4	Council E	Districts affected:	0011 20 2014
Ú,	Stephon 2. W	U Mano	All		
ا کر	For additional information contact: Kathy Barton - Telephone: 832-393-5	5045; 713-826-5801	Action: 08	identification of prio 3-0206 / 07/02/2008; 12/26/2012	or authorizing Council 11-1178 / 12/28/2011;
	RECOMMENDATION: (Summary) An ordinance authorizing and approving System, 2) Harris County Hospital Dist Center At Houston, respectively, for the	rict, d/b/a Harris Health System	and 3) Th	e University Of Te	al Hermann Health xas Health Science
-	Amount of Funding: Maximum Contract Initial Allocation (I	FY2014): \$ 199,998.25		FIN Budget:	
ŀ	Federal Fund: 5000 SOURCE OF FUNDING: Grant)			
I I I I I I I I I I I I I I I I I I I	The Houston Department of Health and Pauthorizing and approving three contract County Hospital District, d/b/a Harris Health continuation of routine HIV screening City Controller through December 31, 20 Under these contracts, Harris Health Systemer at Houston will provide routine Horocess of diagnosing and treating HIV/S 11,539 HIV tests at 10 Emergency Departments among all the tests conducted way CDC standards for routine HIV testing the general population and capture those contract requires complianced the proposed contract requires contract requires contract the proposed contract the proposed contract the proposed contract the propos	s between the City of Houston and Ealth System and 3) The University of the agree of the agree of the agree of the with a one year option to restem, Memorial-Hermann Health IV screening services. The coordinates of the Houston area. In the artments and 12 Health Centers as 226 (giving an average of 0.2 g). Through the routine testing part who may fall through the crack of the City's 'Pay or Play' of the corresponding to the corresponding to the corresponding to the City's Hiredequirements of	sity Of Texements is for the total System and dinated effort past year to across the electrogram, we because of the total street of the total stre	ial Hermann Health as Health Science (from the date of Couptal amount of funded the University of Cort of these provides these contractors concity of Houston. They which is considerate able to increase their lack of insurate garding health benefits of Compliance.	Texas Health Science ers facilitates the inducted approximately ne total number of new dered an acceptable rate se our capacity to test ence.
-		REQUIRED AUTHORIZ	ATION		
01	HER AUTHORIZATION:	OTHER AUTHORIZATION:		OTHER AUTHORIZA	TION
				OTHER MOTHURIZA	11014.

Date	Subject: An ordinance authorizing and approving three	Originator's	
5-1-2014	contracts between the City of Houston and three agencies for the continuation of routine HIV screening services.	Initials	Page 2 of 2
	30.71000.		

The list of providers, the services they provide, and the maximum contract amount for each are as follows:

Agency	Funded Intervention	Initial Allocation	Maximum Contract Amount
University of Texas Health Science Center at Houston	Routine HIV Screening	\$19,750.25	\$79,001.00
Memorial-Hermann Health System	Routine HIV Screening	\$90,124.00	\$1,145,296.00
Harris Health System	Routine HIV Screening	\$90,124.00	\$1,593,576.00
Total		\$199,998.25	\$2,817,873.00

cc: Finance Department Legal Department Agenda Director

SUBJECT: Ordinance Authorizing Purchase of Radio Equipment and Tower Insurance Page 1 of 1 Agenda Item# June 5, 2014 J	•	REQUEST FOR COUNCI	I. ACTION		
Tower Insurance Temporal Content Temporal Con			DACTION		RCA#
PROME (Department or other point of origin): Tima Paze, Director Administration & Regulatory Affairs Department June 5, 2014 June 5, 2014 DIRECTOR'S SIGNATURE:			Category #	Page 1 of 1	Agenda Item#
Administration & Regulatory Affairs Department Directors Signature:		FROM: (Department or other point of origin):	Origination Da	ite	
For additional information contact: Tima A. Paquet Tom Sorley (832) 393-8792 Tom Sorley (832) 393-30300 RECOMMENDATION: (Summary) Approve an Ordinance authorizing purchase of Radio Equipment and Tower Insurance Policy from Texas Municipal Leagu Intergovernmental Risk Pool Amount of Funding: FY15 S231,314.00 Policy Premium Budget: SOURCE OF FUNDING: The Administration & Regulatory Affairs Department recommends that Council accept the Radio Equipment and To Insurance Policy proposed by Texas Municipal League Intergovernmental Risk Pool The Administration & Regulatory Affairs Department recommends that Council accept the Radio Equipment and To Insurance policy proposed by Texas Municipal League Intergovernmental Risk Pool ("TML") This insurance covers the City-wide public safety radio communication system used by the Police Department, Department, Public Works & Engineering and other City departments. The system consists of radio and network equipm installed at approximately 53 locations (self-contained prefabricated buildings or existing buildings) across the City surrounding areas. The total value of the equipment, towers and prefabricated buildings or existing buildings) across the City surrounding areas. The total value of the equipment, towers and prefabricated buildings is \$81,244,967. A Request for Proposals for Radio Equipment and Tower Insurance was issued and advertised on April 18, 2014 and April 2014 for a one-year policy effective July 1, 2014. Additionally, Wortham solicited proposals from seven insurance carriers TML; six carriers did not submit proposals and one carrier submitted a proposal after the proposal due date. The T proposal meets or exceeds minimum proposal specifications. The terms of the proposed policy are: Term: July 1, 2014 to July 1, 2015 Insurance Carrier: Texas Municipal League Intergovernmental Risk Pool Total Premium Cost: \$231,314.00 (Payment due immediately upon receipt of invoice.) Insurance Carrier: Texas Municipal League Intergovernmental Risk Pool Total Premium C		·	June 5, 2014		JUN 2 5 2014
For additional information contact: Tina A. Paquet Tom Sorley (832) 393-8792 (832) 393-8792 Action: Ordinance 2013-583 RECOMMENDATION: (Summary) Approve an Ordinance authorizing purchase of Radio Equipment and Tower Insurance Policy from Texas Municipal Leagu Intergovernmental Risk Pool Amount of Funding: FY15 S231,314.00 Policy Premium Budget: SOURCE OF FUNDING: Property / Casualty Fund: 1004 SPECIFIC EXPLANATION: The Administration & Regulatory Affairs Department recommends that Council accept the Radio Equipment and To Insurance policy proposed by Texas Municipal League Intergovernmental Risk Pool ("TML"). This insurance covers the City-wide public safety radio communication system used by the Police Department, Public Works & Engineering and other City departments. The system consists of radio and network equipn installed at approximately 53 locations (self-contained prefabricated buildings or existing buildings) across the City surrounding areas. The total value of the equipment, towers and prefabricated buildings or existing buildings) across the City surrounding areas. The total value of the equipment, towers and prefabricated buildings or existing buildings) across the City across an one-year policy effective July 1, 2014. Additionally, Wortham solicited proposals from seven insurance carriers TML; six carriers did not submit proposals and one carrier submitted a proposal after the proposal due date. The T proposal meets or exceeds minimum proposal specifications. The terms of the proposed policy are: Term: July 1, 2014 to July 1, 2015 Insurance Carrier: Texas Municipal League Intergovernmental Risk Pool Total Premium Cost: \$231,314.00 (Payment due immediately upon receipt of invoice.) Insured Limit: \$81,244,967 (Replacement Cost Basis) Type of Coverage: All Risk Coverage (including Flood, Windstorm/Hail and Earthquake for communication equipment towers and self-contained prefabricated buildings used to house the equipment). Deductibles: \$50,000 per occurrence for all perils; except 1% of scheduled		DIRECTOR'S SIGNATURE:	1	ets affected:	
Tima A. Paquet	1	For additional information contacts		:Gastian aCania	
RECOMMENDATION: (Summary) Approve an Ordinance authorizing purchase of Radio Equipment and Tower Insurance Policy from Texas Municipal Leagu Intergovernmental Risk Pool Amount of Funding: FY15 \$231,314.00 Policy Premium Budget: SOURCE OF FUNDING: General Fund General Fu			1	meation of pric	or authorizing Council
Approve an Ordinance authorizing purchase of Radio Equipment and Tower Insurance Policy from Texas Municipal Leagu Intergovernmental Risk Pool Amount of Funding: FY15 \$231,314.00 Policy Premium Budget: SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund X Other (Specify) Property / Casualty Fund: 1004 SPECIFIC EXPLANTION: The Administration & Regulatory Affairs Department recommends that Council accept the Radio Equipment and To Insurance policy proposed by Texas Municipal League Intergovernmental Risk Pool ("TML"). This insurance covers the City-wide public safety radio communication system used by the Police Department, Department, Public Works & Engineering and other City departments. The system consists of radio and network equipn installed at approximately 53 locations (self-contained prefabricated buildings or existing buildings) across the City surrounding areas. The total value of the equipment, towers and prefabricated buildings is \$81,244,967. A Request for Proposals for Radio Equipment and Tower Insurance was issued and advertised on April 18, 2014 and April 2014 for a one-year policy effective July 1, 2014. Additionally, Wortham solicited proposals from seven insurance carriers TML; six carriers did not submit proposals and one carrier submitted a proposal after the proposal due date. The T proposal meets or exceeds minimum proposal specifications. The terms of the proposed policy are: Term: July 1, 2014 to July 1, 2015 Insurance Carrier: Texas Municipal League Intergovernmental Risk Pool Total Premium Cost: \$231,314.00 (Payment due immediately upon receipt of invoice.) Insurance Carrier: Texas Municipal League Intergovernmental Risk Pool Total Premium Cost: \$231,314.00 (Payment due immediately upon receipt of invoice.) Insurance Carrier: Texas Municipal League Intergovernmental Risk Pool Total Premium Cost: \$231,314.00 (Payment due immediately upon receipt of invoice.) Insurance Carrier: Texas Municipal Proposals of the Continuing Appropriation Ordance and Fis	-	Tom Sorley (832) 393-0300	Ordinance	2013-583	
SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund X Other (Specify)		Approve an Ordinance authorizing purchase of Radio Equipment and T	ower Insurance	Policy from Te	exas Municipal League
Property / Casualty Fund: 1004 SPECIFIC EXPLANATION: The Administration & Regulatory Affairs Department recommends that Council accept the Radio Equipment and To Insurance policy proposed by Texas Municipal League Intergovernmental Risk Pool ("TML"). This insurance covers the City-wide public safety radio communication system used by the Police Department, Department, Public Works & Engineering and other City departments. The system consists of radio and network equipminstalled at approximately 53 locations (self-contained prefabricated buildings or existing buildings) across the City surrounding areas. The total value of the equipment, towers and prefabricated buildings is \$81,244,967. A Request for Proposals for Radio Equipment and Tower Insurance was issued and advertised on April 18, 2014 and April 2014 for a one-year policy effective July 1, 2014. Additionally, Wortham solicited proposals from seven insurance carriers TML; six carriers did not submit proposals and one carrier submitted a proposal after the proposal due date. The T proposal meets or exceeds minimum proposal specifications. The terms of the proposed policy are: Term: July 1, 2014 to July 1, 2015 Insurance Carrier: Texas Municipal League Intergovernmental Risk Pool Total Premium Cost: \$231,314.00 (Payment due immediately upon receipt of invoice.) Insurance Carrier: Texas Municipal League Intergovernmental Risk Pool Total Premium Cost: \$231,314.00 (Payment due immediately upon receipt of invoice.) Insured Limit: \$81,244,967 (Replacement Cost Basis) Type of Coverage: All Risk Coverage (including Flood, Windstorm/Hail and Earthquake for communication equipment towers and self-contained prefabricated buildings used to house the equipment). Deductibles: \$50,000 per occurrence for all perils; except 1% of scheduled building or contents values (\$1,000 minimum per contents) and 2% for tidal flooding of structures that are 9 feet below sea level or \$100,00 per occurrence for Flood, Windstorm/Hail from a Named Storm and Earthquake, whichever is gr	-		· · · · · · · · · · · · · · · · · · ·	Budget:	
Property / Casualty Fund: 1004 SPECIFIC EXPLANATION: The Administration & Regulatory Affairs Department recommends that Council accept the Radio Equipment and To Insurance policy proposed by Texas Municipal League Intergovernmental Risk Pool ("TML"). This insurance covers the City-wide public safety radio communication system used by the Police Department, Department, Public Works & Engineering and other City departments. The system consists of radio and network equipminstalled at approximately 53 locations (self-contained prefabricated buildings or existing buildings) across the City surrounding areas. The total value of the equipment, towers and prefabricated buildings is \$81,244,967. A Request for Proposals for Radio Equipment and Tower Insurance was issued and advertised on April 18, 2014 and April 2014 for a one-year policy effective July 1, 2014. Additionally, Wortham solicited proposals from seven insurance carriers TML; six carriers did not submit proposals and one carrier submitted a proposal after the proposal due date. The T proposal meets or exceeds minimum proposal specifications. The terms of the proposed policy are: Term: July 1, 2014 to July 1, 2015 Insurance Carrier: Texas Municipal League Intergovernmental Risk Pool Total Premium Cost: \$231,314.00 (Payment due immediately upon receipt of invoice.) Insurance Carrier: Texas Municipal League Intergovernmental Risk Pool Total Premium Cost: \$231,314.00 (Payment due immediately upon receipt of invoice.) Insured Limit: \$81,244,967 (Replacement Cost Basis) Type of Coverage: All Risk Coverage (including Flood, Windstorm/Hail and Earthquake for communication equipment towers and self-contained prefabricated buildings used to house the equipment). Deductibles: \$50,000 per occurrence for all perils; except 1% of scheduled building or contents values (\$1,000 minimum per contents) and 2% for tidal flooding of structures that are 9 feet below sea level or \$100,00 per occurrence for Flood, Windstorm/Hail from a Named Storm and Earthquake, whichever is gr		SOURCE OF FUNDING: [] General Fund [] Grant Fun	d [] Enteri	rise Fund	X Other (Specify)
The Administration & Regulatory Affairs Department recommends that Council accept the Radio Equipment and To Insurance policy proposed by Texas Municipal League Intergovernmental Risk Pool ("TML"). This insurance covers the City-wide public safety radio communication system used by the Police Department, Department, Public Works & Engineering and other City departments. The system consists of radio and network equipment installed at approximately 53 locations (self-contained prefabricated buildings or esting buildings) across the City surrounding areas. The total value of the equipment, towers and prefabricated buildings is \$81,244,967. A Request for Proposals for Radio Equipment and Tower Insurance was issued and advertised on April 18, 2014 and April 2014 for a one-year policy effective July 1, 2014. Additionally, Wortham solicited proposals from seven insurance carriers TML; six carriers did not submit proposals and one carrier submitted a proposal after the proposal due date. The T proposal meets or exceeds minimum proposal specifications. The terms of the proposed policy are: Term: July 1, 2014 to July 1, 2015 Insurance Carrier: Texas Municipal League Intergovernmental Risk Pool Total Premium Cost: \$231,314.00 (Payment due immediately upon receipt of invoice.) Insured Limit: \$81,244,967 (Replacement Cost Basis) Type of Coverage: All Risk Coverage (including Flood, Windstorm/Hail and Earthquake for communication equipm towers and self-contained prefabricated buildings used to house the equipment). Peductibles: \$50,000 per occurrence for all perils; except 19% of scheduled building or contents values (\$1,000 minimum per building and \$1,000 minimum per contents) and 2% for tidal flooding of structures that are 9 feet below sea level or \$100,00 per occurrence for Flood, Windstorm/Hail from a Named Storm and Earthquake, whichever is greater. Funding for this contract will be appropriated upon approval of the Continuing Appropriation Ordnance and Fiscal Year 201 budget by City Council. Attachment C:			() 2	, in the second	n j otner (speeny)
Department, Public Works & Engineering and other City departments. The system consists of radio and network equipn installed at approximately 53 locations (self-contained prefabricated buildings or existing buildings) across the City surrounding areas. The total value of the equipment, towers and prefabricated buildings is \$81,244,967. A Request for Proposals for Radio Equipment and Tower Insurance was issued and advertised on April 18, 2014 and April 2014 for a one-year policy effective July 1, 2014. Additionally, Wortham solicited proposals from seven insurance carriers TML; six carriers did not submit proposals and one carrier submitted a proposal after the proposal due date. The Troposal meets or exceeds minimum proposal specifications. The terms of the proposed policy are: Term: July 1, 2014 to July 1, 2015 Insurance Carrier: Texas Municipal League Intergovernmental Risk Pool Total Premium Cost: \$231,314.00 (Payment due immediately upon receipt of invoice.) Insured Limit: \$81,244,967 (Replacement Cost Basis) Type of Coverage: All Risk Coverage (including Flood, Windstorm/Hail and Earthquake for communication equipmost towers and self-contained prefabricated buildings used to house the equipment). Deductibles: \$50,000 per occurrence for all perils; except 1% of scheduled building or contents values (\$1,000 minimum per building and \$1,000 minimum per contents) and 2% for tidal flooding of structures that are 9 feet below sea level or \$100,00 per occurrence for Flood, Windstorm/Hail from a Named Storm and Earthquake, whichever is greater. Funding for this contract will be appropriated upon approval of the Continuing Appropriation Ordnance and Fiscal Year 201 budget by City Council. Attachment cc: Christopher Newport, Chief of Staff Andy Icken, Deputy Chief of Staff David Feldman, City Attorney Marta Crinejo, Agenda Director Charles Thompson, CIO		The Administration & Regulatory Affairs Department recommends			o Equipment and Tower
2014 for a one-year policy effective July 1, 2014. Additionally, Wortham solicited proposals from seven insurance carriers TML; six carriers did not submit proposals and one carrier submitted a proposal after the proposal due date. The T proposal meets or exceeds minimum proposal specifications. The terms of the proposed policy are: Term: July 1, 2014 to July 1, 2015 Insurance Carrier: Texas Municipal League Intergovernmental Risk Pool Total Premium Cost: \$231,314.00 (Payment due immediately upon receipt of invoice.) Insured Limit: \$81,244,967 (Replacement Cost Basis) Type of Coverage: All Risk Coverage (including Flood, Windstorm/Hail and Earthquake for communication equipmosures and self-contained prefabricated buildings used to house the equipment). Deductibles: \$50,000 per occurrence for all perils; except 1% of scheduled building or contents values (\$1,000 minimum perils) building and \$1,000 minimum perils; except 1% of scheduled building or contents values (\$1,000 minimum perils) per occurrence for Flood, Windstorm/Hail from a Named Storm and Earthquake, whichever is greater. Funding for this contract will be appropriated upon approval of the Continuing Appropriation Ordnance and Fiscal Year 201 budget by City Council. Attachment cc: Christopher Newport, Chief of Staff Andy Icken, Deputy Chief of Staff James Koski, Deputy Chief of Staff David Feldman, City Attorney Marta Crinejo, Agenda Director Charles Thompson, CIO		Department, Public Works & Engineering and other City departments installed at approximately 53 locations (self-contained prefabricated	The system co buildings or ex	onsists of radio	o and network equipment lgs) across the City and
Term: July 1, 2014 to July 1, 2015 Insurance Carrier: Texas Municipal League Intergovernmental Risk Pool Total Premium Cost: \$231,314.00 (Payment due immediately upon receipt of invoice.) Insured Limit: \$81,244,967 (Replacement Cost Basis) Type of Coverage: All Risk Coverage (including Flood, Windstorm/Hail and Earthquake for communication equipment towers and self-contained prefabricated buildings used to house the equipment). Deductibles: \$50,000 per occurrence for all perils; except 1% of scheduled building or contents values (\$1,000 minimum per building and \$1,000 minimum per contents) and 2% for tidal flooding of structures that are 9 feet below sea level or \$100,00 per occurrence for Flood, Windstorm/Hail from a Named Storm and Earthquake, whichever is greater. Funding for this contract will be appropriated upon approval of the Continuing Appropriation Ordnance and Fiscal Year 201 budget by City Council. Attachment cc: Christopher Newport, Chief of Staff Andy Icken, Deputy Chief of Staff James Koski, Deputy Chief of Staff David Feldman, City Attorney Marta Crinejo, Agenda Director Charles Thompson, CIO		2014 for a one-year policy effective July 1, 2014. Additionally, Wortha TML; six carriers did not submit proposals and one carrier submittee	m solicited prop	osals from sev	en insurance carriers and
Attachment cc: Christopher Newport, Chief of Staff Andy Icken, Deputy Chief of Staff James Koski, Deputy Chief of Staff David Feldman, City Attorney Marta Crinejo, Agenda Director Charles Thompson, CIO		Term: July 1, 2014 to July 1, 2015 Insurance Carrier: Texas Municipal League Intergovernmental Risk Pool Total Premium Cost: \$231,314.00 (Payment due immediately upon receinsured Limit: \$81,244,967 (Replacement Cost Basis) Type of Coverage: All Risk Coverage (including Flood, Windstorm towers and self-contained prefabricated buildings used to house the equipodeductibles: \$50,000 per occurrence for all perils; except 1% of schedu building and \$1,000 minimum per contents) and 2% for tidal flooding of	ipt of invoice.) /Hail and Earth pment). led building or of structures that a	contents values are 9 feet below	s (\$1,000 minimum per
cc: Christopher Newport, Chief of Staff Andy Icken, Deputy Chief of Staff James Koski, Deputy Chief of Staff David Feldman, City Attorney Marta Crinejo, Agenda Director Charles Thompson, CIO			inuing Appropri	ation Ordnanc	e and Fiscal Year 2015
Finance Director: Other Authorization: Other Authorization:	•	Christopher Newport, Chief of Staff Andy Icken, Deputy Chief of Staff James Koski, Deputy Chief of Staff David Feldman, City Attorney Marta Crinejo, Agenda Director Charles Thompson, CIO			
	F	Finance Director: Other Authorization:	6.5.14 Oth	her Authorizat	ion:



CITY OF HOUSTON OFFICE BUSINESS OPPORTUNITY

Goal Modification Request Form

To:	Assistant Director	Solicitation Number: NA
	Office of Business Opportunity	Estimated Dollar Amount: \$250,000
From:	Tina Paez, Director	
	Requestor's Name/Title Administration and Regulatory Affairs	
	Department Department	<u>-</u>
Type of	Solicitation: Bid Proposal Other	
Name a	and Intent of this Solicitation: Request for Prop	posal for Property, Radio Equipment and Tower
		ortham & Son, LP, solicits this insurance coverage
from d	omestic and international insurance markets,	and self-insurance pools.
	OUS CONTRACT (if any): Yes \checkmark No Last Contract: \checkmark Was Goal Met: Yes	□ □No □
	vas not met, what percentage did the vendor achi	
-	sn't goal achieved:	Market and an administration of the second s
•		

		OIFICATION REQUESTED FROM THE OPTIONS rtisement, OR Cooperative or Inter-Local Agreement)
WAIVE	R	
I am regi	uesting a waiver of the MWBE Goal: Yes	No 🗍
	for waiver:	
		xists which requires the goods or services to be provided
[City department to be able to select its co	th a specialized, technical or unique nature as to require the ontractor without application of MWSBE provisions (such financial advisors or technical consultants);
		ald impose an unwarranted economic burden or risk on the goods or services, or would otherwise not be in the best
100		



	If the possible MWSBE participation level based on MWSBE availability would produce negligib MWSBE participation.
	Other: Purchase of Property, Radio Equipment and Tower Insurance
	Detailed Explanation of waiver reason: Nature of procurement (insurance policy) from domestic and international insurance markets does not provide an opportunity for MWSBE participation. All fees for insurance related services are included in the policy premium.
l am <u>re</u>	CED GOAL (To be completed by the department prior to advertisement) questing a MWBE contract-specific goal below the following citywide goals: action (34%); Professional Services (24%); Purchasing (11%) No If yes, complete a Contract-Specific Goal Setting Worksheet and submit with this form.
I am req Original Advertis	uesting a revision of the MWBE Goal: Yes No Soal: New Proposed Goal: New Proposed Goal: Estimated Dollar Amount: \$ reason for request:
Is this a C If yes,w h Did Depa	RATIVE OR INTER-LOCAL AGREEMENT Cooperative/Inter-Local Purchasing Agreement? Yes No Goal Requested: nat type: Yes No No No N/A asse explain why not:
Concurre Kila + Departmen	A. Paguet 4-16-14 Date Department Director or Designee Date
Approved BO Assis	by: by: tant Director or Designer Date

TO: Mayor via City Secretary	REQUEST FOR COUNCIL A	CTION			
Subject: Ordinance approving and authorand Litigation Support Services between the Lighthouse Data Solutions for the Legal Displayers.	the City and Omnivere, L.L.C. doing b	l Services usiness as	Category #	Page 1 of 1	Agenda Item
FROM (Department or other point of original point or original point original point original point original point original point or original point o	gin):	Origina	tion Date:	Agenda Date:	101
David M. Feldman, City Attorney	- 1 A			1 -	- 001/
Legal Department & Poes	4 F. 1 C/2366	6	19/14	JUN 2	5 2014
DIRECTOR'S SIGNATURE		Council All	District(s) affo	ected:	
· ·	ynette K. Fons 332-393-6282		d Identification	on of prior author	rizing
RECOMMENDATION: (Summary) City Cou Litigation Support Services between the Ci Department	ty and Omnivere, L.L.C. doing busine	ss as Lighth	ouse Data Solu	ofessional Service utions (Lighthous	es and e) for the Leg
Amount of Funding: Original allocation: \$	\$25,000.00 Maximum contract amo	unt \$200,0	00.00	Finance Bud	dget:
SOURCE OF FUNDING: [] Ger	neral Fund [] Grant Fund	[] Enterprise (Fund	
SPECIFIC EXPLANATION:	ther (Specify) Property Casualty F	und 1004			
in various legal matters, the Legal Depa electronic discovery, litigation support soft and expert testimony. The need to identify grow as the City increases its reliance on electronic discovery, litigation to electronic discovery, litigation techniques, and the Agreement all Additionally, the City is consisted to a support for litigation techniques.	tware, and document services, such y, collect, and process electronic infectronic records. In agreement, Lighthouse provided to gation to identify and produce a large ontinue providing professional service tive methods of collecting, processing inclogy tools. The Legal Department lows the City to utilize Lighthouse for	the City wite volume of the city wite solume of the city and mand anticipater other legal	c computer are part of hand hand hand hand hand hand hand hand	alysis, database ling legal matters and litigation superior, including addiction and proving all matters will represented arises.	managemen s continues t pport service nding lawsuit vising the Cit ding technica equire simila
Additionally, the City is expected to realize rates the City previously received under a cothe Agreement. The term of the Agreem exercisable by the City if Lighthouse does not any time for cause or convenience.	operative purchasing agreement. Fullent is two years from the Counter	arther, these rsignature o	e rates will ren date with thr	nain firm for the i	initial term of
Pay or Play Program and M/WBE The proposed agreement requires compliar Responsibility Fund in compliance with City p	nce with the City's "Pay or Play" or	dinance. T	he Contractor	will pay into th	
responsibility rund in compliance with City p	policy.		-		e Contractor
Attachment: M/WBE zero-percentage goal d	policy.		portunity.		e Contractor



Goal Modification Request Form

MAR 2 4 2014

To:	Assistant Director Office of Business Opportunity	gen i de la comita del comita de la comita del la comita del la comita del la comita de la comita del la comita de la comita de la comita del la comita d	Solicitation Number: N/A
	office of Business Opportunity		Estimated Dollar Amount: \$ 250,000
From:	Lynette Fons		
	Requestor's Name/Title Legal Dept.		
	Department		
Type of	Solicitation: Bid Proposal	Other 🗸	
Name at	nd Intent of this Solicitation: Contra	act for Profession	al and Litigation Support Services with Lighthouse
			omplex lawsuit; (ii) advise the legal team on matters
			will be used as evidence in the lawsuit and at trial.
Goal on If goal w	DUS CONTRACT (if any): Yes Last Contract: 0% Was Goal vas not met, what percentage did the variety goal achieved:	Met: Yes 1	purchasing agreement. See attached.
PLEASE BELOW	E SELECT THE TYPE OF GO (Waiver, Reduced Goal, Goal Revision	OAL MODIFIC After Advertisem	ATION REQUESTED FROM THE OPTIONS ent, OR Cooperative or Inter-Local Agreement)
WAIVEI			
	esting a waiver of the MWBE Goal:	Yes 🗸 No [
Reason fo	or waiver:		
L	A public or administrative er with unusual immediacy;	mergency exists	which requires the goods or services to be provided
G	City department to be able to	select its contrac	ecialized, technical or unique nature as to require the tor without application of MWSBE provisions (such ial advisors or technical consultants);
	If application of MWSBE pro- City or unduly delay acquisit interest of the City; or	visions would im ion of the goods	pose an unwarranted economic burden or risk on the or services, or would otherwise not be in the best

	If the possible MWSBE participation level based on MWSBE availability would produce negligible MWSBE participation.
	Other: The City's outside counsel recommended this vendor based on prior experiences,
Ľ.	the unique nature of the lawsuit, and the City's confidentiality and chain of custody needs.
Detaile	d Explanation of waiver reason: The vendor has and will continue to process documents that will
	e evidence in the lawsuit. Closely controlling the documents and limiting the number of vendors
	d will reduce the risk of document mishandling and protect the City's litigation interests.
REDUCED GO	OAL (To be completed by the department prior to advertisement)
	a MWBE contract-specific goal below the following citywide goals:
	1%); Professional Services (24%); Purchasing (11%)
Yes No	If yes, complete a Contract-Specific Goal Setting Worksheet and submit with this form.
GOAL REVISI	ON AFTER ADVERTISEMENT
I am requesting a	a <u>revision</u> of the MWBE Goal: Yes No
	New Proposed Goal:
Detailed reason	ate:Number of Solicitations Received: Estimated Dollar Amount: \$ for request:
COOPERATIVI	E OR INTER-LOCAL AGREEMENT
	ain why not:
	an why not.
Concurrence:	
Pepartment Initiato	Date Department Director or Designee 3/24/19 Department Director or Designee
Approved by:	Moleny 4/25/14
BO Assistant Dire	ector or Destinee Date

W-133

Houston and Enterprise, William P. Hobby Airpo	nt No. 1 to Lease Agreement between the Center, Inc., d/b/a Jet Aviation Hous rt (HOU).	he City of iton, Inc	Category #	Page 1 of 2	Agenda Iter #
FROM (Department or			Origination Date	Agenda	a Date
Houston Airport System			June 17, 2014	JUN 25 20	
DIRECTOR'S SIGNATU	RE:		Council District affe	cted:	
For additional informat Kathy Elek Ian Wadsworth	ion contact: Phone: 281/233-1826 281/233-1682		Date and identification of prior authorizing Council action: 07/06/11 (O) 2011-0580		
		TAC			
AMOUNT & SOURCE O REVENUE: \$307,371.5		The control of the co	Prior appropriations: N/A		
HAS Revenue Fund (800	1)				
RECOMMENDATION	: (Summary)				
Enact an ordinance appro Houston and Enterprise Jo	ement betw port (HOU	reen the City of ().			
SPECIFIC EXPLANATIO	<u>N</u> :				4
Houston, Inc. (Lessee), I Lessee is a Fixed Base Op	approved Lease Agreement No. 74270 For leased premises located at 8850 Verator (FBO). Lessee and HAS are recapproximately 2.2 acres of improved land	Vest Mon	roe (E390/SER-2), W enter into Amendmer	illiam P. F	lobby Airport.
The pertinent terms of Am	endment No. 1 are as follows:				
1. Leased Premises: Increase the leased premises by adding 8850 West Monroe (E392/SER-1) consisting approximately 2.2 acres of land and 15,745 square feet of hangar space.					consisting of
. Term:	Extend term by an additional twelve (12) years through July 14, 2026, plus a five (5) year option period, unless sooner terminated in accordance with the terms of the Lease. The Lease may be mutually terminated by written agreement of Lessee and the Director.				
. New Investment:	Lessee shall expend not less than	\$500,000	to improve the leased ective date. Lessee sh	premises d	uring the first

REQUIRED AUTHORIZATION							
Finance Department:	Other Authorization:	Other Authorization:					

Date June 17, 2014	Subject: Amendment No. 1 to Lease Agreement between the City of Houston and Enterprise Jet Center, Inc., d/b/a Jet Aviation Houston, Inc. – William P. Hobby Airport (HOU).	Originator's Initials	Page 2 of 2
4. Rent:	E390/SER-2 and E392/SER-1 7/15/2014 - 7/14/2021 \$307,371.52 annually, \$25,	614.29 monthly	
	The rent will increase by 15% every five years.		
5. Performance Security:	Lessee will provide a performance bond or an irrevocable L \$76,842.87 which represents the approximate sum of three n	etter of Credit in the	ie amount o
6. Use:	Premises may be used by Lessee to support its FBO bus overflow ramp, hangar storage and subleasing office space.	iness for aircraft n	naintenance
7. Maintenance and Utilities:	Lessee shall assume the entire responsibility, cost and expension maintenance of the leased premises and shall be responsible leased premises.	se for all repair and for all utilities furn	ished to the
Indemnification and Insurance:	Lessee shall indemnify and hold the City harmless and shall insurance in the limits as stated in the Lease.	provide the required	Ł
O. Environmental Matters and Airport Rules:	Lessee shall comply with all federal, state and local environmental policies and procedures.	nental laws and all	Airport
All other terms and conditi	ons of the Lease will remain in full force and effect.		

•	SUBJECT: An Ordinary			– NHH Hamilton Swap
	SUBJECT: An Ordinance approvi	ng amendments to the Loan and	Grant Category	Page Agenda Item
	Agreements between the City of Development Corporation an affiliate	nousion and Houston Area Con	nmunity #	<u>1</u> of <u>1</u> #
	Development Corporation, an affiliate funding sources for the rehabilitation	of New Hope Housing, Inc., to cha	nge the	
	community serving the homeless at 3	Of Hamilton Street Residence, a 1	27-unit	29
	FROM:	20 Hamilton Street		0)1
	Neal Rackleff, Director		Origination Date	Agenda Date
	Housing and Community Developmen	t	4/29/14	JUN 2 5 2014
_ /	DIRECTOR'S SIGNATURE:		C	
1.	Vlunica Cupptar her	l Racklets	Council District affe	
Q,	For additional information contact:	/ // /		istrict I
\bigcup	Phone:	Stephen Tinnermon 713-868-8448	Date and identificat	ion of prior authorizing
			Council action: 96-	319, 2013-0843
	RECOMMENDATION: Approval of an	Ordinance approving amendment	ts to the Loan and Gr	ant Agreements between
	inc only or riousion and mousion Area	LOMMUNIV Development Corpor	ation on offiliate of Ne	u Llama Harrata a tarri
	change the funding sources for the homeless at 320 Hamilton Street	renabilitation of Hamilton Street I	Residence, a 127-unii	community serving the
	Amount of Funding:			
	No additional	funding		Finance Budget:
	No additional	unung		
	SOURCE OF FUNDING	1 Conord Fund		
1	<u> </u>] General Fund [X] Grant	6 - 3	
	HOME Investm	ent Partnership and Housing & F	Homeless Bond Fund	s
Γ	SPECIFIC EXPLANATION:			
	On September 18, 2013, City Council \$2,142,133, grant of Housing and H	approved an Ordinance authorize	ing a \$1.475.600 loan	of HOME funds and a
	Ψ2, 142, 100 grain. Or Housing and π	DMEIESS BOND TUNDS TO Houston	Area Community D	walanmant A
1	(HACDC) to renovate the 127-unit New Street in downtown Houston	Hope Housing (NHH) at Hamilton	anartment community	located at 220 Hamilton
	Street in downtown Houston.	the statement (statement)	apartificiti community	located at 320 Hamilton
	The Housing and Community Developm	nent Department (HCDD) requests	approval to change the	e identity of the property
1	owner from New Hope Housing, Inc. to	NHH at Hamilton, LLC, its affiliate.	and to change the fun	ding sources as follows:
		·	3	
	Sources of Funds: Or	iginal: Revised:		
		<u>2,133</u> <u>\$ 631,500</u>		
	TOTAL \$3,61	7,733 \$3,617,733		
	The total amount of funding, previous	y approved by Council, will not c	hange (just the source	es of the funds) The
1 1	individual of restricted, altordable utilis wi	I INCREASE from 32 linits to 65 linits	The reallocation of f	unds will provide HCDD
٠ ١	with greater flexibility to pursue its afford	lable housing and community deve	opment objectives.	previde (1022
1				
	This item was reviewed by the Housing	and Community Affairs Committee	on May 13, 2014.	
1	Cc: City Secretary			100
1	Controller's Office			M.C.
	Finance Department			an interconage
				dental
To the second	Legal Department Mayor's Office			
	mayor a Office			
-				

				The survey of th
Vinnana				
and a second				Digital
				Professional Control of the Control
-				
F	inance Department:	REQUIRED AUTHORIZATION		
	Department.	Other Authorization:	Other Aut	horization:
L				***************************************

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	REQUEST FOR COUNCIL ACTION		HC	114-76	,
SUBJECT: An Ordinance authorizing	ng the de-appropriation of \$320,0	00 in	Category #	Page 1 of 1	Agenda Item
unused funds from TIRZ Affordable	Housing Fund 2409 and approving	g the			
appropriation of these funds for Single	Family activities				30
FROM:		Orig	ination Date	Agenda Date	
Neal Rackleff, Director	nt	'\ '·	4/8/2014	_	5 201 4
Housing and Community Developmen	it Mr			_	3 2014
DIRECTOR'S SIGNATURE: Minica R. Chapm for No.		Cour	ncil District(s)	affected:	
For additional info	The parties of the second of t				
For additional information/contact: S	itephen Tinner bié ń / 713-868-8448	Cour	and identificancil action: (3/2009	ation of prior a Ordinance 200	authorizing 9-1142
RECOMMENDATION: Approval of a	an Ordinance de-appropriating \$320	000 in	unused funds	s from TIR7 Af	fordable Housing
rund 2409 and approving these funds to	or use in Single Family activities	,		7 110/11 1111/2 /41	iordable i loustri
Amount of Funding:				Finance	Budget:
	\$320,000			, mance	Dauget.
SOURCE OF FUNDING	[] General Fund [] G	rant Fund		Other
	TIRZ Affordable Housing Fun	d 2409	9		
SPECIFIC EXPLANATION:		*************************************			
The Housing and Community Development the de-appropriation of \$320,000 in a funds for Single Family Program action 2009, City Council approved and Gardens and the Fourth Ward. Six house This Ordinance will enable HCDD to Repair, Homebuyer Assistance, Courthis item was presented to the Housi	vities. Ordinance authorizing \$620,00 omes were completed at a cost of to use these funds for Single Finseling Costs and Project Delivery	funds 00 to \$300, amily y Cost	and approving construct singular construct singular construct singular construct singular constructions.	ng the approp gle family ho a balance of cluding Single	oriation of these omes in Trinity \$320.000.
NR:ST:SS					
Cc: City Secretary Legal Department Finance Department Mayor's Office					
	REQUIRED AUTHORIZATIO	N			
inance Department:	Other Authorization:	17	Other Asster		
	Color Addionzation.		Other Autho	orization:	**************************************

	REQUEST FOR COU	NCIL ACTION	I		***
TO: Mayor via City Secretary				RC	A# 10135
Subject: Approve an Ordinar Maintenance and Support S Technology Services (HITS	nce Awarding a Contract for S Services for the Houston Inforn)/S33-E25065	oftware nation	Category #	Page 1 of 1	Agenda Item
FROM (Department or other poi	nt of origin):	Origination	Date	Agenda Date	2
Calvin D. Wells City Purchasing Agent Finance Department		June 1	8, 2014	JUN 2	5 201 4
DIRECTOR'S SIGNATURE	20/	Council Dist All	rict(s) affected	<u> </u>	
For additional information conta	ct:	Date and Ide	entification of	prior authorizi	nσ
Charles T. Thompson	Phone: (832) 393-0082	Council Acti		PAROL MELLIONIES	ug
Joyce Hays	Phone: (832) 393-8723				
RECOMMENDATION: (Summa					
A	*3)				

Approve an ordinance awarding a contract to Asset Works, LLC in an total amount not to exceed \$659,198.00 for software maintenance and support services for the Houston Information Technology Services.

Maximum Contract Amount: \$659,198.00

Finance Budget

\$659,198.00 - 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 five-year contract to Asset Works, LLC in the total amount not to exceed \$659,198.00 for software maintenance and support services for Houston Information Technology Services. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

The Houston Information Technology Services will utilize the services to maintain the FleetFocus M5 Fleet Management Information System. The system is used by city departments to monitor and control the operation and maintenance of over 12,000 pieces of rolling stock equipment.

The vendor will provide product updates and enhancements, email and telephone support.

Asset Works, LLC is the sole source provider and exclusive manufacturer of the software, as well as the sole developer for the system applications. Additionally, Asset Works, LLC is the only representative authorized to sell and maintain the system products and programs.

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.

Buyer: Conley Jackson

Attachment: M/WBE Zero Percentage Goal Document approved by the Mayor's Office of Business Opportunity.

		The state of the s	
	REQUIRED AUTHORIZATION	NDT	
Finance Department:	Other Authorization:	Other Authorization:	



Goal Modification Request Form

To:	Assistant Director Office of Business Opportunity	Solicitation Number:
	•	Estimated Dollar Amount: \$659,198.00
From:	Tom Sorley	
	Requestor's Name/Title	
	Houston IT Services	
	Department	
Type of	Solicitation: Bid Proposal Other	
Name ai	nd Intent of this Solicitation: ASSETWORKS	S SOFTWARE MAINTENANCE AGREEMENT
PREVIO	OUS CONTRACT (if any): Yes No (2
Goal on I	Last Contract: 14% Was Goal Met: Yes	No ●
If goal wa	as not met, what percentage did the vendor achie	eve? 7.356%
	n't goal achieved:	Ann Addition of the Control of the C
PLEASE	SELECT THE TYPE OF GOAL MODI (Waiver, Reduced Goal, Goal Revision After Advert	IFICATION REQUESTED FROM THE OPTIONS tisement, OR Cooperative or Inter-Local Agreement)
VAIVER		
am reque	sting a waiver of the MWBE Goal: Yes 1	No 🔿
esson fo	r waiver:	•
C	 A public or administrative emergency exi- with unusual immediacy; 	ists which requires the goods or services to be provided
0	The service or goods requested are of such City department to be able to select its con as contracts for expert witnesses, certain fir	a specialized, technical or unique nature as to require the attractor without application of MWSBE provisions (such nancial advisors or technical consultants);
0	If application of MWSBE provisions would	d impose an unwarranted economic burden or risk on the bods or services, or would otherwise not be in the best

0	If the possible MWSBE participation level based on MWSBE availability would produce negligible MWSBE participation.
•	Other: This is a Sole Source purchase of software maintenance.
Detaile	ed Explanation of waiver reason:
REDUCED G	OAL (To be completed by the department prior to advertisement)
I am <u>requesting</u>	a MWBE contract-specific goal below the following citywide goals:
Construction (3	4%); Professional Services (24%); Purchasing (11%)
Yes No	If yes, complete a Contract-Specific Goal Setting Worksheet and submit with this form,
GOAL REVISI	ON AFTER ADVERTISEMENT
I am requesting	a <u>revision</u> of the MWBE Goal: Yes No ()
	New Proposed Goal:
	Date: Number of Solicitations Received: Estimated Dollar Amount: \$
Detailed reason	for request:
Is this a Cooperat If yes, what type: Did Department e	E OR INTER-LOCAL AGREEMENT ive/Inter-Local Purchasing Agreement? Yes No Goal Requested: Yes No No N/A ain why not: The is a maintenance agreement AssetWorks software previously purchased
by the City of H	ouston.
Concurrence:	1. 8/1.
Department Initial	Date Department Director of Designee Date
approved by:	
BO Assistant Dir	ector or Designer Date Date
BO Tracking #:	W-180 OBO Reason:

AssetW**O**RKS

TO:

CITY OF HOUSTON

FROM:

AssetWorks LLC.

John H. Hines, III, President

DATE:

February 7, 2014

RE:

FLEETFOCUS™/FUELFOCUS™/KEYVALET™

This letter is to verify that as a result of change of ownership finalized on October 1. 2008, AssetWorks LLC is the Sole Source Provider of FleetFocus™ Enterprise Asset Management System, the FuelFocus™ Fueling Management System and the KeyValet™ fully integrated Motor Pool Solution. AssetWorks LLC. holds all rights to sales, distribution, implementation services and development services to FleetFocus™, FuelFocus™ and KeyValet™.

AssetWorks LLC. is incorporated in the State of Delaware. AssetWorks LLC. is headquartered in Wayne, Pennsylvania. The AssetWorks Federal ID number is 46-0521049.

Please feel free to contact me with any questions or concerns at:

John H. Hnis M

John H. Hines, III, President AssetWorks LLC. 998 Old Eagle School Road, Suite 1215 Wayne, PA 19087 Tel: 610-687-9202/ Fax 610-971-9447

Email: john.hines@assetworks.com

998 Old Eagle School Road, Suite 1215, Wayne, PA 19087 tel: 610-687-9202/fax: 610-971-9447 www.assetworks.com

		NCIL ACTION		RCA	A# 10088
C56086 for Soft Drink an City of Houston S30-T13	rizing a Second Amendment to 0 d/or Vending Marketing Partners 974-A2	Contract No. hips for the	Category #	Page 1 of 1	Agenda It
FROM (Department or other Calvin D. Wells	point of origin):	Origination	Date	Agenda Date	
City Purchasing Agent Finance Department		June 0	2, 2014	JUN 2	5 2014
DIRECTOR'S SIGNATURE	71.00		rict(s) affected		
or additional information con	otact:	All			
Jacquelyn L. Nisby Ray DuRousseau	Phone: (832) 393-8023 Phone: (832) 393-8726	Council Actio	n:	prior authorizio 07/7/04, 200	
	Thome: (002) 000-0720	Old No.		7/07	77-0816,
Anticidan bottillig Compan	orizing a second amendment to y of Texas formerly known as Di 15, 2014 to October 31, 2014 for	r Penner Rott	lina Compar	ou of Touce to	~ ~
Revenue Contract				Finance Budg	et
formerly known as Dr. Pepi	nt recommends that City Coun- t between the City of Houston per Bottling Company of Texas to rink Marketing Partnership for the	and The Am o extend the	erican Bottl	ing Company	y of Toy
formerly known as Dr. Pepp October 31, 2014 for Soft D This contract was awarded for a total 10-year term. Th	per Bottling Company of Houston per Bottling Company of Texas the rink Marketing Partnership for the per July 7, 2004 for a five-year te per contract was subsequently an	and The Am to extend the e City of Hous	erican Bottl contract teri ton.	m from July	y of Texa 15, 2014
formerly known as Dr. Pepp October 31, 2014 for Soft D This contract was awarded of for a total 10-year term. The 816 to provide additional pro-	t between the City of Houston ber Bottling Company of Texas the rink Marketing Partnership for the on July 7, 2004 for a five-year te be contract was subsequently an oduct offerings.	and The Am to extend the e City of Hous rm, with one a nended on Ju	erican Bottl contract terr ton. additional fiv ly 3, 2007 v	ling Compan m from July e-year option ia Ordinance	y of Texa 15, 2014 I to extend No. 2007
formerly known as Dr. Pepp October 31, 2014 for Soft D This contract was awarded of for a total 10-year term. The 816 to provide additional pro The scope of work requires and supervision necessary citywide, including park facil	per Bottling Company of Houston per Bottling Company of Texas the rink Marketing Partnership for the per July 7, 2004 for a five-year te per contract was subsequently an	and The Am to extend the e City of Hous rm, with one a nended on Ju or, supplies, m	erican Bottl contract teri ton. additional fiv ly 3, 2007 v	ling Company m from July e-year option ia Ordinance uipment, tran	y of Texa 15, 2014 to extend No. 2007
formerly known as Dr. Pepp October 31, 2014 for Soft D This contract was awarded of for a total 10-year term. The 816 to provide additional proof of the scope of work requires and supervision necessary citywide, including park facil date, revenue under this contract.	per Bottling Company of Texas the contract was subsequently and oduct offerings. The contractor to provide all labor to supply the City with approximities, community centers, health	and The Am to extend the e City of Hous rm, with one a nended on Ju or, supplies, m nately 320 so clinics, admir	erican Bottl contract terr ton. additional fiv ly 3, 2007 v naterials, equ fit drink madistrative bui	ling Company m from July e-year option ia Ordinance uipment, tran chines at 150 Idings and ai	y of Texa 15, 2014 to extend No. 2007
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formerly known as Dr. Pepp October 31, 2014 for Soft D This contract was awarded of for a total 10-year term. The 816 to provide additional proof of the scope of work requires and supervision necessary citywide, including park facil date, revenue under this contract amendment with This contact was awarded with Texas formerly known as Dr.	per Bottling Company of Texas the contract was subsequently and oduct offerings. The contractor to provide all laborate supply the City with approximate, community centers, health stract has been \$2,881,136.00. If allow services to continue untiles the contractor to provide all laborate supply the City with approximate and the community centers, health stract has been \$2,881,136.00. If allow services to continue untiles the community of Texas and the company of Texas and the contractor and	and The Am to extend the e City of Hous rm, with one a nended on Ju or, supplies, m mately 320 so clinics, admir a new contract goal and The exas is currently	erican Bottl contract ten ton. additional fiv ly 3, 2007 v naterials, equ ft drink mad istrative bui et is awarded American Bo	e-year option ia Ordinance uipment, tranchines at 150 Idings and ai	y of Texa 15, 2014 to extend No. 2007 sportation location rports. T
formerly known as Dr. Pepp October 31, 2014 for Soft D This contract was awarded of for a total 10-year term. The 816 to provide additional proof of the scope of work requires and supervision necessary citywide, including park facil date, revenue under this contract amendment will this contract was awarded will This contract was awarded will Texas formerly known as Dr. goal. The Office of Business participation.	per Bottling Company of Texas the contract was subsequently and oduct offerings. The contractor to provide all laborate supply the City with approximate, community centers, health stract has been \$2,881,136.00. If allow services to continue untiles the contractor to provide all laborate supply the City with approximate and the community centers, health stract has been \$2,881,136.00. If allow services to continue untiles the community of Texas and the company of Texas and the contractor and	and The Am to extend the e City of Hous rm, with one a nended on Ju or, supplies, m mately 320 so clinics, admir a new contract goal and The exas is currently	erican Bottl contract ten ton. additional fiv ly 3, 2007 v naterials, equ ft drink mad istrative bui et is awarded American Bo	e-year option ia Ordinance uipment, tranchines at 150 Idings and ai	y of Texa 15, 2014 to extend No. 2007 sportation location rports. T
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TO: Mayor via City S	REQUEST FOR COU	NCIL ACTION			
TO: Mayor via City Secretary Subject: Ordinance Authorizin C56087 for Soft Drink and/or City of Houston S30-T13974-	Vending Marketing Partners	Contract No. hips for the	Category #	Page 1 of 1	A# 10129 Agenda Item
FROM (Department or other poin Calvin D. Wells	t of origin):	Origination	 Date	Agenda Dat	<u> 30</u>
City Purchasing Agent Finance Department		June 0	2, 2014	JUN 2	5 2014
DIRECTOR'S SIGNATURE	108		rict(s) affected		
For additional information contact	·	All Date and Ide			
Jacquelyn L. Nisby Ray DuRousseau	Phone: (832) 393-8023 Phone: (832) 393-8726	Council Action	on: s. 2004-754,	orior authorizi 07/7/04, 20 7/07	
Approve an ordinance authoriz Fresh Group, USA to extend th vending partnerships for the Ci	e contract term from July 15	tne contract b , 2014 to Octo	etween the beer 31, 201	City of Hous 4 for soft drir	ton and nk and/or
Revenue Contract				Finance Budg	get
amendment to the contract betterm from July 15, 2014 to Octoor This contract was awarded on a for a total 10-year term. The case to provide additional product The scope of work requires the and supervision necessary to sufacilities, community centers, he contract has been \$1,469,783.0	July 7, 2004 for Soft Drink Notes 31, 2014 for Soft Drink Notes 31, 2004 for a five-year tender on tract was subsequently are conferings. Contractor to provide all label poly the City with 120 vending all the clinics, administrative by	Marketing Parterm, with one mended on Justin or, supplies, rangement	nership for the additional five strength of the additional five strength of the additions and locations.	he City of Hove re-year optionia ria Ordinanco uipment, tra	n to extend, e No. 2007- ensportation,
This contract amendment will all					To be a second and
This contact was awarded with a achieving 14.57% of the required contract to ensure maximum M/N	goal. The Office of Busine:	goal and Fres ss Opportunity	sh Brew Gro y will continu	up, USA is one to monitor	currently this
Buyer: Richard Morris					
					and the second s
Einanga Danari	REQUIRED AUTHOR				TVC
Finance Department:	Other Authorization:	1	Other Authoriz	ation:	

TO: Mayor via City Secretary	REQUEST FOR COU	NCIL ACTION			
Subject: Approve an Amendi	ng Ordinance Authorizing a S		T		A# 9974
Amendment to Contract No.	. 4600009455 for Burglar Alar	econd	Category #	Page 1 of 1	Agenda Item
Administration Services for	the Administration and B	m	4		
Department / S10-T22890-A	the Administration and Regula	atory Affairs			
Department / 310-122890-A	N2				19,1
FPOM (Donartment on all					1.74
FROM (Department or other poi Calvin D. Wells	nt of origin):	Origination	Date	Agenda Date	e /
City Purchasing Agent					
Finance Department		June 0	4, 2014		
DIRECTOR'S SIGNATURE				JUN 2	5 201 4
	feller		rict(s) affected		
For additional information contact	i de la companya della companya dell	All			
Kathryn Bruning		Date and Ide	ntification of p	orior authorizi	ng
Greg Hubbard	Phone: (832) 394-9414	Council Acti			
RECOMMENDATION: (Summa	Phone: (832) 393-8748	Ord. 09-03	91, 05/06/0 <u>9</u>	; Ord. 10-062	27, 08/04/10
Approve an amending ordinar	ry)				
Approve an amending ordinar	ice authorizing a second ame	ndment to the	contract be	tween the Cit	ty of
i rodotori aria i Mizivi Corporati	ion to revise the scope of wor	k for burglar a	larm and ad	ministration s	services for
the Administration and Regula	itory Affairs Department.				
No Additional Edition			I	Finance Budg	et
No Additional Funding Requir	ed				
SPECIFIC EXPLANATION:					
The Director of Administration and	al Daniela Arra m				
The Director of Administration an	d Regulatory Affairs Departmen	t and the City	Purchasing A	gent recomme	end that City
					Houston and
1 to mandle accounts lefe	ivable 91 days or oregier to a	COCODDON' AAII			
through an enhanced portal from will be a daily transfer between the	ne existing talse alarm manager	ment solution (FAMS/Alarm I	Permitting Sys	tem). There
will be a daily transfer between the	lections of pormit and false along	stem and the F	-AMS system	. PMAM would	d remain the
official system of record for all col and keep all burglar alarm permitt on all invoices over 90 days, from	ing information current, the City	n tine revenue.	In order to n	naintain the F	AMS system
on all invoices over 90 days, from	the invoice date and from the City	v's share of the	% fee (negotia	ited downward	from 8.5%)
					Part of the Control o
In February, 2013, the City entere	d into contracts with multiple cor	mnanies to pro	vide secondo	ry collections t	
The state of the s	Dall Ul Hall DEDCHSS THE ACCOUNT	TO TOOOUIONION	400 bullet - 1.		
medical in order to implement the	ie secondary collection working i	with the collect	ion agency ar	nd PMAM an	amondment
to the PMAM contract was required	d.		and a golloy car	10 1 1111 tivi, CIT	amendment
The seems of soul for the					
The scope of work for the contract provide a turn-key solution to imple	t requires the contractor to prov	∕ide all labor, r	naterials and	supervision n	ecessary to
Provide a tarri Noy Solution to mile	enen and maintain the city of	MOUCEON'S NUR	<u> </u>	J	
The state of the Oily 3 Dulular	alaun neum naia min an amam	OTOM NARmitting	~ ~ ~ ~ ~ ~ ~		* * * * * * * * * * * * * * * * * * * *
interface, as well as a public permi	uing portal to allow Houston resid	dents and busin	nesses to obta	ain their permit	ts online.
This contract was awarded with a currently at 3.81%. The Mayor's O	ffice of Business Opportunity will	I. PMAM Cor	ooration's M/V	VBE participat	tion level is
currently at 3.81%. The Mayor's O M/WBE participation.	mice of Business Opportunity will	continue to m	onitor this con	tract to ensure	e maximum
					The Control of the Co
Buyer: Greg Hubbard					reproduction

					No.
					Market Greekler
					шодория
					distributioners
					shakarooppogeaa
Finance Department:	REQUIRED AUTHORIZ				MY
	Other Authorization:	(Other Authoriza	ition:	

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

between the City of House (METRO) for the Betterme WBS No. N-001201-0001	ropriation of Funds to the Conserston and the Metropolitan Tranent of the City Utility Facilities; -7, M-000101-0006-7, N-000830	sit Authority	Page 1 of <u>2</u>	Agenda Item #
R-000521-0061-7. FROM (Department or ot	her point of origin):	Origination	Date	Agenda Date
Department of Public Wor		6/19	1	JUN 2 5 2014
Daniel W. Krueger, P.E.,	Director	Council Dis	trict affected	i:
Ravi Kaleyatodi; P.E., CPN Senior Assistant Director	, ,	Council act Ordinance N	<mark>ion:</mark> lo. 2008-0567	of prior authorizing 7, June 18, 2008 8, August 10, 2011
RECOMMENDATION: (So funds to the Consent Agree	ummary) Adopt an Ordinance a ement with Metro.	oproving and	authorizing a	n additional appropriation of
\$316,081.08 from Fund 40 \$89,299.69 from Fund 850	unding: Total \$405,380.77; 40 - METRO Projects Construct 0 - Water and Sewer System Co	onsolidated C		, ,
Series F Fund No. 4030, \$	392,071.00 from the Miscellane 299.00 from the Water and Sew	ous Capital P	rojects/Acqui	sitions CP-Series E
metropolitan transit authorit public transit system. The	FICATION: Chapter 451 of the ies to use a municipality's public project consists of the design, ced scope. This project is part of	rights of way tonstruction, o	to design, con peration and	struct, operate and maintain maintenance of METRO's
encasement of 1,111 linear	ne desired betterment consists o feet of waste water line, 26 point uare feet of 4-foot sidewalks to 6	repairs to the	Main Street B	Bridge, 1,111 square feet of
of Houston-Downtown Stat	e is approximately 5.2 miles long ion along Main, Boundary and F is located in Key Map Grids 453	fulton streets	and terminat	es adjacent to the existing
LTS# 12175	A			CUIC ID #20TAA125
Finance Department:	Other Authorization:	Ot	her Authoriz	ration:
%	Jun Chang, P.E., D. WRE,		aniel R. Mene	ndez P.E.
5	Deputy Director Public Utility Division	De	puty Director	

Date	Subject: Additional Appropriation of Funds to the Consent Agreement	Originator'	Page
	between the City of Houston and the Metropolitan Transit Authority	S	_2 of 2
	(METRO) for the Betterment of the City Utility Facilities;	Initials	
	WBS No. N-001201-0001-7, M-000101-0006-7, N-000830-0004-7,	TAA	
	R-000521-0061-7.	.	
	i		

SCOPE OF CONTRACT AND FEE: The Consent Agreement with Metro was approved by City Council on June 18, 2008, Ordinance Number 2008-0567. In accordance with the agreement, METRO agrees to submit for the City's approval its design for the relocation of City and privately-owned utilities, as well as all other rearrangements and betterments to facilities within the public right-of-way or property, to relocate City and privately-owned utilities within the route at METRO's expense, and to construct certain improvements (betterments) to City utility facilities as the project is being constructed. The betterments will increase the service capacity, capability, efficiency, and function of City services over that which currently exists.

During the development and construction of the project, the City requested the upsizing of water lines, drainage lines, the encasement of sewer lines and paving and sidewalk widening in various segments along the route of the project. A portion of the betterments were paid by Ordinance Number 2011-0683, approved on August 10, 2011. Additional funding is needed to pay the remaining cost associated with these utilities betterments. The remaining cost is \$378,860.53. Therefore, it is necessary to appropriate funds in the amount of \$405,380.77 which includes \$26,520.24 for CIP Cost Recovery.

ACTION RECOMMENDED: It is recommended that City Council adopt an Ordinance approving and authorizing an additional appropriation for the cost of City utility betterments performed by METRO.

DWK:DRM:RK:TAA:dww

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\$	RCA Total	\$	RCC Total	
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	Key Map		Location	
		City Council District	City Coun	Project provides for construction of utility betterment along the proposed Light Rail lines.
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01	N-001201	No.	Project No.	Metro Rail N. Corridor - Betterments
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CIP No: N-001201

Appropriations for 2014

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Ordinance	Form A	Actual	Current	Programmed	Fund	cuic	PWE	Funding WBS	KCA WBS	Agenda Date

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Salary Recovery Value Adjustment Request Form



RCA#

20TAA125

Outline Agreement #

46-11131

Budget Document #

3-15935

				(SAP - FMBB docume	ent # for Capital or	J Non-Capital Budge	ets)	
Fund	Reservation: Header Dat	ta						
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Requested by:		Date:	• /
Department Authorization		Date:	
Controller's Office Authorization		Date:	

Salary Recovery Value Adjustment Request Form



RCA#

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	Department Authorization			***************************************		Date: _		
	Controller's Office Authorization					Date:		

Funds Reservation 300003336

General Data

Document type

11

COH1

Document type

030

Company code

COH1

Document date

Posting date 06/11/2014

06/11/2014

FM area Controlling area COH1

Currency

USD/ 1.00000

Statistics

Entered by

E126316

Created on

06/11/2014

Last changed by

Last changed

More Data

Text

20TAA125 bgt3-15935 OA46-11131(20) add'l

Reference

Overall Amount

378,860.53 USD

Document item 001

Text

20TAA125 bgt3-15935 OA46-11131(20) add'l

Commitment item

520128

Funds center

2000070002

Fund

4040

G/L account

520128

Cost center

Due on Customer 06/11/2014

Vendor

Amount

295,402.88 USD

Original amount

295,402.88 USD

Document item 002

Text

20TAA125 bgt3-15935 OA46-11131(20) add'l

Commitment item

520128

Funds center

2000070002

Fund

8500

G/L account

520128

Cost center

Due on

06/11/2014

Vendor

Customer

Amount

Original amount

83,457.65 USD

83,457.65 USD



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

Houston and the Metropo	•	is County	Category	Page 1 of 2	Agenda Item #
FROM (Department or other	er point of origin):	Originatio	on Date	Age	nda Date
Department of Public Works	and Engineering				
DIRECTOR'S SIGNATURE. Michael S. Marcotte, P.E., D	- 61008	Council D ALL	istrict affect	ed:	
Por additional information Daniel Menendez City Transit Coordinator	Phone: (713) 837-0169	Date and i Council ad N/A	identification	of prior	authorizing
RECOMMENDATION: (Sur Adopt an ordinance approving operation, and maintenance of the surface of t	nmary) ng a Consent Agreement between to of Phase 2 of the METRO Solutions	he City and Plan.	METRO aut	thorizing	the design, construction,
Amount and Source of Fun	ding: N/A				
LOCATION: Phase 2 of the Luther King, Richmond, Wes PREVIOUS HISTORY metropolitan transit authoritie maintain public transit system altering or damaging its prope METRO Solutions Plan as defand require the alteration of, consideration for the City's privately-owned utilities, as we property, to relocate City and property.	e project generally includes public streets as treats, Post Oak, and other streets as	tem for the determinant the certain temperature of the Texas ality's public authorities to the City to coment. The rare facilities for the City's betterments and rearrange	vay along Main the agreement s Transportate crights of way to obtain the construct various related transits of the City.	mETRO n, Fulton, nt. ion Code to design consent of is routes s systems w design for t within the d impacte	Harrisburg, Scott, Martin e specifically authorizes n, construct, operate, and f the municipality before supporting Phase 2 of the will be constructed within, the relocation of City and e public right-of-way or d areas within the project
City utility facilities as the protheir efforts to design and approso that the construction time so certain insurance coverage.	ject is being constructed. In the propose the project's "hybrid delivery" dehedule is met, and METRO agrees to	oosed agreer esign in acco o indemnify	ment, the City ordance with (and MET City stand	FRO agree to coordinate lards and use best efforts
REQUIRED AUTHORIZATION		Γ ΑΑ20			
F&A Director:	Other Authorization:	R	Other Authori Leid K. Mrsny enior Assista	/ N 10 , P.E.	

Subject: Ordinance approving a Consent Agreement between the City of Houston and the Metropolitan Transit Authority of Harris County ("METRO") relating to the design, construction, operation and maintenance of METRO Solutions Phase 2; WBS No. N-001100-0001-1.	Originator's Initials TAA アン	Page _2_ of _2
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The proposed Consent Agreement applies to only Phase 2 of the METRO Solutions Plan. The ordinance delegates to the Director of PW&E the authority to approve and execute amendments to the Consent Agreement necessary for implementation of other phases of the METRO Solutions Plan approved by the voters in 2003, as long as the terms are substantially similar to those set out in the Consent Agreement now before council.

The Council Committee on Transportation, Infrastructure and Aviation has held three hearings on the proposed agreement, on February 12, May 13, and May 30, 2008. Based on Council input, the following provisions have been incorporated into the proposed agreement:

- 1. Section 13.3 regarding dispute resolution will provide for arbitration for conflicts that cannot be resolved, except for disputes involving City permitting or engineering standards.
- 2. Section 3.4 regarding Code Compliance Determination provides that for those lines for which design is not 60% complete at the time the Consent Agreement is approved by Council, METRO will submit designs to the City upon approval of the agreement, for a 20-day review period. This submittal will be in addition to all other required submittals in the agreement.

City of Houston, Texas, Ordinance No. 2008-56 7

AN ORDINANCE APPROVING AND AUTHORIZING A CONTRACT BETWEEN THE CITY OF HOUSTON AND THE METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY ("METRO") CONSENTING TO THE CONSTRUCTION AND OPERATION OF PHASE II OF THE METRO SOLUTIONS PLAN LIGHT RAIL PROJECT; AUTHORIZING THE PUBLIC WORKS AND ENGINEERING DIRECTOR TO APPROVE AMENDMENTS TO THE AGREEMENT TO CONSENT TO METRO'S CONSTRUCTION OF OTHER PROJECTS APPROVED BY THE VOTERS IN THE 2003 METRO SOLUTIONS ELECTION; CONTAINING VARIOUS PROVISIONS RELATING TO THE SUBJECT; AND DECLARING AN EMERGENCY.

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

Section 1. That the City Council approves and authorizes an Agreement as described in the caption in substantially the form shown in the document that is attached hereto and incorporated herein by this reference. The Mayor is hereby authorized to execute such document and all related documents. The City Secretary is hereby authorized to attest to all such signatures and to affix the seal of the City to all such documents.

- Section 2. The Mayor is hereby authorized to take all actions necessary to effectuate the City's intent and objectives in approving such agreement, agreements or other undertaking described in the title of this ordinance, in the event of changed circumstances.
- Section 3. The City Attorney is hereby authorized to take all action necessary to enforce all legal obligations under said contract without further authorization from Council.
- Section 4. The Director of the Public Works and Engineering Department of the City of Houston or his or her successor is authorized to approve and execute amendments to the Agreement to consent to the construction and operation of other phases of the Metro Solutions Plan as approved by the voters in the 2003 election so long as such amendments are on substantially the same terms as are set out in the Agreement.

Section 5. 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	8 /8 /m day of _	June	, 20 08
APPROVED this	day of	. 20	

FORM 132.M (Approving/Authorizing)

Mayor of the City of Houston, Texas

Pursuant to Article VI, Sec	ion 6, Houston	City Charter,	the	effective	date	of	the
foregoing Ordinance is		•					

(Requested by PW&E Director)

City Secretary

Sr. Assistant City Attorney

AY	Έ	No)	Roll CAIN JUTE
_/				MAYOR WHITE
•••	•	•••	•	COUNCIL MEMBERS
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CAPTION	AD	OPTED		

CAPTION PUBLISHED IN DAILY COURT REVIEW

PATE: JUN 2 4 2008

TO:

Mayor via City Secretary REQUEST FOR COUNCIL ACTION

							
	SUBJECT: An Approper between the City of H (METRO) for the Better WBS No. N-001201-00 R-000521-0061-4, S-00	Agenda Item #					
		other point of origin):	Origination	Date	Agenda Date		
	Department of Public W	orks and Engineering			AUG 1 0 2011		
E)	DIRECTOR'S SIGNAT	., Director	Council Dis H	trict affected	i:		
7	For additional information contact: Ravi Kaleyatodi, P.E., CPM Senior Assistant Director Phone: (832) 395-2326 Date and Identification of prior authorizing Council action: Ordinance No. 2008-0567, June 18, 2008						
	RECOMMENDATION: (Consent Agreement with	Summary) Adopt an Ordinance ap Metro.	proving and au	ıthorizing an a	appropriation of funds to the		
	Amount and Source of Funding: Total \$1,656,267.00; \$57,897.00 from the Drainage Improvement Commercial Paper Series F Fund No 4030, \$392,071.00 from the Miscellaneous Capital Projects/Acquisitions CP-Series E Fund No 4039 and \$1,206,299.00 from Water and Sewer System Consolidated Construction Fund No. 8500.						
l r	PROJECT NOTICE/JUSTIFICATION: Chapter 451 of the Texas Transportation Code specifically authorizes metropolitan transit authorities to use a municipality's public rights of way to design, construct, operate and maintain public transit system. The project consists of the design, construction, operation and maintenance of METRO's transit system for the defined scope. This project is part of the METRO Solutions Plan, Phase 2.						
, -	<u>DESCRIPTION/SCOPE</u> : The desired betterment consists of upsizing the total of 5,980 linear feet of planned 8-inch water lines to 12-inch water lines, 4,018 linear feet of waste water line encasement, 1,286 linear feet of drainage line upsizing and/or replacement and 50,707 square feet of 4-foot sidewalks to 6-foot sidewalks.						
N	LOCATION: The North Line is approximately 5.2 miles long and extends from the existing METRO Rail University of Houston-Downtown Station along Main, Boundary and Fulton streets and terminates adjacent to the existing North line Transit Center. It is located in Key Map Grids 453P, 453Q, 453U, 453Y, 493C, 493D, 493G, 493H and 493M.						
C ar with fu	SCOPE OF CONTRACT AND FEE: The Consent Agreement with Metro was approved by City Council on June 18, 2008, Ordinance Number 2008-0567. In accordance with the agreement, METRO agrees to submit for the City's approval its design for the relocation of City and privately-owned utilities, as well as all other rearrangements and betterments to facilities within the public right-of-way or property, to relocate City and privately-owned utilities within the route at METRO's expense, and to construct certain improvements (betterments) to City utility facilities as the project is being constructed. The betterments will increase the service capacity, capability, efficiency, and function of City services over that which currently exists.						
RI	EQUIRED AUTHORIZAT	TION CUIC	D #20TAA73				
FI	nance Department:	Other Authorization:	Othe	r Authorizati	ion:		
		Chun Chang	/	fre-			
		Jun Chang, P.E., D. WRE, Deputy Director		el R. Menende ty Director	ez, P.E.,		
		Public Utility Division			onstruction Division		

Subject: An Appropriation of Funds to the Consent Agreement between the City of Houston and the Metropolitan Transit Authority (METRO) for the Betterment of the City Utility Facilities; WBS No. N-001201-0001-4, M-000101-0006-4, N-000830-0004-4, R-000521-0061-4, S-000521-0061-4.	Originator' s initials TAA	Page _2 of _2
	(METRO) for the Betterment of the City Utility Facilities; WBS No. N-001201-0001-4 M-000101-0006 4 N-000200	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1

During the development and construction of the project, the City requested the upsizing of water lines, drainage lines, the encasement of sewer lines and paving and sidewalk widening in various segments along the route of the project. The estimated cost associated with these utilities betterments is \$1,547,913.04. Therefore, it is necessary to appropriate funds in the amount of \$1,656.267.00 which includes \$108,353.96 for CIP Cost Recovery.

<u>ACTION RECOMMENDED:</u> It is recommended that City Council adopt an Ordinance approving the appropriation of \$1,656,267.00 for the cost of City utility betterment performed by METRO.

DWK:DRM:RK:TAA:PKC:ma

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Controller's Office

To the Honorable Mayor and City Council of the City of Houston, Texas:

expen	I hereby certify, with respect to the money required for the contract, agreement, obligation or diture contemplated by the ordinance set out below that:
()	Funds have been encumbered out of funds previously appropriated for such purpose.
()	Funds have been certified and designated to be appropriated by separate ordinance to be approved prior to the approval of the ordinance set out below.
()	Funds will be available out of current or general revenue prior to the maturity of any such obligation.
()	No pecuniary obligation is to be incurred as a result of approving the ordinance set out below.
()	The money required for the expenditure or expenditures specified below is in the treasury, in the fund or funds specified below, and is not appropriated for any other purposes.
(√)	A certificate with respect to the money required for the expenditure or expenditures specified below is attached hereto and incorporated hereimby this reference.
()	Other - Grant Funds Available Oblo Konald (Decomposition of the Control of the C
Date:_	20 // City Controller of the City of Houston, Texas
	REF: 1500 L JAMOUNT: 1306, 271 20 ENCUMB. NO.: 3-2099
Pe	Frag 3-11556 City of Houston, Texas Ordinance No. 2011-683

AN ORDINANCE APPROPRIATING THE SUM OF \$57,897.00 OUT OF THE DRAINAGE IMPROVEMENT COMMERCIAL PAPER SERIES F FUND, THE SUM OF \$392,071.00 OUT OF THE MISCELLANEOUS CAPITAL PROJECTS/ACQUISITIONS CPSERIES E FUND AND THE SUM OF \$1,206,299.00 OUT OF THE WATER AND SEWER SYSTEM CONSOLIDATED CONSTRUCTION FUND AS AN ADDITIONAL APPROPRIATION TO THE CONSENT AGREEMENT BETWEEN THE CITY OF HOUSTON AND METROPOLITAN TRANSIT AUTHORITY (METRO) FOR BETTERMENT OF THE CITY UTILITY FACILITIES FOR THE NORTH LINE CORRIDOR ROUTE (APPROVED BY ORDINANCE NO. 2008-0567); PROVIDING FUNDING FOR CIP COST RECOVERY RELATING TO CONSTRUCTION OF FACILITIES FINANCED BY DRAINAGE IMPROVEMENT COMMERCIAL PAPER SERIES F FUND, MISCELLANEOUS CAPITAL PROJECTS/ACQUISITIONS CP-SERIES E FUND, AND WATER AND SEWER SYSTEM CONSOLIDATED CONSTRUCTION

FUND; CONTAINING PROVISIONS RELATING TØ THE SUBJECT; AND DECLARING AN EMERGENCY.

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

Section 1. The City Council hereby appropriates the sum or sums of money set out in the title of this Ordinance, out of the respective fund or funds set out in such title as follows: the sum of \$1,547,913.04 is appropriated for contract services related to the project described in the title, and the sum of \$108,353.96 is appropriated for CIP Cost Recovery relating to construction of facilities financed by the fund described in such title.

Section 2. 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 <u>///</u> t	h day of <u>(""").</u>
APPROVED this day	y of, 20
	Mayor of the City of Houston, Texas
Pursuant to Article VI, Section 6, Houston Ordinance is AUG 1 6 2011	City Charter, the effective date of the foregoing
	City Secretary
(Prepared by Legal Dept.)
(MPB/dg/ 8/4/2011) Assistant City Atto	omey
(Requested by Daniel W. Krueger, P.E., Director,	Department of Public Works and Engineering)
(L.D. File No. 0630600098003)	
G:\CONTRACT\DLG\MPB\Metro.North Line.Add'l Approp.doc	

CAPTION PUBLISHED IN BAILY COURT

TO A VANCE

AUG 1 6 2011

CERTIFICATE OF CITY CONTROLLER

I, Ronald C. Green, City Controller of the City of Houston, Texas, pursuant to Article II, Section 19a of the Charter of the City of Houston, Texas, with respect to the sum of \$57,897.00 required for the project referenced in the title of this ordinance, do hereby certify as follows:

(1) To the extent that the \$57,897.00 will be paid by commercial paper proceeds, funds will be received into the treasury and available before the maturity of said obligation, and such anticipated funds have not already been appropriated for any other purpose. Such sum will be received as a cash draw(s) to the City of Houston, Texas pursuant to the General Obligation Commercial Paper Program, Series F, Ordinance No. 2004-0403.

City Controller

Water.Cer

CERTIFICATE OF CITY CONTROLLER

I, Ronald C. Green, City Controller of the City of Houston, Texas, pursuant to Article II, Section 19a of

the Charter of the City of Houston, with respect to the sum of \$392,071.00 required for the project referenced in the title of this ordinance, do hereby certify as follows:

To the extent that the \$392,071.00 will be paid by commercial paper proceeds, funds will be received into the treasury and available before the maturity of said obligation, and such anticipated funds have not already been appropriated for any other purpose. Such sum will be received as a cash draw(s) to the City of Houston pursuant to the General Obligation Commercial Paper Program, Series E, Ordinance No. 2002-1122.

City Controller

Fund 4039

CERTIFICATE OF CITY CONTROLLER

I, Ronald C. Green, City Controller of the City of Houston, Texas, pursuant to Article II, Section 19a

of the Charter of the City of Houston, with respect to the sum of \$1,206,299.00 required for the project referenced in the title of this ordinance, do hereby certify as follows:

- (1) The sum of \$1,206,299.00 will be funded from water and sewer system bond proceeds and/or water and sewer system commercial paper proceeds (first-in-first-out basis) pursuant to Ordinance No. 93-1409 authorizing the creation of the Water and Sewer System Consolidated Construction Fund. To the extent that this sum will be paid with bond proceeds, it is in the treasury in the said fund, and is not appropriated for any other purpose.
- (2) To the extent that the \$1,206,299.00 will be paid by commercial paper proceeds, funds will be received into the treasury and available before the maturity of said obligation, and such anticipated funds have not already been appropriated for any other purpose. Such sum will be received as a cash draw(s) to the City of Houston pursuant to the Water and Sewer System Commercial Paper Ordinance, Ordinance No. 93-1209.

City Controller

Water.Cer8500

AYE	NO		
		MAYOR PARKER	
••••	••••	COUNCIL MEMBERS	
		STARDIG	
		JOHNSON	
		CLUTTERBUCK	
1		ADAMS	
		SULLIVAN	
ABS	ENT-CITY BUS	NESS HOANG	
P	ABSENT-OF	NESS PENNINGTON	
A	SENT-OUT OF	CITY CONTAILET	
		RODRIGUEZ	
/		COSTELLO	
		LOVELL	
		NORIEGA	
/		BRADFORD	
		JONES	
CAPTION	ADOPTED		
		SIAV DAT Day, some	
ı	Ī	MAY 017 Rev. 12/09	

10: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

between the City of Houston County (METRO) and author	Ordinance approving a Supplement to the Consent Agreement by of Houston and the Metropolitan Transit Authority of Harris (O) and authorizing an appropriation of \$10 M for the Grade erment of the Light Rail Crossing of the Tracks at Harrisburg BS No. N-000670-0003-7.			Agenda Item # 36			
FROM (Department or other	er point of origin):	Origination	Date	Agenda Date			
Department of Public Works	and Engineering	6/19	114	JUN 2 5 2014			
Daniel W. Kraeger, P.E. Council District affected: H, I							
Ravi Kaleyatodi, P.E., CPM Senior Assistant Director Phone: (832) 395-2326 Date and identification of prior authorizing Council action: Ordinance No. 2008-0567, June 18, 2008							
Hughes Street Amount and Source of Fun	ng a Supplement to the Consent Ag he betterment of Harrisburg Boulev	ard where it is	s crossed by the	METRO and authorizing the HB&T track in the vicinity of			
system. The Consent Agreem 18, 2008, Ordinance Number	er 451 of the Texas Transportation Coght of way with the municipality's ent for Phase 2 METRO Rail and the 2008-0567. In accordance with the cation of City and privately-owned wht-of-way or property.	consent to co Metro Solution agreement, M	nstruct, operate ons Plan was app IETRO will pre	and maintain a public transit proved by City Council on June pare and submit for the City's			
ME I KO's design, construction	CATION: The Supplemental Agran, operation and maintenance of a tra Harrisburg Boulevard to cross the ex Plan, Phase 2.	nsit system for	the defined scon	e. inclusive of grade senarated			
LOCATION: The intersection	of Harrisburg Boulevard and Hugh	es Street is loo	cated in Key Ma	p Grid 494U.			
LTS No. 12217	CUIC ID # 20TAA	.75					
Finance Department:	Other Authorization:		Other Authoriza	ation:			
			halle.				
				idez, P.E., Deputy Director Construction Division			

Date	SUBJECT: An Ordinance approving a Supplement to the Consent Agreement between the City of Houston and the Metropolitan Transit Authority of Harris County (METRO) and authorizing an appropriation of \$10 M for the Grade Separated Betterment of the Light Rail Crossing of the Tracks at Harrisburg and Hughes; WBS No. N-000670-0003.	Initials	Page _2_ of _2
------	--	----------	-------------------

DESCRIPTION/SCOPE: With METRO's construction of the light rail system in a grade separated configuration crossing the existing HBT tracks across Harrisburg, the City has requested METRO provide for betterment of the City's street by including two grade separated traffic lanes with the light rail system, in addition to performing required rearrangement of the current City street facilities at grade as necessitated by the addition of the light rail system within the ROW.

The Harrisburg Overpass Light Rail/ Traffic Lane Project of the METRO Solutions Plan shall consist of the design and construction of an overpass bridge structure to support METRO's East End Light Rail Line trackway and two 16-foot traffic lanes with two 5-foot sidewalks, as well as modified surface street features of two 16-foot traffic lanes with two 6-foot sidewalks crossing the Houston Belt & Terminal railroad at grade. The overpass bridge and Betterment will include all features to be complete to include street lighting, guard rails, pavement markings, traffic control signage, drainage, and under-bridge lighting.

ACTION RECOMMENDED: It is recommended that the City Council adopt an Ordinance approving a Supplement to the Consent Agreement between the City of Houston and the Metropolitan Transit Authority of Harris County (METRO) and authorizing the appropriation of \$10,000,000.00 for the Grade Separated Betterment of the Light Rail Crossing of the Tracks at Harrisburg and Hughes.

DWK:DRM:RK:TAA

H\\constr\A-SB-DIV\Interagency\METRO Projects\Rail Projects\Agreement RCA\East End Hughes St. Overpass\20TAA75..doc

File – METRO – METRO Solutions Phase 2 East End Corridor Segment 1

	TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION SUBJECT: Petition for the City's consent to the addition of 26.1646 acres of Fort Bend County Municipal Utility District No.185 (Key Map No.484-U, V, Z)	of land to	Page 1 of 1	
				37
	FROM (Department or other point of origin): Origi	ination Da	te	Agenda Date
	Department of Public Works and Engineering			JUN 2 5 2014
2	DIRECTOR'S SIGNATURE Coun Daniel W. Krueger, P.E.	ncil Distric	t affec	ted: " \(\int \int \int \int \int \) \(\tag{P} \)
J	FOR ADDITIONAL INFORMATION CONTACT: Date	and identincil action:		n of prior authorizing
2	Carol Ellinger Haddock, P.E.			
	Senior Assistant Director, PW&E (832) 395-2686			
	RECOMMENDATION: (Summary)			
	The petition for the addition of 26.1646 acres of land to Fort Bend County Mun	nicipal Utilit	ty Distri	ict No.185 be approved.
	Amount and Source of Funding:			
	NONE REQUIRED			
	SPECIFIC EXPLANATION:			
	Fort Bend County Municipal Utility District No.185 has petitioned the Ciracres of land, located in the city's extraterritorial jurisdiction, to the distri	ity of Hous ict.	ton for	consent to add 26.1646
	The Utility District Review Committee has evaluated the application witreatment, potable water distribution, storm water conveyance, and other	rith respect public ser	to was	stewater collection and
	The district is located in the vicinity of Mills Manor Drive, Katy Flewelle Road. The district desires to add 26.1646 acres, thus yielding a total of the Fort Bend County Municipal Utility District No. 37 Wastewater Tre drainage facility for Fort Bend County Municipal Utility District No. 185 Houston Ship Channel.	361.2115 a eatment Pla	cres. T	The district is served by

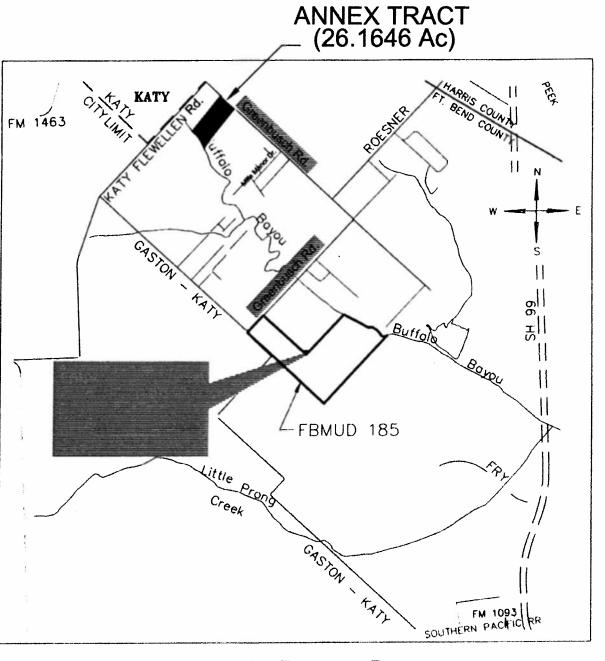
Potable water is provided by Fort Bend County Municipal Utility District No. 37. By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their construction.

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

Attachments

cc: Marta Crinejo Patrick Walsh, P.E. Jun Chang, P.E., D.WRE Bill Zrioka Deborah McAbee Tim Lincoln, P.E.

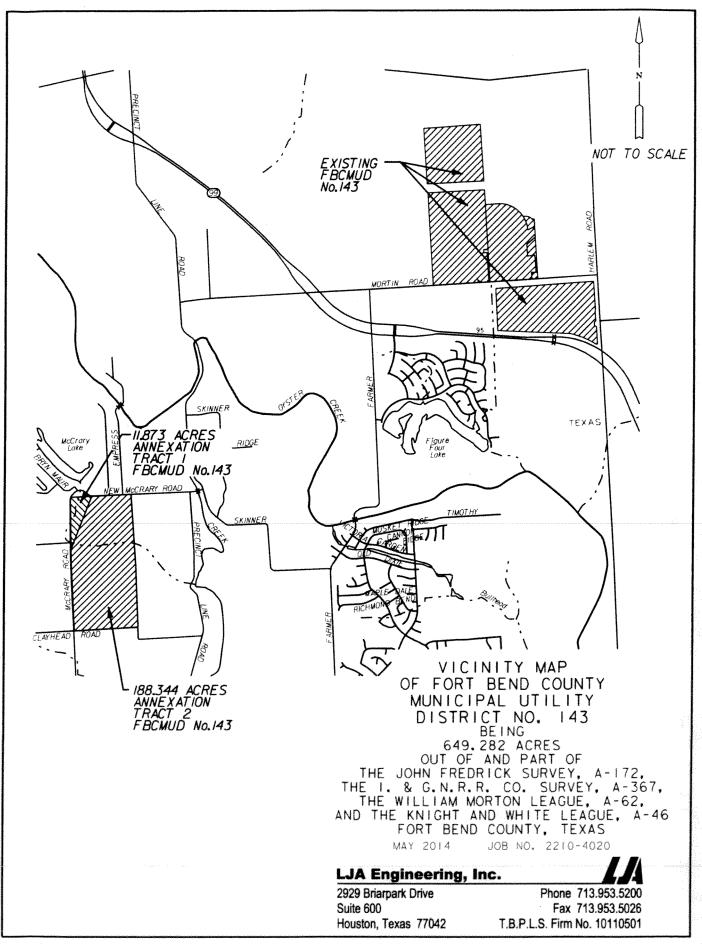
LTS# 11290	REQUIRED AUTHORIZATION	20IPB101
Finance Department	Other Authorization:	Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning & Development Services Div.
	I	i idining w perciophilett dervices Div.



VICINITY MAP N.T.S. FORT BEND KEY MAP 484: U, V, Z.

TO: Mayor via City Secreta	ary REQUEST FOR COUNC	IL ACTION		
totaling 200.217 acres of land (Key Map No.565-C,G)	City's consent to the addition of two (to Fort Bend County Municipal Utilit	2) tracts of land y District No.143	Page 1 of _1	
EPOM (Deportment)				38
FROM (Department or other	er point of origin):	Origination D	ate	Agenda Date
Department of Public Works a	nd Engineering			JUN 2 5 2014
DIRECTOR'S SIGNATURE Daniel W. Krueger & P.	WK_	Council Distr	ict affec "ETJ"	
FOR ADDITIONAL INFORM. Luca Antonic Zenda Carol Ellinger Haddock, P.E		Date and iden Council action	tificatio 1:	n of prior authorizing
Senior Assistant Director	Phone: (832) 395- 2686			
RECOMMENDATION: (Sum	mary)			
The petition for the addition of District No.143 be approved. Amount and Source of Fund	two (2) tracts of land totaling 200.217	acres of land to Fo	rt Bend (County Municipal Utility
	NONE REQUIRED			
SPECIFIC EXPLANATION:				
The Utility District Review treatment, potable water di	pal Utility District No.143 has petition 217 acres of land, located in the city's Committee has evaluated the appostribution, storm water conveyance,	s extraterritorial juris lication with respec and other public se	idiction, t to was vices.	to the district.
annexation tracts will be s The nearest major drainage	e vicinity of Clayhead Road, New Mc two (2) tracts of land totaling 200.21 erved by the proposed district plan e facility for Fort Bend County Muni , and then into the Gulf of Mexico.	/ acres, thus yieldir	g a total	of 649.282 acres. The
	rided by the McCrary Meadows Wa acknowledged that all plans for th collection systems within the distric			
The Utility District Review C	ommittee recommends that the subj	ect petition be appro	have	
Attachments		- ,		
cc: Marta Crinejo Patrick Bill Zrioka Deborah	Walsh, P.E. Jun Chang, P.E., D.WRI McAbee Tim Lincoln, P.E.	1 kg.		
1 70 / 4 4 6 6 6		_ MN		
LTS# 11393 nance Department	REQUIRED /	AUTHORIZATION		20IPB105
nance Department	Other Authorization:	Other Al	uthoriza	tion:
		Deputy [)irector	, P.E., CFM, PTOE









Department of Public Works and Engineering Water District Consent Application Form

Application is	s hereby made for c	onsent of the	City of	Houston to	the □crea	tion/ ⊠addition o
Texas Water	s to <u>Fort Bend Cour</u> Code.	ITY MUD NO.	<u>143</u> und	er the prov	isions of <u>Cl</u>	hapters 49 and 54
				2000 1	N 61 e	<u>.</u>
				Attor	ney for the Qi	strict
Attorney:	Allen Boone Hump	hries Robins	son LLP -	<i>)</i>		
	3200 Southwest F					
Address:	2600, Houston, TX	<u>K</u>	Zip:	77027	Phone:	713-860-6400
Email:	-					
Engineer:	LJA Engineering, I	inc.				
	2929 Briarpark Dr	ive, Suite		77040		-
Address:	600, Houston, TX		Zip:	77042	Phone:	<u>713-953-5056</u>
Email:	Vantara Davida					
Owner(s):	Ventana Developm	-	y Ltd			
Address:	1600 Highway 6, 9 Sugar Land, TX	Suite 130,	Zip:	77478	Phone:	713-781-5553
(If i	more than one owner, atta	ach additional o	•			
	,	our additional pe	age. Elst un	owners or pro	percy widini d	ne Districty
<u>Location</u>			6 -71			
	Limits Outside		⊠ Na	ime of Cou	nty: Fort B	end
Survey: <u>F</u>	(night and White Le	ague	Abstra	ct: <u>46</u>		
Key Map #:	565 C & G					
Geographic	Location (List only mag	jor streets, bayo	ous or creek	s):		
North of:	Clayhead Road		East of	: <u>McCrar</u>	y Road	
South of:	New McCrary Road		West o	f: <u>Precinc</u>	t Line Roa	<u>d</u>
Water Dist	rict Data					
Existing Acre			Existing	Acreage		
District:	<u>449.065</u>		Plus Pro	posed Land	d: <u>649.2</u>	<u>82</u>
Developme consent:	nt Breakdown (in	Percentag	e) for tr	act(s) be	ing consid	lered for
Single Famil	y Residential:	100%	Multi-F Reside	•		
Commercial:		Industrial:		Ins	stitutional:	
Other:						

.CIT.BILLS





Department of Public Works and Engineering Water District Consent Application Form

Wastewater Treatment Pla	ınt Information:	}		
Wastewater generated by the	District will be s	erved by a:		
	District Pla	nt 🛛	Regional Plant [
Wastewater Treatment Plant	Name: <u>McCrary</u>	Meadows WWT	<u>-P</u>	
NPDES/ TPDES Permit No: p	pending	TCEQ Permit	No:	
Existing Permitted Capacity (MGD): <u>0.0</u>	Ultimate Cap	acity (MGD): 0	.2
Size of Treatment Plant Site:	5.0 square fee	et / acres		
If Treatment plant is to serve list all districts served, or to (If more than two Districts - attach add	be served by the			
Name of District or property owner(s):		apacity Allocati MGD):	on 	
Name of District or property owner(s):		Capacity Allocation (MGD):		
Water Treatment Plant Inf	ormation:			
Name of Water Treatment Pla	nt: McCrary Me	adows Water S	upply Plant	
Water Treatment Plant Addres	ss: <u>pending</u>			
Water Well Permit Number:	pending			
Existing Capacity:	Well(s):	<u>0</u>		GPM
	Booster Pump(s)): <u>O</u>		GPM
	Tank(s):	<u>O</u>		MG
Ultimate Capacity:	Well(s):	<u>450</u>		GPM
	Booster Pump(s)	: <u>1,300</u>		GPM
	Tank(s):	0.25	•	MG





Department of Public Works and Engineering Water District Consent Application Form

Size	of	Treatment	Plant	Site:	3.0	square	feet /	acres
------	----	-----------	-------	-------	-----	--------	--------	-------

Is the District a member of the City of Houston Ground Water Reduction Plan (GRP)?

Yes 🗌

No 🖂

If yes, please attach 40 year water demand projection

If no, please provide name of the GRP the District is a member of:

North Fort Bend Water Authority

Comments or Additional Information: See attached sheet for additional owner.

C1112(15)

ACTIO	N	
cres of	Page	Agenda Item
у Мар	1 of <u>1</u>	#
		30
· - · ·		29
Origina	ation Date	Agenda Date /
		JUN 2 5 2014
Counc	il District affe	cted:
	"ET.	j"
		on of prior authorizing
Counc	il action:	
A Children and a second a second and a second a second and a second a second and a second and a second and a		
Vater Co	ntrol & Improve	ment District No. 84 be

	Origina Counc	Origination Date Council District affer "ET.

SPECIFIC EXPLANATION:

Harris County Water Control & Improvement District No. 84 has petitioned the City of Houston for consent to add 69.2238 acres of land, located in the city's extraterritorial jurisdiction, to the district.

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

The district is located in the vicinity of Wood Drive, Wallisville Road, Dell Dale Avenue and Sheldon Road. The district desires to add 69.2238 acres, thus yielding a total of 1,120.7094 acres. The district is served by the Harris County Water Control & Improvement District No. 84 Wastewater Treatment Plant, which is owned and operated by the district. The nearest major drainage facility for Harris County Water Control & Improvement District No. 84 is the San Jacinto River which flows into the Houston Ship Channel.

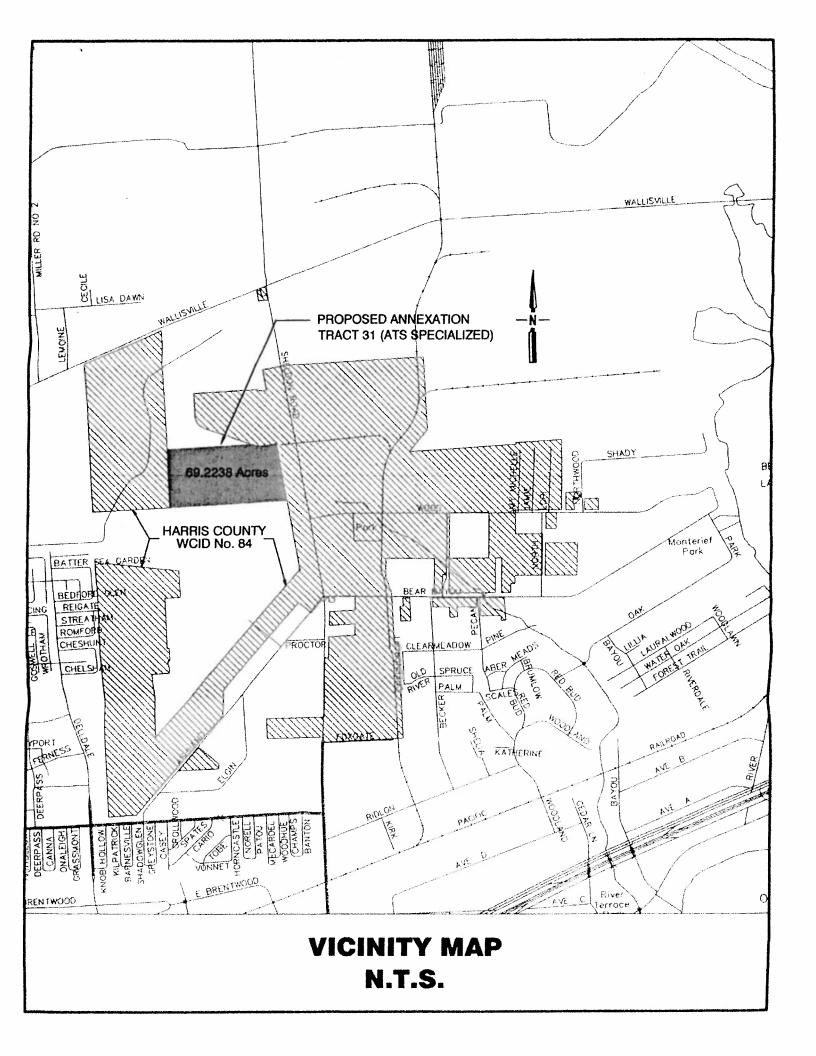
Potable water is provided by the district. By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their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

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

Attachments

cc: Marta Crinejo Patrick Walsh, P.E. Jun Chang, P.E., D.WRE Bill Zrioka Deborah McAbee Tim Lincoln, P.E.

LTS#11289	REQUIRED AUTHORIZATION	20IPB102
Finance Department	Other Authorization:	Other Authorization:
		May Stock
		Mark L. Loethen, P.E., CFM, PTOE
		Deputy Director
. mijak		Planning & Development Services Div.







LTS# 11289

Department of Public Works and Engineering Water District Consent Application Form

Application i 69.2238 acre	is hereby made for o es to <u>Harris County</u>	consent of the WC&ID No. 8	e City of 4 under 1	Houston to the provision	the □crea ns of <u>Chapt</u>	ition/ ⊠addition of <u>;er 51</u> Texas Water
				Meil	ney for the Dis	- Audab
Attorney:	Neil Thomas w/ N	Norton Rose f	Fulhright		ney for the D.	Strict
Address:	1301 McKinney, S		Zip:	<u>77010</u>	Phone:	713-651-5608
Email:	cell-thomas @ norto		•	**************************************	• • •	1.7.2
Engineer:	Russell S. Cosbey	J		С.		
-	1500 S. Dairy Ast	-		Service .		
Address:	200		Zip:	<u>77077</u>	Phone:	<u>281-496-0066</u>
Email:	cosheyerho. H-zellar					
Owner(s):	ATS Specialized,					
Address:	725 Opportunity I Cloud, Minnesota		Zip:	56301	Phone:	320-255-7460
(If	more than one owner, att	tach additional pa	age. List all	l owners of pro	perty within t	he District)
Location						
	Limits Outsid	le City Limits	⊠ N:	ame of Cou	ıntv: Ha <u>rris</u>	=
	Solomon Jacobs	,	Abstra			
Key Map #:						
Geographic	Location (List only ma	ajor streets, bayo	ous or creek	ks):		
North of:	Wood Drive		East of		ele Avenue	
South of:	Wallisville Road		West o	of: <u>Sheldor</u>	n Road	
Water Dist	rict Data					
Existing Acr District:			-	Acreage posed Land	d: <u>1120.</u> 7	70 <u>94</u>
	ent Breakdown (in			•		
consent:		*	-, ·-	00-(-,		10100111
Single Famil	ly Residential:		Multi-F Residei			N. Paratana Paratana
Commercial:	: <u>100</u>	Industrial:	***************************************	Ins	stitutional:	
Other:						
						!

20IP8102





Department of Public Works and Engineering Water District Consent Application Form

Wastewater Treatment Pla	ant Information:		
Wastewater generated by the	District will be se	rved by a:	
	District Plan	t 🛭 Regi	onal Plant 🗌
Wastewater Treatment Plant	Name: <u>Harris Co</u>	unty WC&ID No. 84	4 WWTP
NPDES/ TPDES Permit No:]	TX0034428	TCEQ Permit No:	WQ0010558-001
Existing Permitted Capacity (MGD): <u>1.0</u>	Ultimate Capacity	(MGD): <u>2.0</u>
Size of Treatment Plant Site:	<u>6.2961 Acres</u> s	quare feet / acres	
If Treatment plant is to serve list all districts served, or to (If more than two Districts - attach add	be served by the p	properties, as a re lant and their allot	gional plant, please ted capacities below:
Name of District or property owner(s):		pacity Allocation GD):	
Name of District or property owner(s):		pacity Allocation GD):	
Water Treatment Plant Info	ormation:		
Name of Water Treatment Pla	nt: <u>Harris Count</u>	y WC&ID No. 84 W	ater Plant
Water Treatment Plant Addres	ss: <u>15900 Bear E</u>	Bayou Drive	
Water Well Permit Number:	TDH ID No. 1010	113	
Existing Capacity:	Well(s):	1@1000	GPM
	Booster Pump(s):	3@1000&1@500	<u>)</u> GPM
	Tank(s):	0.64	MG
Ultimate Capacity:	Well(s):	1@1000	GPM
	Booster Pump(s):	3@1000&1@500	g GPM
	Tank(s):	0.64	MG

20IPB102

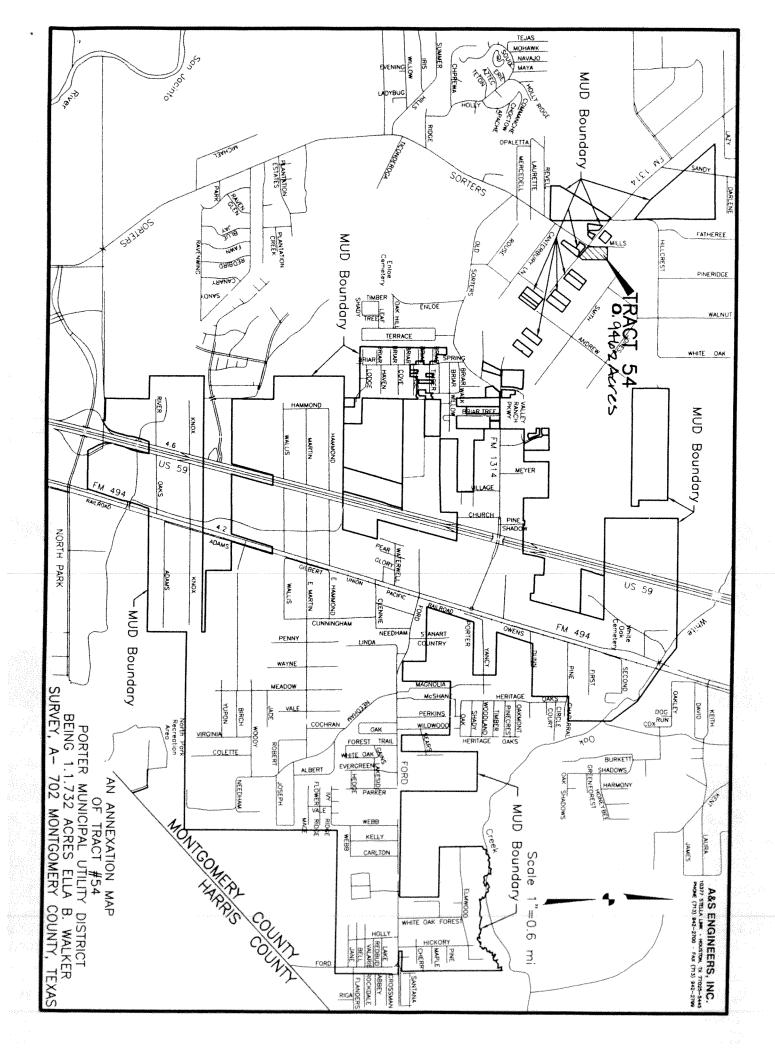




Department of Public Works and Engineering Water District Consent Application Form

Size of Treatment Plant Site: 1.0 Acres squa	re feet / acres	
Is the District a member of the City of Houston	Ground Water Reduct	ion Plan (GRP)? No ⊠
If yes, please attach 40 year water dem	and projection	
If no, please provide name of the GRP th	ne District is a membe	er of:
North Channel Water Authority		
Comments or Additional Information:		

TO: Mayor via City Secretary	REQUEST FOR COUNC	IL ACTION		
SUBJECT: Petition for the City's land to Porter Municipal Utility Dis		62 acres of	Page 1 of 1	Agenda Item #
FROM (Department or other po	- /	Origin	ation Date	Agenda Date JUN 2 5 2014
Department of Public Works and EDIRECTOR'S SIGNATURE Raniel W. Krueger, B.E.	ingineering	Counc	il District affe "ET	cted:
Carol Ellinger Haddock, P.E. Senior Assistant Director	(832) 395-2686		nd identificati il action:	ion of prior authorizing
RECOMMENDATION: (Summa The petition for the addition of 0.94 Amount and Source of Funding	ry) 162 acres of land to Porter Muni	cipal Utility D	istrict be appro	oved.
	ONE REQUIRED			
SPECIFIC EXPLANATION: Porter Municipal Utility Distriction in the city's extraterritorial jury	et has petitioned the City of Houisdiction, to the district.	ıston for con	sent to add 0.9	462 acres of land, located
The Utility District Review C	ommittee has evaluated the ap bution, storm water conveyance			
to add 0.9462 acres, thus yiel District Sewage Treatment Pl	icinity of FM 1314, Mills Road, I ding a total of 3,945.9571 acres. ant. The other district served acility for Porter Municipal Utili	The district by this plant	is served by the is Woodridge	ne Porter Municipal Utility Municipal Utility District.
acknowledged that all plans	Porter Special Utility District. B for the construction of water o district must be approved by the	onveyance, v	vastewater col	llection, and storm water
The Utility District Review Cor	nmittee recommends that the su	ıbject petitior	be approved.	
Attachments				
cc: Marta Crinejo Patrick W Bill Zrioka Deborah Mo	alsh Jun Chang, P.E., D.WRE Abee Tim Lincoln, P.E.	Mark Loet	hen	
LTS#10462	REQUIRE	AUTHORIZ	ATION	20IPB096
Finance Department	Other Authorization:		her Authoriza	4







口B均10462

Department of Public Works and Engineering Water District Consent Application Form

Application is hereby made for consent of the City of Houston to the \square creation/ \boxtimes addition of 0.9462 acres to Porter M.U.D. under the provisions of Chapters 49 & 54 of Texas Water Code. Attorney: J. Ron Young, Young & Brooks 10000 Memorial Dr. #260. Address: Houston, TX Zip: 77024 713-951-0800 Phone: Email: Engineer: Gerald L. Gehman, P.E. - A & S Engineers, Inc Address: 10377 Stella Link, Houston, TX Zip: 77025 Phone: <u>713-942-2722</u> Email: Owner(s): Foothills to Summit Properties II, LLC 10547 Summit Lake Rd-NW, Address: Olympia, WA Zip: 98502 Phone: 360-866-4021 (If more than one owner, attach additional page. List all owners of property within the District) **Location** Inside City Limits ☐ Outside City Limits ☒ Name of County: Montgomery County Survey: Ella B. Walker Abstract: # 702 Key Map #: 295 D Geographic Location (List only major streets, bayous or creeks): North of: F. M. 1314 East of: Mills Road South of: Hilcrest Drive West of: Andrew Lane **Water District Data** Existing Acreage of Existing Acreage District: 3945.0109 Plus Proposed Land: 3945.9571 Development Breakdown (in Percentage) for tract(s) being considered for consent: Multi-Family Single Family Residential: Residential: Commercial: 100% Industrial: Institutional: Other:

WIRBUIG





Department of Public Works and Engineering Water District Consent Application Form

Wastewater Treatment Plant Information:

Wastewater generated by the District will be served by a:

District Plant

Regional Plant 🛛

Wastewater Treatment Plant Name: Porter MUD Sewage Treatment Plant

NPDES/ TPDES Permit No: TX008402

TCEQ Permit No:

12242-001

Existing Permitted Capacity (MGD): 1.60

Ultimate Capacity (MGD): 1.60

Size of Treatment Plant Site:

13.18 square feet / acres

If Treatment plant is to serve other Districts or properties, as a regional plant, please list all districts served, or to be served by the plant and their allotted capacities below: (If more than two Districts - attach additional page(s))

Name of District or

property owner(s):

Capacity Allocation

(MGD):

0.7245

Name of District or

property owner(s):

Porter MUD

Woodridge MUD

Capacity Allocation

(MGD):

0.8755

Water Treatment Plant Information:

Name of Water Treatment Plant: Porter Special Utility District

Water Treatment Plant Address:

22162 Water Well Road

Water Well Permit Number:

6 wells

Existing Capacity: Well(s):

5,895

GPM

Booster Pump(s):

7,200

GPM

Tank(s):

1.31

MG

Ultimate Capacity: Well(s):

7,981

GPM

Booster Pump(s):

26,604

GPM

Tank(s):

2.66

MG

20TPB096



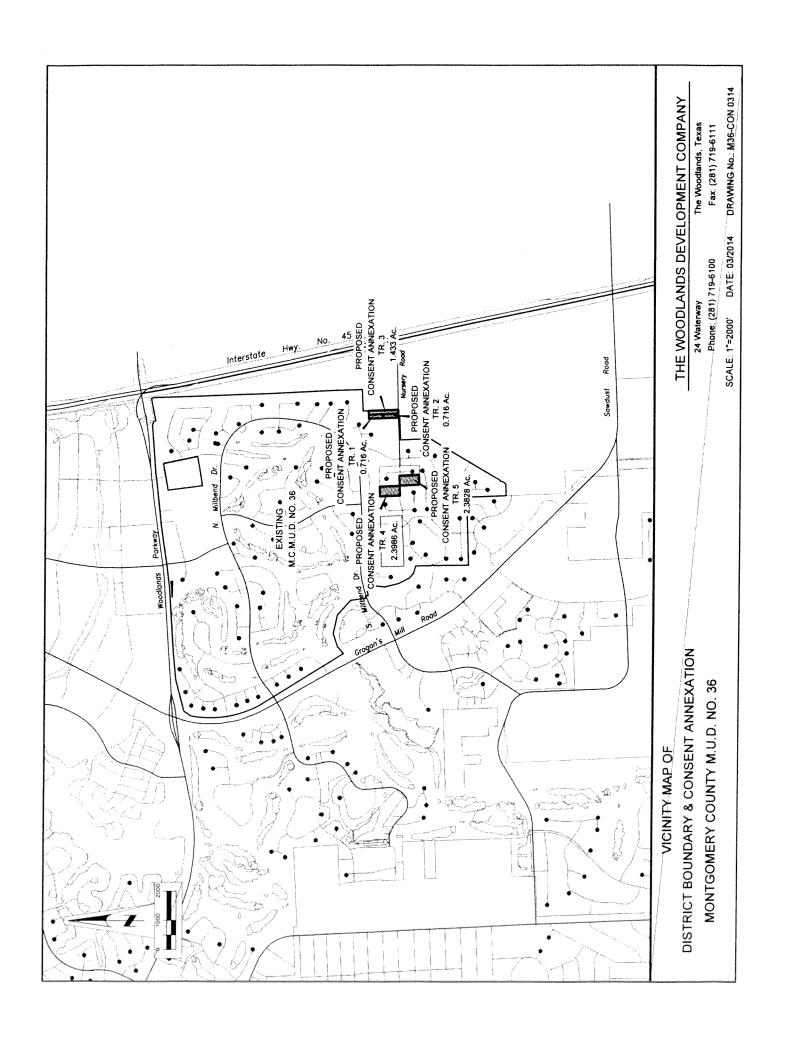


Department of Public Works and Engineering Water District Consent Application Form

Size of Treatment Plant Site: <u>5 sites, 1</u>	<u>2.5</u> square feet / a	cres
Is the District a member of the City of Ho	uston Ground Water	Reduction Plan (GRP)?
	Yes 🗌	No 🏻
If yes, please attach 40 year water	r demand projection	
If no, please provide name of the (
Comments or Additional Information:		
		

SUBJECT: Petition for the City land totaling 7.6464 acres to Moi No. 36 (Key Map No. 251, 252)	's consent to the addition of ntgomery County Municipal l	five (5) tracts of Itility District	Page 1 of <u>1</u>	Agenda Item #
FROM (Department or other p	point of origin):	Origin	ation Date	Agenda Date
Department of Public Works and DIRECTOR'S SIGNATURE	Engineering			JUN 2 5 2014
Daniel W. Kronger, P.E.	1		il District afformation in the community of the community	ſJ"
For additional information con and fudded Carol Ellinger Haddock, P.E. Senior Assistant Director, PW RECOMMENDATION: (Summer	&E Phone: (832) 39	Counc	nd identificat il action:	ion of prior authorizing
The petition for the addition of fiv District No. 36 be approved.	e (5) tracts of land totaling 7.	6464 acres of lan	d to Montgome	ery County Municipal Utility
Amount and Source of Fundin	g:			
N	ONE REQUIRED			
Montgomery County Municip tracts of land totaling 7.6464 The Utility District Review C treatment, potable water dist	acres of land, located in the Committee has evaluated the	city's extraterritor application with	rial jurisdiction	n, to the district.
The district is located in the Highway 45. The district d 890.3919 acres. The district and 3. The other districts set 39, 40, 46, 47, 60, 67, The V drainage facility for Montgom Jacinto River and finally into	esires to add five (5) tracts is served by a regional plant over the Wolfer of the Wolfer of the Mondands Metro Center Milery County Municipal Utility	of land totaling t, The Woodlands oodlands MUD No JD. and Harris O	7.6464 acres Wastewater 1 2, Montgome	thus yielding a total of treatment Plant Nos. 1, 2, by County MUD No. 7, 36, 386. The nearest major
Potable water is provided by that all plans for the construct within the district must be ap	tion of water conveyance, wa	astewater collecti	on, and storm	strict has acknowledged water collection systems
The Utility District Review Co	mmittee recommends that the	e subject petition	be approved.	
Attachments				
cc: Marta Crinejo Patrick W Bill Zrioka Deborah McA	alsh, P.E. Jun Chang, P.E., labee Tim Lincoln, P.E.	D.WRE		
LTS#11421				
inance Department	Other Authorization	RED AUTHORIZA	ATION Other Author	20IPB107

Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning & Development Services Div.







Department of Public Works and Engineering Water District Consent Application Form

Application is hereby made for consent of t	ne City of Houston to the \square creation/ \boxtimes addition of
7.6464 acres to Montgomery County Munic	pal Utility District No. 36 under the provisions of
<u>Chapters 49 and 54</u> Texas Water Code.	P = 22.2

Attorney for the District Attorney: Bryan T. Yeates, Schwartz, Page & Harding, L.L.P. 1300 Post Oak Boulevard, Suit 1400, Houston Address: 77056 Phone: 713-623-4531 Zip: Email: Engineer: Randy Bowles, LJA Engineering, Inc. 2929 Briarpark Drive, Houston Address: Zip: 77042 713-953-5200 Phone: Email: Richard Foulkes, Silver Crest Development, LLC Owner(s): 26202 Oak Ridge Drive, Bldg. B, Spring 281-978-2894 Address: 77380 Zip: Phone: (If more than one owner, attach additional page. List all owners of property within the District) Location Inside City Limits Outside City Limits 🛛 Name of County: Montgomery Survey: Walker County Land Survey Abstract: A-599

Key Map #: 251/252

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

North of: Sawdust Road East of: Grogan's Mill Road

South of: Woodlands Parkway West of: I.H. 45

Water District Data

Existing Acreage of Existing Acreage

District: 882.7455 Plus Proposed Land: 890.3919

Development Breakdown (in Percentage) for tract(s) being considered for consent:

Multi-Family

Single Family Residential: 100% Residential: 0%

Commercial: 0% Industrial: 0% Institutional: 0%

Other: 0%

> 1111 The state of the form





Department of Public Works and Engineering Water District Consent Application Form

Wastewater Treatment Plant Information:

Wastewater generated by the District will be served by a:

District Plant

Regional Plant 🛛

The Woodlands Wastewater Treatment Plant No.

Wastewater Treatment Plant Name:

NPDES/ TPDES Permit No: TX0054186

TCEQ Permit No: <u>11401-01</u>

Existing Permitted Capacity (MGD): 7.8

Ultimate Capacity (MGD): 7.8

Size of Treatment Plant Site:

10.5 square feet / acres

If Treatment plant is to serve other Districts or properties, as a regional plant, please list all districts served, or to be served by the plant and their allotted capacities below: (If more than two Districts - attach additional page(s))

Name of District or

The Woodlands MUD Capacity Allocation

property owner(s):

No. 2

(MGD):

0.061 MGD

Name of District or

Montgomery County

Capacity Allocation

property owner(s):

MUD No. 6

(MGD):

0.752 MGD

Water Treatment Plant Information:

Name of Water Treatment Plant: Water Plant No. 1

Water Treatment Plant Address:

11439 Slash Pine, The Woodlands

Water Well Permit Number:

N/A

Existing Capacity: Well(s):

43,557

GPM

Booster Pump(s):

56,050

GPM

Tank(s):

19.75

MG

Ultimate Capacity: Well(s):

33,630

GPM

Booster Pump(s):

59,050

GPM

Tank(s):

21.75

MG

-1 1

1.1

1.801





Department of Public Works and Engineering Water District Consent Application Form

Size of Treatment Plant Site: 2.417 square-fee	t/ acres	
Is the District a member of the City of Houston Gr	-	n Plan (GRP)? o ⊠
If yes, please attach 40 year water deman	d projection	
If no, please provide name of the GRP the	District is a member of	of:
San Jacinto River Authority Comments or Additional Information:		

Houston Police Department: Houston Department of Health Parks and Recreation Department: and Human Services: Lac Turner Charles A. McClelland, & Stephen L. Williams, M.ED, MPA Joe Turner Chief Director Director

DATE SUBJECT: Appropriate Additional Funds for the Task Order and Job Order (TOC/JOC) Contracting Program for FY2014

Originator's Initials
EA 2 of 2

SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council appropriate an additional sum of \$2,200,000.00 to the TOC/JOC Program for professional and construction services for the Library, Parks, Solid Waste, Health, General Government, and Police Departments. The funds will be allocated to design task order contracts or construction job order contracts as work orders are issued. GSD utilizes task order and job order contracts to facilitate minor architectural and engineering design services, mechanical, electrical and plumbing services, roof consulting services, construction, repairs, rehabilitations, or alterations of facilities for its client departments. Having these contracts in place allows the City to expedite smaller facility construction projects and can help the City respond quickly to emergency situations.

BACKGROUND: The TOC/JOC Program is funded through supplemental allocations from various departmental budgets or appropriations from various bond funds, up to the maximum contract amount, as departments identify projects and specific funding for each project. Fees for each TOC project are negotiated based upon the size and complexity of the tasks involved. JOC work orders are issued and approved in accordance with pre-described and prepriced tasks as established by the *R.S. Means* Construction Unit Price book.

Currently, GSD utilizes five TOC contractors and four JOC contractors. Collaborate Arch, LLC (Collaborate); English + Associates Architects, Inc. (English); and Prozign, Inc. (Prozign) are the TOC contractors for architectural and engineering services and Building Envelope Consultants, LLC (BEC) and Zero Six Consulting, Inc (ZSC) are the TOC contractors for roof consulting services. The four JOC contractors are Hallmark CBIC Joint Venture; P^2MG, LLC; Horizon International Group, LLC; and Weatherproofing Technologies, Inc.

PROJECT LOCATION: Citywide

PREVIOUS HISTORY AND PROJECT SCOPE: On November 13, 2013, Ordinance No. 2013-1059, Council authorized the consolidation of TOC/JOC contracts to establish the TOC/JOC Program, and appropriated \$6,448,500.00 to the Program. On December 4, 2013, Ordinance No. 2013-1093, Council approved two, three-year task order contracts for professional roofing consultant services with BEC and ZSC, and delegated authority to the director to approve supplemental allocations up to the maximum contract amount for each contract of \$1,500,000.00. On December 18, 2013, Ordinance No. 2013-1201, Council approved three, three-year task order contracts with two, one-year renewals for professional architectural services with Collaborate, English, and Prozign, and delegated authority to the director to approve supplemental allocations up to the maximum contract amount for each contract of \$1,500,000.00.

M/WBE/SBE PARTICIPATION:

Toc contractors: There are limited subcontracting opportunities because some of the work will be self-performed by the TOC contractors. Therefore, the Office of Business Opportunity (OBO) reviewed the scope of services and approved a 5% M/WBE goal for BEC and ZSC, and an 8% M/WBE goal for Collaborate, English and Prozign, as described in the attached correspondence. Due to the recent inception of the TOC contracts, there is no subcontracting utilization to report.

JOC CONTRACTORS: A 15% MBE goal and 5% SBE goal have been established for each JOC contract. To date, Hallmark CBIC Joint Venture has achieved 17.69% MBE participation and 3.80% SBE participation. P^2MG, LLC has achieved 24.04% MBE participation and 6.28% SBE participation. Horizon International Group, LLC has achieved 15.27% MBE participation and 8.570% SBE participation. Weatherproofing Technologies, Inc. (WTI) has worked with GSD and OBO to increase its MBE/SBE participation. In July 2013, GSD suspended all work to WTI until it developed a plan to increase its participation. In November 2013, GSD issued a work order to WTI that increased its SBE participation from 0.0% to 7.2%. To date, WTI has achieved 3.18% MBE participation. GSD will continue to monitor WTI's participation and will seek to issue work orders that will assist WTI in achieving the 15% MBE goal.

SM:RAV:JLN:JR.EA.ea

c. Marta Crinejo, Jacquelyn L. Nisby, Chris Gonzalez, Carter Roper, Gary Readore, Kirk Munden, Lisa Johnson, Mark Ross, Calvin Curtis, Claudette Manning, Morris Scott, Eberto Amador, Martha Leyva, Marco Sanchez, Project File 813

TO: Mayor via City Secretary	REQUEST FOR C	OUNCIL AC	TION		_
SUBJECT: Ordinance Appropriating W & S System Operating Fund for the Works and Engineering - Combined	SUBJECT: Ordinance Appropriating Funds to the Public Works and Engineering – W & S System Operating Fund for the transfer of land from the Department of Public Works and Engineering - Combined Utility System to the Houston Parks and				
Recreation Department (Parcel Num WBS No. F-000513-0011-2 437 Wes WBS No. F-000513-0010-2 1502-15	hbers SY14-031 and at 26 th Street	SY14-032).			43
FROM (Department or other point General Services Department		Originatio ১ \ ১৭	4 .	Agenda JUN 2	a Date: 2 5 2014
DIRECTOR'S SIGNATURE: Scott Minnix	1. G/3/14	Council D	istrict affect	ed: C	
For additional information contact	: none: 832-393-8023	Date and Council a	dentification	n of prior au	ıthorizing
RECOMMENDATION: Appropriate Fund (8300) for the transfer of 6,550 (SY14-031) and 17,600 SF of land the Houston Parks and Recreation D	SF of land at 437 W at 1502-1508 Herkim	zh Sireer r	iousion, nai	115 Country, 1	CAUS
Amount and Source of Funding: \$196,500.00 Parks & Recreation Dedication Fund (4035) for 437 W 26 th Street \$616,000.00 Parks & Recreation Dedication Fund (4035) for 1502-1508 Herkimer \$812,500.00 Total Appropriation					
SPECIFIC EXPLANATION: The Department of Public Works and Engineering - Combined Utility System (CUS) has determined that Parcel No. SY14-031, consisting of 6,550 SF of land located at 437 West 26 th Street, legally described as Lots 26 and 27, Block 26, Houston, Harris County, Texas, and Parcel No. SY14-032, consisting of 17,600 SF of land located at 1502-1508 Herkimer, legally described as Lots 15, 16, 17, and 18, Block 148, Houston, Harris County, Texas, are surplus to their needs. All City departments with land needs were canvassed. HPARD desires to use the properties for future park development.					
The transfer of CUS assets to another City department's inventory, or sale to a third party, requires that payment of the equivalent value of the property be made to the CUS. Public Works and Engineering Appraisal Services performed cost projection estimates to determine the fund reimbursement cost. Once appropriated, the funds will be transferred to CUS Fund (8300).				id Linginiooning	
Therefore, the General Services Department recommends that City Council appropriate \$812,500.00 out of the Parks & Recreation Dedication Fund (4035), which represents the combined acquisition value of the parcels, to the PWE-W&S System Operating Fund (8300) for the transfer of Parcel Numbers SY14-031 and SY14-032, to HPARD.					
SM:HB:JLN:CF xc: Marta Crinejo, Jacquelyn L. Nisby, Anna Russell, Lisa Johnson, Renissa Garza Montalvo and Luci Correa					
	REQUIRED AU	THORIZATI	ON	CUI	IC ID# 25 CF6
General Services Department:	NEWOINED AO		A CONTRACTOR OF THE PROPERTY O	Houston F	Parks and h Department:

General Services Department:

Humberto Bautista, P.E.
Assistant Director

Hequiver Authorization

CUIC ID# 25 CF6

Houston Parks and Recreation Department:

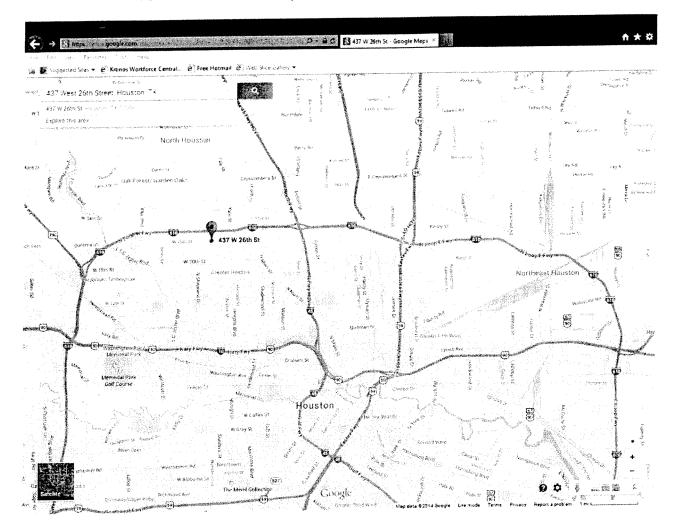
Joe Turner

Director

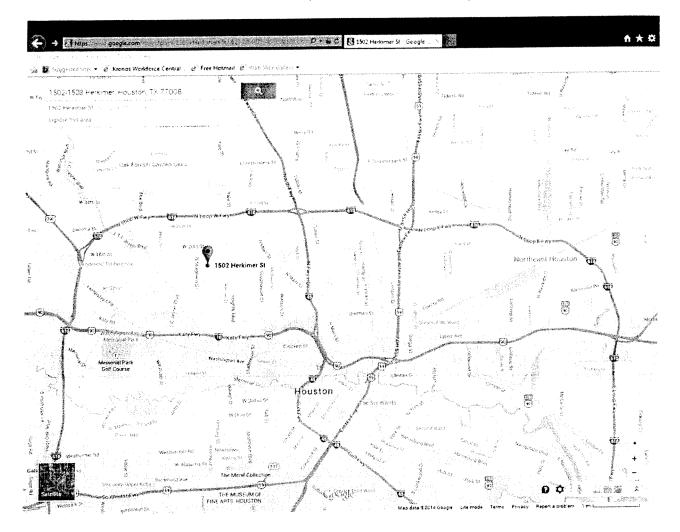
F &A 011.A Rev. 3/940

4

437 W 26th Street, Houston, Texas (SY14-031)



1502-1508 Herkimer, Houston, Texas (SY14-032)



REQUEST FOR COUNCIL ACTION Mayor via City Secretary Agenda Page **SUBJECT:** Award Construction Contract 1 of 2 Item AIA General Contractors, Inc. Remediation, Removal and Installation of Underground Storage Tanks at Fire Station No. 5 WBS No. C-000170-0024-4 **Origination Date Agenda Date** FROM (Department or other point of origin): JUN 2 5 2014 6/19/14 General Services Department **Council District affected: DIRECTOR'S SIGNATURE:** Scott Minnix Date and identification of prior authorizing For additional information contact: Council action: Jacquelyn L. Nisby Phone: 832-393-8023 RECOMMENDATION: Award construction contract and appropriate funds for the project. **Finance Budget:** Amount and Source of Funding: \$301,383.70 Fire Consolidated Construction Fund (4500)

SPECIFIC EXPLANATION: The General Services Department recommends that City Council award a construction contract to AIA General Contractors, Inc. on the low bid amount of \$251,794.00 to provide construction services for Remediation, Removal and Installation of Underground Storage Tanks at Fire Station No. 5 for the Houston Fire Department.

PROJECT LOCATION: 2020 Hollister Street, Houston, Texas (Key Map 450-V)

PROJECT DESCRIPTION: The scope of work consists of removing two 1,000 gallon gasoline underground storage tanks (UST), along with associated appurtenances and installing one 5,000 gallon gasoline, double-wall fiberglass reinforced plastic, two compartment underground storage tank. The work also includes disposal of aqueous liquid, saw-cutting, demolition and removal of concrete paving over the USTs, backfilling and compaction, waste classification, loading, hauling and proper disposal.

The contract duration for this project is 180 calendar days.

BIDS: The project was advertised in accordance with the requirements of the State of Texas bid laws on April 25, 2014 and May 2, 2014. The following two bids were received on May 22, 2014:

> **Bid Amount** Bidder \$251,794.00 AIA General Contractors, Inc. 1. \$259,538.69 2.

> Separation Systems Consultants, Inc.

CUIC ID # 25GM293 REQUIRED AUTHORIZATION **Houston Fire Department:** Fleet Management Department: **General Services Department:** Terry A. Garrison Humberto Bautista, P.E. Chief Director **Assistant Director**

Date	SUBJECT: Award Construction Contract AIA General Contractors, Inc. Remediation, Removal and Installation of Underground Storage Tanks at Fire Station No. 5	Originator's Initials GM	Page 2 of 2
	WBS No. C-000170-0024-4		

AWARD: It is recommended that City Council award the construction contract to AIA General Contractors, Inc. and appropriate funds for the project, including additional appropriations of \$4,000.00 for materials testing under the existing contract with Raba Kistner Consultants, Inc.; and \$33,000.00 for project management and construction oversight services under the existing contract with SKA Consulting, L.P., which includes, but is not limited to soil and groundwater sampling and analytical testing.

FUNDING SUMMARY:

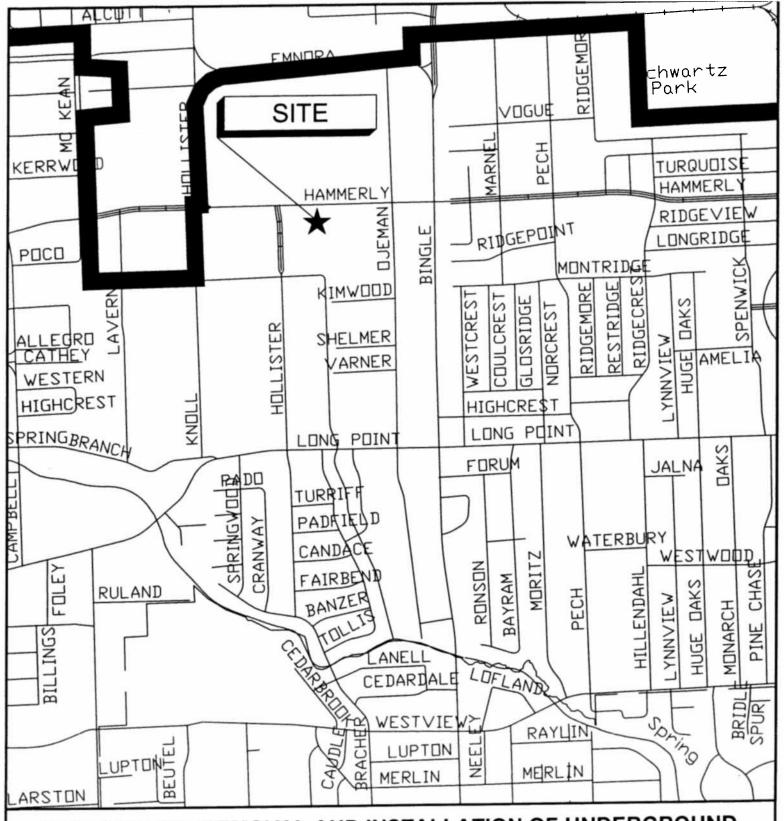
\$ 251,794.00	Construction Contract Services
\$ 12,589.70	5% Contingency
\$ 264,383.70	Total Contract Services
\$ 4,000.00	Materials Testing
\$ 33,000.00	Project Management and Construction Oversight
\$ 301.383.70	TOTAL FUNDING

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

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

SM:HB:JLN:GM:FK:fk

c: Marta Crinejo
Jacquelyn L. Nisby
Carlecia Wright
Calvin R. Curtis
Gabriel Mussio
Martha Leyva
File



REMEDIATION, REMOVAL AND INSTALLATION OF UNDERGROUND STORAGE TANKS AT FIRE STATION 5

2020 HOLLISTER ST. HOUSTON, TX 77080

COUNCIL DISTRICT "A"

KEY MAP NO. 450V

REQUEST FOR COUNCIL ACTION Mayor via City Secretary TO: **SUBJECT:** Award Construction Contract Page Agenda 1 of 2 ltem AIA General Contractors, Inc. Remediation, Removal and Installation of Underground Storage Tanks at Fire Station No. 36 WBS No. C-000170-0026-4 Agenda Date **Origination Date** FROM (Department or other point of origin): General Services Department **Council District affected:** att Minn 6/06/14 **DIRECTOR'S SIGNATURE: Scott Minnix** For additional information contact: Date and identification of prior authorizing Council action: Jacquelyn L. Nisby Phone: 832-393-8023 **RECOMMENDATION:** Award construction contract and appropriate funds for the project. Finance Budget: **Amount and Source of Funding:** \$282,711.40 Fire Consolidated Construction Fund (4500) SPECIFIC EXPLANATION: The General Services Department recommends that City Council award a construction contract to AIA General Contractors, Inc. on the low bid amount of \$236,868.00 to provide construction services for Remediation, Removal and Installation of Underground Storage Tanks at Fire Station No. 36 for the Houston Fire Department. PROJECT LOCATION: 7720 Airport Boulevard, Houston, Texas (Key Map 575-B) PROJECT DESCRIPTION: The scope of work consists of removing two 1,000 gallon gasoline underground storage tanks (UST), along with associated appurtenances, and installing one 5,000 gallon gasoline, double-wall fiberglass reinforced plastic, two compartment underground storage tank. The work also includes disposal of

aqueous liquid, saw-cutting, demolition and removal of concrete paving over the USTs, backfilling and compaction, waste classification, loading, hauling and proper disposal.

The contract duration for this project is 180 calendar days.

BIDS: The project was advertised in accordance with the requirements of the State of Texas bid laws on April 25, 2014 and May 2, 2014. The following two bids were received on May 22, 2014:

> **Bid Amount** Bidder \$236.868.00 1. AIA General Contractors, Inc. Separation Systems Consultants, Inc. \$245,062.509 2.

CUIC ID # 25GM294 REQUIRED AUTHORIZATION **Houston Fire Department:** Fleet Management Department: **General Services Department:** Terry A) Garrison iberto Bautista, P.E. Chief Director Assistant Director

Date	SUBJECT: Award Construction Contract AIA General Contractors, Inc.	Originator's Initials	Page
	Remediation, Removal and Installation of Underground Storage Tanks at Fire Station No. 36	GM	2012
	WBS No. C-000170-0026-4		

AWARD: It is recommended that City Council award the construction contract to AIA General Contractors, Inc. and appropriate funds for the project, including additional appropriations of \$4,000.00 for materials testing under the existing contract with Raba Kistner Consultants, Inc.; and \$30,000.00 for project management and construction oversight services under the existing contract with Brown & Caldwell, Inc., which includes, but is not limited to soil and groundwater sampling and analytical testing.

FUNDING SUMMARY:

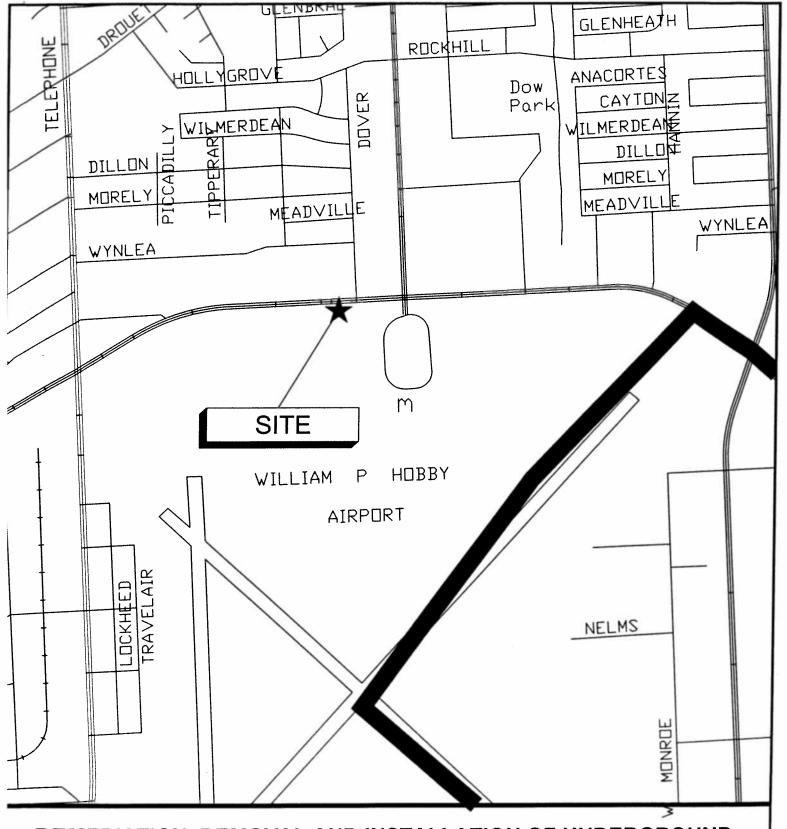
\$ 236,868.00	Construction Contract Services
\$ 11,843.40	5% Contingency
\$ 248,711.40	Total Contract Services
\$ 4,000.00	Materials Testing
\$ 30,000.00	Project Management and Construction Oversight
\$ 282,711,40	TOTAL FUNDING

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

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

SM:HB:JLN:GM:FK:fk

c: Marta Crinejo
Jacquelyn L. Nisby
Carlecia Wright
Calvin R. Curtis
Gabriel Mussio
Martha Leyva
File



REMEDIATION, REMOVAL AND INSTALLATION OF UNDERGROUND STORAGE TANKS AT FIRE STATION 36

7720 AIRPORT BOULEVARD HOUSTON, TX 77061

COUNCIL DISTRICT "I"

KEY MAP NO. 575 B

REQUEST FOR COUNCIL ACTION Mayor via City Secretary Agenda Page **SUBJECT:** Award Construction Contract 1 of 2 Item AIA General Contractors, Inc. Underground Storage Tank Remediation, Removal and Replacement at Three Sites WBS No. F-000676-0003-4 **Origination Date Agenda Date** FROM (Department or other point of origin): 6/19/14 General Services Department **Council Districts affected: DIRECTOR'S SIGNATURE:** 6/3/14 D, J Scott Minnix For additional information contact: Date and identification of prior authorizing Council action: Phone: 832-393-8023 Jacquelyn L. Nisby **RECOMMENDATION:** Award construction contract and appropriate funds for the project. **Finance Budget:** Amount and Source of Funding: \$307,000.30 Parks Consolidated Construction Fund (4502) SPECIFIC EXPLANATION: The General Services Department recommends that City Council award a construction contract to AIA General Contractors, Inc., on the low bid amount of \$277,273.00 to provide construction services for Underground Storage Tank Remediation, Removal and Replacement at the following three sites for the Houston Parks and Recreation Department. **PROJECT LOCATIONS:** Sharpstown Golf Course - 81951/2 Sands Point Drive, Houston, Texas (Key Map 530-B) Hermann Park Golf Course - 6110 Golf Course Drive, Houston, Texas (Key Map 533-A) Hermann Park So. Central Division - 6520 Almeda Rd., Houston, Texas (Key Map 533-F) PROJECT DESCRIPTION: The scope of work consists of removing two 4,000 gallon gasoline and diesel tanks along with associated appurtenances at Hermann Park Golf Course; cleaning, purging and preparing three underground storage tanks for in-place closure at both Hermann Park South Central Division and Sharpstown Golf Course; and installing one 5,000 gallon aboveground storage tank at Sharpstown Golf Course. The work also includes disposal of aqueous liquid, saw-cutting, demolition and removal of concrete pavement over USTs, backfilling, compaction waste classification, loading, hauling and proper disposal at all three locations. The contract duration for this project is 60 calendar days.

BIDS: The following two bids were received on May 15, 2014:

	<u>Bidder</u>	Bid Amount
1. 2.	AIA General Contractors, Inc. Separation Systems Consultants, Inc.	\$277,273.00 \$314,553.00

	REQUIRED AUTHORIZATION	CUIC ID # 25GM292	NC
General Services Department:	Fleet Management	Houston Parks and Recreation	
	Department:	Department:	
A 2			
the runty	W n 16		
C. Marin	9. P.J/	Las luner	
Humberto Bautista, P.E.	Kenneth Hoglund, P.E.	Joe Turner	
Assistant Director	Director	Difector	۱,

Date	- "	Award Construction Contract AIA General Contractors, Inc. Underground Storage Tank Remediation Removal and	Originator's Initials GM	Page 2 of 2
		Replacement at Three Sites WBS No. F-000676-0003-4	Givi	

AWARD: It is recommended that City Council award the construction contract to AIA General Contractors, Inc. and appropriate funds for the project, including an additional appropriation of \$2,000.00 for materials testing under the existing contract with Professional Service Industries, Inc.

FUNDING SUMMARY:

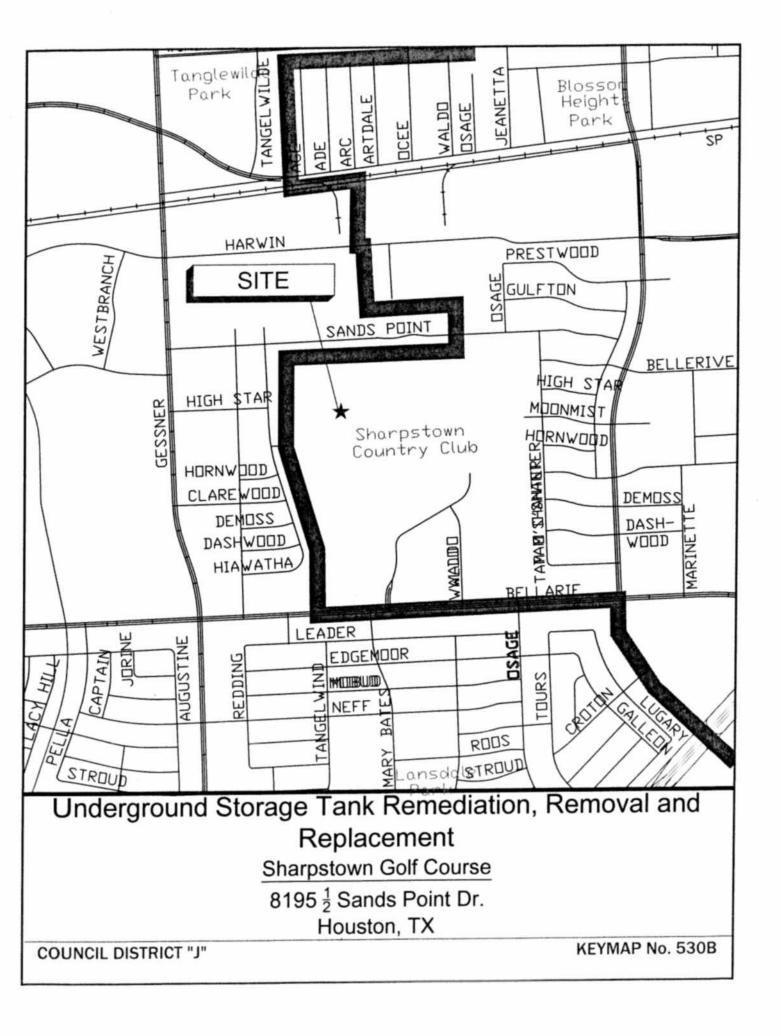
\$	277,273.00	Construction Contract Services
\$	27,727.30	10% Contingency
\$	305,000.30	Total Contract Services
\$	2,000.00	Materials Testing
\$	307,000,30	TOTAL FUNDING

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

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

SM:HB:JLN:GM:FK:fk

c: Marta Crinejo
Jacquelyn L. Nisby
Carlecia Wright
Calvin R. Curtis
Gabriel Mussio
Martha Leyva
File



TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION **SUBJECT:** Professional Architectural Services Contract Page Agenda Item 1 of 2 Harrison Kornberg Architects, LLC Judson Robinson Sr. Park Community Center WBS No. F-000746-0001-3 FROM (Department or other point of origin): **Origination Date** Agenda Date General Services Department 6/19/14 JUN 2 5 2014 cott Minnix **DIRECTOR'S SIGNATURE** Council District affected: Scott Minnix В For additional information contact: Date and identification of prior authorizing Jacquelyn L. Nisby Phone: 832-393-8023 Council action: RECOMMENDATION: Approve professional architectural services contract and appropriate funds for the project. Amount and Source Of Funding: Finance Budget: \$459,807.00 Parks Consolidated Construction Fund (4502) SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council approve a professional architectural services contract with Harrison Kornberg Architects, LLC., to perform design and construction phase services for the New Community Center for Judson Robinson Sr. Park for the Houston Parks and Recreation Department (HPARD). On November 1, 2013 and November 8, 2013, GSD advertised a Request for Qualifications (RFQ) for professional architectural services for the New Community Center for Judson Robinson Sr. Park. The RFQ contained selection criteria that ranked the respondents on experience, technical approach, and quality assurance programs. The Statements of Qualifications were due on December 5, 2013, and ten firms responded. A selection committee comprised of GSD representatives evaluated and ranked the RFQs. The selection committee short-listed and interviewed five firms. Harrison Kornberg Architects, LLC., received the most points based on the interview and advertised criteria and offers the best value for the City. PROJECT DESCRIPTION: The design services will address the need for a new or expanded/renovated community center located at Judson Robinson Sr. Park. The scope of work will also include analysis of the existing condition, associated parking, detention, site work, landscaping, irrigation and connectivity to various park amenities. The design team will consult with HPARD and the community in the development of this facility. PROJECT LOCATION: 1422 Ledwicke, Houston, Texas (495L) NOT REQUIRED AUTHORIZATION **CUIC # 25PARD233** General Services Department: **Houston Parks and Recreation Department:** al Turne Richard/A. Vella Joe Turner

Director

Chief of Design & Construction Division

Date	SUBJECT:	Professional Architectural Services Contract Harrison Kornberg Architects, LLC	Initials	Page 2 of 2
		Judson Robinson Sr. Park Community Center	MS	
•		WBS No. F-000746-0001-3		
	1			

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

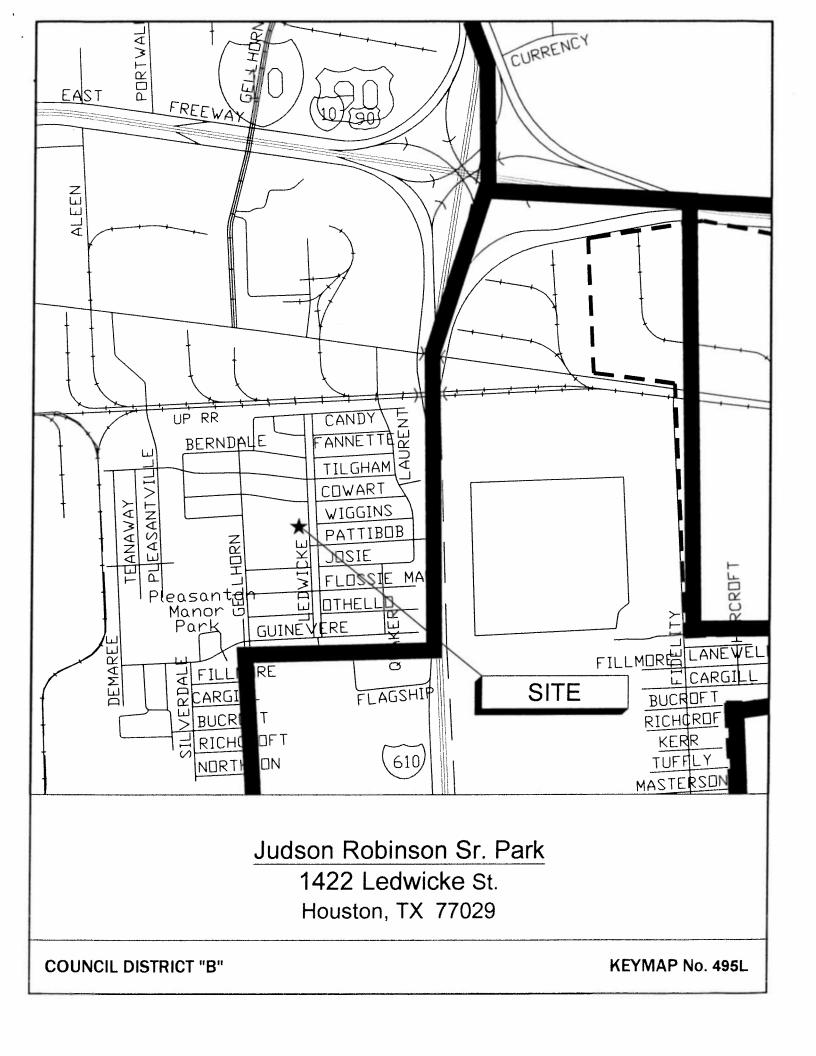
\$ 459,807.00	Total Funding
\$ 7,909.00	Civic Art (1.75%)
\$ 451,898.00	Total Contract Services
\$ 18,000.00	Reimbursable Expenses
\$ 168,350.00	Additional Services Fee
\$ 265,548.00	Basic Services Fee

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

Firm	Scope of Work	<u>Amount</u>	% of Contract
Project Cost Resources Inc.	Estimating	\$ 8,000.00	1.8%
Infrastructure Associates, Inc.	Civil Engineering Services	\$ 64,230.00	14.2%
Asakura Robinson Company LLC	Landscape Architecture	\$ 16,000.00	3.5%
ASA Dally, Inc.	Structural Engineering Consulting	\$ 16,000.00	3.5%
Infrastructure Associates, Inc.	MEP	\$ 53,000.00	11.7%
DAE & Associates, LTD. DBA Geotech Engineering & Testing	Geotechnical & Environmental	\$ 9,000.00	2.0%
	TOTAL	\$ 166,230.00	36.7%

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 architect provides health benefits to eligible employees in compliance with City policy.

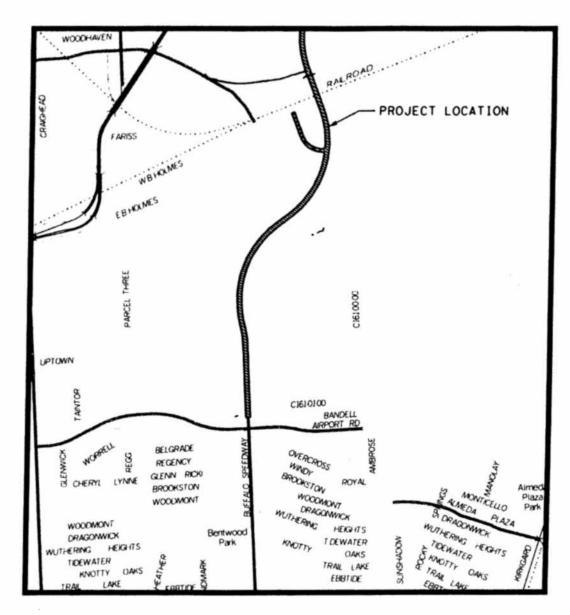
c: Marta Crinejo, Jacquelyn L. Nisby, Mark Ross, Calvin Curtis, Christopher Gonzales, Morris Scott, Minnette Boesel, Gabriel Mussio, Luci Correa, Felicia Williams, File 406



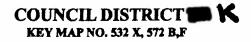
TO:	Mayor via City	Secretary REQUEST FOR	R COUNCIL ACTION			
SUBJECT: Pipeline Reimbursement Agreement between the City of Houston and CenterPoint Energy Intrastate Pipelines, LLC for Buffalo Speedway Paving and Drainage: Holmes Road to West Airport Boulevard WBS No. N-000784-0001-7				Agenda Item #		
1	•	other point of origin):	Origination Date:	1 -	JUN 2 5 2014	
		Works and Engineering			0011 20 2011	
DIR	SETOR'S SIGNATU	RE:	Council District affected:	5.		
Dan	iel W. Krueger, P.I	=., Director	₹.	к ⁵ с		
Rav	additional informat Kaleyatodi P.E., ior Assistant Direct	CPM. Phone: (832) 395-2326	Date and identification of Council action:	prior au	thorizing	
An C	OMMENDATION: (Ordinance approvin estate Pipelines, LL	Summary) ng a Pipeline Reimbursement Agreem C and appropriate funds.	ent between the City of Hou	uston an	d CenterPoint Energy	
Amo	unt and Source of	Funding: m Fund 4040 – METRO Projects Co	nstruction DDSRF. M.Y	5/28	12014	
PRO impr Majo	PROJECT NOTICE/JUSTIFICATION: Buffalo Speedway Paving and Drainage is a major thoroughfare project that will improve traffic circulation, mobility and drainage in service area. These improvements will upgrade existing roadway to Major Thoroughfare Freeway Plan standards. The construction of this roadway requires that certain existing pipelines be relocated or removed to facilitate the construction of the proposed roadways.					
four and	lane, divided, cond necessary undergi	Buffalo Speedway project provides for crete roadway with storm drainage, cur round facilities. Along the roadway alig flict with proposed construction of Buf	irbs, sidewalks, driveways, gnment exist a 16-inch nati	street lig	ghting, traffic control,	
LOC Wes	ATION: Buffalo Sp	eedway Paving and Drainage project of on the south. The project is located	area is generally bound by F in Key Map Grids 572B, 5	Holmes F 72F and	Road on the north and 1532X.	
actu billin \$16, is no & En	SCOPE OF THIS AGREEMENT: Under the terms of this agreement, the City of Houston will reimburse the owner's actual cost for the relocation of their pipeline after the work has been completed and the City has audited the final billing from the owner. CenterPoint Energy Intrastate Pipelines, LLC has estimated the relocation cost to be \$16,601.48. This estimate has been reviewed and approved by The Public Works & Engineering Department. The City is not obligated to pay any cost in excess of the cost estimate provided by the owner of the pipeline. The Public Works & Engineering Department request the appropriation of \$19,091.70 which includes \$16,601.48 for reimbursement cost and \$2,490.22 for CIP Cost Recovery.					
Rein	ACTION RECOMMENDED: It is recommended that City Council adopt an Ordinance approving a Pipeline Reimbursement Agreement between the City of Houston and CenterPoint Energy Intrastate Pipelines, LLC and appropriate funds. DWK:DRM:RK:JHK:SMC					
H:\des WBS N	H:\design\A-SB-DIV\00 - STAFF FOLDERS\campagna 2\Buffalo Speedway-petroleum pipelines\Pipeline RCA's\20SMC53.CEIP.16.inch pipeline.doc WBS Number N-000784-0001-7, (1.2 DSGN RCA_Pipeline Agreement)					
LTS	No. 11806	REQUIRED AUTHOR	ZATION	С	UIC ID # 20SMC53	
Fina	nce Department:	Other Authorization:	Other Authoriz	ation:		
			AM		<u>a</u>	
			Daniel R. Mene	endez, P.	.E., Deputy Director	

Engineering and Construction Division

EXHIBIT 1



VICINITY MAP



BUFFALO SPEEDWAY EXTENSION FROM WEST AIRPORT TO HOLMES ROAD WBS NO. N-000784-0001-3 FILE NO. SB9240

REQUEST FOR COUNCIL ACTION Mayor via City Secretary TO: Agenda Page SUBJECT: Contract Award for Pleasantville Drainage and Paving (Sub-Project 1). Item # 1 of 2 WBS Nos. M-000286-0001-4, S-000500-0130-4 and R-000500-0130-4. FROM: (Department or other point of origin): Agenda Date: **Origination Date:** 6/19/14 Department of Public Works and Engineering **Council District affected: DIRECTOR'S SIGNATURE:** В Daniel W. Krueger, P.E. Date and identification of prior authorizing For additional information contact: Council action: Ravi Kaleyatodi, P.E., CRM Phone: (832) 395-2326 Senior Assistant Director RECOMMENDATION: (Summary) Accept low bid, award Construction Contract and appropriate funds. Amount and Source of Funding: \$12,947,500.00 \$10,241,499.50 from Fund 4042A - Street & Traffic Control and Storm Drainage DDSRF-A 790,500.50 from Fund 4042 - Street & Traffic Control and Storm Drainage DDSRF \$ 1,915,500.00 from Fund 8500 – Water and Sewer System Consolidated Construction PROJECT NOTICE/JUSTIFICATION: This project is part of the Capital Improvement Plan (CIP) and will construct storm drainage improvements to address and reduce the risk of structural flooding. Improvements include installation of a parallel drainage system that will provide storm water conveyance and in-line detention for mitigation. **DESCRIPTION/SCOPE**: The scope of work for this project includes the construction of new storm sewers ranging from 24-inches to 10-feet x 10-feet with junction boxes, necessary concrete paving, curbs, sidewalks and underground utilities. The project will serve the Pleasantville area. The Contract duration for this project is 400 calendar days. This project was designed by Halff Associates, Inc. LOCATION: The project area is generally bounded by Demaree Lane to the West, IH-610 to the East, Munn Street to the North, and Industrial Drive to the South. The project is located in Key Map Grids 495 K, L and Q. BIDS: This project was advertised for bidding on April 25, 2014. Bids were received on May 15, 2014. The five (5) bids are as follows: **Bid Amount** Bidder \$11,292,147.50 1. Sterling Construction Company, Inc. \$11,396,653.80 2. SER Construction Partners, L.L.C. \$12,230,249.00 3. S.J. Louis Construction of Texas, Ltd. \$12,910,874.50 4. Total Contracting Limited \$13,666,576.13 5. BRH-Garver Construction, L.P. CUIC# 20JTH06 LTS No. 12306 Other Authorization: Other Authorization: Finance Department: Daniel R. Menendez, P.E., Deputy Director Jun Chang, P.E., D.WRF, Deputy Director

Public Utilities Division

W

Engineering and Construction Division

Date	Subject: Contract Award for Pleasantville Drainage and Paving (Sub-Project 1).	Originator's Initials	Page 2 of <u>2</u>
	WBS Nos. M-000286-0001-4, S-000500-0130-4 and R-000500-0130-4	Mr	

AWARD: It is recommended that this construction Contract be awarded to Sterling Construction Company, Inc. with a low bid of \$11,292,147.50 and that Addendum Number 1 be made a part of this Contract.

PROJECT COST: The total cost of this project is \$12,947,500.00 to be appropriated as follows:

•	Bid Amount	\$11	,292,147.50
•	Contingencies	\$	564,852.00
•	Engineering and Testing Services	\$	300,000.00
•	CIP Cost Recovery	\$	790,500.50

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

<u>HIRE HOUSTON FIRST:</u> 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.

<u>PAY OR PLAY PROGRAM:</u> 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.

<u>M/WBE PARTICIPATION:</u> The contract was advertised with an MBE Goal of 11% and a WBE Goal of 7%. The contractor submitted a Good Faith Effort which the Office of Business Opportunity (OBO) approved.

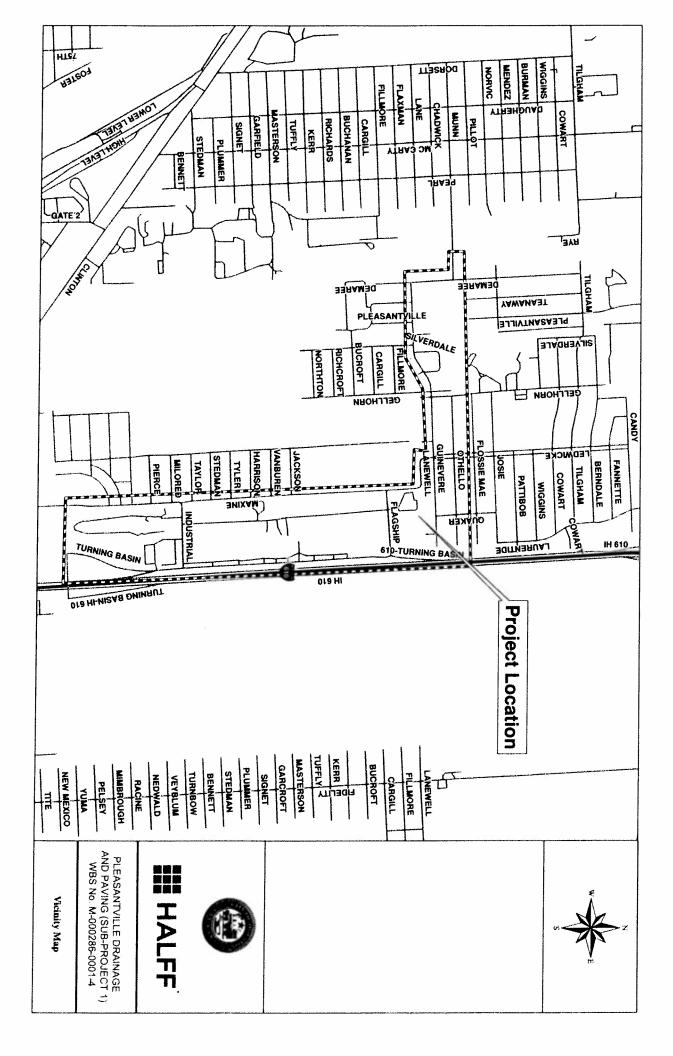
1. 2.	MBE – Name of Firms DNA Trucking, Inc. Rosales R. Trucking	Work Description Trucking and hauling services Trucking and hauling services TOTAL	\$ \$	Amount 323,500.00 323,500.00 647,000.00	% of Contract 2.86% 2.86% 5.72%
1. 2.	WBE - Name of Firms KMA Contractors Services, Inc. H & E Aggregate, L.L.C.	Work Description Installation of manholes/inlets Supplier of stabilized material TOTAL	\$ <u>\$</u> \$ 1	Amount 193,000.00 840,000.00 ,033,000.00	% of Contract 1.71% <u>7.44%</u> 9.15%
1.	SBE – Name of Firms Batterson, L.L.P.	Work Description Pavement marking and striping TOTAL	\$ \$	Amount 42,225.00 42,225.00	% of Contract 0.37% 0.37%

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

DWK:DRM:RK:DPS:MYS:JTH:klw

H:\design\STORM WATER ENGINEERING\SECTION\00 - PROJECTS\Pleasantville Sub_Project 1 (M-0286-1) SWMP-D11_C14\3.0 Final Design (Phase II)\3.7 AdvertisementsBidAward Records\POST BID DOCUMENTS & RCA Related\RCA\RCA - 20JTH06.docx

c: File No. M-000286-0001-4



TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION						
SUBJECT: Contract Award for Inwood Forest Subregional Detention Basins WBS No. M-000296-0008-4 Page 1 of 2 Item #						
FROM: (Department or other point of origin): Origination Date: Agenda Date:			ate:			
Department of Public World	ks and Engineering	6/19/14	JUN 2	5 201 4		
Daniel W. Krueger, P.E.		Council District affected:				
For additional information contact: Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 Senior Assistant Director Date and identification of prior authorizing Council action:						
RECOMMENDATION: (S	ummary)					
Accept low bid, award Cor	nstruction Contract and appropria	ate funds.				
Amount and Source of Funding: \$2,240,000.00 \$ 135,339.20 from Fund 4042 – Street & Traffic Control and Storm Drainage DDSRF \$2,104,660.80 from Fund 4042A – Street & Traffic Control and Storm Drainage DDSRF-A PROJECT NOTICE/JUSTIFICATION: This project is Mitigation Program for Storm Drainage Capital Improvement Plan (CIP). The City constructs many projects that require determination and mitigation of impacts. Designing and constructing on a regional or subregional basis for multiple projects would reduce up-front and long term maintenance cost at multiple sites. DESCRIPTION/SCOPE: The scope of work for this project include the construction of two detention basins along with outfall system (size varies from 24" to 48"), and three (3) overflow weir structures. The project will also include the clearing and grubbing of land for the detention basins as well as an ingress and egress route for the construction equipment to access both sides. The Contract duration for this project is 160 calendar days. This project was designed by RG Miller, Engineers, Inc. LOCATION: The project area is bounded by Antione Drive to the West, Maple Tree Drive to the East, Long Creek Drive to the North, and Victory Drive to the South. (Key Map 411U). BIDS: This project was advertised for bidding on April 25, 2014. Bids were received on May 15, 2014. The Two						
(2) bids are as follows: Bidder 1. LECON, I 2. Sprint Sa	Inc. nd & Clay, LLC	<u>Bid Amount</u> \$1,959,660.80 \$2,530,452.88				
LTS No. 11871			CUIC#	‡ 20RRA20		
Finance Department	Other Authorization:	Other Authorization		Na		
		Daniel R. Menendez, Engineering and Cons				

Date

Subject: Contract Award for Inwood Forest Subregional Detention Basins WBS No. M-000296-0008-4

Originator's Initials

Page 2 of <u>2</u>

AWARD: It is recommended that this construction Contract be awarded to LECON, Inc. with a low bid of \$1,959,660.80 and that Addendum Number 1 be made a part of this Contract.

PROJECT COST: The total cost of this project is \$2,240,000.00 to be appropriated as follows:

•	Bid Amount	\$1	,959,660.80
•	Contingencies	\$	100,000.00
•	Engineering and Testing Services	\$	45,000.00
•	CIP Cost Recovery	\$	135,339.20

Engineering and Testing Services will be provided by Austin-Reed Engineers, LLC under a previously approved contract.

<u>HIRE HOUSTON FIRST:</u> 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.

<u>PAY OR PLAY PROGRAM:</u> 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.

<u>M/WBE PARTICIPATION:</u> The contractor has submitted the following proposed program to satisfy the 11% MBE goal and 7% WBE goal for this project

1. 2.	MBE – Name of Firms WM Trucking & Excavating, Inc. Environmental Allies, G.P., Inc.	Work Description Hauling of Excavation Erosion Control & Silt Fencing TOTAL	Amount \$223,597.30 \$ 15,089.39 \$238,686.69	% of Contract 11.41% 0.77% 12.18%
1.	WBE - Name of Firms Anderson Dump Trucking, Inc.	Work Description Hauling of Excavation TOTAL	<u>Amount</u> \$143,447.17 \$143,447.17	% of Contract 7.32% 7.32%
1. 2.	SBE – Name of Firms DL Glover, Inc Batterson, LLP	Work Description Clearing & Grubbing of Trees Traffic Control Systems & Marking TOTAL	<u>Amount</u> \$ 28,415.08 \$ 8,818.47 \$ 37,233.55	% of Contract 1.45% 0.45% 1.90%

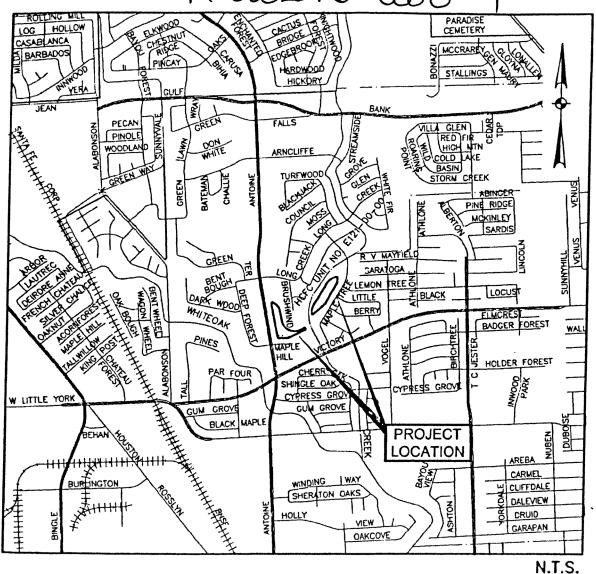
All known right-of-way, easement and/or right-of-entry required for the project have been acquired.

DWK:DRM:RK:DPS:RRA:NW

H:\design\STORM WATER ENGINEERING\SECTION\00 - PROJECTS\Inwood Forest Regional Det Basin (M-0296-08)\3.0 FINAL DESIGN (Ph 2)\3.7 AdvertisementsBidAward Records\POST BID DOCS & RCA Related\M-000296-0008-4 RCA.docx

c: File No. M-000296-0008-4

Inwood Forest Subregional Detention Basins M-000296-0008-4



VICINITY MAP

KEY MAP NO 411 U GIMS MAP NO 5162C, D FEMA FIRM NO 48201C0465L AND 48201C0655L COUNCIL DISTRICT A

TO: Mayor via City S	ecretary REQUEST FOR	R COUNCIL A	ACTION		
SUBJECT: Contract Award for Work Order Bridge Rehabilitation/Replacement Citywide; WBS No. N-320445-0002-4 Page 1 of 2			Agenda Item #		
FROM: (Department or o	ther point of origin):	Origination I	Date:	Agenda	Date:
Department of Public W	orks and Engineering	6 19	14		
Daniel W Keneger, P.E. Council District affected: All					
For additional information Ravi Kaleyatodi, P.E., C Senior Assistant Directo	PM Phone: (832) 395-2326	Date and ide Council action	ntification of po	rior autho	orizing
RECOMMENDATION: (So Accept low bid, award co	ummary) onstruction contract and appropriate	funds			
Amount and Source of Fu	unding:				
\$982,000.00 from Fund	4040-METRO Projects Constructio	n DDSRF	M.R. 6/3/	2014	
type of bridge repair wor	FICATION: This is a Work Order broken the City of Houston. replacement of approach slabs, gui	The scope of	the work will i		
	The work detailed in the contract ouston. The scope of work will be o				
and Engineering Departr	r this project is 550 calendar days. ment staff. Public Works and Engir Contractor's execution as appropria	neering will is			
LOCATION: The project i	is located throughout the City of Ho	uston.			
	advertised for bidding on May 2, 20 djustment factor is as follows:	14. Bids were	e received on N	May 22, 2	2014. One (1) bid
<u>Bidder</u>		Adjust	ment Factor		
1. ISI Contracting, Ir	nc.		1.250		
LTS # 12016	REQUIRED AUT	THORIZATION		CUIC I	D #20SG21
Finance Department	Other Authorization:	Daniel R.	thorization: Menendez, P. ing and Constr		-

Date	Subject:	Contract Award for Work Order Bridge Rehabilitation/Replacement Citywide WBS No. N-320445-0002-4	Originator's Initials	Page 2 of <u>2</u>
amount n of this Co	ot to exceed ntract.	nended that this construction contract be away \$850,000.00 (Adjustment Factor 1.250) an	arded to ISI Contracting, Inc. d that Addendum Number o	with total contraction in the made a particular in the made and in
PROJECT	**************************************	e total cost of this project is \$982,000.00 to b Bid Amount Contingencies Engineering and Testing Services CIP Cost Recovery	\$850,000.00 \$ 42,500.00 \$ 30,000.00 \$ 59,500.00	
Engineeri	ng and Testi	ng Services will be provided by JRB Engineerin	g, LLC. under a previously ap	proved contract.
The propertunit	y for Houst	T: ct requires compliance with the City's 'Hire Hoton business and supports job creation. In Houston First.	ouston First' ordinance that pthis case the proposed co	promotes economi intractor meets the
dino	hoolth hor	RAM: The proposed contract requires competits for employees of City contractors. In will pay into the Contractor Responsibility Fu	this case, the contractor pri	OAIGES DELIGING IC

MWBE PARTICIPATION: No City M/WSBE participation goal is established for this project as the contract amount does not exceed the threshold of \$1,000,000.00 required for a goal oriented contract per Section 15-82 of the Code of Ordinance.

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

DWK:DRM:RK:JHK:TC:SG

H:\design\A-SB-DIV\WPDATA\TC-SG\Project\WO Bridge 2014 N-320445-0002-4\CONSTRUCTION RCA\RCA construction.docx

ec: WBS No. N-320445-0002-4_(3.7 CONST_RCA)

REQUEST FOR COUNCIL ACTION Mayor via City Secretary TO: Agenda Item # SUBJECT: Contract Award for E. Coli Compliance - Chlorination Systems for Turkey Page Creek, Westway and Kingwood West Wastewater Treatment Plants. 1 of 2 WBS No. R-000265-0076-4. Agenda Date: Origination Date: FROM: (Department or other point of origin): JUN 2 5 2014 6/19/ Department of Public Works and Engineering Council District affected: 12 Director's Signature: A. E & G Daniel Wakrueger, P.E., Director

or additional information contacts

Ravi Kaleyatodi, P.E., CPM Senior Assistant Director

Phone: (832) 395-2326

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)

Reject low bid, return bid bond, award construction contract to the next low bidder and appropriate funds.

Amount and Source of Funding: \$2,195,350.00 Water and Sewer System Consolidated Construction Fund No. 8500.

M.P. 6/3/2014

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

DESCRIPTION/SCOPE: This project consists of various improvements to the chlorination systems at Turkey Creek, Westway and Kingwood West Wastewater Treatment Plants.

The Contract duration for this project is 300 calendar days. This project was designed by Shrader Engineering, Inc.

LOCATION: The facilities are located at:

Facility 1. Westway 2. Kingwood West 3. Turkey Creek	Address	<u>Key Map</u>	Council District
	10273 Genard	450A	A
	5900 Sorters Rd.	295Z	E
	1147 Enclave Parkway	488G	G

BIDS: This project was advertised for bidding on April 4, 2014. Bids were received on May 1, 2014. The two (2) bids are as follows:

Bidder 1. JTR Constructors, Inc.

Bid Amount \$1,903,950.00 (Not met 'MWSBE program goal')

\$1,942,251.00 2. LEM Construction Co. Inc.

CUIC ID #20BZ110 LTS No. 12061 Other Authorization: Other Authorization: Finance Department: Daniel R. Menendez, P.E., Deputy Director Jun Chang, P.E., D.WRE, Deputy Director Engineering and Construction Division Public Utilities Division

WBS No. R-000265-0076-4.

AWARD: The low bid of \$1,903,950.00 was submitted by JTR Constructors, Inc. The apparent low bidder was not responsive in that the bid submitted did not include a utilization plan fulfilling the participation goal of the solicitation and did not provide evidence of good faith effort. It is recommended that this construction contract be awarded to the next low bidder LEM Construction Co. Inc., who met the established 'MWSBE program goal' with a bid of \$1,942,251.00 and Addendum Number 1 be made a part of this Contract.

PROJECT COST: The total cost of this project is \$2,195,350.00 to be appropriated as follows:

	Bid Amount	\$1	,942,251.00
•	Contingencies	\$	97,112.55
•	Engineering and Testing Services	\$	20,000.00
•	CIP Cost Recovery	\$	135,986.45

Engineering and Testing Services will be provided by Aviles Engineering Corporation 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 proposed contractor provides health benefits to eligible employees in compliance with City policy.

M/WBE PARTICIPATION:

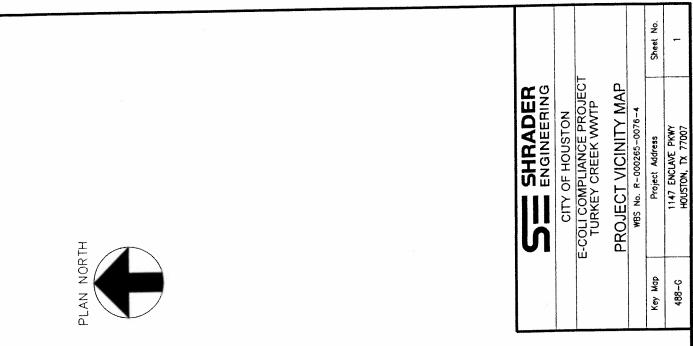
The Contractor has submitted the following proposed program to satisfy the 11% MBE goal, and 7% WBE goal for this project.

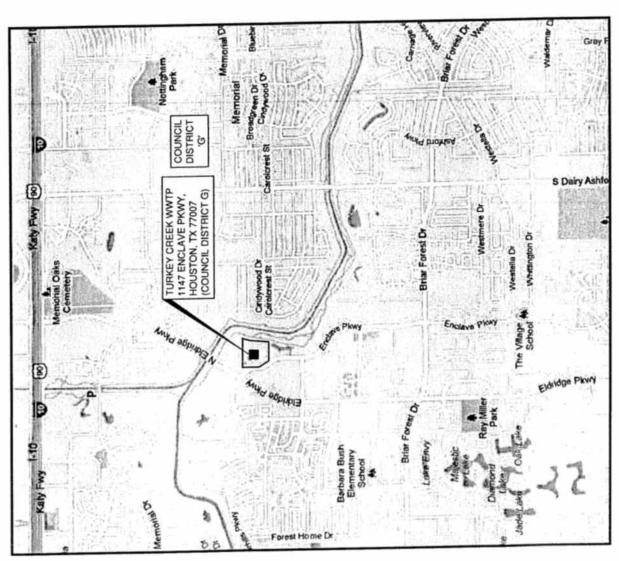
	MBE - Name of Firms 1. Medcalf Fabrication, Inc. 2. Brown Mechanical Services, Inc. 3. C & B Rebar Construction, Inc.	Work Description Miscellaneous Metal Services Mechanical Work Rebar Work TOTAL	Amount \$ 65,134.00 \$142,725.00 \$ 35,264.00 \$243,123.00	% of Contract 3.35% 7.35% 1.81% 12.51%
	WBE - Name of Firms 1. Macaulay Controls Company	Work Description Instrumentation Services	<u>Amount</u> \$282,950.00	% of Contract 14.57%
1	Chlorinator Maintenance Construction, Inc.	Wastewater Equipment Supplies TOTAL	\$ 35,000.00 \$317,950.00	1.80% 16.37%

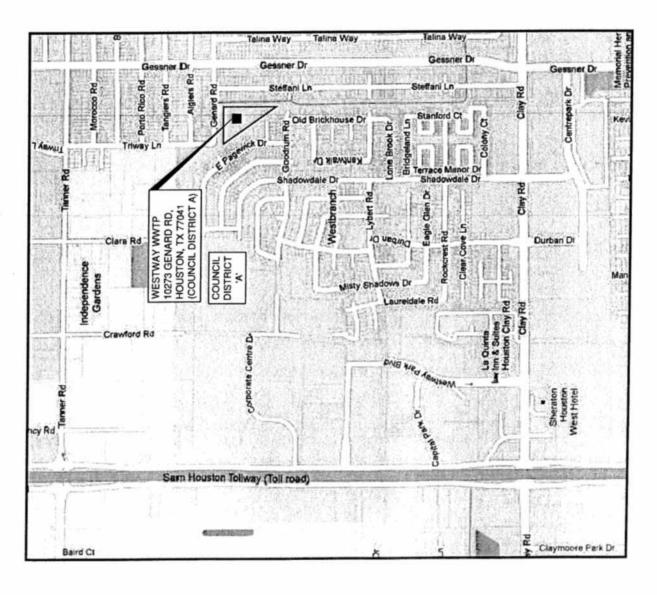
All known rights-of-way, easements and/or right-of-entry required for the project have been acquired.

and M. W. DWK:DRM:RK:EN:BZ:pa

c: File No. R-000265-0076-3







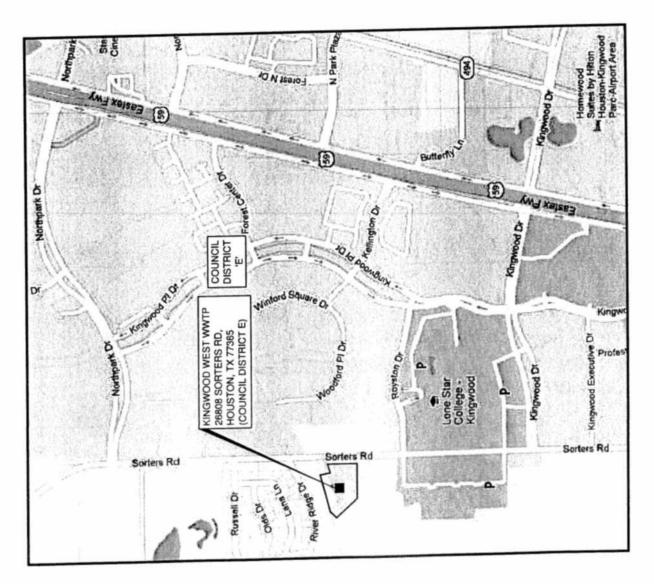


SHRADER ENGINEERING

CITY OF HOUSTON

E-COLI COMPLIANCE PROJECTI WESTWAY WWTP	PROJECT VICINITY MAP	WBS No. R-000265-0076-4	Project Address
			Map
			Key Map

	Sheet No.	3
IS NO. R-000265-0076-4	Project Address	10273 GENARD RD HOUSTON, TX 77041





SHRADER ENGINEERING

	WBS No. R-000265-0076-4	
Key Map	Project Address	Sheet No.
295-2	26808 SORTERS RD HOUSTON, TX 77365	S

ΓΟ: Mayor via City Se	cretary REQUEST FO	OR COUNCIL	ACTION		
SUBJECT: Contract Awa	rd for Abandonment of Willow Rund Rutherford Lift Stations.	n WWTP and	d Flow Diversion	Page 1 of <u>2</u>	Agenda Item #
The same to the same part of the same pa			n Date: 19 14	Agenda	Date: N 2 5 2014
Department of Public Works and Engineering			istrict affected:	<u> </u>	
Director's Signature: Danie W. Krueger, P.E.,	Director	втн			
Ravi Kaleyatodi, P.E., CF Senior Assistant Director	Walob 5/27/14 PM Phone: (832) 395-2326	Date and i Council a	identification of p ction:	rior autho	orizing
RECOMMENDATION: (Su Accept low bid, award co	immary) nstruction Contract and appropri	ate funds.			
Amount and Source of Fu	nding: \$10,500,000.00 Water and	l Sewer Syste	em Consolidated C	Constructi A.P.	on Fuṇd No. 8500. 5/27/9014
infrastructure by consolid	FICATION: This project is part o ating wastewater facilities. his project includes abandonmen				
plant by gravity diversion	of the flows from these facilities	to a regional	lift station.		
The Contract duration for	this project is 690 calendar days	s. This projec	t was designed b	y CP&Y,	Inc.
LOCATION: The project a Veterans Memorial Drive Key Map Grids 412K, P &	area is generally bound by W. Mou on the east, and Ella Boulevard a & Q.	unt Houston F and Wheatley	Road on the north Street on the we	, Victory I st. The p	Orive on the south, roject is located in
BIDS: This project was a bids are as follows:	advertised for bidding on March 7	, 2014. Bids	were received or	April 3, 2	2014. The two (2)
<u>Bidder</u>		Bid	Amount		
	Construction of Texas, LTD. er Construction, L.P.		272,292.00 642,875.31		
LTS No. 11813			CUIC	C ID #20T	н18
Finance Department:	Other Authorization:		Other Authorizat		
•	Sales Agencia		Mars 6		

Subject: Contract Award for Abandonment of Willow Run WWTP and Flow Diversion for W. Mount Houston and Rutherford Lift	Originator's Initials	Page 2 of <u>2</u>
Stations. WBS No. R-000267-0112-4.	TH	

<u>AWARD:</u> It is recommended that this construction contract be awarded to S. J. Louis Construction of Texas, LTD., with a low bid of \$9.272,292.00 and that Addenda Numbers 1 and 2 be made a part of this Contract.

PROJECT COST: The total cost of this project is \$10,500,000.00 to be appropriated as follows:

•	Bid Amount	\$9	,272,292.00
•	Contingencies	\$	463,614.60
•	Engineering and Testing Services	\$	115,000.00
•	CIP Cost Recovery	\$	649,093.40

Engineering and Testing Services will be provided by Kenall, 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 does not meet the requirements of Hire Houston First; no Hire Houston First firms were within three percent.

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.

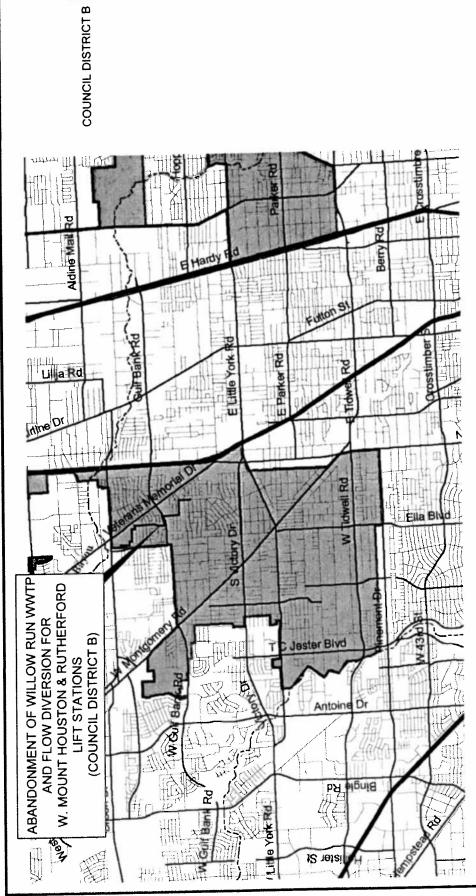
<u>M/WSBE PARTICIPATION:</u> The contract was advertised with an MBE Goal of 13% and a WBE Goal of 7%. The contractor submitted a Good Faith Effort which the Office of Business Opportunity (OBO) approved.

1. 2. 3.	C&C Traffic Control	Work Description Supply of Plumbing Materials Flagging and Traffic Control Dump Truck Hauling Services TOTAL	Amount \$1,020,000.00 \$ 100,000.00 \$ 263,000.00 \$1,383,000.00	% of Contract 11.00% 1.08% 2.84% 14.92%
1.	WBE - Name of Firms Highway Sodding & Seeding, Inc.	Work Description Supply of Plumbing Materials	<u>Amount</u> \$ 17,500.00	% of Contract 0.19%
2.	KMA Contractors Services, Inc.	Construction Photos and Construction Materials Supply TOTAL	\$ 430,400.00 \$ 447,900.00	4.64% 4.83%
4	SBE - Name of Firms	Work Description	Amount	% of Contract
1.	Forde Construction Company, Inc.	Pavement Construction TOTAL	\$ 24,000.00 \$ 24,000.00	0.26% 0.26%

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

DWK:DRM:RK:EN:IMR:TH:pa

c: File No. R-000267-0112-4



VICINITY MAP

Willow Run WWTP: 1818 ½ Mosher Lane, Houston, TX 77088 W. Mount Houston Lift Station: 1819 W. Mount Houston Road 77088 Rutherford Lift Station: 8814 Rutherford Lane 77088 KEY MAP NO.s 412K, 412L, 412P, 412Q GIMS MAP NO.s 5263c, 5263d, 5262a, 5262b



11757 Kdty Freewoy, Suite 1540 Houston, Tx, 77079 713–532–1730 Fox: 713–532–1734 TBPE Firm No. F-1741

CITY OF HOUSTON

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

ABANDONMENT OF WILLOW RUN WWTP
AND FLOW DIVERSION FOR
W. MOUNT HOUSTON & RUTHERFORD
LIFT STATIONS
PROJECT VICINITY MAP- COUNCIL DISTRICT B
JERRY DAVIS

112-4 CITY OF HOUSTON PM	YONE TAND HIRDANTH, PE	SHEET NO. 1 OF 1
WBS NO: R-000267-0112-4	DRAWING SCALE: NONE	APRII 2014

MOTION NO. 2014 0581

MOTION by Council Member Gonzalez that an item be placed on the Agenda of June 25, 2014, to receive nominations for Positions 10 and 11 of the Houston Municipal Employees Pension System Board of Trustees, for a three year term.

Seconded by Council Member Christie and carried.

Mayor Parker, Council Members Stardig, Davis, Cohen, Boykins, Martin, Nguyen, Pennington, Gonzalez, Gallegos, Laster, Green, Costello, Robinson, Kubosh, Bradford and Christie voting aye Nays none

PASSED AND ADOPTED this 18th day of June 2014.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is June 24, 2014.

City Secretary



Interoffice

Correspondence

To:

Anna Russell City Secretary

From:

Jenn Char

Director of External Affairs

Date:

June 12, 2014

Subject:

Houston Municipal Employee

Pension System

Council Appointments

NON-CONSENT AGENDA

MISCELLANEOUS

Motion to set a date not less than seven (7) days from June 18, 2014, to receive nominations for Position 10 and 11 of the Houston Municipal Employees Pension System Board of Trustees. The three year terms of the current members expired June 1, 2014:

Position 10

Adrian Patterson

Nominated by CM Gonzalez Nominated by CM Pennington

Position 11

Richard Badger

Nominees must have expertise in at least one of the following areas:

• Accounting, financial, pension, investment or actuarial.

JC/jsk

CC:

Ms. Marta Crinejo





MOTION NO. 2014 0582

MOTION by Council Member Gonzalez that an item be placed on the Agenda of June 25, 2014, to receive nominations for Positions 2 and 4 of the Rebuild Advisory Committee Board of Directors, for a three year term.

Seconded by Council Member Christie and carried.

Mayor Parker, Council Members Stardig, Davis, Cohen, Boykins, Martin, Nguyen, Pennington, Gonzalez, Gallegos, Laster, Green, Costello, Robinson, Kubosh, Bradford and Christie voting aye Nays none

PASSED AND ADOPTED this 18th day of June 2014.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is June 24, 2014.

City Secretary



CITY OF HOUSTON Office of the Mayor

Interoffice

Correspondence

To:

Anna Russell City Secretary

From:

Jennifer Char, Director

Director of External Affairs

TAIIAIIS

Date:

June 12, 2014

Subject:

ReBuild Advisory Committee

Council Nominations

NON-CONSENT AGENDA

MISCELLANEOUS

Motion to set a date not less than seven (7) days from June 18, 2014, to receive nominations for appointment or reappointments to Council Positions for the ReBuild Advisory Committee Board of Directors, for a three year term. Listed below are the current members.

Position	Members	Nominated by
Position 2	Kathryn Cooper Easterly	CM Christie
Position 4	Vernita Harris	CM Adams

jc/jsk

CC:

Ms. Marta Crinejo, Agenda Director

TO THE STATE OF TH



MOTION NO. 2014

MOTION by Council Member Gonzalez that the recommendation of the Purchasing Agent, for sole source purchase of Emergency Alert System and Dispatch Software Licenses Upgrades, Maintenance and Support Services for the Houston Fire Department, be adopted, and authority is hereby given to issue purchase orders to Custom Logic Design, Inc., in an amount not to exceed \$360,725.00.

Seconded by Council Member Bradford

On 06/18/2014 the above motion was tagged by Council Member Green.

ł						
	TO: Mayor via City Secretary	NCIL ACTION				
	California American Harold California			RCA# 10104		
	System and Dispatch Software Licenses Upgrades, Maintenance and Support Services for the Houston Fire Department Category # 4		Page 1 of 2	Agenda Iten		
	FROM (Department or other point of origin):	Origination 1	Date	Agenda Date	2	
ſ	Calvin D. Wells City Purchasing Agent Finance Department	May 22, 2014			2 5 2014	
þ	DIRECTOR'S SIGNATURE Council District(s) affect All					
) /	Tom Sorley Phone: (832) 393-0300 Cynthia Vargas Phone: (832) 394-6926 RECOMMENDATION: (Summary)					
	Approve spending authority in an amount not to exceed \$30 emergency alert and dispatch software licenses upgrade, no Logic Design, Inc. for the Houston Fire Department.	60,725.00 for t naintenance a	the sole sou nd support s	ervices from	Custom	
	Spending Authority: \$360,725.00		•	Finance Budg	get -	
	\$210,725.00 - General Fund (Fund 1000) \$150,000.00 - Federal State Local - Pass Through Fund (Fund 5030) \$360,725.00 - Total					
	SPECIFIC EXPLANATION: The Chief of the Houston Fire Department and the City approve spending authority in an amount not to exceed emergency alert and dispatch software licenses upgrade, Logic Design, Inc. for the Houston Fire Department, and that to Custom Logic Design, Inc. The software licenses upgraded Dispatching Infrastructure upgrades for the Houston	d \$360,725.00 maintenance at authorizatio irade is neede) for the so and suppor n be given to ed to add th	ole source p t services fro o issue purch se Internet P	ourchase of om Custom	

cture upgrades for the Houston Fire Department. The total spending authority will

cover the cost of the software upgrades and the software maintenance and support services through the end of FY15

Custom Logic Design, Inc. is the sole source manufacturer and sole provider of the emergency alert and dispatch software and holds the source code for this software application. It has no dealer networks, distributorships or third-party providers for their maintenance and support services.

The Emergency Alerting System (EAS) and Dispatching Information System are an IP-based dispatching structure and upgrades will work over LAN (wired) and wireless (cellular service) networks. These two systems are used to dispatch information to the Houston Emergency Center (HEC), fire stations and fire apparatus. The systems are ties to the fire station control cabinets in each station to engage lights and alert the station via mechanical switches. In addition, it activates the paging system audio to announce dispatch calls.

This purchase consists of software message switch licenses and implementation, an EAS software refresh license, installation turn up, cutover process, CAD interface implementation, software upgrades and support increase for improvements. This includes training used to upgrade the current emergency alert system to the HEC, fire station EAS desktops and fire apparatus. It also provides maintenance for all software, development system and contingency for interface development through Fiscal Year 2015.

	REQUIRED AUTHORIZATION	
Finance Department:	Other Authorization:	Other Authorization:

Date: 5/22/2014 Subject: Approve the Sole Source Purchase of Emergency Alert System and Dispatch Software Licenses Upgrades, Maintenance and Support Services for the Houston Fire Department	Originator's Initials CC	Page 2 of 2
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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 exempted procurements.

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: Rick Brandt

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION SUBJECT: Ordinance authorizing the sale of the Public Improvement Refunding Category Page Agenda Bonds, Series 2014A and such other series as may be required to refund and 1 of 2 defease certain outstanding obligations of the City; authorizing a Preliminary Official Statement, Official Statement and related agreements pertaining to such bonds. FROM (Department or other point of origin): **Origination Date:** Agenda Date Finance Department and Office of City Controller June 11, 2014 JUN 2 5 2014 **DIRECTOR'S SIGNATURE: Council District Affected:** For additional information contact: Date and identification of prior authorizing Jennifer Olenick Phone: 832-393-9112 Council action: N/A Charisse Mosely Phone: 832-393-3529 RECOMMENDATION: Approve an Ordinance authorizing the sale of the City of Houston, Texas, Public Improvement Refunding Bonds Series 2014A and such other series as may be determined, in an aggregate amount not to exceed \$350 million; authorizing certain designated city officials to approve the principal amount, interest rates, prices, terms and sale thereof; authorizing such officials to determine the outstanding obligations to be refunded and/or defeased. Approving the use of a preliminary official statement and authorizing the preparation and distribution of an official statement in connection with such offering. Amount of Funding: N/A **Not Applicable** Finance Dept Budget: Source of Funding: [X] General Fund [] Grant Fund [] Enterprise Fund [] Other (Specify) **SPECIFIC EXPLANATION:** The Finance Working Group (the "FWG") is recommending refunding certain outstanding general obligation commercial paper notes, certain outstanding general obligation bonds and certificates of obligation and financing all related costs of issuance. Commercial Paper The City has been issuing variable rate commercial paper to fund its Capital Improvement Program and equipment procurements for a number of years. Consistent with the City's financial policies, outstanding general obligation, commercial paper notes are refinanced with long term fixed rate bonds with a final maturity to match the useful life of the capital improvement project or equipment financed with such commercial paper. This transaction represents the normal refunding of these commercial paper notes with long term fixed rate refunding bonds. Based on current market conditions, the intent is to refund up to \$250 million of outstanding commercial paper notes. **Current and Advance Bond Refunding** In addition to the refunding of general obligation commercial paper, the City anticipates refunding certain outstanding public improvement bonds and certificates of obligation to achieve present value debt service savings on an aggregate basis. The FWG is reviewing current outstanding debt for refunding opportunities. REQUIRED AUTHORIZATION Finance Department Director: Other Authorization: Other Authorization:

June 11, 2014 Refunding Bonds Series 2014A and such other series as may be required to refund and defease certain outstanding obligations of the City; authorizing a Preliminary Official Statement and related agreements pertaining to such bonds.	Initials	Page 2 of 2
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Summary

The following table further summarizes the approximate allocation of the combined proposed transaction:

Public Improvement Refunding Bonds Series 2014A

	Refunding Component		Up To	Use
Α.	Refund CP Series G, H, J		\$150,000,000	Infrastructure
	Refund CP Series E		\$100,000,000	Equipment
В.	Advance Refundings		\$100,000,000	
		Total	\$350,000,000	

Recommendation

This transaction was presented to the Budget and Fiscal Affairs Committee on March 4, 2014.

The Finance Working Group recommends the PIB Series 2014A be issued through a negotiated financing with Mesirow Financial serving as book running manager along with Barclays and Wells Fargo as co-senior managers. Cabrera Capital Markets, LLC, Morgan Stanley and Robert W. Baird & Co., Inc. are recommended as co-managers. Bracewell & Giuliani LLP and Baker Williams & Matthiesen LLP are recommended as co-bond counsel along with Greenberg Traurig, LLP and Bratton & Associates as co-disclosure counsel.

F	inance Director: Other Authorization:		Authorizat	
-	REQUIRED AUTHORIZATION	V		
	SPECIFIC EXPLANATION: Beck Redden LLP ("Firm") previously entered into a contingent fee agree purpose of pursuing on the City's behalf a recovery from CenterPoint relate maintenance and illumination. (Ordinance No. 2011-0322) Under the terms receive 20% of any amount received in the resolution of the dispute with Cer Following the filing of suit against CenterPoint, the case was procedurally Commission that we were unable to reverse, placing us in a far less favorate a limited recovery and extended delay in receiving any recovery. It also be garner far greater benefit by working cooperatively with CenterPoint to reach of CenterPoint's property for hike and bike trails and the conversion of street which could not be facilitated without disposal of the streetlight litigation. Escured agreements on the hike and bike trails and LED conversion, which Additionally, CenterPoint is contributing \$1,500,000 for creation of the initial indebtedness it claims is owed to it by the City for relocation of a transmise establish a streetlight auditing procedure and enhanced streetlight maintenar Beck Redden has provided considerable services to the City in connection related matters as referenced above, but recognizing the value to the City of gain other agreements from CenterPoint, the firm has agreed to convert its one for fees for services rendered not to exceed \$1,500,000, and expenses which Council approval is now sought.	ed to a contract of the contingenter Point. If derailed by a come increasing agreement of the contingenter approve hike and bike as increasing the contingency for th	a deferral to presenting to a deferral to presenting to a deferral to presenting to the latter, the defence trails, forging and coordinate ard, to avoid a streetlight to a arrangement.	e involving streetlighteement, Firm was to the Public Utilities the likely prospect on the City stood to initiatives the use ity to LED lighting the City has, in fact cil on June 4, 2014 ving \$163,010.87 in ting with the City to diffurther disputes. Ilitigation and other, litigation in order to pent with the City to the cent with the c
	\$1,633,265.01 Property & Casualty Fund (1004)			
	Adopt an ordinance approving an amended agreement for legal service Beck Redden LLP , for representation of the City in matters pertaining CenterPoint Energy Houston Electric LLC relating to maintenance of st AMOUNT AND SOURCE OF FUNDING :	to a contract treet lights an	ual dienuta	with
	For additional information contact: Lynette Fons-Legal 832-393-6282 RECOMMENDATION: (Summary)	Date and ic authorizing 5/4/2011 Ord	Council A	Action:
	DIRECTOR'S SIGNATURE: David M. Feldman	Council Dis	stricts affe	ected: JUN 2 5 20
0	FROM: (Department or other point of origin):	Origination	Date 3 K	Agenda Date
	Beck Redden LLP, formerly Beck Redden & Secrest LLP relating to the pursuit of reimbursement of funds associated with overpayments for street light maintenance and illumination	#	Page 1 of 1	Agenda Item #
	SUBJECT: An ordinance amending an agreement for legal services with	1	T.	

Date	SUBJECT	Originator's	Page
		Initials	2 of 2
		16	

- Newly defined attendance 'occurrence' and creation of an attendance review board empowered to review
 excessive occurrences and recommend measures such as suspension of privileges such as overtime, leave
 buy-back programs, use of guaranteed holiday, transfers, and reassignments.
- Creation of a Credit/Debit program which allows employees to request to perform their scheduled debit days on alternate days and at specific locations. This is expected to improve debit day performance rates.

The Agreement recognizes the Department goal of achieving sufficient paramedic staffing by July 2017, and specifically provides that the Department may condition employment upon achievement of paramedic certification and/or maintenance of paramedic credentialing.

The Agreement also eliminates the assignment of a City funded employee to the Fire Pension Board.

Finally, the Agreement makes important changes to promotional testing and hiring procedures. These include the ability to use assessment centers to test ranks of Captain and above, and all equivalent ranks. Additionally, with respect to hiring, the City may award points for Houston residency and may increase the duration of the eligibility list for beginning position so that it can place more eligible candidates into the training academy before the expiration of the list.

IU: mayor via City Secretary REQUEST F	OR COUNCIL ACTION					
SUBJECT: First Amendment to Professional Engineer Contract between the City and Lockwood, Andrews & Engineering Services associated with the Surface War Program. WBS No. S-000900-0121-3	Newnam, Inc., for	Page 1 of 4	Agenda Item #			
From: (Department or other point of origin):	Origination Date		Agenda Date			
Department of Public Works and Engineering	6/12/14		JUN 18 7014			
Daniel W. Krueger, P.E. Council District affected: (Council District Letter Only) All						
For additional information contact:	Date and identification	of prior au	thorizing Council action:			
Rai Kalujaldo 6/2/14	Ordinance No. 2013-07 Ordinance No. 2013-02	767, Augus 210, March	st 28, 2013			
Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 Senior Assistant Director	0.4	- ro, iviaroi	10, 2010			
RECOMMENDATION: (Summary) Approve First Amendment to Professional Engineering Services Contract with Lockwood, Andrews & Newnam, Inc., and appropriate additional funds.						
Amount and Source of Funding: \$18,278,100.00 - Water and Sewer System Consolidated Construction Fund No. 8500. Original (previous) contract appropriation of \$14,453,200.00 - from Water and Sewer System Consolidated Construction Fund No. 8500 and \$299,000.00 from Water & Sewer System Consolidated Construction Fund No. 8500.						
PROJECT NOTICE/JUSTIFICATION: This contract and amendment supports the execution of the Surface Water Transmission Infrastructure Capital Improvement Program. The Surface Water Transmission Program provides professional engineering services to assist the City in meeting the current and future system demands and technical support to City staff on various elements of the transmission system.						
DESCRIPTION/SCOPE: This appropriation will fund a number of specific tasks to maximize the City's use of available surface water. These tasks include various engineering services for the construction of new infrastructure and rehabilitation of existing infrastructure. New infrastructure support includes feasibility and routing studies, design for water transmission lines and appurtenances necessary to meet regulatory requirements. Rehabilitation support includes evaluating the condition and designing solutions to assist the City in extending the isseful life of critical transmission lines. The net result of these efforts will be improved water system reliability and operational efficiencies stemming from the consolidation of groundwater pump station facilities.						
_OCATION: Various locations citywide.						

Finance Department:

Other Authorization:

Other Authorization:

Other Authorization:

Daniel R. Menendez, P.E., Deputy Director
Deputy Director, Public Utilities Division

CUIC ID #20ACM86

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

SUBJECT: First Amendment to Professional Engineering Services Contract between the City and Lockwood, Andrews & Newnam, Inc., for Engineering Services associated with the Surface Water Transmission Program. WBS No. S-000900-0121-3

Originator's Initials

AZM

Page 2 of 4

SCOPE OF AMENDMENT AND FEE: The requested appropriation will accomplish the following tasks: program management (supporting the City's management of the proposed design efforts), engineering project design services consisting of basic services (phase I - preliminary design, phase II - final design, phase III construction phase services) and additional services. \$6,128,000.00 is budgeted as Basic Services Fee to be administered on a lump sum or reimbursable basis. Additional services tasks include surveying, geotechnical investigations, phases I and II environmental services, traffic control, surge analysis, real estate assistance and condition assessment effort. Technical support encompasses specialized engineering services required for developing technical criteria for the program, water system modeling and City planning support efforts. The total Additional Services Fee under this amendment is \$9,766,000.00. The total requested appropriation is \$18,278,100.00 to be appropriated as follows: \$15,894,000.00 for contract services and \$2,384,100.00 for CIP cost recovery.

This contract amendment will provide project engineering efforts for the following projects:

WBS No.	<u>Projects</u>	Engineer of Record	<u>District</u>	Key <u>Map</u>
1. S-000701-0016	Work Order Rehabilitation to Large Diameter Water Lines - Package 12	Lockwood, Andrews & Newnam, Inc.	All	Various
2. S-000701-0018	Rehabilitation of Above Grade Crossings - Package 1 (12 Sites)	Lockwood, Andrews & Newnam, Inc.	All	Various
3. S-000701-0023	Cathodic Protection Installation and Rehabilitation - Package 2	Texas American Engineering, LLC	All	Various
4 S-000701-0035	Large Diameter Valve Replacement Contract – Package 1	Texas American Engineering, LLC	Various	Various
5. S-000900-0112	42-inch Water Line from W. Bellfort to Bissonnet	Dannenbaum Engineering Corp.	J&K	530 & 570
6. S-000900-0129	60-inch water line along Monroe and Rockhill from Airport Boulevard to Glen Valley Drive	Kuo & Associates, Inc.	I	535 & 575
7. S-000900-0130	60-inch Water Line along Glen Valley, Santa Elena, Colgate and Dover from Rockhill Street to Dixie Drive.	Nathelyne A. Kennedy & Associates, LP	I	535
8. S-000900-0134	72-inch Water Line from Elgin Street to West Alabama	Firm TBD – Pending City Selection of Consultant	C & D	492 & 493
9. S-000900-0135	72-inch Water Line from Hazard to Buffalo Speedway	Firm TBD – Pending City Selection of Consultant	С	492
10. S-000900-0163	Miscellaneous Large Diameter Water Line Improvements – Package 1	Nathelyne A. Kennedy & Associates, LP	All	Various
11. S-000900-0169	24-inch Slipline along Hillcroft in Quail Run Subdivision	Lockwood, Andrews & Newnam, Inc.	K	570 & 610
12. S-000901-0013	30-inch & 36-inch Cast Iron Water Line improvements along South Boulevard and Westpark Drive	Lockwood, Andrews & Newnam, Inc.	С	492 & 493
13. S-000902-0001	60-inch Raw Water Line Rehabilitation at East Water Purification Plant	Lockwood, Andrews & Newnam, Inc	Е	496 & 536

The proposed budgeted funding allocation for the aforementioned support services is outlined below:

•	Program Management	\$613,000.00
•	Engineering Project Design Services	\$9,986,000.00
•	Technical Support	\$2,995,000.00
•	Contingency	\$2,300,000.00
	Total	\$15,894,000.00

SUBJECT: First Amendment to Professional Engineering Services Contract between the City and Lockwood, Andrews & Newnam, Inc., for Engineering Services associated with the Surface Water Transmission Program. WBS No. S-000900-0121-3

Originator's Initials

kun

Page 3 of 4

PREVIOUS HISTORY AND SCOPE: City Council approved the original contract on March 6, 2013 by Ordinance Number 2013-0210, the First Supplement on August 28, 2013 by Ordinance Number 2013-0767. Under this contract, the design of the above-referenced projects are anticipated to be completed under this appropriation. The Surface Water Transmission Program has assisted the City in reducing the groundwater pumpage and associated subsidence, meeting existing water contractual requirements, providing technical assistance during transmission main outages, and supporting the City's Condition Assessment efforts.

PAY OR PLAY:

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

<u>M/WBE INFORMATION:</u> The M/WBE goal established for this project is 24%. The original contract and subsequent additional appropriations total \$12,867,000.00. The engineer has been paid \$1,129,465.85 (8.78%) to date. Of this amount, \$112,795.85 (9.99%) has been paid to M/WBE sub-consultants. Assuming approval of the requested additional appropriation, the contract amount will increase to \$28,761,000.00. The engineer proposes the following plan to meet the M/WBE goal participation:

Nan	ne of M/WBE Firms	Work Description	<u>Amount</u>	% of Total
				<u>Contract</u>
1. F	Paid Prior MWBE Commitment	Various Services	\$112,795.85	0.39%
2. L	Inpaid Prior MWBE Commitment		\$4,428,204.15	15.40%
3. A	Accessibility Check	Plan Review & Inspection	\$50,000.00	0.17%
4. A	Amani Engineering, Inc.	Surveying Services, SW3P		
		Engineering Support	\$108,000.00	0.38%
5. A	Aviles Engineering, Corporation	Geotechnical Investigations, ESA	\$259,000.00	0.90%
6. E	Entech Civil Engineers, Inc.	Traffic Control Services	\$205,000.00	0.71%
	CM Engineers, PC	Engineering Support	\$179,000.00	0.62%
8. F	rayre Engineering &			
C	Consulting, LLC	Traffic Control & Engineering Support	\$145,000.00	0.50%
9. G	Seotest Engineering, Inc.	Geotechnical Investigations, ESA	\$214,000.00	0.74%
10. H	I & H Engineering Services, Inc.	Engineering Support	\$25,000.00	0.09%
11. H	IVJ Associates, Inc.	Environmental Site Assessment	\$114,000.00	0.40%
		& Geotechnical Investigations		
12. K	Luo & Associates, Inc.	Surveying & Engineering Support	\$827,000.00	2.88%
13. L	andtech, Inc.,			
D	BA Landtech Consultants, Inc.	Surveying Services	\$85,000.00	0.30%
14. M	lartinez, Guy & Maybik, Inc.	Engineering Support, Surveying	\$312,000.00	1.08%
15. M	lidtown Engineers, LLC	Traffic Control Plans	\$10,000.00	0.03%
16. M	WBE Firm TBD for			
S-	-000900-0112-3	Various Services	\$53,520.00	0.19%
17. M	IWBE Firm TBD for			
S-	·000900-0134-3 by City	Various Services	\$366,720.00	1.28%
Se	elected Design Consultant			
18. M	IWBE Firm TBD for			
S-	000900-0135-3 by City	Various Services	\$255,840.00	0.89%
Se	elected Design Consultant			
19. N	athelyne A. Kennedy &			
A:	ssociates, LP	Engineering Support	\$537,000.00	1.87%
20. Q	uadrant Consultants, Inc.	Engineering Support	\$235,000.00	0.82%
21. R	ODS Subsurface Utility	Engineering Support		
Eı	ngineering, Inc.	Subsurface Utility Excavations	\$145,000.00	0.50%
22. Te	exas American Engineering, LLC	Engineering Support	\$593,000.00	<u>2.06%</u>
		TOTAL M/WBE	\$9,260,080.00	32.20%

SUBJECT: First Amendment to Professional Engineering Services Contract between the City and Lockwood, Andrews & Newnam, Inc., for Engineering Services associated with the Surface Water Transmission Program. WBS No. S-000900-0121-3

Originator's Initials Page 4 of 4

Kun

Additional Firms to be used, but not listed in MWBE goal:

Name of Firms	Work Description	<u>Amount</u>	%of Total Contract
Cobb Fendley C.N. Koehl Urban Forestry, Inc.	Subsurface Utility Engineering Tree Protection	\$49,000.00 \$15,000.00	0.17% 0.05%
3. Dannenbaum Engineering Corporation 4. Firm TBD for S-000900-0134-3	n Design Consultant	\$257,480.00	0.90%
Pending City Selection of Consultant 5. Firm TBD for S-000900-0135-3	Design Consultant	\$1,234,280.00	4.29%
Pending City Selection of Consultant	Design Consultant Total	\$864,160.00 \$2,419,920.00	3.00% 8.41 %



MOTION NO. 2014 0591

MOTION by Council Member Laster that the following item be delayed until next week with proposed amendments distributed by the Legal Department:

Item 74 - Ordinance approving and authorizing contract between the City of Houston and Perdue, Brandon, Fielder, Collins & Mott, LLP and Greenberg Traurig, LLP, functioning as a Joint Venture for the collection of delinquent ad valorem taxes

Seconded by Council Member Gonzalez and carried.

Mayor Parker, Council Members Stardig, Davis, Cohen, Boykins, Nguyen, Pennington, Gonzalez, Gallegos, Laster, Green, Robinson, Kubosh and Bradford voting aye Council Members Martin and Christie voting no Council Member Costello absent

PASSED AND ADOPTED this 18th day of June, 2014.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is June 24, 2014.

City Secretary

	REQUEST FOR C	OUNCIL ACTION	!		
. TO: Mayor via City Secretary					
Subject: Ordinance approving	and authorizing an Agreement for	or the Collection	Category #	Page 1 of 1	Agenda Item
of Delinquent Ad Valorem Taxo	es of the City of Houston between	n the City and		M	#
Perdue, Brandon, Fielder, Collin	ns & Mott, LLP and Greenberg	Γraurig, LLP,	1/2/1	Att	KAP W
functioning as a Joint Venture.		<i>y</i> , , ,	1001	1-1-1	HOT SH
FROM (Department or other poi	nt of origin):	Origina	tion Date.	Agenda D	
David M. Feldman, City Attorno		May 20		Faces	JUN 0 4 2014
Legal Department			,	MAY	28
DIRECTOR'S SIGNATURE		Council	District(s) a	ffected:	
V M	me Ughli	All			JUN 2 5 2014
	9				· ·
For additional information contac	ominora i i antonara			ion of prior a	nuthorizing
Pho	ne: 832-393-6315	Council	Action:		
RECOMMENDATION: (Summa	ury) City Council to approve an	ordinance authoriz	ing an Agree	ement for th	e Collection of
Delinquent Ad Valorem Taxes o	f the City of Houston between the	ne City and Perdue	Brandon I	Cincil 101 th Fielder Call	ins & Mott II D and
Greenberg Traurig, LLP, functio	ning as a Joint Venture	ie city and i cruuc	, Diandon, i	iciaci, con	ins & wiou, LLP and
Amount of Funding: None	S S S S S S S S S S S S S S S S S S S			Financ	e Budget:
U				Tinanc	e Dudget.
SOURCE OF FUNDING:	[] General Fund	[] Grant	Fund	[] Enter	prise Fund
					•
Charles and a second	Other (Specify)				

SPECIFIC EXPLANATION:

Since 1984, the City has been contracting with the law firm now known as Linebarger, Goggan, Blair & Sampson LLP (Linebarger) for the collection of delinquent ad valorem taxes. The 2010 contract, which was amended in 2013 to allow for an extension, will expire on June 30, 2014.

Since the 2010 RFP, the City has been exploring opportunities to expand competition for the collection of delinquent ad valorem taxes. As part of the 2013 RFP process, the evaluation team concluded that a multi-vendor solution would be the optimal model. Two firms responded to both RFPs: Linebarger and Greenberg Traurig/Perdue, Brandon, Fielder, Collins & Mott (GT/Perdue).

In May 2013, the City initiated discussions about the multi-vendor option with the above two firms and the Harris County Tax Office (HCTO). HCTO is the entity statutorily obligated to collect taxes for the City. HCTO has been using collection software developed and provided by Linebarger ("the Linebarger Software"). This software was reported to be unsuitable for the multi-vendor option. As a result, the existing Linebarger contract was extended until June 30, 2014, to allow time for software changes that would accommodate multiple vendors.

In January 2014, HCTO entered into a new contract with Linebarger that allows HCTO to request changes to the Linebarger Software. The City advised both firms in March 2014 that it would pursue a multi-vendor solution upon expiration of the Linebarger contract extension. The City Attorney presented contracts to both Linebarger and GT/Perdue. To date, the City has reached agreement with GT/Perdue, but not Linebarger.

The City is submitting the agreement with GT/Perdue to City Council for approval as GT/Perdue needs a transition period to perform collection services under the agreement. A contract with Linebarger will be submitted at a later date after negotiations are finalized, as Linebarger, being the current delinquent tax collection contractor, does not require a transition.

Having developed a viable incremental strategy, the City now desires to pursue the multi-vendor solution by splitting the City collections along taxing jurisdictional lines, such as Independent School Districts (ISDs).

To minimize disruption, GT/Perdue will initially collect on a limited number of City accounts that lies within the Humble, Spring Branch and Clear Creek ISDs, which is just a small percentage of the City's delinquent tax roll. To maximize revenue collection and manage risk, the City Attorney may transfer accounts between City's collection contractors during the term of the contract to reward performance, and GT/Perdue will compensate the City for any increased cost to the City or HCTO. GT/Perdue will also provide a \$1 million letter of credit that could be triggered in the case of default, and in addition, it will guarantee the city a minimum collection recovery.

The contract may be terminated for convenience by the City Attorney's upon 60 days prior written notice to the contractor.

There is no appropriation of funds because the City is authorized by the Tax Code Sections 33.07, 33.08, and 33.11 to impose an additional 20% penalty on taxpayers' delinquent tax accounts as funding for the contract. The rationale behind these statutory provisions is that the cost of a delinquent tax program should be borne by the delinquent taxpayers, not by the citizens who pay their taxes on time.

The term of the new contract will be July 1, 2014 until June 30, 2017, with two one-year renewal options exercisable by the City. Like the current contract, the proposed new contract also provides additional services to the City at no additional cost.

Pay or Play Program:

The proposed contract requires compliance with the City's "Pay or Play" ordinance. The contractor provides health benefits to eligible employees in compliance with City Policy.

MWBE Participation

The MWBE participation goal for this contract is 24 percent of the value of the contract. The Mayor's Office of Business Opportunity will monitor this award. The contractor intends to fulfill the goal by utilizing the following certified MWBE firms:

KHG Consulting, LLC	10%
ALSM Consulting, LLC	5%
H&D Consulting and Publishing LLC	4%
Elite Change, Inc.	5%

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:

REDLINED VERSION

** Language in red reflects additions or deletions.

Amendment to
Item 74 on the June 18, 2014 Agenda
This was previously Item 57 on Agenda of June 4, 2014 (delayed by Motion #2014-499, 6/4/14)
and Item No. 34 on the May 28 Agenda

A CONTRACT BETWEEN THE CITY OF HOUSTON AND PERDUE, BRANDON, FIELDER, COLLINS & MOTT, LLP AND GREENBERG TRAURIG, LLP, FUNCTIONING AS A JOINT VENTURE FOR THE COLLECTION OF DELINQUENT AD VALOREM TAXES

Section 3 of the Ordinance is amended to read as follows:

The City Attorney is hereby authorized to take all action necessary to enforce all legal obligations under said contract without further authorization from Council. Prior to the City Controller countersigning this contract, the City Attorney is hereby authorized to make mutually acceptable modifications to the contract language to clarify the City's intent and objectives in conforming the language to facilitate the multi-vendor arrangement, to the extent applicable, provided the changes do not materially change the contract.

Α.

Global Change

All references to "Recall" or "Recalled Accounts" in the Agreement shall be deleted and replaced with the words "Reassign," "Reassignment," and "Reassigned", where appropriate.

B.

The paragraph under General Scope of Services of the Agreement is amended as follows:

General Scope of Services

The Contractor shall, for and in consideration of the payment of the sum of money hereinafter specified, subject to the approval and general supervision of the City Attorney, provide all services necessary for the collection of delinquent City ad valorem taxes on City tax accounts in certain taxing jurisdictions as assigned by the <u>Account Assignment Committee</u>, as defined in Article (F) for each Agreement YearCity Attorney ("Assigned Accounts"), including annexed water district taxes, and provide such further

services as outlined in this Contract. All services performed by Contractor in connection with this Agreement shall mean and refer only to Assigned Accounts, unless otherwise indicated.

C.

Article 1, Section B (viii) is deleted and replaced in its entirety to read:

(viii) For Agreement Year 2, research the tax status of all potential city vendors and City Boards and Commissions candidates, whether or not covered under Assigned Accounts, and ensure that delinquent taxes are not owed and that tax payments are properly credited at the Harris County Tax Office, if requested by the City. Such research shall be provided within 1 business day of each request;

D.

Article 1, Section F, Account Assignment and Recall, is deleted and replaced in its entirety to read as follows:

F. Account Assignment and Reassignment

F. Account Assignment and Recall

Subject to the conditions below, once per Agreement Year, a committee, composed of the City Attorney or his or her designee, the Finance Director or his or her designee, and a representative from the Mayor's Office, as designated by the Mayor (the "Account Assignment Committee"), shall determine the Accounts to be Assigned or Reassigned to the Contractor. "Reassigned" or any grammatical variation thereof shall mean and include the Account Assignment Committee's decision to reassign, reallocate to another tax collection service provider, suspend or dismiss any individual Accounts, or group, category or portion of the unpaid Accounts assigned to the Contractor ("Reassigned Accounts") without penalty or monetary charge of any kind being assessed against the City.

The Account Assignment Committee shall determine the Accounts to be Assigned or Reassigned subject to all of the following conditions without City Council approval:

- a) A majority of members of the Account Assignment Committee must agree upon the areas of the City overlapping with school districts to be Assigned or Reassigned;
- b) For the Initial Term, Accounts eligible to be Assigned or Reassigned shall include only those Accounts in the areas of the City overlapping with

school districts that, as of July 1, 2014, are either school districts represented by the Contractor or school districts represented by an entity not collecting delinquent taxes for the City;

- c) The number of areas of the City overlapping with school districts may be increased if the Contractor's collection rate for Assigned Accounts equals or exceeds its current or former collection rates for accounts in the same geographic area or taxing jurisdiction as the Assigned Accounts. For purposes of evaluating Contractor's collection rate, the Account Assignment Committee, in its sole discretion, may consider any one or more of the following criteria, to the extent the information is available to the Committee: (1) the Contractor's current or former collection rate for school districts for which it previously collected; (2) Contractor's former collection rate for Assigned Accounts for which Contractor previously collected taxes on behalf of the City; and (3) any other evaluation criteria related to the performance of this Agreement.
- d) Accounts overlapping more than one school district shall be assigned by the Account Assignment Committee.

For the first Agreement Year, the City hereby assigns to the Contractor the Accounts in the areas of the City overlapping with the following school districts: Humble Independent School District, Clear Creek Independent School District, and Spring Branch Independent School District, excluding Accounts that another tax collection provider has: (i) entered into payment agreements and for which payments are current, until such time as the payment agreement is paid in full or the Account holder defaults on the payment agreement; and (ii) on or before May 16, 2014, reduced to judgment or filed suit and bankruptcy claims on behalf of the City, which excluded Accounts the City hereby assigns to Contractor effective November 16, 2014.

Subsequently, on or before March 15th of each Agreement Year, the City Attorney, acting on behalf on the Account Assignment Committee, will provide notice of Assigned Accounts to the Contractor for the following Agreement Year ("Assignment/Reassignment Notice"). The Contractor shall fully and promptly cooperate with the City Attorney's request regarding Reassigned Accounts, including coordinating and cooperating with another tax collection provider if the Accounts are Reassigned.

Unless otherwise instructed in the Assignment/Reassignment Notice, the Contractor shall undertake no further services or collections activity related to the Reassigned Accounts as of the applicable turnover dates for Business Personal Property and real property, respectively as defined in the Texas Tax Code. Upon the City Attorney's request, the Contractor shall provide to the City, at no charge, all data and files related to any Reassigned Accounts previously assigned to the Contractor. The Contractor waives any and all rights in such Reassigned Accounts and any and all rights in any payments made on Reassigned Accounts insofar as such payments are received subsequent to the Assignment/Reassignment Notice, except for

the Contractor's right to receive payment as further described in Section VIII.C for Assigned Accounts that have been reduced to judgment, or subject to a payment agreement for which payments are current on or before the effective date of the Reassignment.

The Account Assignment Committee, by a majority decision, shall also resolve any disputes between the Contractor, the Harris County Tax Office, and any of the City's delinquent tax collection service providers in the following manner:

- a) The Contractor will use their reasonable best efforts to expeditiously and amicably resolve disputes arising in the normal course of business at the lowest organizational level between the staff of City, the Contractor, and the City's other delinquent tax collection service provider, which staff members have appropriate authority to resolve such disputes.
- b) When the Parties or the City's other delinquent tax collection service provider are unable to resolve a dispute and before initiating any litigation, the Contractor shall submit disputes, in writing, to the Account Assignment Committee.
- c) The Account Assignment Committee shall use its reasonable best efforts to resolve the dispute within ten (10) business days of submission of the dispute. The Account Assignment Committee shall put its decision in writing and mail or otherwise furnish it to the Contractor.
- d) The decision of the Account Assignment Committee is final. The Contractor's compliance with the Account Assignment Committee's decision is a material duty under this Agreement.

Each Agreement Year or any portion thereof, the City Attorney, at his or her sole discretion, may refer to Contractor for collection certain Assigned Accounts and may refer a different set of Assigned Accounts to another tax collection service provider. The City Attorney also may, at his or her sole discretion, leave certain Assigned Accounts with the Contractor or the other tax collection service provider during the term of this Agreement. The City Attorney will provide a written notice to Contractor listing the Assigned Accounts.

The City Attorney will provide the initial written notice of Assigned Accounts to Contractor within five (5) days of final execution of this Agreement and then periodically thereafter.

At any time, the City Attorney, at his/her sole discretion, reserves the right and may elect to retain, recall, reallocate to another tax collection service provider, suspend or dismiss (separately and collectively referred to as "Recall") any individual Accounts, or group, category or portion of the unpaid Accounts ("Recalled Accounts") referred to the Contractor without penalty or monetary charge of any kind being assessed against the City. Contractor shall fully and promptly cooperate with the City Attorney's request

regarding Recalled Accounts, including coordinating and cooperating with another tax collection provider if the Accounts are reallocated to another provider.

The City Attorney is permitted, at his or her sole discretion and without further Council Approval, to increase the number of Contractor's Assigned Accounts, at any time, including without limitation where Contractor's collection rate for Assigned Accounts equals or exceeds Contractor's current or former collection rate for non-City taxing jurisdictions that overlap with the City taxing jurisdictions for the Assigned Accounts.

For Accounts that do not require immediate cessation of collections activities and other services the Contractor is providing in connection with this Agreement, the City Attorney will give Contractor thirty (30) days' written notice of the City's intent to Recall or suspend an Account. Upon expiration of the notice period, Contractor shall undertake no further services or collections activity related to the Recalled Accounts. Upon the City Attorney's request, the Contractor shall provide to the City, at no charge, all data and files related to any Recalled Accounts previously referred to the Contractor. The Contractor waives any and all rights in such Recalled Accounts and any and all rights in any payments made on Recalled Accounts insofar as such payments are received subsequent to the City Attorney's Recall, except for Contractor's right to receive payment as further described in Section VIII.C for Assigned Accounts that have been reduced to judgment on or before the effective date of the Recall.

E.

Article 5, Section D, Other reports, is amended to read as follows:

(8) Accounts subject to a payment plan for which the Account holder has defaulted or the payment plan is no longer current

F.

Article 8, Section C, Termination for Convenience, the first paragraph is amended to read as follows:

C. Termination for Convenience.

City's Termination for Convenience. The City Attorney, with the approval of City Council, shall have the right to terminate this Agreement at any time without cause by giving written notice of such intention to the Contractor sixty (60) days in advance of the effective date thereof.

Article 8, Section C, Termination for Convenience, the third sentence in the third paragraph is amended to read as follows:

The Contractor shall also deliver to the City all files and delinquent tax lawsuits in process and not completed on the date this Agreement expires or is terminated, or when Assigned Accounts are recalled Reassigned, and the Contractor shall have no further authority to represent the City as of such date, except (i) the Contractor shall continue to collect or receive payment on Assigned Accounts for which the Contractor has entered into a payment agreement and for which Assigned Accounts are current, until such time as the payment agreement is paid in full or the Account holder defaults on the payment agreement; and ii) for an additional six (6) months, the Contractor shall continue to collect or receive payment for Assigned Accounts that have already been reduced to judgment and on all Accounts where the Contractor has filed suits and bankruptcy claims on or before the expiration or termination date of this Agreement or the effective date of the Reassignment; an additional six (6) months to collect or receive payment for Assigned Accounts that have been reduced to judgment on or before the expiration or termination date or the effective date of the Recalled Accounts; provided that the Contractor agrees not to file any tax collection suits following the receipt of a termination notice or notice of Recalled-Reassigned Accounts without the consent of the City Attorney.

----- Н.--

Exhibit A is deleted and replaced in its entirety to read as follows:

EXHIBIT "A" COLLECTION GOALS

DEFINITIONS:

Turnover Year = Year in which unpaid property taxes first become delinquent; e.g. 2013 property tax is delinquent if not paid by February 1, 2014. 2014 is the Turnover Year for unpaid 2013 property taxes during the 2014-2015 Agreement Year.

Turnover Year Unpaid Balance

The Turnover Year Unpaid Balance is equal to the base tax unpaid balance reported by the Harris County Tax Office ("HCTO") contained in the monthly report TA245A (Tax

Collector Report – Balance by Roll type) or a similar report provided by HCTO that reflects the total unpaid balance on July 1st of the Agreement Year.

Prior Years Unpaid Balance

The prior year base tax unpaid balance will be the sum of all the City's unpaid base tax balances for all tax years other than the turnover year as reported by the Harris County Tax Office contained in the monthly report TA245A or a similar report provided by HCTO that reflects the total unpaid balance on July 1st of each Agreement Year, less the base tax due on all personal property accounts which have been delinquent for more than eight (8) years on the report date.

CALCULATION OF COLLECTION GOALS

X = 60% of Turnover Year Unpaid Balance of Assigned Accounts Y = 25% of the Prior Years Unpaid Balance of Assigned Accounts

The Collection Goal shall be a dollar amount equal to the sum of X+Y.

The above calculated Collection Goal shall be measured against the Turnover Year and Prior Years' "Levy" plus "Penalty Interest" per monthly "Distribution Report" plus "Refunds" (without including Returned Items and Transfers/Reversals) per monthly "Deposit Distribution Reversal Detail Schedule (TC298-M)" for Agreement Year as provided by Harris County Tax Office, with regard to the Assigned Accounts.

The <u>Account Assignment Committee City's Director of Finance or designated personnel</u> shall calculate the Collection Goals and make best efforts to advise the Contractor by October 15th of the year in which the Goals must be attained.

The <u>Account Assignment Committee</u>, <u>without City Council approval</u>, <u>City Attorney</u> reserves the right to change the Collection Goals including the calculations and formulas thereof, on a prorated basis and with prior written notice to the Contractor, under the following circumstances and conditions:

- a) at the time of reassignment of Recalled Accounts,
- b)a) each Agreement Year upon initial calculation of the Collection Goals,
- e)b) once per Agreement Year at the City AttorneyAccount Assignment Committee's sole discretion, provided that the increased Collection Goal is 5% or less of the then-current Collection Goal, and
- d)c) at the Parties' mutual agreement where the City's proposed increased Collection Goal is greater than 5%.

The City Attorney is permitted to change the Collection Goals in accordance with the terms of this Agreement without obtaining further approval from City Council.

In the event that the TA245A report, TC298-M Schedule, or their <u>or its</u> equivalent <u>are-is</u> not available for the Assigned Accounts by July 1 of the contract year, the <u>City AttorneyAccount Assignment Committee</u> may request <u>the Contractor to provide an equivalent report</u>, which report if verified by the <u>Account Assignment CommitteeCity Attorney</u>, shall be used to prepare the Collection Goal calculation described in this Exhibit.

Amendment to

Item 74 on the June 18, 2014 Agenda

This was previously Item 57 on Agenda of June 4, 2014 (delayed by Motion #2014-499, 6/4/14) and Item No. 34 on the May 28 Agenda

A CONTRACT BETWEEN THE CITY OF HOUSTON AND PERDUE, BRANDON, FIELDER, COLLINS & MOTT, LLP AND GREENBERG TRAURIG, LLP, FUNCTIONING AS A JOINT VENTURE FOR THE COLLECTION OF DELINQUENT AD VALOREM TAXES

I move to amend Item 74 as follows:

1) I move to amend the Ordinance in Item 74 as follows:

Section 3 of the Ordinance is amended to read as follows:

The City Attorney is hereby authorized to take all action necessary to enforce all legal obligations under said contract without further authorization from Council. Prior to the City Controller countersigning this contract, the City Attorney is hereby authorized to make mutually acceptable modifications to the contract language to clarify the City's intent and objectives in conforming the language to facilitate the multi-vendor arrangement, to the extent applicable, provided the changes do not materially change the contract.

2) I move to amend the Agreement attached to the Ordinance in Item 74 as follows:

A.

Global Change

All references to "Recall" or "Recalled Accounts" in the Agreement shall be deleted and replaced with the words "Reassign," "Reassignment," and "Reassigned", where appropriate.

В.

The paragraph under General Scope of Services of the Agreement is amended as follows:

The Contractor shall, for and in consideration of the payment of the sum of money hereinafter specified, subject to the approval and general supervision of the City Attorney, provide all services necessary for the collection of delinquent City ad valorem taxes on tax accounts in certain taxing jurisdictions, as assigned by the Account Assignment Committee, as defined in Article I(F) for each Agreement Year ("Assigned Accounts"), including annexed water district taxes, and provide such further services as outlined in this Contract. All services performed in connection with this Agreement shall mean and refer only to Assigned Accounts, unless otherwise indicated.

Article 1, Section B (viii) is deleted and replaced in its entirety to read:

(viii) For Agreement Year 2, research the tax status of potential city vendors and City Boards and Commissions candidates, whether or not covered under Assigned Accounts and ensure that delinquent taxes are not owed and that tax payments are properly credited at the Harris County Tax Office. Such research shall be provided within 1 business day of each request.

D.

Article 1, Section F, Account Assignment and Recall, is deleted and replaced in its entirety to read as follows:

F. Account Assignment and Reassignment

Subject to the conditions below, once per Agreement Year, a committee, composed of the City Attorney or his or her designee, the Finance Director or his or her designee, and a representative from the Mayor's Office, as designated by the Mayor (the "Account Assignment Committee"), shall determine the Accounts to be Assigned or Reassigned to the Contractor. "Reassigned" or any grammatical variation thereof shall mean and include the Account Assignment Committee's decision to reassign, reallocate to another tax collection service provider, suspend or dismiss any individual Accounts, or group, category or portion of the unpaid Accounts assigned to the Contractor ("Reassigned Accounts") without penalty or monetary charge of any kind being assessed against the City.

The Account Assignment Committee shall determine the Accounts to be Assigned or Reassigned subject to all of the following conditions without City Council approval:

- a) A majority of members of the Account Assignment Committee must agree upon the areas of the City overlapping with school districts to be Assigned or Reassigned;
- b) For the Initial Term, Accounts eligible to be Assigned or Reassigned shall include only those Accounts in the areas of the City overlapping with school districts that, as of July 1, 2014, are either school districts represented by the Contractor or school districts represented by an entity not collecting delinquent taxes for the City;
- c) The number of areas of the City overlapping with school districts may be increased if the Contractor's collection rate for Assigned Accounts equals or exceeds its current or former collection rates for accounts in the same geographic area or taxing jurisdiction as the Assigned Accounts. For purposes of evaluating Contractor's collection rate, the Account Assignment Committee, in its sole discretion, may consider any one or more of the following criteria, to the extent the information is available to the Committee: (1) the Contractor's current or former collection rate for school districts for which it previously collected; (2) Contractor's former collection rate for Assigned Accounts for which Contractor

previously collected taxes on behalf of the City; and (3) any other evaluation criteria related to the performance of this Agreement.

d) Accounts overlapping more than one school district shall be assigned by the Account Assignment Committee.

For the first Agreement Year, the City hereby assigns to the Contractor the Accounts in the areas of the City overlapping with the following school districts: Humble Independent School District, Clear Creek Independent School District, and Spring Branch Independent School District, excluding Accounts that another tax collection provider has: (i) entered into payment agreements and for which payments are current, until such time as the payment agreement is paid in full or the Account holder defaults on the payment agreement; and (ii) on or before May 16, 2014, reduced to judgment or filed suit and bankruptcy claims on behalf of the City, which excluded Accounts the City hereby assigns to Contractor effective November 16, 2014.

Subsequently, on or before March 15th of each Agreement Year, the City Attorney, acting on behalf on the Account Assignment Committee, will provide notice of Assigned Accounts to the Contractor for the following Agreement Year ("Assignment/Reassignment Notice"). The Contractor shall fully and promptly cooperate with the City Attorney's request regarding Reassigned Accounts, including coordinating and cooperating with another tax collection provider if the Accounts are Reassigned.

Unless otherwise instructed in the Assignment/Reassignment Notice, the Contractor shall undertake no further services or collections activity related to the Reassigned Accounts as of the applicable turnover dates for Business Personal Property and real property, respectively as defined in the Texas Tax Code. Upon the City Attorney's request, the Contractor shall provide to the City, at no charge, all data and files related to any Reassigned Accounts previously assigned to the Contractor. The Contractor waives any and all rights in such Reassigned Accounts and any and all rights in any payments made on Reassigned Accounts insofar as such payments are received subsequent to the Assignment/Reassignment Notice, except for the Contractor's right to receive payment as further described in Section VIII.C for Assigned Accounts that have been reduced to judgment, or subject to a payment agreement for which payments are current on or before the effective date of the Reassignment.

The Account Assignment Committee, by a majority decision, shall also resolve any disputes between the Contractor, the Harris County Tax Office, and any of the City's delinquent tax collection service providers in the following manner:

- a) The Contractor will use their reasonable best efforts to expeditiously and amicably resolve disputes arising in the normal course of business at the lowest organizational level between the staff of City, the Contractor, and the City's other delinquent tax collection service provider, which staff members have appropriate authority to resolve such disputes.
- b) When the Parties or the City's other delinquent tax collection service provider are unable to resolve a dispute and before initiating any litigation, the Contractor shall submit disputes, in writing, to the Account Assignment Committee.
- c) The Account Assignment Committee shall use its reasonable best efforts to resolve the dispute within ten (10) business days of submission of the dispute. The Account Assignment Committee shall put its decision in writing and mail or otherwise furnish it to the Contractor.

d) The decision of the Account Assignment Committee is final. The Contractor's compliance with the Account Assignment Committee's decision is a material duty under this Agreement.

E.

Article 5, Section D, Other reports, is amended to read as follows:

(8) Accounts subject to a payment plan for which the Account holder has defaulted or the payment plan is no longer current

F.

Article 8, Section C, Termination for Convenience, the first paragraph is amended to read as follows:

C. Termination for Convenience.

City's Termination for Convenience. The City Attorney, with the approval of the City Council, shall have the right to terminate this Agreement at any time without cause by giving written notice of such intention to the Contractor sixty (60) days in advance of the effective date thereof.

G.

Article 8, Section C, Termination for Convenience, the third sentence in the third paragraph is amended to read as follows:

The Contractor shall also deliver to the City all files and delinquent tax lawsuits in process and not completed on the date this Agreement expires or is terminated, or when Assigned Accounts are Reassigned, and the Contractor shall have no further authority to represent the City as of such date except (i) the Contractor shall continue to collect or receive payment on Assigned Accounts for which the Contractor has entered into a payment agreement and for which Assigned Accounts are current, until such time as the payment agreement is paid in full or the Account holder defaults on the payment agreement; and ii) for an additional six (6) months, the Contractor shall continue to collect or receive payment for Assigned Accounts that have already been reduced to judgment and on all Accounts where the Contractor has filed suits and bankruptcy claims on or before the expiration or termination date of this Agreement or the effective date of the Reassignment; provided that the Contractor agrees not to file any tax collection suits following the receipt of a termination notice or notice of Reassigned Accounts without the consent of the City Attorney.

Exhibit A is deleted and replaced in its entirety to read as follows:

DEFINITIONS:

Turnover Year = Year in which unpaid property taxes first become delinquent; e.g. 2013 property tax is delinquent if not paid by February 1, 2014. 2014 is the Turnover Year for unpaid 2013 property taxes during the 2014-2015 Agreement Year.

Turnover Year Unpaid Balance

The Turnover Year Unpaid Balance is equal to the base tax unpaid balance reported by the Harris County Tax Office ("HCTO") contained in the monthly report TA245A (Tax Collector Report – Balance by Roll type) or a similar report provided by HCTO that reflects the total unpaid balance on July 1st of the Agreement Year.

Prior Years Unpaid Balance

The prior year base tax unpaid balance will be the sum of all the City's unpaid base tax balances for all tax years other than the turnover year as reported by the Harris County Tax Office contained in the monthly report TA245A or a similar report provided by HCTO that reflects the total unpaid balance on July 1st of each Agreement Year, less the base tax due on all personal property accounts which have been delinquent for more than eight (8) years on the report date.

CALCULATION OF COLLECTION GOALS

X = 60% of Turnover Year Unpaid Balance of Assigned Accounts

Y = 25% of the Prior Years Unpaid Balance of Assigned Accounts

The Collection Goal shall be a dollar amount equal to the sum of X+Y.

The above calculated Collection Goal shall be measured against the Turnover Year and Prior Years' "Levy" plus "Penalty Interest" per monthly "Distribution Report" plus "Refunds" (without including Returned Items and Transfers/Reversals) per monthly "Deposit Distribution Reversal Detail Schedule (TC298-M)" for the Agreement Year as provided by Harris County Tax Office, with regard to the Assigned Accounts.

The Account Assignment Committee shall calculate the Collection Goals and make best efforts to advise the Contractor by October 15th of the year in which the Goals must be attained.

The Account Assignment Committee, without City Council approval, reserves the right to change the Collection Goals including the calculations and formulas thereof, on a prorated basis and with prior written notice to the Contractor, under the following circumstances and conditions:

a) each Agreement Year upon initial calculation of the Collection Goals,

- b) once per Agreement Year at the Account Assignment Committee's sole discretion, provided that the increased Collection Goal is 5% or less of the then-current Collection Goal, and
- c) at the Parties mutual agreement where the City's proposed increased Collection Goal is greater than 5%.

In the event that the TA245A report, TC298-M Schedule, or their or its equivalent is not available for the Assigned Accounts by July 1 of the Agreement Year, the Account Assignment Committee request the Contractor to provide an equivalent report, which report if verified by the Account Assignment Committee, shall be used to prepare the Collection Goal calculation described in this Exhibit.

REQUEST FOR COUNCIL ACTION			
'TO: Mayor via City Secretary			
Subject: Ordinance approving and authorizing an Agreement for the Collection Category # Pa		Page 1 of 1 Agenda Item	
of Delinquent Ad Valorem Taxes of the City of Houston between the City and		# .	
Linebarger Goggan Blair & Sampson, LLP.	ity und	1/1/1/	
Linebalger Goggan blan & Sampson, ELI.	,	19130	
FROM (Department or other point of origin):	Origination Date:	Agenda Date:	
David M. Feldman, City Attorney	May 20, 2014	11410 9014	
Legal Department	,,	JON 1 0 28 14	
		JUN 2 5 2014 '	
DIRECTOR'S SIGNATURE	Council District(s) affected:		
J. Wmldr	All		
For additional information contact: Sameera Mahendru	Date and Identification of prior authorizing		
Phone: 832-393-6315	Council Action:		
d32 373 03 13			
DECOMMENDATION (C.) C'+ C - '14 - '			
RECOMMENDATION: (Summary) City Council to approve an ordinance authorizing an Agreement for the Collection of			
Delinquent Ad Valorem Taxes of the City of Houston between the City and Linebarger Goggan Blair & Sampson, LLP.			
Amount of Funding: None		Finance Budget:	
·			
SOURCE OF FUNDING: General Fund	[] Grant Fund	[] Enterprise Fund	
Other (Specify)			

SPECIFIC EXPLANATION:

Since 1984, the City has been contracting with Linebarger, Goggan, Blair & Sampson LLP (Linebarger) for the collection of delinquent ad valorem taxes. The 2010 contract, which was amended in 2013 to allow for an extension, will expire on June 30, 2014.

Since the 2010 RFP, the City has been exploring opportunities to expand competition for the collection of delinquent ad valorem taxes. As part of the 2013 RFP process, the evaluation team concluded that a multi-vendor solution would be the optimal model. Two firms responded to both RFPs: Linebarger and Greenberg Traurig/Perdue, Brandon, Fielder, Collins & Mott (GT/Perdue).

In May 2013, the City initiated discussions about the multi-vendor option with the above two firms and the Harris County Tax Office (HCTO). HCTO is the entity statutorily obligated to collect taxes for the City. HCTO has been using collection software developed and provided by Linebarger ("the Linebarger Software"). Because the Linebarger Software was not readily available to handle the multi-vendor option, the existing Linebarger contract was extended until June 30, 2014, to allow time for software changes that would accommodate multiple vendors.

In January 2014, HCTO entered into a new contract with Linebarger that allows HCTO to request changes to the Linebarger Software. The City advised both firms in March 2014 that it would pursue a multi-vendor solution upon expiration of the Linebarger contract extension. The City Attorney is presenting contracts to both Linebarger and GT/Perdue and has reached agreement with both firms.

The City is now submitting the agreement with Linebarger to City Council for approval as the City desires to pursue the multi-vendor solution by splitting the City collections along taxing jurisdictional lines, having developed a viable incremental strategy.

To maximize revenue collection and manage risk, the City Attorney may transfer accounts between City's collection contractors during the term of the contract to reward performance. Linebarger will guarantee collection of a minimum collection goal established each year by the City, and will provide a \$3 million performance bond in the event of default.

The contract may be terminated for convenience by the City Attorney's upon 60 days prior written notice to the contractor.

There is no appropriation of funds because the City is authorized by the Tax Code Sections 33.07, 33.08, and 33.11 to impose an additional 20% penalty on taxpayers' delinquent tax accounts as funding for the contract. The rationale behind these statutory provisions is that the cost of a delinquent tax program should be borne by the delinquent taxpayers, not by the citizens who pay their taxes on time.

The term of the new contract will be July 1, 2014 until June 30, 2017, with two one-year renewal options exercisable by the City. Like the current contract, the proposed new contract also provides additional services to the City at no additional cost.

Pay or Play Program:

The proposed contract requires compliance with the City's "Pay or Play" ordinance. The contractor provides health benefits to eligible employees in compliance with City Policy.

MWBE Participation

The MWBE participation goal for this contract is 24 percent of the value of the contract. The Mayor's Office of Business Opportunity will monitor this award. The contractor intends to fulfill the goal by utilizing the following certified MWBE firms:

- 1) Albert "Al" Luna, Attorney at Law
- 2) Allprint & Office Supply, Inc.
- 3) B&E Repographics, Inc.
- 4) Brooke Staffing Companies, Inc.
- 5) Campos Communications, Inc.
- 6) Law Office of Darryl B. Carter
- 7) Monty & Ramirez, LLP
- 8) NCA Investigations, Inc.
- 9) Office Effects Inc.
- 10) Rita's Tape Media, LLC, dba CompuPro Global
- 11) Robinson Law group, PLLC
- 12) Smith & Dean, Inc. dba Dean's Professional Services
- 13) Training & Leadership Consulting

REQUIRED AUTHORIZATION			
Finance Department:	Other Authorization:	Other Authorization:	