

AGENDA - COUNCIL MEETING - TUESDAY - MAY 15, 2012 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Davis

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

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

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - MAY 16, 2012 - 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 41

MISCELLANEOUS - NUMBER 1

1. RECOMMENDATION from Director Department of Solid Waste Management for approval of additional funding in the amount of \$1,500,000.00 for Solid Waste Disposal Contract with **WASTE MANAGEMENT, INC** - General Fund

AGENDA - MAY 16, 2012 - PAGE 2

ACCEPT WORK - NUMBERS 2 through 5

2. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$835,072.00 and acceptance of work on contract with **MILLIS DEVELOPMENT & CONSTRUCTION, INC**, for Godwin Park - Phase II - 4.92% over the original contract amount and under the 5% contingency - **DISTRICT C - COHEN**
3. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$1,475,292.00 and acceptance of work on contract with **THE GONZALEZ GROUP, LP**, for Townwood Park - 3.46% over the original contract amount and under the 5% contingency **DISTRICT K - GREEN**
4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$9,277,514.84 and acceptance of work on contract with **ANGEL BROTHERS ENTERPRISES, LTD.**, for Brittmoore Road Reconstruction from I-10 to Hammerly 1.44% under the original contract amount - **DISTRICT A - BROWN**
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,593,566.76 and acceptance of work on contract with **GONZALEZ CONSTRUCTION ENTERPRISE, INC** for Water Line Replacement in Annunciation Subdivision 6.75% under the original contract amount - **DISTRICT B - DAVIS**

PROPERTY - NUMBERS 6 through 8

6. RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court, pay the costs of Court and withdraw City's objections to the award in connection with eminent domain proceeding styled City of Houston v. 8716 Long Point, Ltd., a Texas limited partnership, et al., Cause No. 996,423; for acquisition of Parcels AY9-415 and KY10-133; for the **LONG POINT RECONSTRUCTION PROJECT, (Pech - Hollister) - DISTRICT A - BROWN**
7. RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court and pay the costs of court in connection with eminent domain proceedings styled City of Houston v. Green & Fresh Produce, Inc., A Texas corporation, et al., Cause No. 994,116, for acquisition of Parcel AY10-205; for **AIRLINE DRIVE PAVING & DRAINAGE PROJECT (N. Main - North Loop 610) - DISTRICT H - GONZALEZ**
8. RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court and pay the costs of court in connection with eminent domain proceedings styled City of Houston v. Kuo's Family Limited Partnership, et al., Cause No. 994,117, for acquisition of Parcel AY10-204; for **AIRLINE DRIVE PAVING & DRAINAGE PROJECT (N. Main - North Loop 610) - DISTRICT H - GONZALEZ**

PURCHASING AND TABULATION OF BIDS - NUMBERS 9 through 13

9. ORDINANCE appropriating \$103,667.88 out of Equipment Acquisition Consolidated Fund for purchase of Truckster Utility Vehicles for Parks & Recreation Department
 - a. **BUSCANYI FAMILY MANAGEMENT CORPORATION, dba TEXAS POWERSPORTS OF PASADENA** for Truckster Utility Vehicles from State of Texas Procurement and Support Services contract through the State of Texas Cooperative Purchasing Program for Parks & Recreation Department - \$61,684.62

PURCHASING AND TABULATION OF BIDS - continued

10. **PERKINELMER HEALTH SCIENCES, INC** for Purchase of One Gas Chromatograph System from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Houston Police Department - \$55,756.33 - Asset Forfeiture Fund
11. **DIGITAL SAFETY TECHNOLOGIES, INC** for Digital Patroller Camera System, Software, Installation and Maintenance for the Houston Police Department - \$122,481.00 - General and Police Special Services Funds
12. **ARROWHEAD SCIENTIFIC, INC dba ARROWHEAD FORENSICS** for Portable, Laser-Based, Forensic Detection Systems for the Houston Police Department - \$86,000.00 - General Fund
13. **NEWMAN REGENCY GROUP, INC** - \$108,180.00 and **JERSEY EQUIPMENT COMPANY OF HOUSTON, INC** - \$59,250.00 for Submersible Pumps for the Department of Public Works & Engineering - Enterprise Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 14 through 41

14. RESOLUTION of the City Council prescribing the date, time, and location of a public hearing on the City Budgets for the time period July 1, 2012 through June 30, 2013; authorizing notice of such public hearing and making other provisions related to the subject
HEARING DATE - TUESDAY - 1:30 P.M. - JUNE 5, 2012
15. ORDINANCE **AMENDING ARTICLE XII OF CHAPTER 40 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to monitoring wells and environmental test boring facilities, containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability
16. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use as a public right-of-way of Endor Street, from Frio Street east to its terminus; vacating and abandoning the right of way to SWS Holdings-Pasadena, LP, owner, in consideration of its conveyance to the City of Houston, Texas, of a 20-foot-wide storm sewer easement, payment to the City of \$54,898.00, and other consideration - **DISTRICT I - RODRIGUEZ**
17. ORDINANCE approving and authorizing a Memorandum Of Understanding Affiliation Agreement between the City and **HOUSTON INDEPENDENT SCHOOL DISTRICT** to collaborate for the Project Saving Smiles Program
18. ORDINANCE approving and authorizing first amendment to Grant Agreement between the City of Houston and **VIETNAMESE COMMUNITY OF HOUSTON & VICINITIES, INC** to provide an additional \$99,500.00 of Federal Community Development Block Grant Funds for costs associated with the renovation of a Community Center located at 7100 Clarewood Drive, Houston, Texas, which serves low to moderate income households; to revise the scope of work for eligible costs to be covered thereby; to extend the time to complete the work; and to extend the term of the period during which the facility must be used to provide public services - **DISTRICT F - HOANG**

RESOLUTIONS AND ORDINANCES - continued

19. ORDINANCE creating the **BVSW GARDEN OAKS, L.P. REINVESTMENT ZONE** for Tax Abatement purposes pursuant to Article IV of Chapter 44 of the Code of Ordinances, Houston, Texas - **DISTRICT C - COHEN**
- a. ORDINANCE approving and authorizing a Tax Abatement Agreement between the City of Houston, Texas, and **BVSW GARDEN OAKS, L.P.** for certain property located within the BVSW Garden Oaks, L.P. Reinvestment Zone - **DISTRICT C - COHEN**
20. ORDINANCE appropriating \$3,590,306.00 out of Equipment Acquisition Consolidated Fund as an additional appropriation for Municipal Courts Case Management System (C-SMART) Originally approved by Ordinance No. 2011-824
21. ORDINANCE appropriating \$3,000,000.00 out of Reimbursement of Equipment / Projects Fund and \$1,481,968.14 out of Central Service Revolving Fund to Contract No. 4600006180 between the City of Houston and **SAP PUBLIC SERVICES, INC**; amending Ordinance No. 2008-0331 to increase the maximum contract amount for Software Maintenance and Services related to an Enterprise Resource Planning System
22. ORDINANCE approving and authorizing Amendment No. 1 to the agreement by and between the City of Houston and **FIRST SUPPORT SERVICES, INC** for Fleet/Vehicle and Equipment Maintenance Services for the Houston Airport System - **DISTRICTS B - DAVIS; E - SULLIVAN and I - RODRIGUEZ**
23. ORDINANCE awarding contract to **TRIPLE D SECURITY** for Armored Car Services for Various Departments; providing a maximum contract amount - 1 Year with four one-year options \$824,303.60 - General, Enterprise and Other Funds
24. ORDINANCE awarding contract to **K.P. MANAGEMENT, LLC dba USA DECON** for Medical Waste Removal and Disposal Services for Various Departments; providing a maximum contract amount - 3 Years with 2 one-year options - \$619,855.00 - General Fund
25. ORDINANCE amending Ordinance No. 2012-215 relating to the Bridgeland Management District
26. ORDINANCE approving and authorizing Lease Agreement by and between the City of Houston and the **UNITED STATES OF AMERICA**, acting by and through the General Services Administration on behalf of the Transportation Security Administration for certain premises at William P. Hobby Airport - **DISTRICT I - RODRIGUEZ**
27. ORDINANCE appropriating \$1,483,627.00 out of Airports Improvement Fund and approving and authorizing Design Build Agreement between the City of Houston and **MICA CORPORATION** for Exterior Roadway Signage at George Bush Intercontinental Airport/Houston (Project No. 684) **DISTRICT B - DAVIS**
28. ORDINANCE appropriating \$40,000.00 out of Public Health Consolidated Construction Fund as an additional appropriation; approving and authorizing a first amendment to the construction contract between the City of Houston and **HALLMARK CAPITAL GROUP, LLC dba HALLMARK-FARRELL ROOFING COMPANY** (Approved by Ordinance No. 2012-0260) for the Sunnyside Multi-Service Center Roof - **DISTRICT D - ADAMS**
29. ORDINANCE approving and authorizing agreement between the City of Houston and **GULF COAST RAIL DISTRICT** for the East Belt Grade Crossing Safety Improvements within the boundaries of the City of Houston - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ**

RESOLUTIONS AND ORDINANCES - continued

30. ORDINANCE appropriating \$766,000.00 out of Street & Traffic Control and Storm Drainage DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **EDMINSTER, HINSHAW, RUSS AND ASSOCIATES, INC** for Willow Water Hole (Sub-Project 1 - Willow Meadows Sections 15-18) Drainage and Paving; providing funding for contingencies relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - **DISTRICT C - COHEN**
31. ORDINANCE appropriating \$981,182.00 out of Street & Traffic Control and Storm Drainage DDSRF as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **GUNDA CORPORATION, L.L.C.** for Reconstruction of Wallisville Road from Lockwood Drive to North Wayside Drive (Approved by Ordinance No. 2011-0265); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - **DISTRICT B - DAVIS**
32. ORDINANCE appropriating \$284,405.00 out of Metro Projects Construction DDSRF, \$284,405.00 out of Contribution for Capital Projects Fund; approving and authorizing Professional Engineering Services Contract between the City of Houston and **FCM ENGINEERS, P.C.** for S. Post Oak Paving and Drainage from Beltway 8 to FM 2234; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF and Contribution for Capital Projects Fund - **DISTRICT K - GREEN**
33. ORDINANCE appropriating \$1,031,700.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **BLACK & VEATCH CORPORATION** for Update to Biosolids Management Plan; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund
34. ORDINANCE appropriating \$11,156,800.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing sixth amendment to Professional Engineering Services Contract between the City of Houston and **LOCKWOOD, ANDREWS & NEWNAM, INC.** (Approved by Ordinance No. 2006-0277) for services associated with the Surface Water Transmission Program; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund
35. ORDINANCE appropriating \$2,630,900.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **LEM CONSTRUCTION CO., INC**, for Northgate and Imperial Valley Wastewater Treatment Plant Improvements; 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**
36. ORDINANCE appropriating \$1,744,560.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **T CONSTRUCTION, LLC**, for Wastewater Collection System Rehabilitation and Renewal; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (4235-56)

RESOLUTIONS AND ORDINANCES - continued

37. ORDINANCE appropriating \$521,866.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **SPECIALIZED MAINTENANCE SERVICES, INC** for Sanitary Sewer Cleaning and Television Inspection in support of rehabilitation; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (4277-59)
38. ORDINANCE appropriating \$3,034,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RESICOM, INC**, for Water Line Replacement in Shadywood Area; 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 G - PENNINGTON**
39. ORDINANCE granting to **JOSE PULIDO dba PULIDO TRUCKING L.P., A Texas Limited Partnership**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **FIRST READING**
40. ORDINANCE granting to **PAMELA BUSSEY dba 1ST CHOICE GREASE SERVICE, A Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **FIRST READING**
41. ORDINANCE No. 2012-0428, passed first reading May 9, 2012
ORDINANCE granting to **MAGNA FLOW INTERNATIONAL, INC dba MAGNA FLOW ENVIRONMENTAL, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **SECOND READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

AGENDA - MAY 16, 2012 - PAGE 7

MATTERS HELD - NUMBERS 42 through 44

42. ORDINANCE appropriating \$4,282,515.00 out of Police Consolidated Construction Fund for leased premises buildout costs, approving Lease Agreement with the **STAR OF HOPE MISSION** as landlord for a Planned Sobering Center at 1811 Ruiz - **DISTRICT H - GONZALEZ**

TAGGED BY COUNCIL MEMBER BROWN

This was Item 7 on Agenda of May 9, 2012

43. RESOLUTION authorizing the creation of **HOUSTON RECOVERY CENTER LGC**, a Local Government Corporation; approving the Certificate of Formation; approving the by-laws; appointing the initial Directors and Chair - **TAGGED BY COUNCIL MEMBER BROWN**

This was Item 8 on Agenda of May 9, 2012

44. ORDINANCE appropriating \$127,542.00 out of Reimbursement of Equipment / Projects Fund as an additional appropriation to contract between the City of Houston and **SOGETI USA, LLC**; amending Ordinance No. 2011-0070 to increase the maximum contract amount for an Enterprise Point of Sale System for the Public Works & Engineering Department

TAGGED BY COUNCIL MEMBER RODRIGUEZ

This was Item 23 on Agenda of May 9, 2012

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Costello 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 COUNCIL ACTION

SUBJECT: Additional funding for Solid Waste Management Department Contract C31474A with Waste Management, Inc to provide funds for the remainder of FY12

Category #	Page 1 of	Agenda Item #
		1

FROM (Department or other point of origin):

Department of Solid Waste Management

Origination Date	Agenda Date
April 20, 2012	MAY 16 2012

DIRECTOR'S SIGNATURE:

Harry J. Hayes, Director

Council District affected:
ALL

For additional information contact:

Victor Ayres, Deputy Director 713-837-9131
 Wiley Miller, Assistant Director 713-837-9183
 Randy Tims, Division Manager 713-837-9188

Date and identification of prior authorizing Council action:
 Ord #88-1547 9/21/88 Motion 07-400 4/25/04
 Ord #91-770 5/29/91 Motion 08-0693 9/9/08
 Ord #99-645 6/23/99 Motion 09-0707 9/30/09
 Motion 2011-0670 8/21/11

RECOMMENDATION: Council adopt motion approving additional funding for solid waste disposal contract with Waste Management, Inc. For Funding FY12-FY13.

Amount of Funding: \$1,500,000.00

Finance

SOURCE OF FUNDING: General Fund 1000

SPECIFIC EXPLANATION:

This contract, C31474A, is one of several disposal contracts with comparable rates that the Department of Solid Waste Management maintains in order to have disposal facilities available in as many sectors of the city as possible for operational efficiency and reduced vehicle expense due to shorter travel distances. This contract renews automatically each year until its completion date of July 1, 2014 and has no maximum contract amount. Continued funding relies on an annual allocation of budgeted funds approved by City Council. Funding in the amount of \$ 1,500,000.00 is requested at this time.

The current contract stems from four contracts with Waste Management, Inc. approved by Council in 1988 for disposal of non-putrescible solid waste at their Hardy Road, Tanner Road, Indian Paint Brush, Green Shadow and Fairbanks landfills. In 1991 Council approved an ordinance that merged the separate contracts into a single contract, and in 1999 Council approved a second amendment that adjusted the contract term, disposal rates and contractor's responsibilities. This contract is also utilized to dispose of both putrescible and non-putrescible waste at Waste Management, Inc's Atascocita landfill. Throughout the contract history, Council has approved supplemental allocations on an annual basis. With this proposed funding the contract total to date will be \$15,942,500.00.

REQUIRED AUTHORIZATION

Finance Dept. Director

Other Authorization:

Other Authorization:

Kelly Dowe
 5-4-12

NDT

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

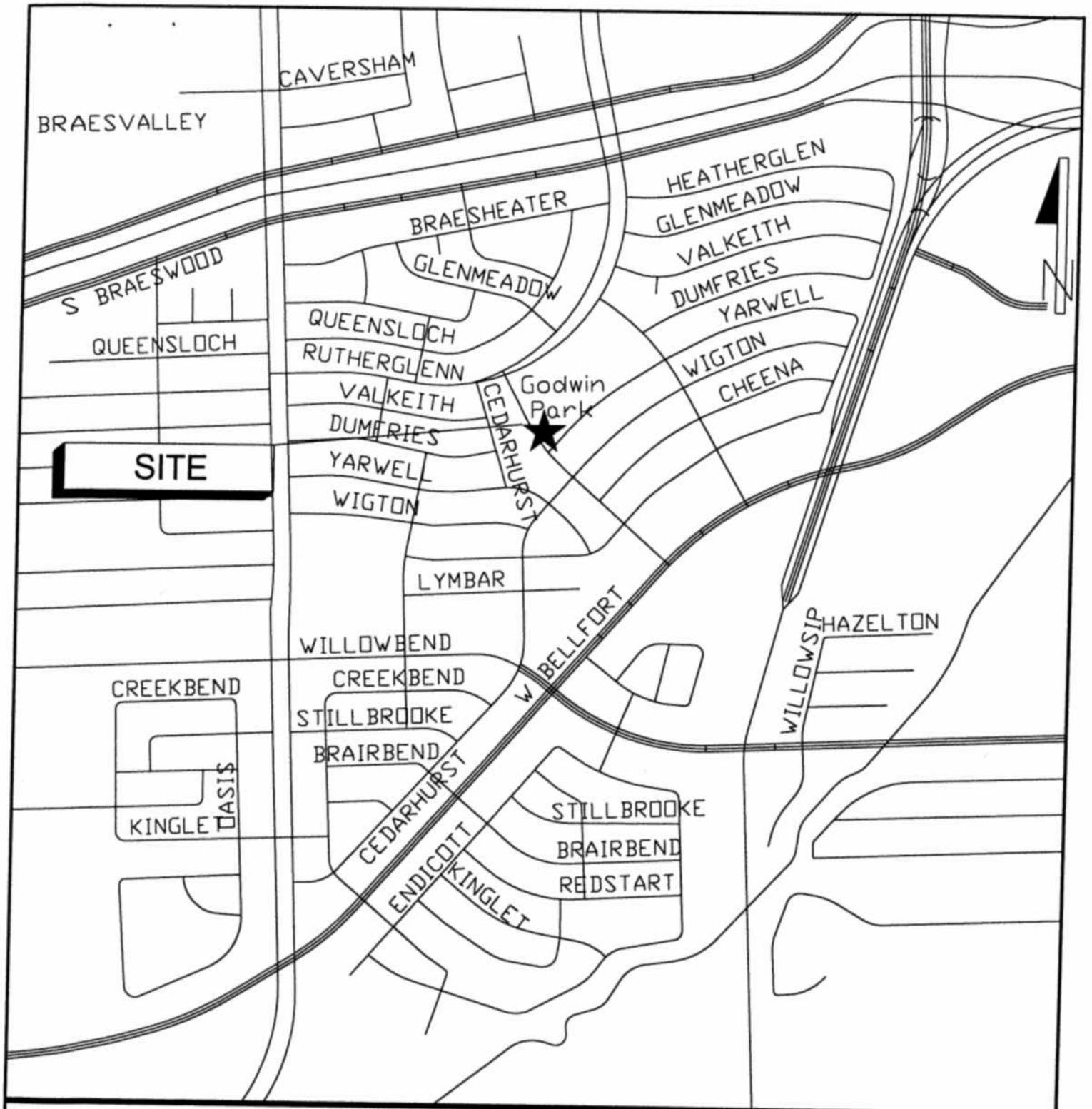
SUBJECT: Accept Work Millis Development & Construction, Inc. Godwin Park - Phase II WBS No. F-504A07-0002-4		Page 1 of 2	Agenda Item 2
FROM (Department or other point of origin): General Services Department		Origination Date 5-11-2012	Agenda Date MAY 16 2012
DIRECTOR'S SIGNATURE: Scott Minnix <i>Scott Minnix</i> 5/7/12		Council District affected: C	
For additional information contact: Jacquelyn L. Nisby Phone: 832-393-8023		Date and identification of prior authorizing Council action: Ordinance No. 2010-325, Dated April 28, 2010	
RECOMMENDATION: The General Services Department recommends approval of final contract amount of \$835,072.00 and acceptance of work on contract with Millis Development & Construction, Inc. for Godwin Park - Phase II - 4.92% over the original contract amount and under the 5% contingency.			
Amount and Source of Funding: No Additional Funding Required		Finance Budget:	
Previous Funding: \$886,233.00 Parks Consolidated Construction Fund (4502)			
SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve the final contract amount of \$835,072.00 or 4.92% over the original contract amount, accept the work and authorize final payment to Millis Development & Construction, Inc. for construction services in connection with the Godwin Park Phase II renovation for the Parks and Recreation Department.			
PROJECT LOCATION: 5101 Rutherglen Dr. (531-U)			
PROJECT DESCRIPTION: The project renovated all amenities within the community center to include the servery, restrooms, office, classroom, multipurpose room, storage, kiln room, roof replacement and electrical and mechanical system upgrades. The outside multipurpose area was enclosed with decorative wrought iron panels for added program space. Drainage improvements were made along with upgrades to the adjacent basketball court.			
Clark Condon Associates, Inc. was the project design consultant for the project.			
CONTRACT COMPLETION AND COST: The contractor completed the project within the original contract time of 180 days. The final cost of the project including Change Orders is \$835,072.00, an increase of \$39,132.00 over the original contract amount.			
REQUIRED AUTHORIZATION CUIC #25PARK168			
General Services Department:  Richard A. Vella Chief of Design & Construction Division		Parks and Recreation Department:  Joe Turner Director	

Date	Subject: Accept Work Millis Development & Construction, Inc. Godwin Park - Phase II WBS No. F-504A07-0002-4	Originator's Initials RJO	Page 2 of 2
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PREVIOUS CHANGE ORDERS: Change Orders 1-7 removed and replaced additional concrete; exterminated bee hive discovered between the walls and cleaned wall cavity; added grout injections to fill foundation voids; added conduit for future security system, coordinated with CenterPoint Energy for disconnection and removal of gas line; repaired corroded structural steel columns, added steel framing and plywood wall to strengthen masonry partitions; repaired eight damaged concrete benches; added ornamental steel panel for classroom window; removed landscape beds to lower maintenance costs; added infill panels at interior walls to increase energy efficiency; painted interior brick walls; installed black vinyl coated 6 gauge wire mesh screen to basketball backstops; and added acoustical panels to ceiling in multipurpose room.

SM:JLN:RAV:LJRJO:rjo

c: Marta Crinejo, Jacquelyn L. Nisby, Calvin Curtis, Mark Ross, Luci Correa, Carlecia D. Wright, Morris Scott, Gabriel Mussio, Lisa Johnson, Martha Leyva, Christopher Gonzales, File 1108



GODWIN PARK
 5101 RUTHERGLEN DR.
 HOUSTON, TX

COUNCIL DISTRICT "C"

KEY MAP NO. 531U

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work
The Gonzalez Group, LP
Townwood Park
WBS No. F-000701-0001-4

Page
1 of 2

Agenda
Item

3

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

Origination Date
5-11-2012

Agenda Date
MAY 16 2012

DIRECTOR'S SIGNATURE:

Scott Minnix, Director

5/4/12
Scott Minnix

Council District(s) affected:
K

For additional information contact:

Jacquelyn L. Nisby

Phone: 832-393-8023

Date and identification of prior authorizing Council action:
Ordinance No. 2010-907, November 17, 2010

RECOMMENDATION: The General Services Department recommends approval of final contract amount of \$1,475,292.00 and acceptance of work on contract with The Gonzalez Group, LP for Townwood Park - 3.46% over the original contract amount and under the 5% contingency.

Amount and Source of Funding: No Additional Funding Required

Finance Budget:

Previous Funding:

\$ 760,127.50 Parks Consolidated Construction Fund (4502)
\$ 797,127.50 State - Grant Funded (5010) Texas Parks and Wildlife Department
\$ 37,000.00 Federal Government-Grant Funded (5000) EDI Funds
\$1,594,255.00 Total Funding

SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve the final contract amount of \$1,475,292.00 or 3.46% over the original contract amount, accept the work and authorize final payment to The Gonzalez Group, LP for construction services in connection with Townwood Park for the Parks and Recreation Department.

PROJECT LOCATION: 3403 Simsbrook (572P)

PROJECT DESCRIPTION: The project constructed a new pool, pool building and shade structures; expanded the parking lot; added concrete walkways and asphalt trail; grading and drainage; electrical utility work; installed a new pavilion; site furnishings; landscaping and irrigation; site detention; and trails.

Clark Condon Associates was the design consultant and construction manager for this project.

CONTRACT COMPLETION AND COST: The contractor completed the project within 438 days; the original contract time of 150 days plus 288 days approved by Change Orders. The final cost of the project, including Change Orders is \$1,475,292.00, an increase of \$49,292.00 over the original contract amount.

REQUIRED AUTHORIZATION

CUIC ID # 25PARK174

General Services Department:

Parks and Recreation Department:

[Signature]

Richard A. Vella
Chief of Design & Construction Division

[Signature]

Joe Turner
Director

Date	SUBJECT: Accept Work The Gonzalez Group, LP Townwood Park WBS No. F-000701-0001-4	Originator's Initials DE	Page 2 of 2
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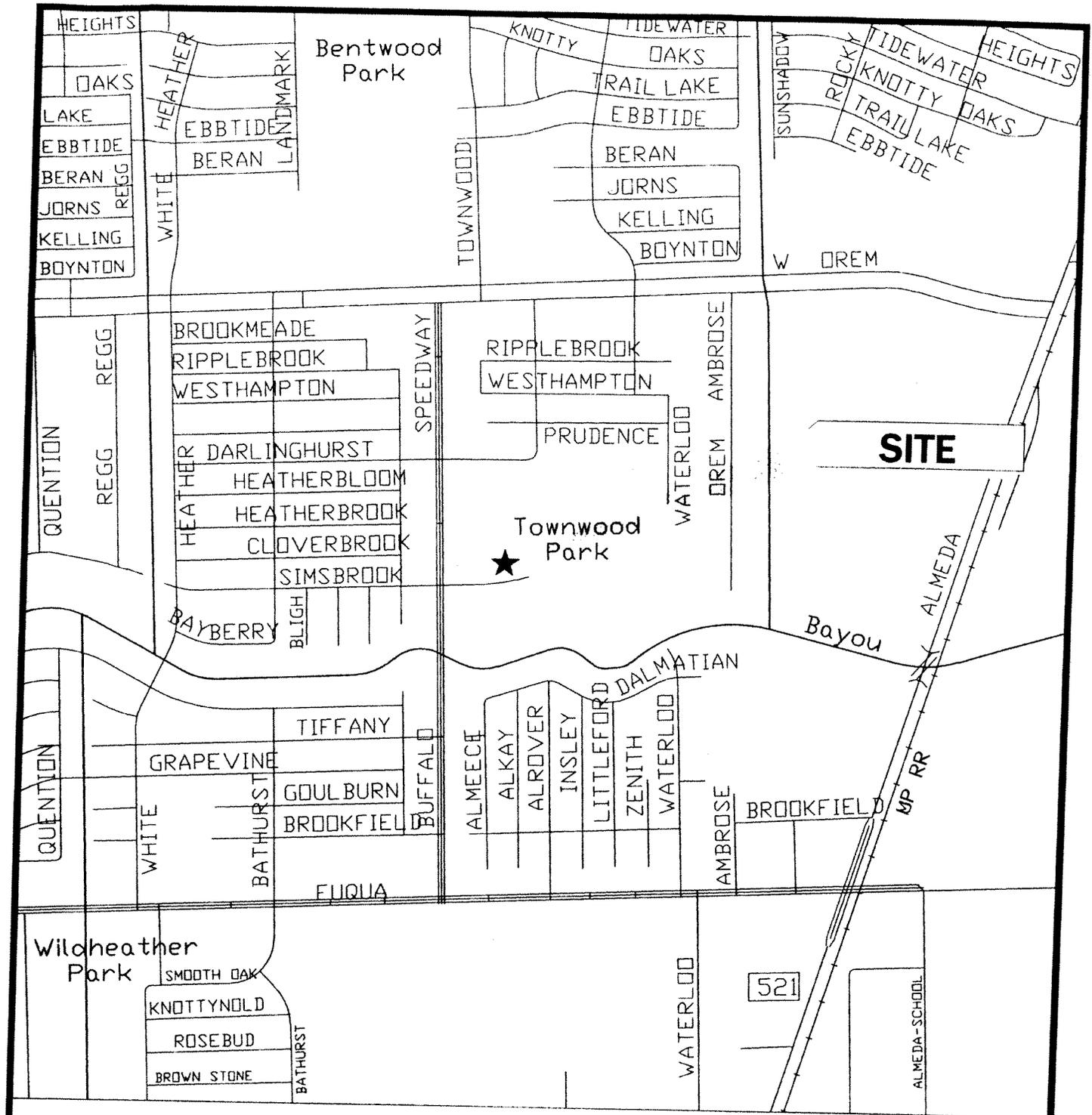
PREVIOUS CHANGE ORDERS: Change Orders 1-4 extended electrical service 200 linear feet; installed conduits for the security system inside the pool building; installed a chemical control system; furnished a 24 station irrigation controller with two years of monitoring; added a sliding gate to the existing parking lot; replaced existing Bur Oaks and Nuttall Oaks that were lost due to the drought; replenished the engineered wood in the existing playground; upgraded pool deck motion detectors; and added days for grass establishment due to the drought.

CONSTRUCTION GOALS: The contract contained a 5% MBE goal and 5% SBE goal. According to the Mayor's Office of Business Opportunity, the contractor achieved 14.527% MBE participation and 10.276% SBE participation and was assigned an outstanding rating.

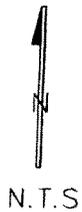


SM:JLN:RAV:LJ:DE:de

c: Marta Crinejo, Jacquelyn L. Nisby, Mark Ross, Luci Correa, Calvin Curtis, Morris Scott, Gabriel Mussio, Chris Gonzales, Martha Leyva, Beatrice Ornelas, File 712



Townwood Park
3403 Simsbrook - Houston, Tx 77045



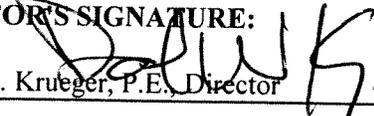
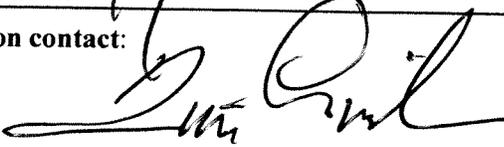
COUNCIL DISTRICT "K"

SITE MAP

KEY MAP NO. 572P

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Brittmoore Road Reconstruction from I-10 to Hammerly; WBS No. N-000596-0001-4 and S-000500-0086-4.	Category #1, 7	Page 1 of 2	Agenda Item # 4
FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date		Agenda Date MAY 16 2012
DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council District affected: A 		
For additional information contact:  J. Timothy Lincoln, P.E. Senior Assistant Director Phone: (832) 395-2355	Date and identification of prior authorizing Council action: Ord. # 2009-1391 dated: 12/29/2009		

RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$9,277,514.84 or 1.44% 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 \$11,139,967.00 with \$2,146,149.00 from Metro Project Commercial Paper Series E Fund No. 4027; \$8,202,574.00 from Federal Funds (Funding is to be reimbursed by Texas Department of Transportation (TXDOT) through monthly billing as cost incurs with the Street and Bridge Consolidated Construction Fund No. 4506); \$791,244.00 from Water and Sewer System Consolidated Construction Fund 8500.

PROJECT NOTICE/JUSTIFICATION: This project was required to improve traffic flow circulation, reduce congestion, and eliminate potential hazards. This project was originally approved by both the Federal Highway Administration (FHWA) and the Texas Transportation Commission in the 1998-2000. Under this program, construction funding included both Federal and City participation. The State reimbursed the City up to 80% of the funds in the amount of \$8,202,574.00 through monthly billings as cost incurred within the Street Fund. The City paid up to 20% of the funds in the amount of \$2,146,149.00 which included \$791,244.00 for wastewater and water upgrades.

DESCRIPTION/SCOPE: This project consisted of the construction of approximately 5,500 linear feet of undivided 62 feet concrete roadway with continuous left turn lane, curbs and gutters, sidewalks, street lighting, and necessary underground utilities. The project was designed by AECOM with 600 calendar days allowed for construction. The project was awarded to Angel Brothers Enterprises, Ltd. with an original Contract Amount of \$9,413,053.27.

LOCATION: This project is generally bounded by Hammerly Blvd. on the north, IH-10 on the south, West Sam Houston Parkway North on the east, and Eldridge Parkway North Addicks Fairbanks on the west. The project is located in the Key Map Grids 449 Q, U, Y and 489 C.

CONTRACT COMPLETION AND COST: The Contractor, Angel Brothers Enterprises, Ltd., has completed the work under the subject Contract. The project was completed with an additional 31 days approved by Change Order No. 1. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order No. 2 is \$9,277,514.84, a decrease of \$135,538.43 or 1.44% under the original Contract Amount.

The decreased cost is a result of the difference between planned and measured quantities. This decrease is primarily the result of an underrun in General Items, Storm Sewer Items, Paving Items, Traffic Items, Sanitary Sewer Items, Waterline Items, and Extra Unit Price Items, which were not necessary to complete the project.

REQUIRED AUTHORIZATION

20HA161 NOT

Finance Department:	Other Authorization:	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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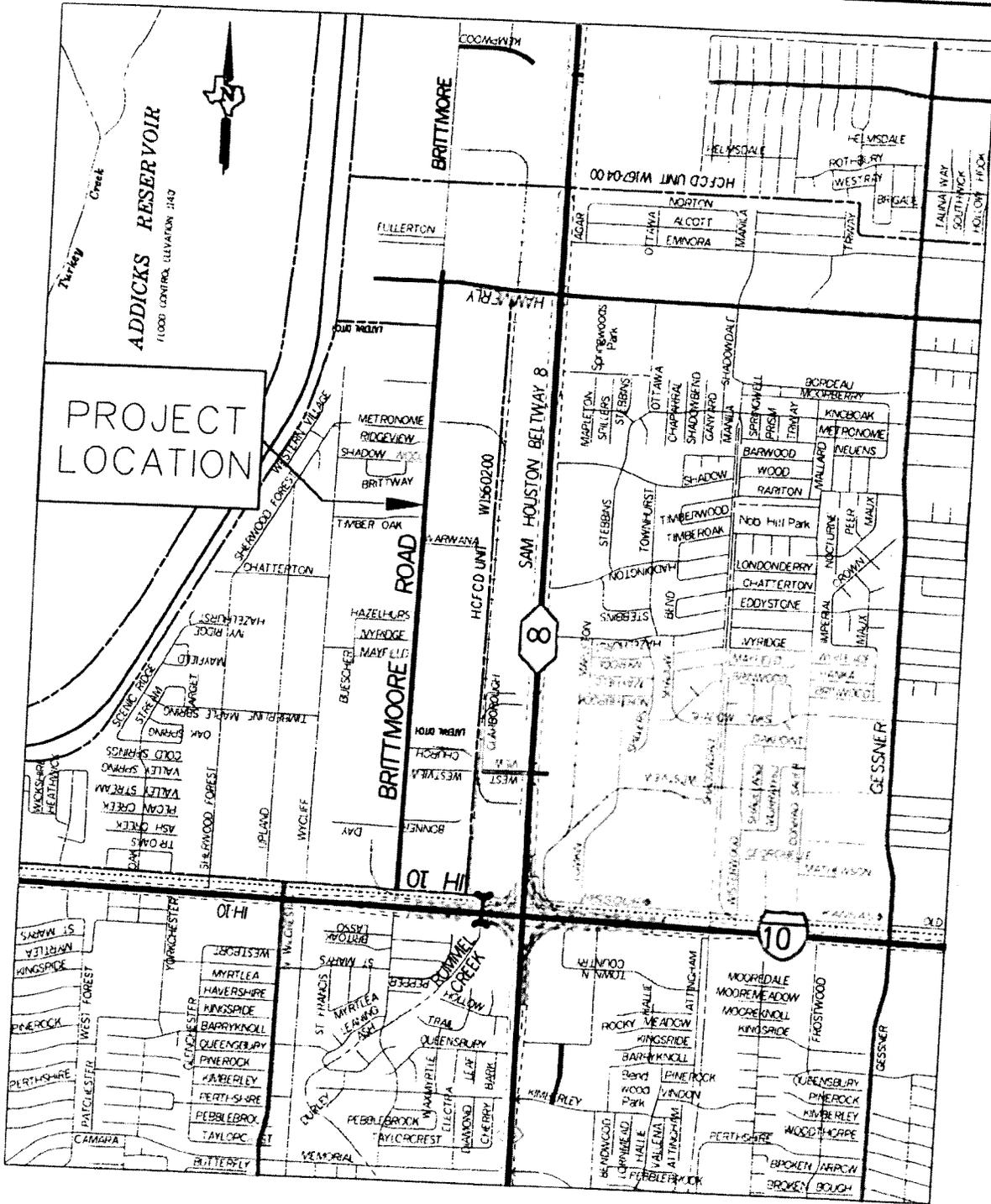
Date	SUBJECT: Accept Work for Brittmore Road Reconstruction from I-10 to Hammerly; WBS No. N-000596-0001-4 and S-000500-0086-4.	Originator's Initials	Page 2 of 2
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M/W/SBE/DBE PARTICIPATION: The M/W/SBE/DBE goal established for this project was 24%. According to Office of Business Opportunity, the participation was 27.86%. Contractor's M/W/SBE/DBE performance evaluation was rated Outstanding.



DWK:DRM:JTL:RJM:DO:ha

Z:\E&C Construction\North Sector\PROJECT FOLDER\N-000596-0001-4-Brittmore (CM-PGAL)\21.0 Closeout\RCA\RCA - Closeout.doc



PROJECT
LOCATION

LOCATION MAP
NTS

**BRITTMOORE ROAD STREET IMPROVEMENTS
(IH 10 TO HAMMERLY BULEVARD)
WBS NO. N-000596-0001-4**

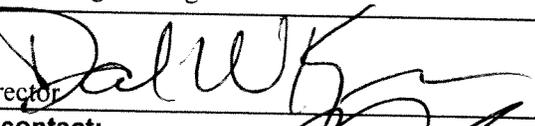
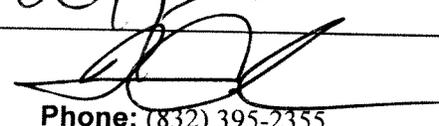
COUNCIL DISTRICT A
KEY MAP NO. 448-U, 449-Q&Y, 480-C
GMS MAP NO. 4958a, 4959a & c

AECOM
AECOM TECHNICAL SERVICES, INC.
1900 DALLAS PARKWAY SUITE 300
DALLAS, TEXAS 75248
WWW.AECOM.COM
TYPE REG. NO. P-3588

7/12/11

LOCATION MAP

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Water Line Replacement in Annunciation Subdivision. WBS. No. S-000035-00W7-4.		Page 1 of 1	Agenda Item # 5
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 5/10/12	Agenda Date MAY 16 2012
DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director		Council Districts affected: B 	
For additional information contact: J. Timothy Lincoln, P.E. Senior Assistant Director  Phone: (832) 395-2355		Date and Identification of prior authorizing Council Action: Ord. #2009-0452 dated 5/27/2009	

RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$1,593,566.76, which is 6.75% under the original Contract Amount, accept the Work and authorize the final payment.

Amount and Source of Funding: No additional appropriation required.
(Original appropriation of \$1,964,100.00 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. This program is 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 construction of 32,289 linear feet of 4-inch, 8-inch, and 12-inch of water lines, including valves, fittings, connections, fire hydrants and appurtenances. Pepe Engineering, Ltd. designed the project with 280 calendar days allowed for construction. The project was awarded to Gonzalez Construction Enterprise, Inc. with an original Contract Amount of \$1,708,982.68.

LOCATION: The project area is generally bound by Micollet on the north, Heath on the south, Dalebrook and Spottswood on the east and Homestead on the west. The project is located in Key Map Grids 414-R and 415-N.

CONTRACT COMPLETION AND COST: The Contractor, Gonzalez Construction Enterprise, Inc. has completed the Work under the subject Contract. The project was completed beyond the established completion date and liquidated damages in the amount of \$23,200.00 for 29 days at \$800.00/day are assessed and reflected in the final payment to the Contractor. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order Nos. 1 through 4, and liquidated damages is \$1,593,566.76, a decrease of \$115,415.92 or 6.75% under the original Contract Amount.

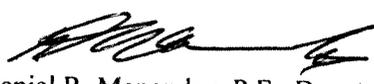
The decreased cost is due to the differences between planned and measured quantities of Base Unit Price Items and the work not requiring use of most of the Extra Unit Price Items and liquidated damages.

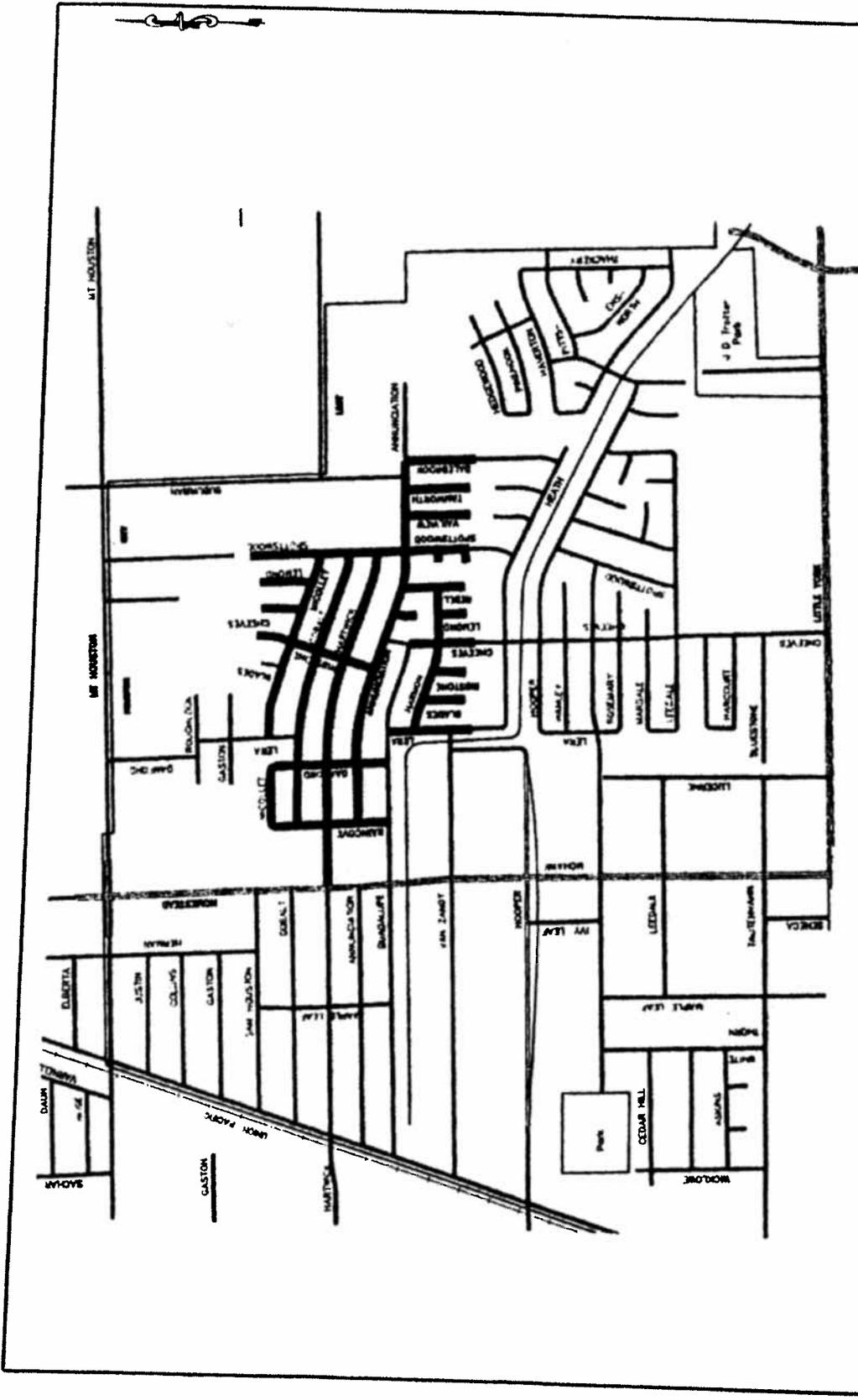
M/WBE PARTICIPATION: The M/W/SBE goal for this project was 22%. According to Mayor's Office of Business Opportunity, the actual participation was 23.61%. The Contractor was awarded an "Outstanding" rating for M/W/SBE Compliance.


DWK:DRM:JTL/LS:SA:mq
Z:\E&C Construction\East Sector\PROJECTS\S-000035-00W7-4 WLR Annunciation\Closeout\RCA\RCA.DOC

c: File No. S-000035-00W7-4 - Closeout

REQUIRED AUTHORIZATION CUIC ID# 20MZQ237

Finance Department:	Other Authorization:	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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PEPE ENGINEERING
 11999 KATY FREEWAY, SUITE 340
 HOUSTON, TEXAS 77079
 TELEPHONE: (281)283-0856
 mail@pepe-engineering.com

ANNUNCIATION
 PROJECT VICINITY MAP
 MBS No: S-000035-00W7-3
EXHIBIT 2

DATE	BY	DATE	BY
L.T.C.	L.T.C.	JUNE 2007	
N.A.J.	N.A.J.		
N.T.S.	N.T.S.		
SCALE	SCALE		
DATE	BY	DATE	BY

REQUEST FOR COUNCIL ACTION

SUBJECT: Parcels AY9-415 & KY10-133; City of Houston v. 8716 Long Point, Ltd., a Texas limited partnership, et al., Cause No. 996,423; Long Point Reconstruction Project (Pech - Hollister) WBS/CIP No. N-000674-0003-2-01; Legal Department File No. 052-1000006-003.	Page 1 of 2	Agenda Item # 6
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FROM (Department or other point of origin): Legal Department - Real Estate Section David Feldman, City Attorney	Origination Date 04/04/12	Agenda Date MAY 16 2012
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DIRECTOR'S SIGNATURE: DFA	Council District affected: "A" Helena Brown, Key Map#450V
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For additional information contact: Joseph N. Quintal DNR Phone: 832.393.6286 (alternatively Ondrea U. Taylor 832.393.6280)	Date and identification of prior authorizing Council action: 2011-1088, psd. 12/07/11; 2010-231, psd. 3/24/10; 2010-381, psd. 5/19/10
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RECOMMENDATION: (Summary)
 Authorize the City Attorney, by Motion, to deposit the amount of the Award of Special Commissioners into the registry of the Court, pay the costs of court incurred in this matter, withdraw the City's objections to the Award of Special Commissioners, and settle the case for the amount of the Award of Special Commissioners. Funding will be provided by a previously approved blanket Appropriation Ordinance.

Amount and Source of Funding:
 \$297,194.00; No additional funding required. (Funds previously appropriated under Ordinance No. 2010-231 out of the Street and Bridge Consolidated Construction Fund 4506 and re-appropriated by Ordinance No. 2011-1088 into Fund 4042 - Street & Traffic Control and Storm Drainage DDSRF).

SPECIFIC EXPLANATION:
 The Long Point Reconstruction Project (Pech - Hollister) will provide for the right-of-way acquisition, design and construction of a four-lane divided concrete roadway with storm drainage, curbs, sidewalks, driveways, street lighting, traffic control and the necessary underground utilities. The project will replace and widen the street/intersections. It will improve traffic circulation, mobility and drainage in the service area. These improvements will upgrade the existing roadway to MTFP standards.

This eminent domain proceeding involves the acquisition of a permanent easement in and to 964 square feet (0.0221 acre) of land for street purposes and an additional 684 square-foot (0.0157 acre) permanent waterline easement from a parent tract containing 43,560 square feet (1.00 acre). The parent tract is improved with a 4,525 square-foot, single story, multi-tenant retail building and two (2) metallic warehouses located behind the retail building. The property is located at 8716 Long Point and is owned by the 8716 Long Point, Ltd., a Texas limited partnership. The City's takings are adjacent to one another, along the north line of Long Point Road, and extends the entire length of the property. The City's taking will not impact the warehouse facilities behind the retail building, but will result in the loss of some parking for the multi-tenant retail building. Improvements situated within the acquisition include: concrete curbs and pavement, drainage basins and landscaping. The landowner rejected the City's final offer of \$225,082.00 to purchase the needed property and did not submit a formal counter-offer. The landowner felt the City's value for the property was too low because it was based upon the unfinished commercial shell that existed on the date of the appraiser's initial visit to the property. Subsequent to the appraiser's visit, but before the City's final offer was tendered, the commercial space was finished out and was under lease. Efforts by Public Works & Engineering to negotiate the purchase were unsuccessful, the owner became unresponsive and negotiations reached an impasse. The matter was referred to the Legal Department to initiate eminent domain proceedings to acquire the needed property and the landowner retained legal counsel.

h:\mark\8716longpointrca.wpd REQUIRED AUTHORIZATION		
Other Authorization:	Other Authorization:	Other Authorization: Mark L. Loethen, P.E., CFM, PTOE, Deputy Director Planning and Development Services Division, PWE

Date 04/04/12	SUBJECT: Parcels AY9-415 & KY10-133; City v. 8716 Long Point, Ltd.; Long Point Reconstruction Project (Pech - Hollister); LD#52-1000006-003	Originator's Initials JNQ/OUT	Page 2 of 2
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The Legal Department cited and served the parties as required by law and the matter was set for a Special Commissioners' Hearing. The Legal Department retained the same appraiser utilized by Public Works & Engineering in making the City's final offer, and instructed him to update his appraisal report and be prepared to testify at the hearing.

During the course of preparing for the Special Commissioners' Hearing, the parties entered into discussions and negotiations regarding the impact of the City's taking on the landowner's on-going proprietary interests and the property's remaining value. During those negotiations, the parties were able to reconcile their differences and arrive at a proposed resolution of all issues and matters in controversy subject to City Council's approval. The proposed settlement was announced to the Special Commissioners and they were requested to return an Award for the amount of the proposed settlement.

Award of Special Commissioners: \$289,082.00.

The "**Costs of Court**" are: \$187.00 filing fee; \$425.00 Service fee; \$900.00 Special Commissioners' fees (i.e. \$300.00 x 3); \$6,600.00 Appraiser's fee; **Total:** \$8,112.00. These "costs of court" account for the monetary difference between the amount of the Award of Special Commissioners and the total amount of funds needed herein.

We recommend that the City Attorney be authorized, by Motion, to deposit the amount of the Award of Special Commissioners into the registry of the Court, pay the costs of court incurred in this matter, withdraw the City's Objections to the Award of Special Commissioners, and settle the case for the amount of the Award of Special Commissioners. Funding will be provided by a previously approved blanket Appropriation Ordinance.

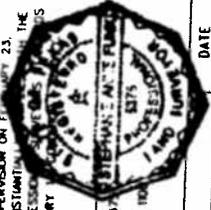
**WILLIAM TROTT SURVEY
A-766**
APPROXIMATE LOCATION
OF SURVEY LINE

**CREEK DRIVE
(100' R.O.W.)**
VOL. 37, PG. 71
M.R.H.C.

**A.M. OSBORNE SURVEY
A-810**

- LEGEND**
- MANHOLE
 - INLET
 - SIGN
 - WATER VALVE
 - WATER METER
 - POWER POLE
 - (CM) CONTROL MONUMENT

SURVEYOR'S CERTIFICATION
IN MY PROFESSIONAL OPINION THIS PLAN REPRESENTS THE FACTS
FOUND ON THE GROUND DURING THE COURSE OF A BOUNDARY
SURVEY CONDUCTED UNDER MY SUPERVISION ON FEBRUARY 23,
2007, AND THAT THIS SURVEY SUBSTITUTES FOR THE
CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS
AND SPECIFICATIONS FOR SURVEYING.



CHRISTOPHER A. FENLEY, P.E., S.P.L.S. NO. 53088
C.O.B.R. FENLEY & ASSOCIATES, INC.
13130 NORTHWEST FREEWAY, SUITE 100
HOUSTON, TEXAS 77040
(713)462-3342

8700 LONG POINT, LTD.
FILE NO. 685477
F.C. NO. 009-36-1718
JULY 21, 2005
O.P.R.P.H.C.

8716 LONG POINT, LTD.
100 ACRES
FILE NO. Y685708
F.C. NO. 009-86-1350
JUNE 30, 2005
O.P.R.P.H.C.

SON HOANG NGUYEN,
TRUSTEE, AND
CINDY TAM TRUSTEE
OF TAM TRUSTEE
FILE NO. 331579
F.C. NO. 573-32-03891
JULY 25, 2003
O.P.R.P.H.C.

P.O.B.
PARCEL KY10-133
WATER LINE EASEMENT
X-3,077,498.37
Y-13,857,599.35

P.O.B.
PARCEL AY9-415
WATER LINE EASEMENT
X-3,077,498.37
Y-13,857,599.35

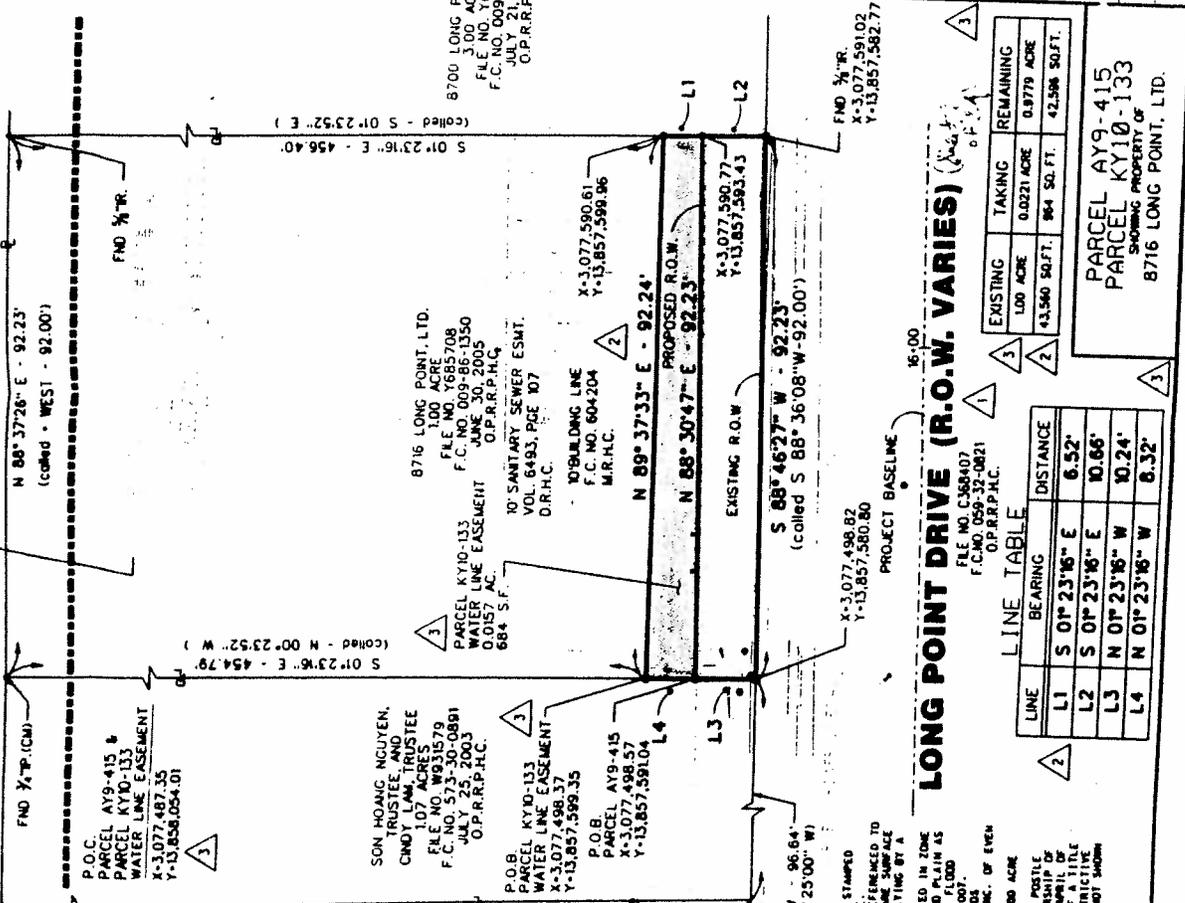
REV	REV. PARCEL NO.	DESCRIPTION	DATE
3		REV. PARCEL NO.	01-15-10
2		REV. DECM. OF PARCEL AND ADDED W.L. EASEMENT	12-23-09
1		ADDED RIGHT OF WAY DEED INFORMATION	06-23-09

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



APPROVAL
DATE: 04/30/2009
CHIEF SURVEYOR
RIGHT OF WAY SECTION

KEY MAP NO. 450V
GIMS MAP NO. 5059D
PARCEL NO. AY9-415/RFH0-133
SCALE: 1"=20'
DATE: 04/30/2009
CIP NO.
JOB NO. 100170
FILE NO.
SHEET 1 OF 1



PARCEL AY9-415
PARCEL KY10-133
SHOWING PROPERTY OF
8716 LONG POINT, LTD.

- NOTES:**
- INDICATES SET 5/8" HIGH IRON ROD WITH YELLOW CAP STAMPED "CMB, FENLEY & ASSOCIATES, INC. UNLESS NOTED OTHERWISE.
 - ALL COORDINATES AND BEARINGS LISTED HEREIN ARE REFERENCED TO THE CITY OF HOUSTON CORS. ALL DISTANCES LISTED HEREIN ARE REFERENCED TO THE SURFACE UNLESS OTHERWISE NOTED.
 - COMBINED SURVEY DATA WAS CONVERTED TO GRID VALUES BY MULTIPLYING BY A CORRECTION FACTOR OF 0.99995.
 - AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAIN AS ILLUSTRATED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP NO. 4801004048L, DATED JUNE 1997.
 - THIS SURVEY PLAN IS REFERENCED TO A METES AND BOUNDS DESCRIPTION PREPARED BY CMB, FENLEY & ASSOCIATES, INC. OF EVEN DATE HEREIN.
 - ALL BEARINGS AND DISTANCES ARE BASED ON THE 1.00 ACRE TRACT AS SHOWN ON THE SUBJECT TRACT.
 - ABSTRACTING FOR THE SUBJECT TRACT WAS PERFORMED BY POSTLE PROPERTY SERVICES, INC., ON FEBRUARY 23, 2007.
 - THIS SURVEY PLAN IS THE PROPERTY OF CMB, FENLEY & ASSOCIATES, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF CMB, FENLEY & ASSOCIATES, INC.

REQUEST FOR COUNCIL ACTION

SUBJECT: Parcel AY10-205; City of Houston v. Green & Fresh Produce, Inc., a Texas corporation, et al., Cause No. 994,116; Airline Drive Paving & Drainage Project (N. Main - North Loop 610) WBS/CIP No. N-000697-0001-2-01; Legal Department File No. 052-1000038-008.	Page 1 of 2	Agenda Item # 7
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FROM (Department or other point of origin): Legal Department - Real Estate Section David Feldman, City Attorney	Origination Date 03/23/12	Agenda Date MAY 16 2012
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DIRECTOR'S SIGNATURE:	Council District affected: "H" Edward Gonzalez, Key Map#453X
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For additional information contact: Ondrea U. Taylor <i>OUT</i> Phone: 832.393.6280 (alternatively Joseph N. Quintal 832.393.6286)	Date and identification of prior authorizing Council action: 2011-1088, psd. 12/07/11; 2010-675, psd. 8/18/10; 2011-5, psd. 1/5/11
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RECOMMENDATION: (Summary)
 Authorize the City Attorney, by Motion, to deposit the amount of the Award of Special Commissioners into the registry of the Court and pay the costs of court incurred in this matter. Funding will be provided by a previously approved blanket Appropriation Ordinance.

Amount and Source of Funding:
 \$55,224.00; No additional funding required. (Funds previously appropriated under Ordinance No. 2010-675 out of the Street and Bridge Consolidated Construction Fund 4506 and re-appropriated by Ordinance No. 2011-1088 into Fund 4042 - Street & Traffic Control and Storm Drainage DDSRF).

SPECIFIC EXPLANATION:

The Airline Paving & Drainage Project (N. Main - North Loop 610) provides for the right-of-way acquisition, design and construction of a four lane undivided concrete roadway with storm drainage, curbs, sidewalks, driveways, street lighting, traffic control and the necessary underground utilities. The project will replace and widen a street that has deteriorated beyond economical repair and normal maintenance. It will improve traffic circulation, mobility and drainage in the service area. The improvements will upgrade the existing roadway to MTFP standards.

This eminent domain proceeding involves the acquisition of a permanent easement in and to 1,323 square feet (0.0304 acre) of land from a parent tract containing 76,799 square feet (1.7631 acres). The parent tract is improved with a 23,240 square-foot office warehouse building situated outside of the area being acquired in this proceeding. The property is located at 1900 Airline Drive and is owned by the Green & Fresh Produce, Inc., a Texas corporation. The landowner's legal representative rejected the City's final offer of \$45,931.00 to purchase the needed property and did not submit a counter-offer. Repeated efforts by Public Works & Engineering to negotiate a purchase of the needed property were unsuccessful, and the matter was referred to the Legal Department to initiate eminent domain proceedings. The Legal Department retained the same appraiser utilized by Public Works & Engineering in making the City's final offer to testify before the Special Commissioners. The parties were cited and served as required by law and the matter was set for a Special Commissioners' Hearing.

City's Testimony Before the Special Commissioners: \$52,031.00
 (i.e. 20.50 psf for the land being acquired, \$12,379.00 for the improvements thereon and \$12,530.00 as damages to the remainder in the form of costs-to-cure)

h:\mark\green&freshrca.wpd REQUIRED AUTHORIZATION		
Other Authorization:	Other Authorization:	Other Authorization: Mark L. Loethen, P.E. CFM, PTOE, Deputy Director Planning and Development Services Division, PWE

Date 03/23/12	SUBJECT: Parcel AY10-205; City v. Green & Fresh Produce, Inc., et al; Airline Drive Paving & Drainage Project; LD# 52-1000038-0085	Originator's Initials OUT/JNQ	Page 2 of 2
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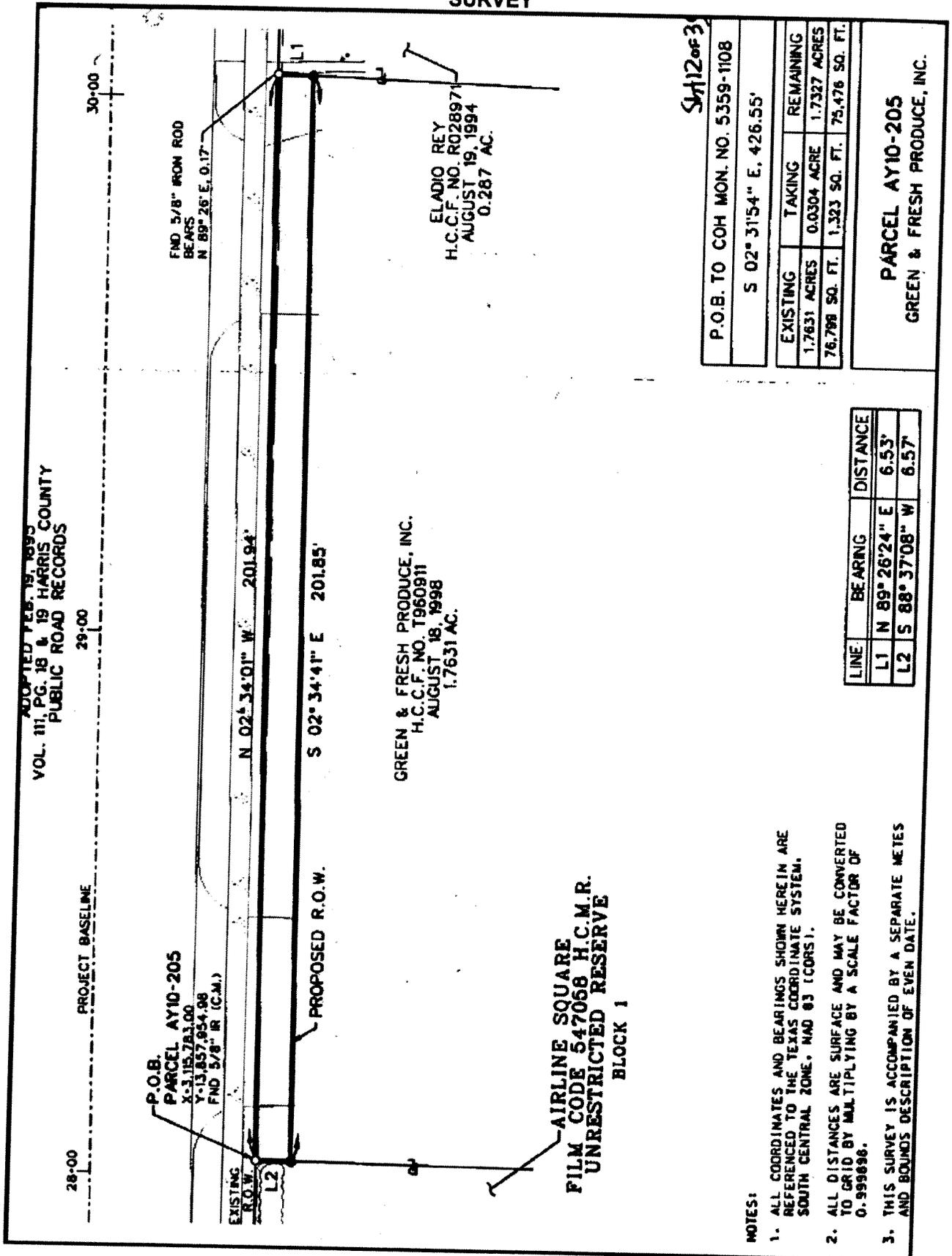
Award of Special Commissioners: \$52,031.00.

The landowner's attorney filed objections to the Award of Special Commissioners and the matter has been placed on the Court's trial docket.

The "**Costs of Court**" are: \$187.00 filing fee; \$300.00 Service fee; \$1,350.00 Special Commissioners' fees (i.e. \$450.00 x 3); \$1,356.00 Appraiser's fee; **Total:** \$3,193.00. These "costs of court" account for the monetary difference between the amount of the Award of Special Commissioners and the total amount of funds needed herein.

We recommend that the City Attorney be authorized, by Motion, to deposit the amount of the Award of Special Commissioners into the registry of the Court and pay the costs of court incurred in this matter. Funding will be provided by a previously approved blanket Appropriation Ordinance.

SURVEY



Sy112 of 3

REQUEST FOR COUNCIL ACTION

SUBJECT: Parcel AY10-204; City of Houston v. Kuo's Family Limited Partnership, et al., Cause No. 994,117; Airline Drive Paving & Drainage Project (N. Main - North Loop 610) WBS/CIP No. N-000697-0001-2-01; Legal Department File No. 052-1000038-010.	Page 1 of 2	Agenda Item # <i>8</i>
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FROM (Department or other point of origin): Legal Department - Real Estate Section David Feldman, City Attorney	Origination Date 03/23/12	Agenda Date MAY 16 2012
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DIRECTOR'S SIGNATURE: <i>[Signature]</i>	Council District affected: "H" Edward Gonzalez, Key Map#453X
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For additional information contact: Ondrea U. Taylor Phone: 832.393.6280 (alternatively Joseph N. Quintal 832.393.6286)	Date and identification of prior authorizing Council action: 2011-1088, psd. 12/07/11; 2010-675, psd. 8/18/10; 2011-5, psd. 1/5/11
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RECOMMENDATION: (Summary)
 Authorize the City Attorney, by Motion, to deposit the amount of the Award of Special Commissioners into the registry of the Court and pay the costs of court incurred in this matter. Funding will be provided by a previously approved blanket Appropriation Ordinance.

Amount and Source of Funding:
 \$64,825.00; No additional funding required. (Funds previously appropriated under Ordinance No. 2010-675 out of the Street and Bridge Consolidated Construction Fund 4506 and re-appropriated by Ordinance No. 2011-1088 into Fund 4042 - Street & Traffic Control and Storm Drainage DDSRF).

SPECIFIC EXPLANATION:

The Airline Paving & Drainage Project (N. Main - North Loop 610) provides for the right-of-way acquisition, design and construction of a four lane undivided concrete roadway with storm drainage, curbs, sidewalks, driveways, street lighting, traffic control and the necessary underground utilities. The project will replace and widen a street that has deteriorated beyond economical repair and normal maintenance. It will improve traffic circulation, mobility and drainage in the service area. The improvements will upgrade the existing roadway to MTFP standards.

This eminent domain proceeding involves the acquisition of a permanent easement in and to 1,392 square feet (0.0319 acre) of land from a parent tract containing 34,038 square feet (0.7814 acre). The parent tract is improved with a 9,100 square-foot retail building situated outside of the area being acquired in this proceeding. The property is located at 1848 Airline Drive and is owned by the Kuo's Family Limited Partnership. The landowner's legal representative rejected the City's final offer of \$59,766.00 to purchase the needed property and did not submit a counter-offer. Repeated efforts by Public Works & Engineering to negotiate a purchase of the needed property were unsuccessful, and the matter was referred to the Legal Department to initiate eminent domain proceedings. The Legal Department retained the same appraiser utilized by Public Works & Engineering in making the City's final offer to testify before the Special Commissioners. The parties were cited and served as required by law and the matter was set for a Special Commissioners' Hearing.

City's Testimony Before the Special Commissioners: \$61,146.00
 (i.e. 25.50 psf for the land being acquired, \$12,108.00 for the improvements thereon and \$13,542.00 as damages to the remainder in the form of costs-to-cure)

h:\mark\kuofamilyrca.wpd		
REQUIRED AUTHORIZATION		
Other Authorization:	Other Authorization:	Other Authorization: <i>[Signature]</i> Mark L. Loether, PE, CFM, PTOE, Deputy Director Planning and Development Services Division, PWE

Date 03/23/12	SUBJECT: Parcel AY10-204; City v. Kuo's Family Limited Partnership, et al; Airline Drive Paving & Drainage Project; LD# 52-1000038-010	Originator's Initials OUT/JNQ	Page 2 of 2
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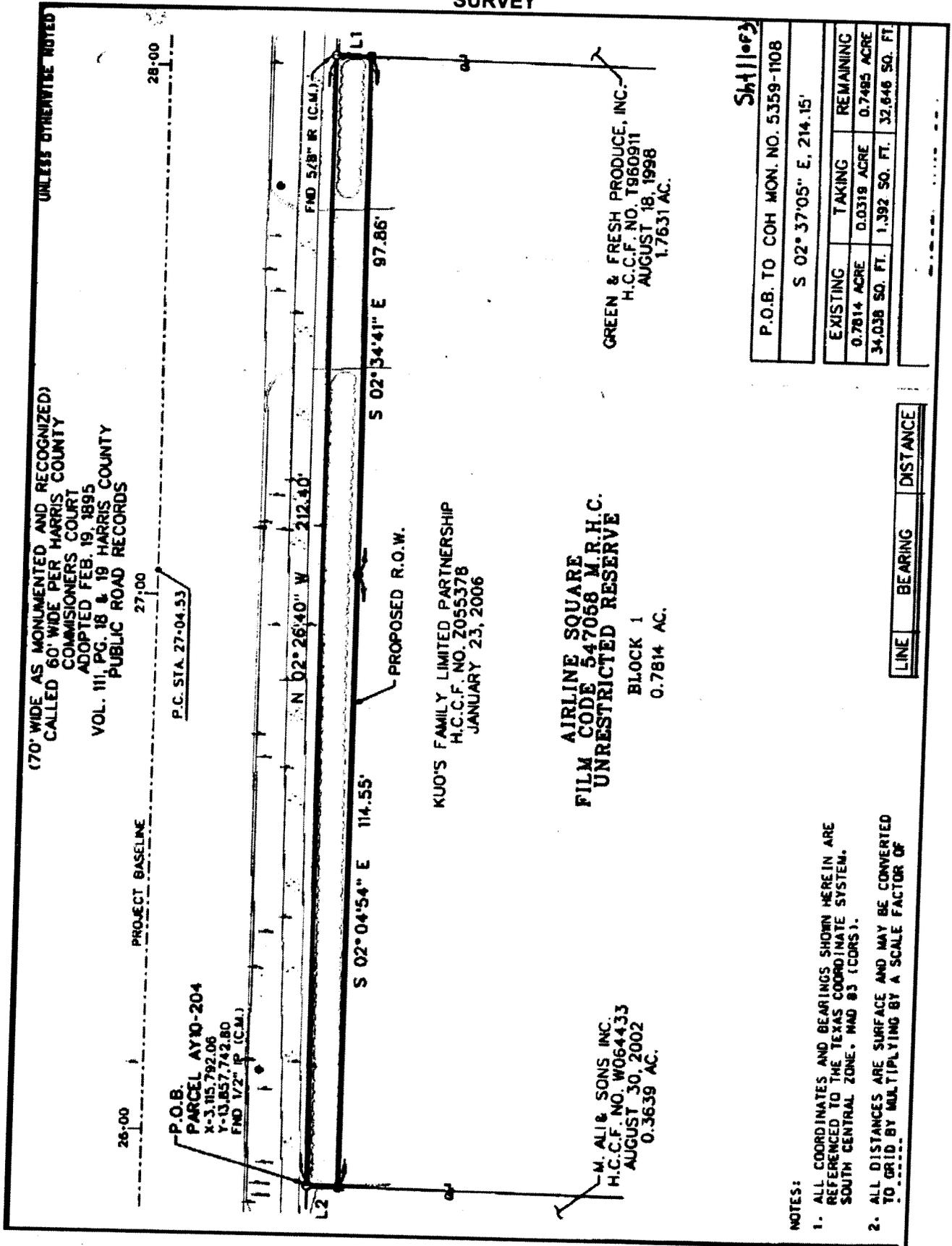
Award of Special Commissioners: \$61,146.00.

The landowner's attorney filed objections to the Award of Special Commissioners and the matter has been placed on the Court's trial docket.

The "**Costs of Court**" are: \$187.00 filing fee; \$300.00 Service fee; \$1,350.00 Special Commissioners' fees (i.e. \$450.00 x 3); \$1,842.00 Appraiser's fee; **Total:** \$3,679.00. These "costs of court" account for the monetary difference between the amount of the Award of Special Commissioners and the total amount of funds needed herein.

We recommend that the City Attorney be authorized, by Motion, to deposit the amount of the Award of Special Commissioners into the registry of the Court and pay the costs of court incurred in this matter. Funding will be provided by a previously approved blanket Appropriation Ordinance.

SURVEY



(70' WIDE AS MONUMENTED AND RECOGNIZED)
CALLED 60' WIDE PER HARRIS COUNTY
COMMISSIONERS COURT
ADOPTED FEB. 19, 1895
VOL. 111, PG. 18 & 19 HARRIS COUNTY
PUBLIC ROAD RECORDS

PROJECT BASELINE
26+00 27+00 28+00

P.O.B.
PARCEL AY10-204
X-3, 115, 792.06
Y-13, 857, 742.80
FND 1/2" IP (C.M.)

P.C. STA. 27-04.53

FND 5/8" IR (C.M.)

S 02° 04' 54" E 114.55'

N 02° 26' 40" W 212.30'

S 02° 34' 41" E 97.86'

PROPOSED R.O.W.

KUO'S FAMILY LIMITED PARTNERSHIP
H.C.C.F. NO. 2055378
JANUARY 23, 2006

AIRLINE SQUARE
FILM CODE 547058 M.R.H.C.
UNRESTRICTED RESERVE

BLOCK 1
0.7814 AC.

GREEN & FRESH PRODUCE, INC.
H.C.C.F. NO. T860911
AUGUST 18, 1998
1.7631 AC.

M. ALI & SONS INC.
H.C.C.F. NO. W064433
AUGUST 30, 2002
0.3639 AC.

Shall be

P.O.B. TO COH MON. NO. 5359-1108
S 02° 37' 05" E, 214.15'

EXISTING	TAKING	REMAINING
0.7814 ACRE	0.0318 ACRE	0.7495 ACRE
34,038 SQ. FT.	1,392 SQ. FT.	32,646 SQ. FT.

LINE	BEARING	DISTANCE

- NOTES:
- ALL COORDINATES AND BEARINGS SHOWN HEREIN ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, MAD 83 (CORS).
 - ALL DISTANCES ARE SURFACE AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A SCALE FACTOR OF

REQUEST FOR COUNCIL ACTION

RCA# 9356

TO: Mayor via City Secretary

Subject: Purchase of Truckster Utility Vehicles through the State of Texas Cooperative Purchasing Program for the Parks & Recreation Department
S27-E24274-S

Category #
1 & 4

Page 1 of 1

Agenda Item

9 + 9A

FROM (Department or other point of origin):

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

Origination Date

April 26, 2012

Agenda Date

MAY 16 2012

DIRECTOR'S SIGNATURE

Calvin D. Wells
For additional information contact:
Luci Correa Phone: (832) 395-7057
Ray DuRousseau Phone: (832) 393-8726

Council District(s) affected
All

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance authorizing the appropriation of \$103,667.88 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and approve the purchase of truckster utility vehicles through the State of Texas Cooperative Purchasing Program in the amount of \$61,684.62 for the Parks & Recreation Department.

Award Amount: \$61,684.62

Finance Budget

\$103,667.88 - Equipment Acquisition Consolidated Fund (Fund 1800)

SPECIFIC EXPLANATION:

The Director of the Parks & Recreation Department and the City Purchasing Agent recommend that City Council approve an ordinance authorizing the appropriation of \$103,667.88 out of the Equipment Acquisition Consolidated Fund (Fund 1800). It is further recommended that City Council approve the purchase of four truckster utility vehicles from a State of Texas Procurement and Support Services contract through the State of Texas Cooperative Purchasing Program in the amount of \$61,684.62 for the Parks & Recreation Department and that authorization be given to issue a purchase order to the State contract supplier, Bucsanyi Family Management Corporation, dba Texas Powersports of Pasadena. These truckster utility vehicles will be assigned by the Department to various Houston parks to transport personnel, tools and materials for park maintenance and repairs. The requested appropriation out of the Equipment Acquisition Consolidated Fund (Fund 1800) also includes \$41,983.26 for additional truckster utility vehicles that will be purchased in separate procurements. The funding for these truckster utility vehicles is included in the adopted FY12 Equipment Acquisition Plan.

These four truckster utility vehicles will be additions to the Department's fleet. Currently, the Department is using pickup trucks to transport its workcrews to perform maintenance and repairs in City parks. The Department's goal in this purchase is to remove the heavier pickup trucks from the parks and use a smaller-footprint vehicle to transport its maintenance and repair personnel. These new truckster utility vehicles will come with a full 48-month warranty and their life expectancy is seven years.

Hire Houston First:

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

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

Buyer: Louis Reznicek / PR No. 10133123

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

NOT
D

REQUEST FOR COUNCIL ACTION

RCA# 9380

TO: Mayor via City Secretary

Subject: Purchase of One Gas Chromatograph System from the State of Texas Procurement and Support Services Contract for the Houston Police Department.
S08-100309

Category #
4

Page 1 of 1

Agenda Item

10

FROM (Department or other point of origin):

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

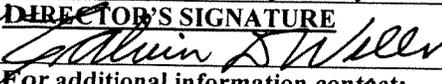
Origination Date

May 01, 2012

Agenda Date

MAY 16 2012

DIRECTOR'S SIGNATURE

CWG

For additional information contact:
Joseph A. Fenninger *JAF* Phone: (713) 308-1708
Ray DuRousseau *RDR* Phone: (832) 393-8726

Council District(s) affected
All

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the purchase of one gas chromatograph system in the total amount of \$55,756.33 from the State of Texas Procurement and Support Services Contract for the Houston Police Department.

Award Amount: \$55,756.33

Finance Budget

\$55,756.33 - Asset Forfeiture Fund (2203)

SPECIFIC EXPLANATION:

The Chief of Police and the City Purchasing Agent recommend that City Council approve the purchase of one gas chromatograph system from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program in the total amount of \$55,756.33 for the Houston Police Department and that authorization be given to issue a purchase order to the State contract vendor, PerkinElmer Health Sciences, Inc. This new gas chromatograph system will be used to analyze and determine the concentration of alcohol content in blood and urine samples. It will also provide additional testing capacity for processing toxicology samples and allow for redundancy should a malfunction occur with the instrument now in use.

The scope of work requires the contractor to provide all labor, equipment, materials, tools, supervision and transportation necessary to furnish and install one gas chromatograph system in the Department's Crime Laboratory, located at 1200 Travis. The system will be configured with an automated headspace sampler, gas chromatograph, remote control software, 19" monitor, laser printer and other ancillary equipment/items necessary and required to make this testing system complete and fully functional. The system will come with a full one year warranty and the life expectancy is ten years.

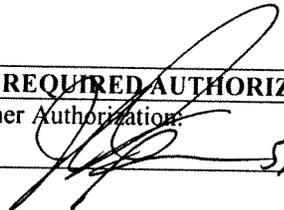
Sections 271.081 through 271.083 of the Texas Local Government Code provide the legal authority for local governments to participate in the State of Texas Purchasing Program.

Buyer: Angela Dunn
PR 10147738

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

 5/4/12

Other Authorization:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9385

Subject: Approve the Sole Source Purchase of the Digital Patroller Camera System, Software, Installation and Maintenance for the Houston Police Department/S23-E24294

Category #
4

Page 1 of 2

Agenda Item

FROM (Department or other point of origin):

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

Origination Date

May 08, 2012

Agenda Date

MAY 16 2012

DIRECTOR'S SIGNATURE

For additional information contact:

Joseph A. Fenninger Phone: (713) 308-1708
Douglas Moore Phone: (832) 393-8724

Council District(s) affected
All

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the sole source purchase of the Digital Patroller camera system, software, installation and maintenance in the total amount not to exceed \$122,481.00 for the Houston Police Department.

Award Amount: \$122,481.00

Finance Budget

\$ 54,981.00 - Police Special Services Fund (2201)
\$ 67,500.00 - General Fund (1000)

\$ 122,481.00 - Total

SPECIFIC EXPLANATION:

The Chief of Police and the City Purchasing Agent recommend that City Council approve a sole source purchase to Digital Safety Technologies, Inc. for the Digital Patroller camera system, software, installation and maintenance in the total amount not to exceed \$122,481.00 and that authorization be given to issue purchase orders as follows:

- The procurement and installation of new video equipment. The contractor will be responsible for the complete implementation of the Digital Patroller camera system, software and installation of the equipment in four new intoxilyzer locations. The \$54,981 identified in Fund 2201 was provided by the District Attorney's Office for this purpose, and
- Ongoing annual maintenance and repair of 225 Digital Patroller cameras in the amount of \$67,500. These units were originally procured and installed in HPD patrol cars in 2008 and are used for traffic enforcement activities.

Digital Safety Technologies, Inc. is the sole proprietary owner, manufacturer, developer, supplier and distributor of the Digital Patroller camera systems, and all software-related products. Additionally, Digital Safety Technologies, Inc. is the exclusive sole provider for all associated technical support services, installation, integration, upgrades, and maintenance of the Digital Patroller video system. There are no authorized third-party equipment and/or software service or maintenance providers.

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

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

[Signature] 5/8/12

Date: 5/8/2012	Subject: Approve the Sole Source Purchase of the Digital Patroller Camera System, Software, Installation and Maintenance for the Houston Police Department/S23-E24294	Originator's Initials RB	Page 2 of 2
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Hire Houston First:

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

Buyer: Roy Breaux

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



Serving Those Who Protect And Serve The Public

Houston Police Department
Technology Services
Attn: Patricia Cheesman
33 Artesian Place
Houston, Texas

The following is Digital Safety Technologies, Inc.'s sole source statement for DigitalPatroller® line of products including the DigitalPatroller2, DigitalPatroller3, DigitalPatroller Intox Room Solution and the DigitalPatroller Interview Room Solution and all related Maintenance and Support of these systems.

Digital Safety Technologies, Inc. is headquartered in Raleigh, North Carolina and is the Sole Source Manufacturer of the DigitalPatroller line of Video Systems, and all related software, products, and is not available from another manufacturing source or service provider.

The DigitalPatroller3 back office solution will allow you to manage your DP2, DP3, Intox Room, Interview Rooms and Body Cameras (sold by DST) all in one back office solution. Digital Safety Technologies Inc. is CJIS compliant in the state of Texas. The DigitalPatroller line of products contains propriety hardware and software that only Digital Safety Technologies Inc. is authorized and capable of selling, servicing and maintaining.

Sincerely,

A handwritten signature in cursive script that reads 'Roger Lucas'.

Roger Lucas
Vice President, General Manager

511 Davis Drive
Suite 300
Morrisville, NC USA 27560

(919) 627-6000 Office
(919) 627-6099 Fax
(800) 972-0373 Support

A faint, stylized 'DST' logo consisting of the letters 'D', 'S', and 'T' in a bold, sans-serif font.



Administration & Regulatory Affairs

Memorandum

RECEIVED

APR 27 2012

OBO

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

From: Roy Breaux/Doug Moore

Date: 4-27-2012

Subject: MWBE Participation Form

I am requesting a waiver of the MWBE Goal: Yes No Type of Solicitation: Bid Proposal

I am requesting a MWBE goal below 11% (To be completed by SPD, and prior to advertisement): Yes No

I am requesting a revision of the MWBE Goal: Yes No Original Goal: _____ New Goal: _____

If requesting a revision, how many solicitations were received: _____

Solicitation Number: E24294 Estimated Dollar Amount: \$122,481.00

Anticipated Advertisement Date: _____ Solicitation Due Date: _____

Goal On Last Contract: _____ Was Goal met: Yes No

If Goal was not met, what did the vendor achieve: _____

Name and Intent of this Solicitation:

The Houston Police Department seeks to enter into an agreement to purchase DigitalPatroller3 Camera Systems, software, installation and maintenance from Digital Safety Technologies, Inc. The purchase will consist of DigitalPatroller3's, software, data cables, installation and support services.

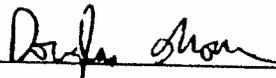
Rationale for requesting a Waiver or Revision (0% goal or revision after advertisement) to be completed by SPD:

Digital Safety Technologies, Inc is the sole source manufacturer of the DigitalPatroller line of Video Systems, and all related software, product, maintenance, support, and is not available from another manufacturing source or service provider. Because the DigitalPatroller3 Camera Systems are sole source, there is no potential for MWBE participation on this agreement. Therefore the Houston Police Department is requesting from the Mayor's Office of Business Opportunity to approve a Zero (0%) goal for the referenced agreement

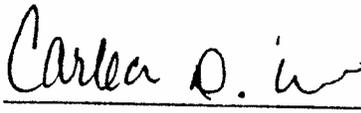
Concurrence:



 SPD Initiator



 Division Manager



Carlecia Wright, Director
Mayor's Office of Business Opportunity

* Signature is required, if the request is for zero percent MWBE participation, or to revise the MWBE goal.



REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9386

Subject: Formal Bids Received for Portable, Laser-Based, Forensic Detection Systems for the Houston Police Department N24276

Category #
4

Page 1 of 2

Agenda Item

12

FROM (Department or other point of origin):

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

Origination Date

May 04, 2012

Agenda Date

MAY 16 2012

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

1

For additional information contact:

Frank Rodriguez Phone: (713) 308-1717
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Arrowhead Scientific, Inc., dba Arrowhead Forensics on its low bid in the amount of \$86,000.00 for two portable, laser-based, forensic detection systems for the Houston Police Department.

Award Amount: \$86,000.00

Finance Budget

\$86,000.00 - General Fund (Fund 1000)

SPECIFIC EXPLANATION:

The Chief of the Police Department and the City Purchasing Agent recommend that City Council approve an award to Arrowhead Scientific, Inc. dba Arrowhead Forensics on its low bid in the amount of \$86,000.00 for two portable, laser-based, forensic detection systems for the Houston Police Department's Identification Division Latent Print Lab, and that authorization be given to issue a purchase order.

Background:

Over the last six months, the Houston Police Department has been planning and preparing to expand the processing and production capacity of the Latent Print Unit (LPU), which will accommodate higher processing volumes of physical evidence associated with latent prints. This must occur prior to seeking accreditation. Additionally, this action is a pre-cursor to the Unit's transfer to the planned Local Government Corporation (LGC). Furthermore, this will ensure that the LGC does not begin operations with an under-capacity LPU. Examination and identification of latent prints is a vital tool to ensure apprehension of criminals and equally vital to clear any person falsely accused. Approximately \$750,000.00 has been earmarked for the total project. This RCA is the third of three associated with the project that have been submitted for City Council approval.

In 2010, the Department's Identification Division Latent Print Lab (Lab) purchased one of the same model forensic detection systems. The two additional laser-based, forensic detection systems will provide for triple the current capacity to process evidence with laser light and provide for identical photography workstations. Expansion and equipment upgrades will allow the Lab to use multiple identical workstations for improved efficiency and reduce bottlenecks in chemical processing, photography and enhancement.

This forensic detection system is a fully hand-portable laser-based system designed and performance-optimized to be the ultimate tool for trace evidence detection, particularly of latent finger prints and other trace evidence such as bone fragments, hair fibers and fluids. The Lab will use this equipment on a daily basis to detect and capture latent prints for physical evidence such as guns and narcotics packaging. The two new systems will increase evidence processing capacity, reduce processing times, make workstations identical for

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

Calvin D. Wells
5/7/12

MA

Date: ,
5/4/2012

Subject: Formal Bids Received for Portable, Laser-Based, Forensic
Detection Systems for the Houston Police Department
N24276

Originator's
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Page 2 of 2

efficiency/safety, reduce overtime caused by bottlenecks at a single workstation, and control environmental factors that affect the quality of latent prints.

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

<u>Company</u>	<u>Total Amount</u>
1. Arrowhead Scientific, Inc., dba Arrowhead Forensics	\$86,000.00
2. Coherent, Inc.	\$86,124.00

The scope of work requires the contractor to provide all labor, materials, equipment, supplies, supervision and transportation necessary to furnish and install two portable, laser-based, forensic detection systems and associated equipment at the Department's Identification Division Latent Print Lab, located at 1200 Travis. The new forensic laser systems will come with a full one-year warranty and the life expectancy is 10 to 15 years.

Buyer: Carlethya Guillory
PR No. 10147447

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9267

Subject: Formal Bids Received to Purchase Submersible Pumps for the Public Works and Engineering Department
S50-N24120

Category #
4

Page 1 of 2

Agenda Item

13

FROM (Department or other point of origin):

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

Origination Date

March 27, 2012

Agenda Date

MAY 1 6 2012

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

B, F

For additional information contact:

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

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve various awards, as shown below, in a total amount not to exceed \$167,430.00 to purchase submersible pumps for the Public Works and Engineering Department.

Award Amount: \$167,430.00

Finance Budget

\$167,430.00 - Combined Utility System General Purpose Fund (8305)

SPECIFIC EXPLANATION:

The Director of the Public Works and Engineering Department and the City Purchasing Agent recommend that City Council approve various awards, as shown below, in a total amount not to exceed \$167,430.00 to purchase submersible pumps for the Public Works and Engineering Department and that authorization be given to issue purchase orders. The chopper pumps will be used to remove scum from the clarifiers at the Southwest Wastewater Treatment Plant, located at 4211 Beechnut, and the vertical turbine submersible pumps will be used to pump water for the treatment of wastewater and to prevent scum build-up in the clarifiers in the Northeast Wastewater Treatment Plant, located at 655 Maxey Road.

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

Newman Regency Group, Inc.: Award on its sole bid for Line Item No. 1 (6-inch, 7.5-HP submersible chopper pumps) in a total amount not to exceed \$108,180.00.

This purchase consists of ten 6-inch, 7.5-HP submersible chopper pumps with horizontal suction ends. The pumps will come with a full one-year warranty and the life expectancy is 10-15 years. The new pumps will replace 20-year-old units that are no longer supported by the manufacturer and parts are no longer available to make repairs. The old units will be stripped of salvageable parts, which will be placed in inventory and used to repair similar units in service. The unusable parts will be sent to the Property Disposal Management Office for disposition.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

MA

11A

Date:
3/27/2012

Subject: Formal Bids Received to Purchase Submersible Pumps for
the Public Works and Engineering Department
S50-N24120

Originator's
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Page 2 of 2

Jersey Equipment Company of Houston, Inc.: Award on its low bid for Line Item No. 2 (6-inch, 20-HP vertical turbine submersible pumps) in a total amount not to exceed \$59,250.00.

<u>Company</u>	<u>Total Amount</u>
1. Jersey Equipment Company of Houston, Inc.	\$ 59,250.00
2. Jersey Equipment Company of Houston, Inc.	\$134,445.00

This purchase consists of three 6-inch, 20-HP vertical turbine submersible pumps. The pumps will come with a full one-year warranty and the life expectancy is 10-15 years. The new pumps will replace units that are over 17 years old and in poor operating condition. The old units will be stripped of salvageable parts, which will be placed in inventory and used to repair similar units in service. The unusable parts will be sent to the Property Disposal Management Office for disposition.

A purchase order will be issued to Globe Electric Supply, Inc. for Line Item No. 3 (5-inch, 10-HP submersible pumps) as the award amount is less than \$50,000.00.

Hire Houston First:

The proposed awards require 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 contractors meet the requirements of Hire Houston First.

M/WBE Subcontracting:

This procurement was issued as a goal-oriented contract with a 3% M/WBE participation level. Newman Regency Group, Inc. has designated the below-named company as its certified M/WBE subcontractor:

<u>Name</u>	<u>Type of Service</u>	<u>Amount</u>	<u>Percentage</u>
Trinity Freight Services, LLC	Delivery Services	\$3,245.40	3%

The Contract will be monitored by the Mayor's Office of Business Opportunity.

Buyer: Arturo Lopez

#12-254

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: A Resolution providing for a Public Hearing on the FY2013 Proposed Operating Budget.

Category #

Page 1

Agenda Item#

14

FROM: (Department or other point of origin):

Kelly Dowe, Director
Finance Department

Origination Date

Agenda Date

MAY 16 2012

DIRECTOR'S SIGNATURE:

Kelly Dowe

Council Districts affected:

ALL

For additional information contact: Kelly Dowe
Phone: (713) 221-0935

Date and identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

City Council call a public hearing on the Proposed FY2013 Operating Budget for June 5, 2012 and authorize the City Secretary to publish notice.

Amount of Funding:

N/A

Finance Budget:

SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund

Other (Specify) N/A

SPECIFIC EXPLANATION:

In order to allow for public input and in accordance with the state statute governing municipal budgets (Chapter 102, Section 102.006), a public hearing is required on the proposed FY2013 Operating Budget. The hearing will be held at 1:30 p.m. on June 5, 2012 in the City Council Chambers.

c: Marta Crinejo, Mayor's Office
David Feldman, City Attorney

REQUIRED AUTHORIZATION

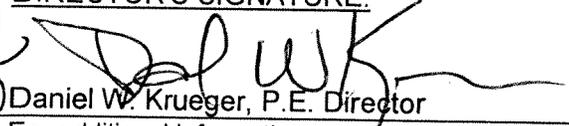
Finance Director:

Other Authorization:

Other Authorization:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

SUBJECT: Amendments to Article XII of Chapter 40 of the Code of Ordinances, Houston, Texas relating to Monitoring Well and Soil Boring Program and approval of the initial schedule of fees.		Category #	Page 1 of 1	Agenda Item# 15
FROM: (Department or other point of origin): Public Works and Engineering		Origination Date 5 10 12		Agenda Date MAY 16 2012
DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E. Director		Council Districts affected: All		
For additional information contact: Richard Smith, P.E., PTOE  Phone: (832) 394-9137		Date and identification of prior authorizing Council Action: Date: 7-17-91, Ordinance: #91-1157		
RECOMMENDATION: Adopt an Ordinance approving amendments to Article XII of Chapter 40 of the Code of Ordinances, Houston, Texas relating to Monitoring Well and Soil Boring Program. Adopt a Motion approving the initial schedule of fees.				
SPECIFIC EXPLANATION: Administered by the Public Works and Engineering Department's Office of the City Engineer, the Monitoring Well and Soil Boring Permit Program permits and tracks the installation and/or closure of monitoring wells installed in the right-of-way and those installed on behalf of the Texas Commission on Environmental Quality or the U.S. Environmental Protection Agency. The program employees accept and review applications, make site visits during drilling or other activities, and visit wells during and after closure to ascertain the well was properly closed. During FY11, the program issued 781 permits and performed 2,323 site inspections. These activities protect the environment and water supply from poorly installed, abandoned, and/or uncapped monitoring wells which could potentially place a substantial financial and public health burden onto the City. A comparative study has been completed to evaluate the Monitoring Well and Soil Boring Permit program and fee schedule in relation to other U.S. cities of a similar size and evaluate the cost of services. The ordinance has not been updated since Ordinance No. 91-1157 passed in 1991. The study concluded the program was not self supporting. The proposed amendments reflect current operational processes and conditions, will allow the City to offset the actual expenses of administrating the program, bring the program more in line with cities of comparable size, and enhance the enforcement processes.				
PROPOSED AMENDMENTS				
<ul style="list-style-type: none"> • Increase the original Application Fee defined in the current ordinance from \$200.00 to \$350.00. • Increase the processing fee for multiple well facilities from \$25.00 to \$75.00 per well. • Increase monitoring well renewal fees from \$25.00 to \$75.00 per well. • Requires applicants to provide 48 hour notice before any well activity is performed. • Adds an enforcement clause to the ordinance that defines penalties or remedies for drilling without a license and/or other violations. • Provides for inclusion of enhanced GIMS compatible GIS location data in permit applications. 				
The top three permit holders, representing approximately 85% of the permits issued, were included in the comparative study and have been informed of the intention to raise the current rate schedule.				
The ordinance was presented to and moved through the Transportation, Technology & Infrastructure (TTI) committee on April 11, 2012.				
REQUIRED AUTHORIZATION				
Finance Director:	Other Authorization:	Other Authorization:  Mark L. Loethen, P.E., PTOE, CFM Planning & Development Services		
CUIC ID 20RPS10				

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance authorizing the abandonment and sale of Endor Street, from Frio Street east to its terminus, in exchange for the conveyance to the City of a 20-foot-wide storm sewer easement, all located in the Harrisburg Addition, out of the J. R. Harris Survey, A-27. **Parcels SY11-008 and LY11-013**

Page 1 of 2

Agenda Item # 16

FROM (Department or other point of origin):

Origination Date
5/10/12

Agenda Date
MAY 16 2012

Department of Public Works and Engineering

DIRECTOR'S SIGNATURE:

Handwritten signature of Daniel W. Krueger
Daniel W. Krueger, P.E., Director

Council District affected: I

Key Map 535B *JB*

For additional information contact:

Handwritten initials nfc
Nancy P. Collins Phone: (832) 395-3130
Senior Assistant Director-Real Estate

Date and identification of prior authorizing Council Action:

C.M. 2011-0462 (6/15/11)

RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the abandonment and sale of Endor Street, from Frio Street east to its terminus, in exchange for a consideration of \$54,898.00 plus the conveyance to the City of a 20-foot-wide storm sewer easement, all located in the Harrisburg Addition, out of the J. R. Harris Survey, A-27. **Parcels SY11-008 and LY11-013**

Amount and Source of Funding: Not Applicable

SPECIFIC EXPLANATION:

By Motion 2011-0462, City Council authorized the abandonment and sale of Endor Street, from Frio Street east to its terminus, in exchange for the conveyance to the City of a 20-foot-wide storm sewer easement, all located in the Harrisburg Addition, out of the J. R. Harris Survey, A-27. SWS Holdings-Pasadena, L.P. [Seattle Shipyard, L.L.C. (Wayne Herman, Vice President) General Partner], the property owner, plans to incorporate the subject street into its property for use as a commercial shipyard in association with the ongoing operations of its lessee and affiliate, Southwest Shipyard, L.P.

SWS Holdings-Pasadena, L.P. will be required to obtain an "Encroachment Agreement" for the existing concrete slab and rail lines that are within the proposed storm sewer easement. The Encroachment Agreement will require shoring for the structure during repairs to the storm sewer line and must be provided during the life of the encroaching structures.

SWS Holdings-Pasadena, L.P. has completed the transaction requirements, has accepted the City's offer, and has rendered payment in full.

The City will abandon and sell to SWS Holdings-Pasadena, L.P.:

Parcel SY11-008

17,045-square-foot street right-of-way easement \$63,919.00 (R)
Valued at \$3.75 per square foot

TOTAL ABANDONMENT AND SALE \$63,919.00

tj\sy11-008.rc2.doc

CUIC #20TJ022

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Handwritten signature of Mark L. Loethen
Other Authorization:
Mark L. Loethen, P.E., CFM, PTOE
Deputy Director
Planning and Development Services Division

Date:	Subject: Ordinance authorizing the abandonment and sale of Endor Street, from Frio Street east to its terminus, in exchange for the conveyance to the City of a 20-foot-wide storm sewer easement, all located in the Harrisburg Addition, out of the J. R. Harris Survey, A-27. Parcels SY11-008 and LY11-013	Originator's Initials 	Page <u>2</u> of <u>2</u>
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In exchange, SWS Holdings-Pasadena, L.P. will pay:

Cash	\$54,898.00
Plus convey to the City	

Parcel LY11-013

4,811-square-foot storm sewer easement	\$9,021.00 (R)
Valued at \$3.75 per square foot x 50%	

TOTAL CASH AND CONVEYANCE	<u>\$63,919.00</u>
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Therefore, it is recommended City Council approve an ordinance authorizing the abandonment and sale of Endor Street, from Frio Street east to its terminus, in exchange for a consideration of \$54,898.00 plus the conveyance to the City of a 20-foot-wide storm sewer easement, all located in the Harrisburg Addition, out of the J. R. Harris Survey, A-27.

DWK: NPC:tj

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

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

SUBJECT: An ordinance authorizing a memorandum of understanding affiliation agreement between the City and Houston Independent School District to collaborate for the Project Saving Smiles Program	Category #	Page 1 of 2	Agenda Item # <i>17</i>
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FROM (Department or other point of origin): Department of Health and Human Services	Origination Date 05/01/2012	Agenda Date MAY 16 2012
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DIRECTOR'S SIGNATURE: <i>Stephen J. Williams</i>	Council District affected: All
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For additional information contact: Kathy Barton Telephone: 832-393-5045; Cell: 713-826-5801	Date and identification of prior authorizing Council action: New Request
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RECOMMENDATION: An ordinance authorizing a memorandum of understanding affiliation agreement between the City and Houston Independent School District to collaborate for the Project Saving Smiles Program

Amount of Funding: N/A	Finance Department:
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SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund Other (Specify):

The Houston Department of Health and Human Services (HDHHS) requests City Council approval of an ordinance authorizing a memorandum of understanding (MOU) affiliation agreement between the City and Houston Independent School District (HISD) to collaborate for the Project Saving Smiles (PSS) Program. The term of this MOU shall be effective from the date of countersignature by the City Controller and automatically extended upon expiration of the initial term of this agreement for four (4) successive one-year terms.

HISD supports the City's PSS Program wherein the City provides second graders enrolled in the Free or Reduced Lunch Program with dental screening, dental sealants, fluoride varnish and oral health education in partnership with Good Neighbor Healthcare Center and the Department of State Health Services.

- At a designated location, the City agrees to provide at no charge to HISD's qualifying 2nd grade students dental screenings,
- fluoride varnish,
- dental sealants for cavity-free 1st permanent molars, and
- oral health and nutrition education.

The City also agrees to:

- Provide quality assurance by performing random retention checks on sealants Provide dental home information for routine, restorative, or emergency care, as indicated.
- Collect data and generate reports required by HDHHS.
- Provide survey instruments to assess risk and prevalence, as appropriate.
- Dispose of biomedical waste.

REQUIRED AUTHORIZATION

Finance Department	Other Authorization:	Other Authorization:
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Date 04/23/2012	SUBJECT: An ordinance authorizing a memorandum of understanding affiliation agreement between the City and Houston Independent School District to collaborate for the Project Saving Smiles Program	Originator's Initials	Page 2 of 2
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These services will be provided by City personnel and its partners from 8:30 AM - 2:00 PM, Mondays through Fridays, of the City's selected weeks.

The City will seek input from HISD to invite schools in which 70% or more of the students are on the Free or Reduced Lunch Program.

The goals of PSS are to reduce dental cavities/decay in low-income children and increase school attendance.

HISD agrees to provide the following services for the 2nd grade students in elementary schools during the term of this MOU:

- Space to conduct the quality assurance random retention checks on the sealants.
- Bus transportation to the dental transportation site.
- Parental/guardian consent for oral screenings and for sealant placement.
- All necessary forms in Spanish and English, to include: notification to parents pertaining to services, consent forms, referral forms, medical history forms, and any other forms applicable to the program.
- Support of the school staff to facilitate obtaining the necessary forms, to direct students to and from the educational sessions, the screening sessions, and the sealant placement sessions.
- Adequate space to provide educational sessions.
- Identify and schedule students for educational sessions, screening sessions, and dental sealant placement sessions.
- Maintain dental records and other related paper work in a safe, secure place.
- Assure confidentiality of medical/dental information.
- Collect data and generate reports required by HISD.
- Collect survey data on caries risk and prevalence.

PSS has served an average of 3,073 children per school year since its inception (school year 2008-2009). Since school year 2008-2009 to present (school year 2011-2012) 12,292 second graders have benefited from the services of PSS.

The City of Houston has appropriated no money to pay for services under this Agreement and has no obligation to make any payments hereunder.

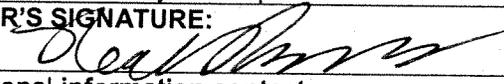
cc: Finance Department
 Legal Department
 Agenda Director

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

HCD12-64

SUBJECT: An Ordinance approving and authorizing a Contract amendment for supplemental budget allocation and scope of work revision for the Vietnamese Community Center renovation project.	Category #	Page 1 of 1	Agenda Item 18
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FROM: Neal Rackleff, Interim Director Housing and Community Development	Origination Date 04/03/12	Agenda Date MAY 02 2012
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DIRECTOR'S SIGNATURE: 	Council District affected: "F"
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For additional information contact: Gayle F. Anklesaria - Phone: 713-868-8466	Date and identification of prior authorizing Council action: 05/05/2010 - Ordinance No. 2010-0349
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RECOMMENDATION:
City Council Ordinance approving and authorizing a Contract amendment for allocating supplemental budget and scope of work revision for the Vietnamese Community Center renovation project.

Amount of Funding: \$99,500.00	Finance Department:
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SOURCE OF FUNDING [] General Fund [X] Grant Fund [] Enterprise Fund [] Other
Community Development Block Grant (CDBG) Fund 5000

SPECIFIC EXPLANATION:

The Vietnamese Community Center of Houston (VCCH) located at 7100 Clarewood Drive, Houston, Texas 77036 is a non-profit organization dedicated to improving the lives of low to moderate income individuals and families in the southwest side of Houston. The organization cultivates social programs that are community driven and place strong emphasis on service through advocacy. They provide social, economic, health and cultural services for the elderly and the needy.

The existing building is an approximately 5,000 square foot facility acquired by the VCCH in March of 2008. The building required renovations to meet the State codes, standards and upgrades in order to qualify as a public facility. On May 05, 2010, City Council approved a \$400,000 Community Development Block Grant (CDBG) award to the VCCH for the said renovation project.

Upon commencement of construction some anomalies and problems were discovered that required immediate corrective action. To address these issues, a Change Order is required as these items were not included in the original contract. This Change Order requires supplemental CDBG funds to offset the additional expenses. The unforeseen deficiencies include structural anomalies discovered in the existing exterior wall requiring new columns and framing to strengthen the exterior load bearing walls. Also, there was faulty internal electrical wiring that was exposed after the false ceiling was removed. Additionally, the internal multi-purpose room was reworked to increase the efficiency level of space usage and for ease of food service delivery. Two sliding doors on the north wall of the multi-purpose room will be installed on the existing concrete block wall with new structural lintel beams to stabilize the new roof load. Lighting plugs and outlets, HVAC and room finishes will also need to be revised accordingly to accommodate the changes in the revised plan.

City Council approval is requested to authorize this Contract amendment for supplemental funding. The Director of the Housing and Community Development Department has reviewed and approved this supplemental funding request.

This project was presented before the Housing Sustainable Growth and Development Committee meeting on February 21, 2012. Approval of this Ordinance is recommended.

NR:GA

cc: City Attorney
Mayor's Office
City Secretary

Finance Director:	Other Authorization:	Other Authorization:
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REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: An Ordinance creating the BVSU Garden Oaks, L.P. Tax Abatement Reinvestment Zone.

Category #

Page 1 of
1

Agenda Item#
19

FROM: (Department or other point of origin):

Andy Icken, Chief Development Officer
Mayor's Office

Origination Date
April 2, 2012

Agenda Date
MAY 16 2012

SIGNATURE:



Council Districts affected:
District "C" - CM Cohen

For additional information contact:

Tim Douglass Phone: 832-393-0937

Date and identification of prior authorizing Council Action: Ord. No. 2011-1167

RECOMMENDATION: (Summary) City Council approve an Ordinance creating the BVSU Garden Oaks, L.P. Tax Abatement Reinvestment Zone.

Amount of Funding: Not Applicable

Finance Budget:

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

SPECIFIC EXPLANATION:

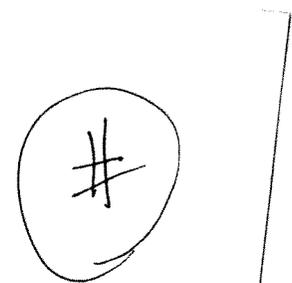
The Economic Development Section of the Mayor's Office requests that City Council designate a 5.339-acre site located at 3405 North Shepherd Drive, Houston Texas 77018 as the BVSU Garden Oaks, L.P. Reinvestment Zone for tax abatement purposes ("Zone"). This action will enable the City and Harris County to consider approval of a tax abatement agreement for BVSU Garden Oaks, L.P. to support the investment in real and personal property involved in the purchase and renovation of existing buildings and the construction of a new facility.

The estimated value of new abatable investment (site development, improvements, and new construction) subject to the proposed ad valorem tax abatement is estimated to be \$6,700,000. Market rate multi-family homes will replace what is now an abandoned property, closed in 2007 after hundreds of citations by the City.

The public hearing on the Zone was held at 9:00 A.M. on May 9, 2012. The project and the Zone meet the criteria established by the City of Houston guidelines for tax abatement adopted on December 14, 2011 by Ordinance No. 2011-1167.

The Administration recommends approval of the Ordinance creating the BVSU Garden Oaks, L.P. reinvestment zone for tax abatement purposes.

cc: Marta Crinejo, Agenda Director
 Anna Russell, City Secretary
 David Feldman, City Attorney
 Deborah McAbee, Senior Assistant City Attorney



REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

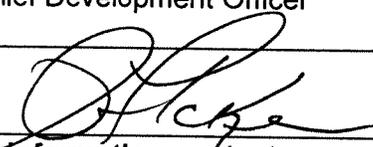
REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: An Ordinance approving a tax abatement agreement with BVSW Garden Oaks, L.P.	Category #	Page 1 of 1	Agenda Item# <i>19A</i>
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FROM: (Department or other point of origin): Andy Icken, Chief Development Officer Mayor's Office	Origination Date April 2, 2012	Agenda Date MAY 16 2012
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SIGNATURE: 	Council Districts affected: District "C" - CM Cohen
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For additional information contact: Tim Douglass Phone: 832-393-0937	Date and identification of prior authorizing Council Action: Ord. No. 2011-1167
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RECOMMENDATION: (Summary) Adopt an Ordinance approving a tax abatement agreement with BVSW Garden Oaks, L.P.

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

SPECIFIC EXPLANATION:

BVSW Garden Oaks, L.P. ("Garden Oaks") is a single asset entity which owns only the project seeking this tax abatement. Bridgeview Real Estate, LLC is the developer.

This project involves the acquisition of a 136-unit garden style apartment complex on 5.33 acres formerly known as Garden Oaks Condominiums, located at 3405 North Shepherd Drive. Garden Oaks recently purchased the shuttered project for \$2,725,000. Garden Oaks intends to renovate the property and convert thirty-two of the large 3 bedroom units into sixty four 1 bedroom units. The renovation is projected to cost \$5,700,000.

The real property improvements (approximately \$6,700,000) and new personal business property investments (estimated at \$30,000) are the basis of the proposed ad valorem tax abatement. Based upon a 50% abatement, the total City tax to be abated is estimated at \$223,500 over the ten-year abatement period.

The Administration recommends approval of the Ordinance creating the BVSW Garden Oaks, L.P. reinvestment zone for tax abatement purposes.

- cc: Marta Crinejo, Agenda Director
 Anna Russell, City Secretary
 David Feldman, City Attorney
 Deborah McAbee, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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Cull

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA#

Subject: Ordinance Appropriating Funds for the Municipal Courts Case Management System (CSMART)

Category #
1, 4, & 5

Page 1 of 2

Agenda Item

20

FROM (Department or other point of origin):

Barbara E. Hartle – Presiding Judge and Director, MCD
Charles T. Thompson – Chief Information Officer and Director, ITD

Origination Date

May 9, 2012

Agenda Date

MAY 16 2012

DIRECTOR'S SIGNATURE

Charles T. Thompson

Council District(s) affected
All

For additional information contact

Mark Stinnett

Phone: (832) 393-0183

Date and Identification of prior authorizing Council Action:

Ord: 2011-824: 09/21/11; 2011-530: 6/22/11; 2011-176: 030211

RECOMMENDATION: (Summary)

Approve an ordinance authorizing the appropriation of \$3,590,206 from the Equipment Acquisition Consolidated Fund (Fund 1800) for the Municipal Courts Department Case Management System that is being developed by the Information Technology Department.

Finance Budget

\$3,590,206 – FY12 Equipment Acquisition Consolidated Fund (1800)

SPECIFIC EXPLANATION:

The Municipal Courts Director and the Information Technology Department Director recommend that City Council approve an ordinance authorizing the appropriation of \$3,590,206 out of the Equipment Acquisition Consolidated Fund (Fund 1800) for the Municipal Courts Case Management System (CSMART) that is being developed by the Information Technology Department.

This appropriation will fund the project to September 2012.

This appropriation will fund staffing costs (professional & temporary services and salary recovery) in the amount of \$2,872,438, 3rd party products & services (hardware & software and associated services) in the amount of \$340,268, and other project costs (HCC office space & software maintenance) in the amount of \$51,117. *

Background:

Since late 2008, the Municipal Court and the Information Technology Department have been developing a new case management system. The system, CSMART, will automate many of the manual activities required, by judges, clerks & prosecutors, to process the Courts 1.5M annual cases. A conceptual design was completed during July 2010 and software development is approximately 57% complete. The Courts most recently accepted Releases 9-12 and expect to accept Releases 13-16 by mid-May 2012. Currently the CSMART Team is working on cashiering & payment modules and scanning & electronic document management.

As of March 1, 2012, \$22,184,377 has been appropriated for the CSMART project. Appropriating \$3,590,268 from the FY13 Equipment Acquisition Fund will bring the total appropriation to \$25,774,583. Including the remainder of the \$5.0M budgeted in the FY13 Equipment Acquisition Fund/Technology Investment Plan brings the total appropriation for the project, including all design, development, testing, training, conversion, go-live, stabilization activities, and the project's on-going operating expenses to \$27,184,377.

REQUIRED AUTHORIZATION

Finance Department:

Ally D.

Other Authorization:

Other Authorization:

Date:
4/25/2012

Subject: Ordinance Appropriating Funds for the Municipal
Courts Case Management System (CSMART)

Originator's
Initials
MS

Page 2 of 2

MWBE Participation:

The professional services contract was awarded as a goal-oriented contract with a 15% MWBE participation level. The contractor's plan has been to use the testing and training work streams, toward the end of the project, to satisfy a large part of its goal. While the MWBE participation is currently well below goal at 7.252%, as the project enters its training and go-live phases, MWBE participation is increasing significantly. The Mayor's Office of Business Opportunity will continue to monitor this contract to ensure maximum M/WBE participation.

Project Costs:

RCA for May 2012				Assumes a Jun 2013 Go-Live		
Category	Detail Design	Transition Phase	Development Phase (to 31 May 12)	Development Phase (to 30 Jun 13)	UAT & Training	Total
Staffing Costs	\$ 3,719,915	\$ 808,900	12,243,385	9,392,011	\$ 4,257,394	\$ 30,421,605
Hardware/Software	\$ 522,585		\$ 1,693,000	\$ 375,000	\$ 270,000	\$ 2,860,585
Operating Expenses	\$ 138,500	\$ 2,100	\$ 572,694	\$ 121,480	\$ 121,402	\$ 956,176
Contingency				\$ 939,201	\$ 425,739	\$ 1,364,940
Project Total	\$ 4,381,000	\$ 811,000	\$ 14,509,080	\$ 10,827,692	\$ 5,074,535	\$ 35,603,306
Data Cleansing			\$ 600,000			\$ 600,000
Total Costs	\$ 4,381,000	\$ 811,000	\$ 15,109,080	\$ 10,827,692	\$ 5,074,535	\$ 36,203,306

*Current appropriation includes \$326,383 in contingency.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

Subject: Approve an amending Ordinance Authorizing the Appropriation of Funds, the increased spending authority and an extension to Contract No. 4600006180 for Software Maintenance and Services related to an Enterprise Resource Planning System

Category #
5

Page 1 of 1

Agenda Item

21

FROM (Department or other point of origin):

Charles T. Thompson – Chief Information Officer
Kelly Dowe – Director of Finance

Origination Date

May 7, 2012

Agenda Date

MAY 16 2012

DIRECTOR'S SIGNATURE

Charles T. Thompson
Kelly Dowe

Council District(s) affected

All

For additional information contact:

Kelly Dowe,
Mary Ann Grant,

Phone: (713) 221-0935
Phone: (832) 393-0145

Date and Identification of prior authorizing

Council Action: 5/3/05 Ord. 05-405, 5/23/06 Ord. 06-504
1/10/07 Ord. 2007-55, 4/16/08 Ord.2008-331

RECOMMENDATION: (Summary)

Approve an ordinance authorizing the appropriation of \$3,000,000.00 from the Reimbursement of Equipment/Projects Fund (Fund 1850), amending Ordinance No. 2008-331 to increase the spending authority from \$27,595,551.00 to \$32,077,519.14 and extend the contract term from April 20, 2013 to April 20, 2018 for contract No. 4600006180 between the City of Houston and SAP Public Services, Inc.

Maximum Contract Amount Increased by: \$4,481,968.14

Finance Budget

Source of Funds: \$3,000,000.00 Reimbursement of Equipment/Project Funds(1850) FY12
\$1,481,968.14 Central Service Revolving Fund (1002) FY13

Total Funding Amount: \$4,481,968.14

BACKGROUND:

On April 27, 2005, City Council approved a contract with SAP Public Services, Inc. to purchase software licenses and services to implement the Financial, Procurement, HR and Payroll modules in a two-phase process. Phase I was successfully implemented and there was an intent to proceed to Phase II. Since 2005, the user base has grown due to the changing and increasing demand from City Departments. This growth became apparent to SAP in late 2007 and the City of Houston was informed of the need to obtain licenses for the additional users; there was an understanding to address the licenses in Phase II. However, Phase II was not implemented and SAP licenses have remained out of compliance.

CURRENT STEP:

To comply with the intention to move to Phase II and with the licensing requirements, the City has negotiated a change order to the existing SAP contract that if approved by Council, will add software to the City's portfolio and resolve all outstanding compliance issues. The software includes: Public Sector Budget Formulation (PSBF), and Purchasing for Public Sector. If the license compliance issue and purchasing of added software were purchased independently, the total cost for the City would be approximately \$20,000,000.00.

RECOMMENDATION:

The Chief Information Officer and the Finance Director recommend City Council approve an ordinance authorizing the appropriation of \$3,000,000.00 out of the Reimbursement of Equipment/Project Fund (1850), the amendment of Ordinance No. 2008-331 to increase the maximum contract amount from \$27,595,551.00 to \$32,077,519.14, and the extension of Contract No. 4600006180 from April 20, 2013 to April 28, 2018. It is expected that the reimbursement of Fund 1850 will come from the Central Service Revolving Fund (1002).

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

Date: 4/30/2012	Subject: Approve an amending Ordinance Authorizing Appropriating Funds and increase spending authority to Contract No. 4600006180 for Software Maintenance and Services related to an Enterprise Resource Planning System	Originator's Initials JB	Page 2 of 2
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In the coming months, ITD will bring a supplemental action before Council to request appropriations for the new "SAP First" Program which will effectuate efficiencies from the newly acquired software.

M/WBE Goal:

The original contract was issued an MWBE goal of 26.69%. The contractor has achieved a participation level of 22.85%. The Mayor's Office of Business Opportunity will continue to monitor this contract to ensure MWBE participation.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9382

Subject: Ordinance Authorizing a First Amendment to Contract No. 4600006754 for Fleet/Vehicle and Equipment Maintenance Services for the Houston Airport System/L21098-A1

Category #
4

Page 1 of 1

Agenda Item

22

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

Origination Date
May 04, 2012

Agenda Date
MAY 16 2012

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
Dallas Evans Phone: (281) 230-8001
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:
Ord. No. 2007-0064; passed 01/17/2007

RECOMMENDATION: (Summary)

Approve an amending ordinance authorizing a first amendment to the contract between the City of Houston and First Support Services, Inc., to extend the contract term from May 29, 2012 to May 28, 2013 for fleet/vehicle and equipment maintenance services for the Houston Airport System.

No Additional Funding Required

Finance Budget

SPECIFIC EXPLANATION:

The Director of the Houston Airport System and the City Purchasing Agent recommend that City Council approve an amending ordinance authorizing a first amendment to the contract between the City of Houston and First Support Services, Inc., to extend the contract term from May 29, 2012 to May 28, 2013 for fleet/vehicle and equipment maintenance services for the Houston Airport System (HAS).

The contract was awarded on January 17, 2007 by Ordinance No. 2007-0064 for a three-year term, with two one-year options in the amount of \$17,315,978.50. Expenditures as of May 1, 2012 totaled \$12,165,254.42. The contract extension is needed to allow the City's Fleet Management Department (FMD) sufficient time to recruit and develop adequate staffing levels to take over the full operations of the current outsourced HAS fleet/vehicle and equipment maintenance services contract. Therefore, the additional 12-month extension is necessary and shall sustain HAS until FMD is able to assume these required services internally.

The scope of work requires the contractor to provide all labor, materials, parts, equipment, tools and supervision necessary to perform preventive and remedial maintenance on HAS vehicles and equipment. The work includes mobile services, fuel dispensing equipment maintenance, and supplying lubricants, coolants, tires, batteries, and consumables.

This contract was awarded with a 12% M/WBE participation goal and First Support Services, Inc. is currently achieving 6.43% of its goal. The Mayor's Office of Business Opportunity will continue to monitor this contract to ensure maximum M/WBE participation.

Buyer: Joyce Hays

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

m

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9305

Subject: Approve an Ordinance Awarding a Contract for Armored Car Services for Various Departments/S23-L24098

Category #
4

Page 1 of 2

Agenda Item

23

FROM (Department or other point of origin):

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

Origination Date

May 03, 2012

Agenda Date

MAY 16 2012

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Karen Williams Phone: (713) 247-8049
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to Triple D Security on its low bid in an amount not to exceed \$824,303.60 for armored car services for various departments.

Maximum Contract Amount: \$824,303.60

Finance Budget

- \$473,448.96 (1000) - General Fund
- \$ 78,513.60 (8001) - HAS Revenue Fund
- \$ 67,123.20 (2104) - Park Golf Special Fund
- \$ 50,342.40 (2100) - Park Special Revenue Fund
- \$ 43,874.80 (2301) - Building Inspection Fund
- \$ 40,468.80 (8700) - Parking Management Fund
- \$ 35,360.00 (2002) - Health Special Fund
- \$ 35,171.84 (2427) - BARC Special Revenue Fund

\$824,303.60 - Total

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a one-year contract, with four one-year options to Triple D Security on its low bid in an amount not to exceed \$824,303.60 for armored car services for various departments. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

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

<u>Company</u>	<u>Total Amount</u>
1. Triple D Security	\$824,303.60
2. Dunbar Armored, Inc.	\$878,924.25

Under this contract, the contractor shall provide armored car pickup and delivery of monies and securities collected by various departments citywide. The scope of work requires the contractor to provide all supervision, labor, materials, supplies, tools, equipment and transportation necessary to pickup and deliver monies, checks and/or securities within City Departments and/or to the bank. Armored car services will be performed for the following departments: Houston Airport System, Administration & Regulatory Affairs, Fire,

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

MDT

Date: 5/3/2012	Subject: Approve an Ordinance Awarding a Contract for Armored Car Services for Various Departments/S23-L24098	Originator's Initials RB	Page 2 of 2
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Health & Human Services, Library, Municipal Courts, Parks & Recreation, Planning & Development, Police, and Public Works & Engineering Departments.

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.

Buyer: Roy Breaux

Estimated Spending Authority

Department	FY 2012	Out Years	Total
Municipal Courts Department	\$ 8,180.64	\$251,278.56	\$259,459.20
Parks & Recreation	\$ 6,712.26	\$127,812.67	\$134,524.93
Administration & Regulatory Affairs	\$ 4,152.96	\$116,109.44	\$120,262.40
Health & Human Services	\$ 4,218.88	\$105,933.12	\$110,152.00
Houston Airport System	\$ 2,373.12	\$ 76,140.48	\$ 78,513.60
Public Works & Engineering	\$ 4,218.88	\$ 39,655.95	\$ 43,874.83
Library	\$ 8,393.00	\$ 33,600.00	\$ 41,993.00
Police	\$ 5,000.00	\$ 20,000.00	\$ 25,000.00
Planning	\$ 323.64	\$ 10,200.00	\$ 10,523.64
Total	\$43,573.38	\$780,730.22	\$824,303.60

Attachments:

1. M/WBE Zero Percentage Goal Document approved by the Mayor's Office of Business Opportunity
2. Contractor/Subcontractor Waiver of Pay or Play approved by the Mayor's Office of Business Opportunity



CITY OF HOUSTON
MAYOR'S OFFICE
of
BUSINESS OPPORTUNITY

Interoffice
CORRESPONDENCE

To: Carlecia Wright
OBO Director

From: LaTanja Bolden

Date: February 24, 2012

cc:

Subject: Good Faith Effort Request
For: Armored Car Services S23-L24098



In my office review and evaluation on the Good Faith Efforts submitted by Triple D Security, Inc. regarding project listed above. The opportunities for sub-contracting MWBE participation was towing and auto repair services. There is also an opportunity for some office supply, but the amounts were minimal. Total submitted by Triple D Security, Inc was \$824,303.00. This company has the current contract, which has a 3% goal and they are currently showing 0% participation. I spoke with Triple D. Security, Inc. and their explanation for not meeting the goal is:

- o No MWBE towing companies
- o Company has an in-house mechanic
- o Company has new fleet of Ford trucks under warranty
- o None of the wrecker companies can haul their heavier armored trucks

Note: The vendor contacted three companies who stated they do not tow vehicles over 10,000 lbs and the fourth contractor did not respond to their attempts. I attempted to call the fourth vendor and no one answered. Strategic Purchasing actually submitted a waiver request, but this was done after the advertisement.

Based on my findings there is minimal opportunity for MWBE participation. It is the recommendation to approve Triple D Security, Inc. Good Faith Efforts.

Cc: Carlecia Wright, Director
LaTanja Bolden, Procurement Specialist
Norma Meadows

Approved





December 5, 2011

Robert Gallegos
City of Houston
611 Walker, 7th Floor
Houston, TX 77002

Dear Robert,

Triple D Security does not need to meet (or is exempt from) the city's requirements for the Pay or Play program as our employees work on the city for contract for far less than 30 hours a week. We will provide documentation monthly that shows the time each employee worked on the city contract.

Thank you,

A handwritten signature in cursive script that reads "Jay Lack".

Jay Lack

President
Triple D Security

A handwritten signature in cursive script that reads "Approved".

Dec 9, 2011

A handwritten signature in cursive script that reads "Robert D. Gallegos".

ROBERT D. GALLEGOS

ASST DIRECTOR

MAYOR'S OFFICE OF BUSINESS OPPORTUNITY (OBO)

Texas License # C-1948
e-mail: tripldsecurity.com
(361) 578-4951; Fax: (361) 578-5290
P.O. Box 2346 - Victoria, Texas 77902

Alarm Systems & Monitoring, Guard & Patrol Service, Armored & ATM Service, CIT Services, Camera Systems

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9234

Subject: Approve an Ordinance Awarding a Contract for Medical Waste Removal and Disposal Services for Various Departments/S37-L23970

Category #
4

Page 1 of 2

Agenda Item

24

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

Origination Date
May 11, 2012

Agenda Date
MAY 16 2012

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
Jacquelyn L. Nisby Phone: (832) 393-8023
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)
Approve an ordinance awarding a contract to K. P. Management, LLC dba USA Decon on its low bid in an amount not to exceed \$619,855.00 for medical waste removal and disposal services for various departments.

Maximum Contract Amount: \$619,855.00

Finance Budget

\$619,855.00- General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options, to K.P. Management, LLC dba USA Decon on its low bid meeting specifications in an amount not to exceed \$619,855.00 for medical waste removal and disposal services for various departments. The City Purchasing Agent may terminate this contract at anytime upon 30-days written notice to the contractor.

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

<u>Company</u>	<u>Total Amount</u>
1. K.P. Management, LLC dba USA Decon	\$619,855.00
2. WM Healthcare Solutions, Inc.	\$649,860.20
3. Gamma Waste Systems, LLC	\$923,934.50
4. Medclean Management Solutions, Inc.	\$1,775,962.00
5. Alternate, LLC	\$2,199,177.00

The scope of work requires the contractor to provide all labor, supervision, materials, and transportation necessary to provide medical waste containers and supplies for the collection and disposal of medical waste, incineration of Controlled Pharmaceuticals (Schedule II, IV drugs) and autoclaving of Non-DEA Pharmaceuticals. In addition, the contractor shall be required to provide training and instruction to City employees on medical waste removal and its proper disposal.

M/WBE Subcontractor:

This invitation to bid was issued as a goal-oriented contract with a 12% goal for M/WBE participation level. K.P. Management, LLC dba USA Decon has designated the below-named company as its certified M/WBE subcontractor:

<u>Name</u>	<u>Type of Work</u>	<u>Dollar Amount</u>	<u>Percent</u>
Evco Partners, L. P. dba Burgoon Company	Sharps Containers	\$74,382.60	12%

The Mayor's Office of Business Opportunity will monitor this award.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

M

1.1

Date:
5/11/2012

Subject: Approve an Ordinance Awarding a Contract for Medical
Waste Removal and Disposal Services for Various Departments/S37-
L23970

Originator's
Initials
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Page 2 of 2

Pg 2 Revised

JH

MAY 16 2012

Pay or Play Program:

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

Hire Houston First:

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

Estimated Spending Authority

Department	FY12	Out Years	Total
General Services Department	\$12,381.00	\$526,744.00 ←	\$539,125.00 ←
Houston Fire Department	\$ 1,020.00	\$ 79,710.00	\$ 80,730.00
TOTAL	\$13,401.00	\$606,454.00	\$619,855.00

Buyer: Joyce Hays

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance amending Ordinance No. 2012-215 relating to the Bridgeland Management District		Page 1 of 1	Agenda Item # 25
FROM (Department or other point of origin): Legal		Origination Date 5/9/2012	Agenda Date MAY 16 2012
DIRECTOR'S SIGNATURE: 		Council District affected: N/A	
For additional information contact: Deborah F. McAbee Phone: 832-393-6321		Date and identification of prior authorizing Council action: Ordinance No. 2012-215 3/7/12	
RECOMMENDATION: (Summary) Adopt an ordinance amending Ordinance No. 2012-215 relating to the Bridgeland Management District to correct Exhibit "B" to reflect the appropriate City consent conditions			
Amount and Source of Funding: N/A			
SPECIFIC EXPLANATION: On March 7, 2012, City Council approved Ordinance No. 2012-215 consenting to the creation of the Bridgeland Management District in the extraterritorial jurisdiction of the City subject to certain conditions attached as Exhibit "B" to the Ordinance. Unfortunately, the Exhibit "B" consent conditions that were attached to the Ordinance were not the appropriate consent conditions for the Bridgeland Management District given its statutory authority. To correct this clerical error, we recommend amending the original ordinance to substitute the correct Exhibit "B".			
REQUIRED AUTHORIZATION			
Other Authorization:	Other Authorization:	Other Authorization:	

EXHIBIT "B"

(a) Bonds will be issued by the District only for the purposes provided in the legislation creating the District. The District must obtain the approval of the City Council of the City of Houston of the issuance of bonds for any improvement project. In lieu of approval of an individual bond issue by the City Council of the City of Houston, the District may obtain approval from the governing body of the City of Houston of a capital improvements budget for a period of not to exceed five years setting forth the projects for which the District proposes to issue its bonds. In the event the District obtains approval of a capital improvements budget, it may issue bonds to finance any capital improvements specified in the budget without further approval from the City of Houston. No land will be added or annexed to the District until the City of Houston has given its written consent by Ordinance of the City Council to such addition or annexation.

(b) The District must obtain approval from the Department of Planning and Development and the Public Works and Engineering Department of the City of Houston of the plans and specifications of any improvement project that involves the use of the rights-of-way of streets, roads, highways or land owned by the City of Houston.

(c) Upon inclusion of the District within the corporate limits of the City, the City Council of the City of Houston may, by a vote of not less than two-thirds (2/3rds) of the entire membership, adopt an ordinance dissolving the District. Upon the adoption of such an ordinance the District shall be dissolved, and, in accordance with Sections 375.263 and 43.075, Local Government Code, the City of Houston shall (1) succeed to the property and assets of the District and (2) assume all debts, obligations and liabilities of the District.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Agreement with The United States of America, acting by and through the General Services Administration on behalf of Transportation Security Administration (TSA) for lease of space at William P. Hobby Airport.	Category #	Page 1 of 1	Agenda Item # 26
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FROM (Department or other point of origin): Houston Airport System	Origination Date May 7, 2012	Agenda Date MAY 16 2012
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DIRECTOR'S SIGNATURE: 	Council District affected: I
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For additional information contact: Janet Schafer  Phone 281-233-1796 Ian Wadsworth  281-233-1682	Date and identification of prior authorizing Council action:
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AMOUNT & SOURCE OF FUNDING: N/A	Prior appropriations:
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RECOMMENDATION: (Summary) Enact an ordinance approving and authorizing the execution of a lease agreement with The United States of America, acting by and through the General Services Administration for space to be occupied by Transportation Security Administration (TSA) at William P. Hobby Airport (HOU).

SPECIFIC EXPLANATION: The Houston Airport System (HAS) recently completed a major terminal renovation and constructed a new building for Airline Baggage Make-up and TSA Baggage Screening at the William P. Hobby Airport (HOU). The leased areas have been defined and TSA is seeking a seven (7) year lease for their existing space and the new areas they intend to occupy. This space being leased by the Government Services Administration (GSA) is on behalf of the TSA for offices and break rooms.

TSA is not required to pay for operational space at airports for security screening. The airlines cover screening area costs. They may, however, be charged for administrative break room and office space. This Lease Agreement formalizes such occupancy.

- 1) **Leased Premises:** Approximately 4,408 square feet of office and break room space
- 2) **Rental:** \$474,388.96 Annually (\$39,532.41 Monthly)
Based on a rate of \$107.62 per square foot
- 3) **Term:** Effective September 1, 2010, to include early occupancy granted during the negotiations period, and continuing for seven years.
- 4) **General Use:** The space is in support of the passenger and baggage screening operations at HOU for supervisory offices and break room purposes.
- 5) **Janitorial:** GSA shall assume the responsibility, cost and expense for the janitorial services of the leased premises.
- 6) **Maintenance & Utilities:** The City will provide for the structural maintenance of the building, building systems and all equipment, fixtures and appurtenances furnished by the City under the lease and provide for all utilities furnished to the leased premises.

REQUIRED AUTHORIZATION

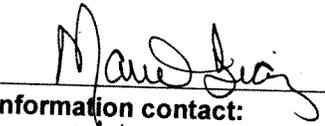
Finance Department:	Other Authorization:	Other Authorization:
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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Design Build Agreement with the MICA Corporation for Exterior Way-Finding Roadway Signage at George Bush Intercontinental Airport/Houston (IAH) Project No. 684 (WBS# A-000597-0001-3-01-01)	Category #	Page 1 of 2	Agenda Item # 27
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FROM (Department or other point of origin): Houston Airport System	Origination Date March 28, 2012	Agenda Date MAY 15 2012
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DIRECTOR'S SIGNATURE: 	Council District affected: B
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For additional information contact: Lance Lyttle <i>TL</i> Phone: 281-233-1889 Adil Godiwalla <i>AG</i> 281-233-1934	Date and identification of prior authorizing Council action: N/A
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AMOUNT & SOURCE OF FUNDING: CIP No. A - 0597.01 \$1,483,627.00 HAS Arpt Improvement (8011) <i>KL</i>	Prior appropriations: N/A
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RECOMMENDATION: (Summary)
Enact an ordinance to approve a Design Build Agreement with MICA Corporation and appropriate the necessary funds to finance the cost of these services.

LOCATION: George Bush Intercontinental Airport/Houston (IAH)

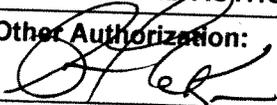
HISTORY/BACKGROUND: The exterior roadway signage provides directional information to airport customers, enabling them to reach their destinations safely and efficiently. The exterior roadway signs at IAH were last upgraded in 1999. The existing signs have faded due to exposure to the elements, and the messages must be updated due to relocations of air carriers among the five terminals, carrier mergers and acquisitions, and new technological developments in the signage industry.

SPECIFIC EXPLANATION: A Request for Qualifications was advertised on April 23, 2010. Nine (9) Statements of Qualifications (SOQs) were received (MICA Corporation (MICA); Florida Traffic Control Devices, Inc.; National Signs, Ltd.; Texas Sterling Construction Co.; Facility Solution Group; TransCore; EAS Contracting, LP; Beyer Construction; and 4City Construction & Development). A committee was formed to select a team of consultants to design, manufacture and then build a modern state of the art roadway signage system at IAH, meeting the latest international standards. Firms were evaluated based on team design build experience, past client satisfaction, experience in meeting budget and meeting schedule, safety performance, project management methodology, quality assurance approach and plan for meeting minority goals. Four (4) shortlisted firms (MICA Corporation; Florida Traffic Control Devices, Inc.; National Signs, Ltd; and Texas Sterling Construction, Co.) were interviewed and MICA Corporation was selected as the best respondent.

The exterior roadway signage improvements project at IAH will be performed in two phases. Phase I, Pre-Construction Phase Services, scope of work includes the following:

- Pre-construction and assessment of existing signage and structures
- Pre-design services
- Schematic design phase
- Design development phase
- Construction documents phase

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization: 	Other Authorization:	NDT
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Date March 28,2012	SUBJECT: Design Build Agreement with the MICA Corporation for Exterior Way-Finding Roadway Signage at George Bush Intercontinental Airport/Houston (IAH) Project No. 684 (WBS# A-000597-0001-3-01-01)	Originator's Initials AE	Page 2 of 2
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- Review of drawings, design documents and estimated construction cost reports

Upon completion of Pre-Construction Phase Services, the contractor will submit for review to the Houston Airport System (HAS) a Guaranteed Maximum Price (GMP) for Phase II, Construction Phase Services. Once a GMP is agreed upon and approved by HAS, Council will be requested to approve an additional appropriation and the proposed GMP for Phase II, Construction Phase Services. If HAS rejects the GMP proposal or the contractor and HAS are unable or unwilling to agree on a GMP, HAS may terminate the agreement, in which case all documents prepared by the contractor, including the schematic design documents, design development documents and construction documents, will be transferred to and assigned to HAS for its ownership and use as it sees fit.

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.

PROJECT COST: The total cost to be appropriated for Phase I of this project is \$1,483,627.00. Additional appropriation will be requested for Phase II once a GMP is submitted by the contractor.

HIRE HOUSTON FIRST: Hire Houston First (HHF) Ordinance does not apply to this project, as the project was advertised before the enactment and implementation of HHF.

M/WBE PARTICIPATION: The Minority Women Business Enterprise (M/WBE) contract goal of ten percent (10%) has been established for Phase I, Pre-Construction Phase Services. It is anticipated that Phase II, Construction, will have a higher goal due to higher opportunity for subcontracting associated with construction and fabrication work. M/WBE goal for Phase II will be established once Phase I is completed and a GMP and detailed scope of services for Phase II are submitted by the contractor. Phase I M/WBE goal will be achieved by the following firm.

Firm	Type of Work	Amount	% of Bid
HVJ Associates, Inc.	Geotechnical Surveys	\$150,000.00	10%

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Approve First Amendment to Construction Contract and Appropriate Additional Funds
Hallmark Capital Group, LLC dba Hallmark-Farrell Roofing Company
Sunnyside Multi-Service Center Roof
WBS No. H-000018-0004-4

Page
1 of 1

Agenda
Item
28

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

Origination Date
5/10/12

Agenda Date
MAY 16 2012

DIRECTOR'S SIGNATURE:

Scott Minnix

Scott Minnix 5/17/12

Council Districts affected:
D

For additional information contact:

Jacquelyn L. Nisby Phone: 832.393.8023

Date and identification of prior authorizing Council action:
Ordinance No. 2012-0260; March 28, 2012

RECOMMENDATION: Approve First Amendment to construction contract and appropriate additional funds for the project.

Amount and Source of Funding:

\$40,000.00 Public Health Consolidated Construction Fund (4508)

Finance Budget:

Previous Funding:

\$ 478,005.00 American Recovery and Reinvestment Act (ARRA) (5300)

37,547.00 Public Health Consolidated Construction Fund (4508)

\$ 515,552.00 Total Funding

SPECIFIC EXPLANATION: The General Services Department recommends approval of a First Amendment to the construction contract with Hallmark Capital Group, LLC dba Hallmark-Farrell Roofing Company to increase the director's authority to approve Change Orders up to 18.5% of the original contract price. The existing roof at Sunnyside Multi-Service Center is approximately 37 years old. During the original scope of work, the contractor performed infrared and water leak testing which revealed areas of water saturation and roof drain damage. The requested appropriation will fund the following unforeseen conditions and increased scope of work, which will exceed the original 10% contingency:

- Repair or replace leaking roof drains that were revealed during water leak testing, including ceiling repairs.
- Remove and replace wet insulation and roof membrane as determined by Infrared and moisture testing.

PROJECT LOCATION: 4605 Wilmington (573B)

PREVIOUS HISTORY AND PROJECT SCOPE: On March 28, 2012, City Council awarded a construction contract to Hallmark Capital Group, LLC dba Hallmark-Farrell Roofing Company to provide construction services for the Sunnyside Multi-Service Center Roof and appropriated \$515,552.00. The scope of work consists of a roof overlay, new exterior caulking/sealants, installation of new thru-wall flashings at window heads and elastomeric coating on all exterior wall surfaces.

SM:JLN:RAV:MCP:med

c: Marta Crinejo, Jacquelyn L. Nisby, Esq., Christopher Gonzales, David Godwin, Celina Garza Ridge, Calvin Curtis, Esq., File

REQUIRED AUTHORIZATION

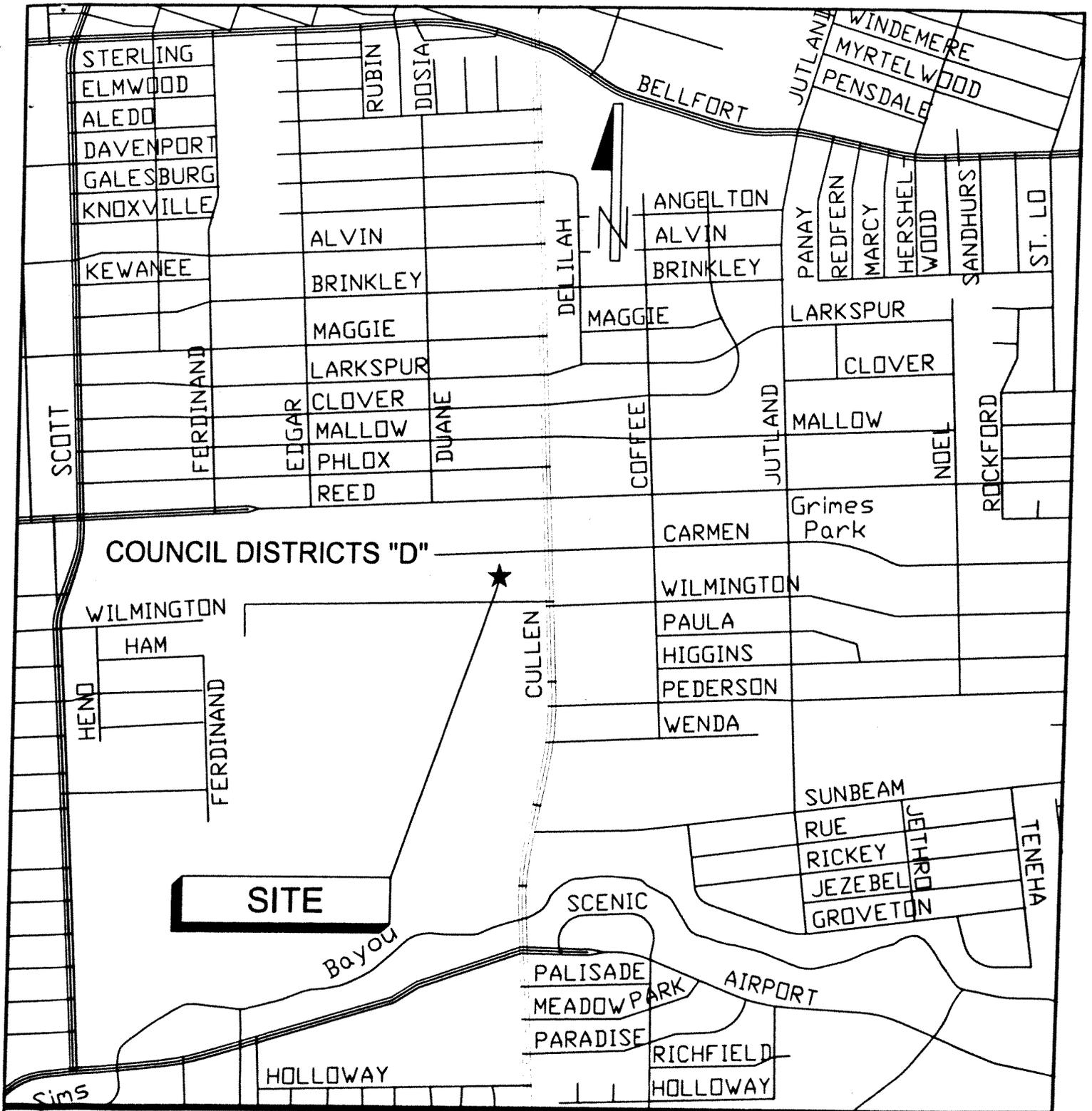
CUIC ID # 25CONS203

General Services Department:

Department of Health and Human Services

Richard A. Vella
Chief of Design & Construction Division

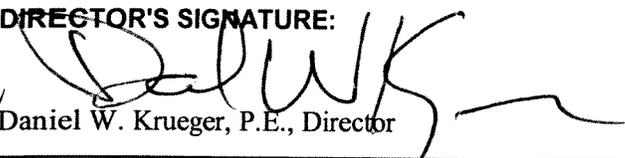
Stephen L. Williams, M.Ed, MPA
Director



SUNNYSIDE MULTI-SERVICE CENTER ROOF
4605 WILMINGTON
HOUSTON, TX 77051

SUBJECT: Advance Funding Agreement between the City of Houston and Gulf Coast Rail District for the East Belt Grade Crossing Safety Improvements within the boundaries of the City of Houston; WBS No. N-000817-0002-4.	Page 1 of 2	Agenda Item # 29
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 5/10/12	Agenda Date MAY 16 2012
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DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council District affected: H, I 8 JK
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For additional information contact:  Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 Senior Assistant Director	Date and identification of prior authorizing Council action: Ordinance 2011-1161, 12/14/2011
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RECOMMENDATION: (Summary)
Adopt an ordinance approving and authorizing an Advance Funding Agreement between the City of Houston and Gulf Coast Rail District.

Amount and Source of Funding: N/A.

PROJECT NOTICE/JUSTIFICATION: This project is part of the Quiet Zone and Safety Program for Railroad Crossings. It is desired to improve safety and train noise related issues at various railroad crossings along the East Belt.

This project is identified in the FY 2009 "Omnibus Appropriations Act 2009". \$475,000 was identified in the Federal Railroad Administration's Rail Line Relocation and Improvement Program. The Grantee is the Gulf Coast Rail District (GCRD). The GCRD will use the federal funds to reimburse 89.96% of the project cost to the City of Houston (Sub-Grantee) for performing this work.

DESCRIPTION/SCOPE: Funds from this grant will be used to reimburse design and construction costs for safety improvements at 11 grade crossings along the East Belt Subdivision in Houston, Texas. Safety Improvements will include the installation of median channelization devices for high volume crossings and guardrail for closures at lower volume crossings. In addition, signs, pavement markings, and concrete curb work may also be included for both types of crossings. The City of Houston will design the project and manage construction.

LOCATION: The project is located along the East Belt Rail Corridor at the following crossings: Telephone Road, Lawndale Street, Jefferson Street, Pease Street, Leeland Street, Bell Street, Polk Street, Hughes Street, Sherman Street, Brady Street, Canal Street, located on Key Map grids 494 X, 494 Y, 494 U, and 494 V.

SCOPE OF THIS AGREEMENT: The Gulf Coast Rail District has secured federal funding through the Federal Railroad Administration to make safety improvements to the East Belt Grade crossings. The Gulf Coast Rail District desires to provide the federal funds to the City of Houston as a subgrantee for the design and construction of the project. Upon completion of construction the Gulf Coast Rail District, under this agreement, will reimburse the City of Houston for the federal share of the

REQUIRED AUTHORIZATION CUIC ID #20CJZ07

Finance Department:	Other Authorization:	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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Date	SUBJECT: Advance Funding Agreement between the City of Houston and Gulf Coast Rail District for the East Belt Grade Crossing Safety Improvements within the boundaries of the City of Houston; WBS No. N-000817-0002-4.	Originator's Initials CJZ	Page 2 of 2
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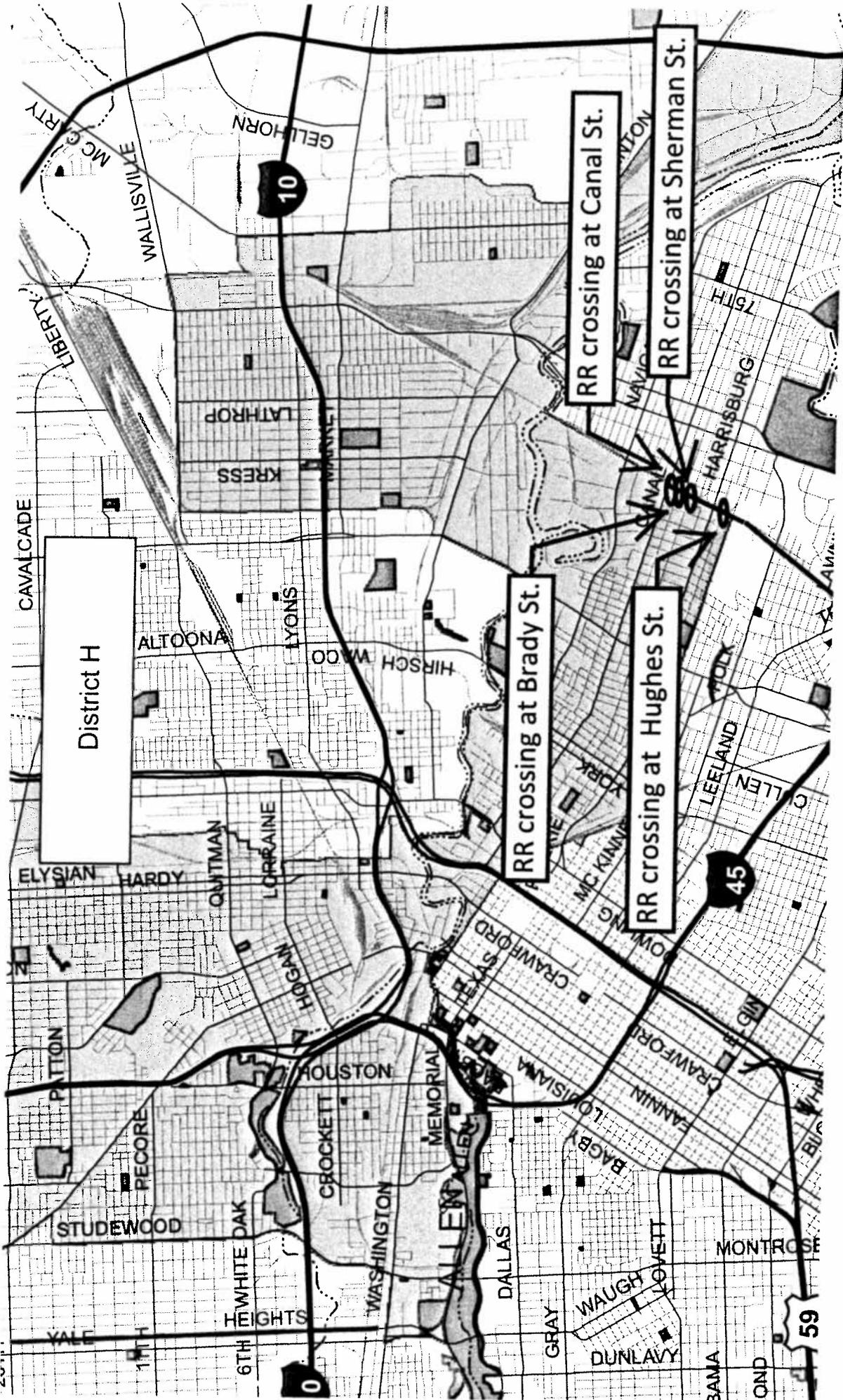
project cost (89.96% of the project cost or \$475,000.00, whichever is less). The total estimated cost of this project, including design, construction, construction management, and CIP Cost Recovery is \$528,000.00. Any additional expenses required to complete this project will be borne by the City of Houston. The City of Houston will manage the design and construction of the project. The City Council has previously appropriated \$1,394,000.00 under ordinance 2011-1161, which included the amount necessary to construct this project and obtain reimbursement.

ACTION RECOMMENDED: It is recommended that City Council adopt an ordinance approving and authorizing an Advance Funding Agreement between the City of Houston and the Gulf Coast Rail District to secure reimbursement for a portion of project costs.

[Handwritten signature]
DWK:DRM:RK:JK:CJZ

Z:\constr\A-SB-DIV\Quiet Zones East Belt Agreement - RCA\working files\20CJZ07.doc

c: File: Gulf Coast Rail District – East Belt Grade Crossings



District H

RR crossing at Canal St.

RR crossing at Sherman St.

RR crossing at Brady St.

RR crossing at Hughes St.

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MC GARTY

GELLHORN

LIBERTY

LATHROP
KRESS

CAVALCADE

ALTOONA

LYONS

HIRSCH W. CO.

NAVIGATOR

75TH

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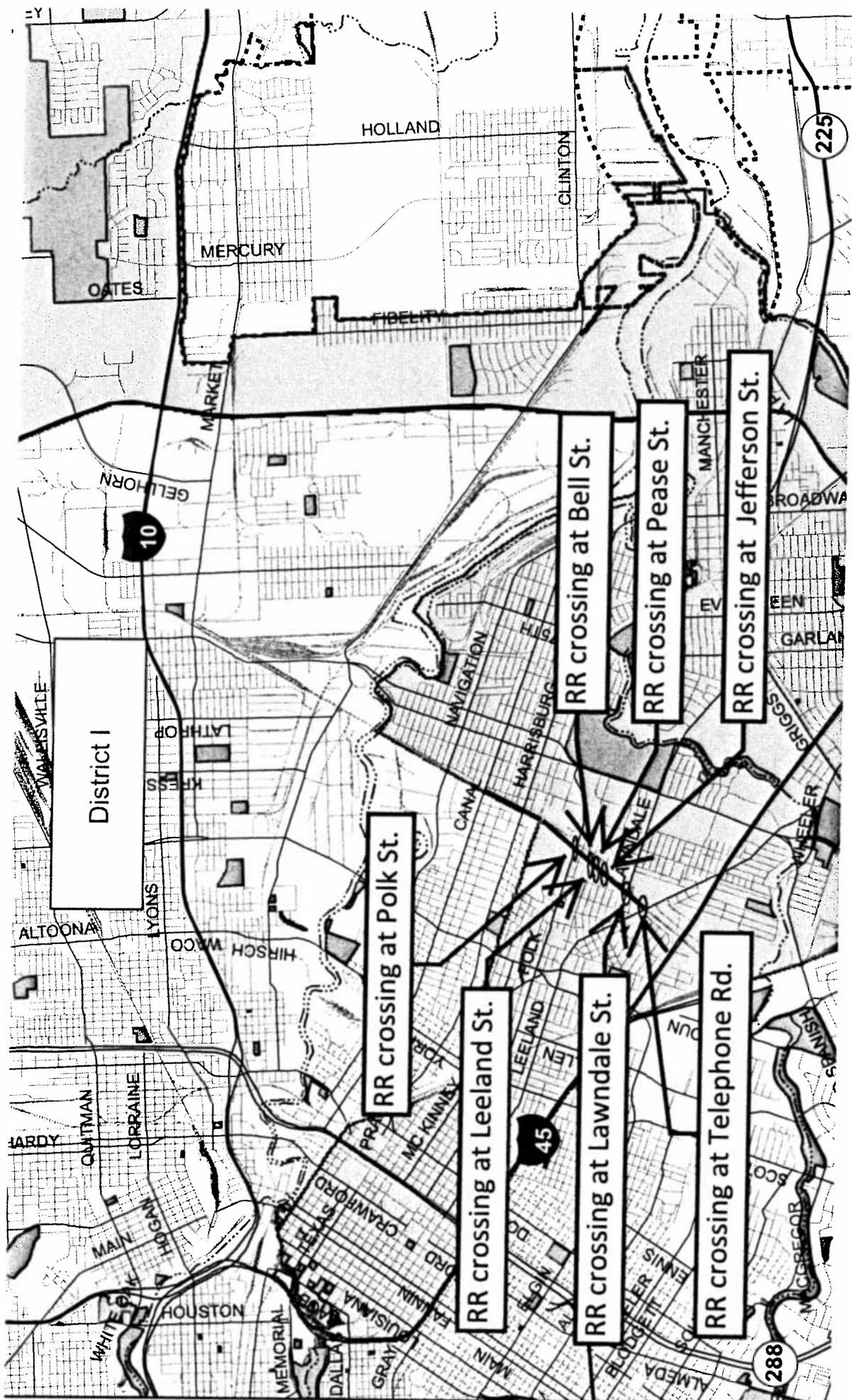
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District I

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RR crossing at Bell St.

RR crossing at Pease St.

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NAVIGATION

CANA

HARRISBURG

LEELAND

LAWDALE

PHONE

POLK

PEASE

JEFFERSON

MANCHESTER

CLINTON

HOLLAND

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Professional Engineering Services Contract between the City and Edminster, Hinshaw, Russ and Associates, Inc. for Willow Water Hole (Sub-Project 1- Willow Meadows Sections 15-18) Drainage and Paving
WBS No. M-001013-0001-3

Page
1 of 2

Agenda Item #

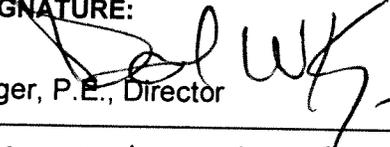
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FROM: (Department or other point of origin):
Department of Public Works and Engineering

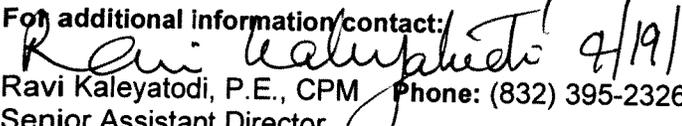
Origination Date:
5/10/12

Agenda Date:
MAY 16 2012

DIRECTOR'S SIGNATURE:

WJG

Daniel W. Krueger, P.E., Director

Council District affected:
C.R.A.

For additional information contact:
 4/19/12
Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326
Senior Assistant Director

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)

Approve a Professional Engineering Services Contract with Edminster, Hinshaw, Russ and Associates, Inc., and appropriate funds.

Amount and Source of Funding: \$766,000.00 from Fund 4042 - Street & Traffic Control and Storm Drainage DDSRF.

Rem 04/27/2012

PROJECT NOTICE/JUSTIFICATION: This project is part of the Storm Drainage Capital Improvement Plan and is required to address and reduce the risk of structural flooding. Improvements include modification of street conveyance and sheet flow, and provide detention as needed for mitigation.

DESCRIPTION/SCOPE: This project provides for the design and construction of storm drainage improvements, necessary concrete paving, curbs, sidewalks, driveways and underground utilities. Project will serve the Willow Meadows Sections 15-18; Comprehensive Drainage Plan Outfall D0155, D6023 and adjacent drainage areas.

LOCATION: This project is generally bound by Brays Bayou on the north, S. IH-610 W. on the south, HCFCD Ditch (D136-00-00) on the east, and Willow Water Hole on the west. The project is located in Key Map Grids 531R, and 531V.

SCOPE OF CONTRACT AND FEE: Under the scope of the contract, the Consultant will perform Phase I – Preliminary Design, Phase II – Final Design, Phase III – Construction Phase Services and Additional Services for Sub-Project 1 (Willow Meadows Sections 15-18). Basic Services Fee for Phase I is based on the cost of time and materials with a not-to-exceed agreed upon amount. The Basic Services fees for Sub-Project 1, Phase II and Phase III will be negotiated on a lump sum amount or reimbursable basis after the completion of Phase I. The total Basic Services appropriation is \$383,034.00.

The Contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services include but are not limited to surveying, geotechnical investigation, environmental services, traffic control, storm water pollution prevention and tree protection plans. The total Additional Services appropriation is \$282,980.00.

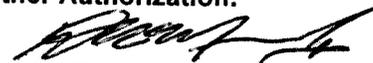
REQUIRED AUTHORIZATION

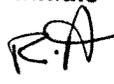
CUIC ID# 20RRA11

Finance Department

Other Authorization:

Other Authorization:


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

Date	Subject: Professional Engineering Services Contract between the City and Edminster, Hinshaw, Russ and Associates, Inc. for Willow Water Hole (Sub-Project 1- Sections 15-18) Drainage and Paving WBS No. M-001013-0001-3	Originator's Initials 	Page 2 of 2
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SCOPE OF CONTRACT AND FEE: (continue)

The total cost of this project is \$766,000.00 to be appropriated as follows: \$666,014.00 for Contract Services and \$99,986.00 for CIP Cost Recovery.

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

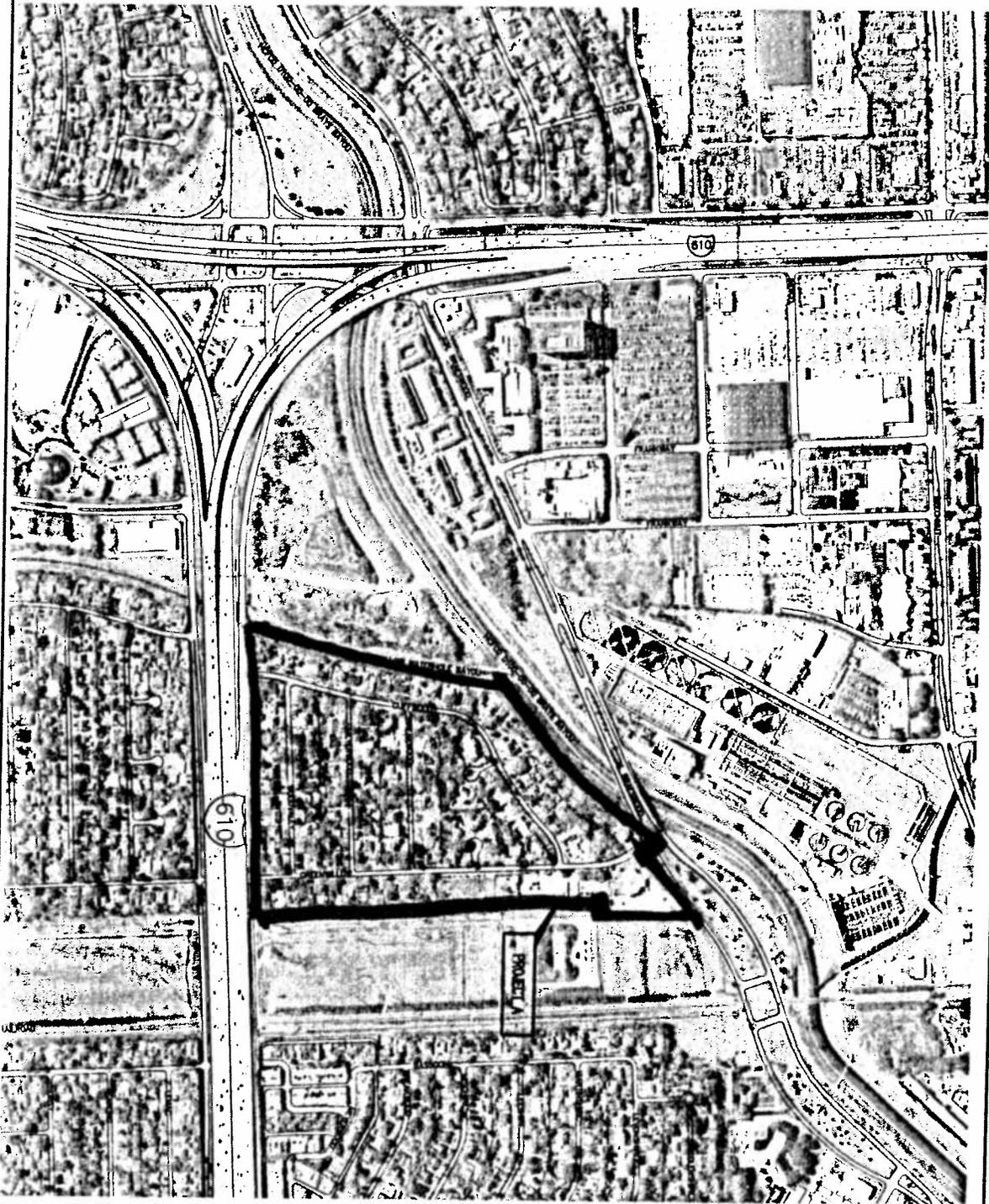
M/WBE INFORMATION: The M/WBE goal for the project is set at 24%. The Consultant has proposed the following firms to achieve this goal:

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. DAE & Associates, Ltd.	Geotechnical Investigation	\$ 32,643.00	4.90%
2. United Engineers, Inc.	Engineering and Surveying	\$ 64,531.50	9.69%
3. Crouch Environmental Services, Inc.	Environmental Consultant	\$ 57,440.00	8.62%
4. B&E Reprographics, Inc.	Reprographic Services	\$ 12,000.00	1.80%
		\$ 166,614.50	25.01%


DWK:DRM:RK:DPS:RRA:klw

Z:\design\A-sw-div\WPDATA\00 - STM ENGR PROJECTS\Willow Waterhole (M-1013-1)-D12_C14\1.0 DESIGN CONTRACT\1.2 RCA\04-RCA Willow Water Hole (Willow Meadows Sections 15-18)04-11_2012.docx

c: File No. M-001013-0001-3 (RCA 1.2)



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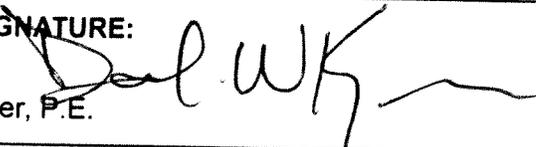


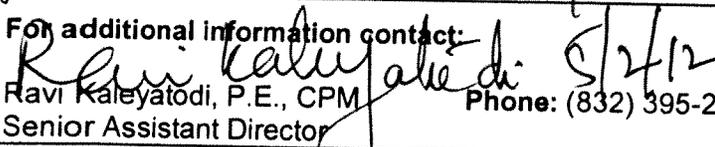
NOTE:
 PROJECT AREA BASED ON EXTENDED FEASIBILITY
 STUDY REPORT BY SES HORIZON, INC AND ARE
 SUBJECT TO CHANGE BASED ON PRELIMINARY
 ENGINEERING ANALYSIS

 Golder + Hodge Ross 4000 Highway 10, Suite 100 1555 Westchase Blvd, Norfolk, VA 23502 757-640-0100 FAX 757-640-0101	WILLOW WATERFORD AREA DRAINAGE AND PLANNING IMPROVEMENTS
	WBS NO. W-007-01-0001-3 LOCATION MAP PROJECT A

SUBJECT: Additional Appropriation to Professional Engineering Services Contract between the City of Houston and Gunda Corporation, L.L.C. for Reconstruction of Wallisville Road from Lockwood Drive to North Wayside Drive. WBS No. N-000626-0001-3.	Page 1 of 2	Agenda Item # 31
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 5/10/12	Agenda Date MAY 16 2012
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DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E.	Council District affected: B JK
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For additional information contact:  Ravi Kaleyatodi, P.E., CPM Senior Assistant Director Phone: (832) 395-2326	Date and identification of prior authorizing Council action: Ordinance No. 2011-0265; Dated: 4/13/2011
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RECOMMENDATION: (Summary)
 Approve an Ordinance appropriating additional funds for Professional Engineering Services Contract with Gunda Corporation L.L.C.

Amount and Source of Funding:
 \$981,182.00 from Fund 4042 - Street & Traffic Control and Storm Drainage DDSRF. *U.P. 5/3/2012*
 Original (previous) appropriation of \$333,484.00 from the Street and Bridge Consolidated Construction Fund No. 4506.

PROJECT NOTICE/JUSTIFICATION: This project is part of the Street & Traffic Capital Improvement Plan (CIP) and is necessary to improve the traffic circulation, safety mobility and drainage.

DESCRIPTION/SCOPE: This project consists of the design of approximately 6,500 linear feet of roadway reconstruction. The proposed project includes a two-lane undivided concrete roadway with continuous center turn lane, improvement of street curbs, an efficient and cost effective underground drainage system to mitigate street flooding, new inlets, sidewalks, streetlights, signals and necessary underground utilities.

LOCATION: The project area is generally bounded by Lockwood on the West and North Wayside on the East. The project is located in Key Map Grids 494C, 494D and 495A.

PREVIOUS HISTORY AND SCOPE: The original Contract was approved April 13, 2011 by Ordinance 2011-0265. The scope of services under the original Contract consisted of Phase I Preliminary Engineering and feasibility study for three segments, which are one- Lockwood Drive to North Wayside, two- North Wayside to McCarty, and three- McCarty to IH-610.

SCOPE OF THIS SUPPLEMENT AND FEE: Additional funds are needed to complete Phase II and Phase III Basic Services and Additional Services, for Segment one- Lockwood to North Wayside, which were not previously appropriated. The requested additional appropriation will accomplish the following tasks: Phase II - Final Design, Phase III - Construction Phase Services, Additional Services and certain miscellaneous services. The fee of \$506,352.00 is needed for Phase II - which includes Final Design Services and \$93,243.00 for Phase III - Construction Phase Services. The total Basic Services fees of \$599,595.00 are negotiated on a lump sum basis.

REQUIRED AUTHORIZATION CUIC ID #20AZA12

Finance Department: 	Other Authorization: 	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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Date	SUBJECT: Additional Appropriation to Professional Engineering Services Contract between the City of Houston and Gunda Corporation, L.L.C. for Reconstruction of Wallisville Road from Lockwood Drive to North Wayside Drive. WBS No. N-000626-0001-3.	Originator's Initials	Page 2 of 2
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The supplement also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis including surveying, geotechnical investigation, Phase II Environmental Services, traffic control plans, signalization, tree protection, storm water prevention pollution plans and lighting. The total Additional Services Fees is \$253,587.00

The total requested appropriation is \$981,182.00 to be appropriated as follows: \$853,182.00 for contract services and \$128,000.00 for CIP cost recovery.

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

M/WBE INFORMATION: The M/WBE goal established for the project is 24%. The original Contract amount totals \$289,986.00. The consultant has been paid \$281,702.13 (97.14%) to date. Of this amount \$67,597.00 (24%) has been paid to M/WBE sub-consultants to date. Assuming approval of the requested additional appropriation the contract amount will increase to \$1,143,168.00.

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
1. Prior M/WBE Work		\$67,597.00	5.91%
2. Landtech, Inc.	Surveying Services	\$99,000.00	8.66%
3. DAE & Associates Ltd., DBA Geotech Engineering and Testing	Geotech Engineering and Testing Services	\$30,000.00	2.62%
4. B & E Reprographics, Inc.	Document Reproduction	\$10,000.00	0.87%
5. Zarinkelk Engineering Services, Inc.	Engineering Support	\$72,000.00	6.30%
TOTAL		\$278,597.00	24.37%

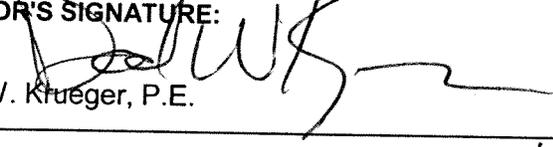
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DWK:DRM:RK:JHK:AA

Z:\design\A-SB-DIV\PROJECTS\N-000626-01-3Wallisville paving from Lockwood to IH-610 RCA -additional appropriation for PH II& III,4-24-12.doc

ec: WBS No. N-000626-0002-3 (1.2 DSGN RCA Supplement)

SUBJECT: Professional Engineering Services Contract between the City of Houston and FCM Engineers, P.C. for S. Post Oak Paving & Drainage from Beltway 8 to FM 2234 WBS No. N-000819-0001-3	Page 1 of 2	Agenda Item # 32
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 5/10/12	Agenda Date MAY 16 2012
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DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E.	Council District affected: K JK
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For additional information contact: <i>Ravi Kaleyatodi</i> 4/11/12 Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 Senior Assistant Director	Date and identification of prior authorizing Council action: Ordinance No. 2009-0512; Date: 06/10/2009
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RECOMMENDATION: (Summary)
An ordinance approving a Professional Engineering Services Contract with FCM Engineers, P.C. and appropriate funds.

Amount and Source of Funding:
Total of \$568,810.00 to be appropriated as follows: *Per 04/27/2012*
\$284,405.00 from Fund 4040 - Metro Projects Construction DDSRF
\$284,405.00 from Fund 4510 - Contribution for Capital Projects

PROJECT NOTICE/JUSTIFICATION: This project is part of the Street & Traffic Capital Improvement Project and is necessary for road improvement in accordance with the inter-local agreement between the City of Houston and Fort Bend County as approved by Ordinance No. 2009-0512 on June 10, 2009.

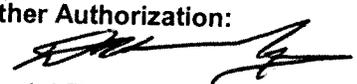
DESCRIPTION/SCOPE: This project consists of the design of approximately 6,800 linear feet of two additional lanes within the median of an existing four-lane concrete roadway with curbs, traffic control signals and necessary storm sewer laterals on S. Post Oak from Beltway 8 to FM 2234 (McHard Road).

LOCATION: The project is generally bounded by Beltway 8 on the north, FM 2234 (McHard Road) on the south, Chimney Rock on the west and Hiram Clarke on the east. The project is located in Key Map Grids 571Y, 611B & C.

SCOPE OF CONTRACT AND FEE: Under the scope of the contract, the consultant will perform Phase I - Preliminary Design, Phase II - Final Design, Phase III - Construction Phase Services and Additional Services. Basic Services fees for Phase I is based on cost of time and materials with a not-to-exceed agreed upon amount. The Basic services fee for Phase II and Phase III will be negotiated and appropriated on a lump sum amount or reimbursable basis after the completion of Phase I. The negotiated maximum Basic Services appropriation is \$281,738.00.

The Contract also includes certain Additional Services to be paid either as a lump sum or reimbursable basis. These Additional Services include topographic survey, geotechnical investigation, traffic control plans, environmental site assessment, storm water pollution prevention, tree protection, and Technical Review Committee presentation. The negotiated maximum Additional Services appropriation is \$212,874.00.

REQUIRED AUTHORIZATION CUIC ID #20SAB44

Finance Department: ✓	Other Authorization:	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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The total requested appropriation is \$568,810.00 to be appropriated as follows: \$494,612.00 for Contract services and \$74,198.00 for CIP Cost Recovery.

Services	S. Post Oak Road FY-2012
Phase I (Basic)	\$64,980.00
Phase II & III (Basic)	\$216,758.00
Total Basic Services	\$281,738.00
Additional Services (Ph. I)	\$124,237.80
Additional Services (Ph. II)	\$88,636.20
Total Contract Services	\$494,612.00
CIP Cost Recovery	\$74,198.00
Total Appropriation	\$568,810.00

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 benefits for some but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

M/WBE INFORMATION: The M/WBE goal established for the overall project is set at 24%. The consultant has proposed the following firms to achieve this goal:

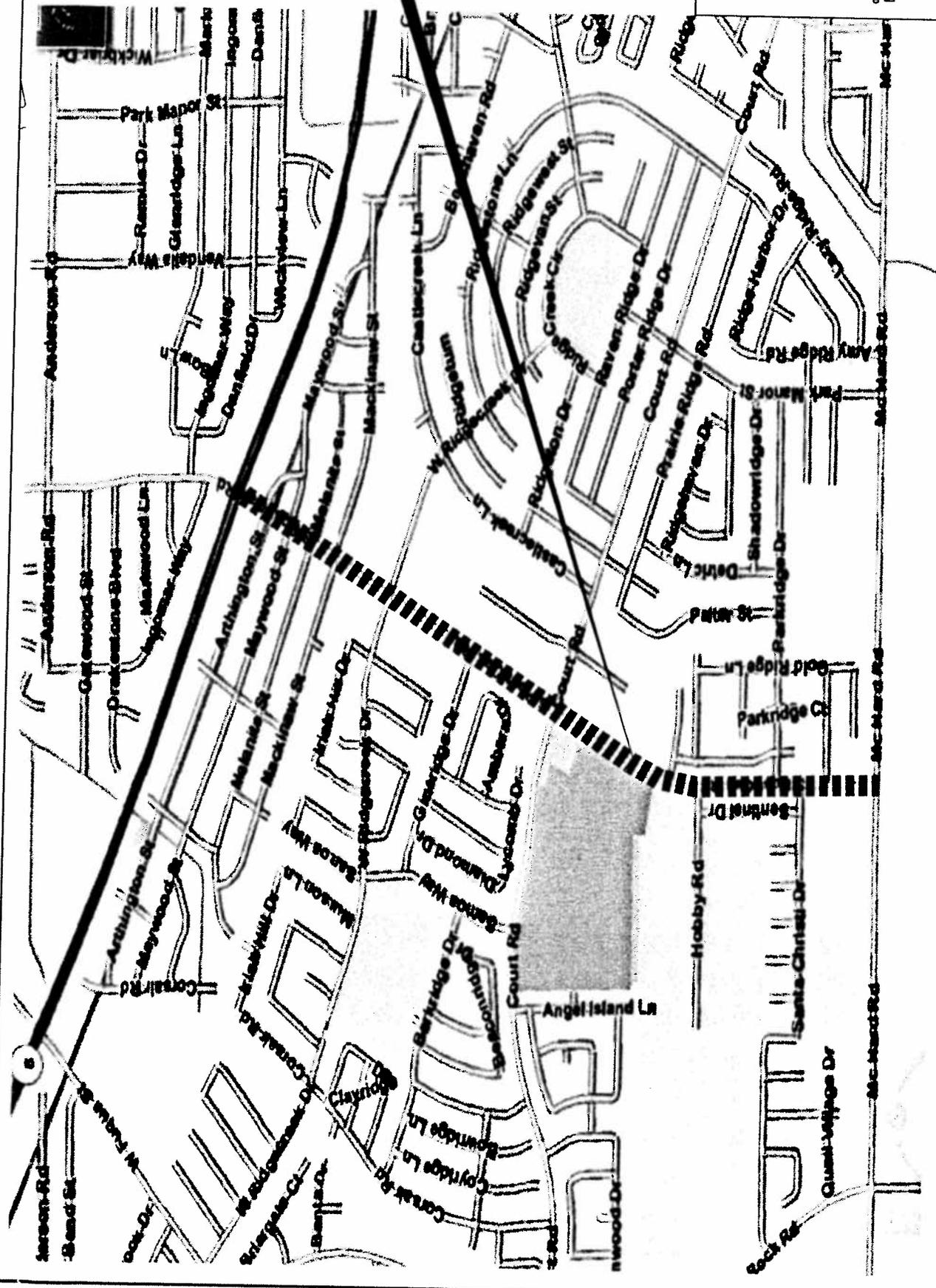
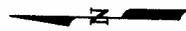
<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
1. United Engineers, Inc.	Topographic Survey	\$61,800.00	12.50%
2. HVJ Associates, Inc.	Geotechnical / Environmental Serv.	\$28,872.00	5.84%
3. Nedu Engineering Services	Hydrology / Hydraulics Analysis	\$24,000.00	4.85%
4. Apex Consulting Group, Inc.	Engineering Services	\$24,000.00	4.85%
5. B&E Reprographics, Inc.	Reproduction Services	\$6,000.00	1.21%
TOTAL		\$144,672.00	29.25%

RH JK JWS
 DWK:DRM:RK:JHK:SAB

Z:\constr\A-SB-DIV\KS\Engineers\Sam\RCA\S. Post Oak Professional Services Contract_RCA_N-000819-0001-3.doc

cc: WBS No. N-000819-0001-3 (1.2_DSGN_RCA_CONTRACT)

PROJECT LOCATION



CITY OF HOUSTON

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

WBS NO. N-000819-0001-3

S. POST OAK PAVING & DRAINAGE

FROM BELTWAY 8 TO FM 2234

VICINITY MAP

LEGEND:

-  PROJECT LOCATION
-  COUNCIL DISTRICT BOUNDARY
-  CITY LIMITS

VICINITY MAP

KEY MAP: 571Y, 611B, & 611C

SUBJECT: Professional Engineering Services Contract between the City and Black & Veatch Corporation for Update to Biosolids Management Plan. WBS No. R-000265-0093-3.

Page
1 of 2

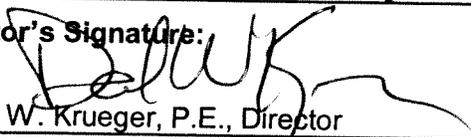
Agenda Item #

33

FROM (Department or other point of origin):
Department of Public Works and Engineering

Origination Date
5/10/12

Agenda Date
MAY 16 2012

Director's Signature:

Daniel W. Krueger, P.E., Director

Council District affected:
City wide GK

For additional information contact:
 3/20/12
Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326
Senior Assistant Director

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)

An ordinance approving a Professional Engineering Services Contract with Black & Veatch Corporation and appropriate funds.

Amount and Source of Funding: \$1,031,700.00 Water and Sewer System Consolidated Construction Fund No. 8500.
W.P. 3/22/2012

PROJECT NOTICE/JUSTIFICATION: This project is part of the wastewater treatment plant and sludge processing facility improvements program.

DESCRIPTION/SCOPE: This project consists of evaluating and updating the existing City of Houston Biosolids Management Plan, and developing and evaluating best fit system alternatives for near-term and long-term biosolids handling.

LOCATION: The project area is located city wide.

SCOPE OF CONTRACT AND FEE: Under the scope of the Contract, the Consultant will develop Biosolids Management Plan and perform Additional Services. Basic Services Fee for the Biosolids Management Plan development is based on cost of time and materials with not-to-exceed agreed upon amount. The negotiated maximum for Basic Services is \$885,980.00. There will be no Phase II – Final Design or Phase III – Construction Phase services for this project. The total Basic Services appropriation is \$885,980.00.

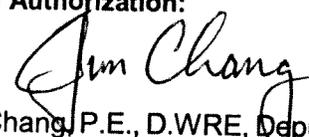
The Contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The total Additional Services appropriation is \$11,136.00.

REQUIRED AUTHORIZATION

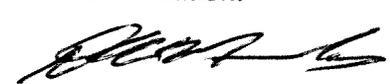
CUIC ID #20GK64

Finance Department:

Other Authorization:


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

Other Authorization:


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

NDT

Date

SUBJECT: Professional Engineering Services Contract between the City and Black & Veatch Corporation for Update to Biosolids Management Plan. WBS No. R-000265-0093-3.

Originator's Initials

CAF

Page 2 of 2

The total cost of this project is \$1,031,700.00 to be appropriated as follows: \$897,116.00 for Contract services and \$134,584.00 for CIP Cost Recovery.

PAY OR PLAY PROGRAM:

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

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

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
1. Gunda Corporation, LLC	Engineering Services	\$121,000.00	13.49%
2. Zarinkelk Engineering Services, Inc.	Engineering Services	<u>\$ 96,500.00</u>	<u>10.75%</u>
	TOTAL	\$217,500.00	24.24%

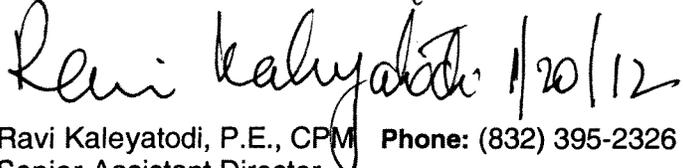
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c: File No. R-000265-0093-3

SUBJECT: Sixth Amendment and an Additional Appropriation to Professional Engineering Services Contract between the City and Lockwood, Andrews & Newnam, Inc., for services associated with the Surface Water Transmission Program. WBS No. S-000900-0002-3	Page 1 of 3	Agenda Item # 34
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From: (Department or other point of origin): Department of Public Works and Engineering	Origination Date 5/3/12	Agenda Date MAY 16 2012
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Director's Signature:  Daniel W. Krueger, P.E.	Council District affected: (Council District Letter Only) <i>K2m</i> A, B, C, D, E, F, G, H, I, J, K
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For additional information contact:  Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 Senior Assistant Director	Date and identification of prior authorizing Council action: Ordinance Number 2011-0008 (January 5, 2011) Ordinance Number 2009-1032 (October 21, 2009) Ordinance Number 2008-1206 (December 17, 2008) Ordinance Number 2007-1459 (December 12, 2007) Ordinance Number 2007-0329 (March 21, 2007) Ordinance Number 2006-0277 (March 22, 2006)
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Recommendation: (Summary)
Approve Sixth Amendment with Lockwood, Andrews & Newnam, Inc., and appropriate funds.

Amount and Source of Funding:
\$11,156,800.00 - Water and Sewer System Consolidated Construction Fund No. 8500 *U.P. 1/25/2012*
Original contract appropriation of \$3,300,000.00 from Water and Sewer System Consolidated Construction Fund No. 755 and additional appropriations of \$21,283,200.00 from Water and Sewer System Consolidated Construction Fund No. 8500

SPECIFIC EXPLANATION: This contract supports the execution of the Surface Water Transmission Facilities Capital Improvement Program. This amendment and appropriation provides for the engineering support necessary to meet the City's growing water transmission system requirements and contractual water conveyance obligations within the required time line.

PROJECT NOTICE/JUSTIFICATION: 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: The subject professional engineering services will provide cost-effective planning, design and engineering support for large diameter water transmission lines. This appropriation will fund specific tasks to allow the City to maximize the use of available surface water including feasibility and routing studies and initial phases of design for water transmission lines necessary to meet regulatory requirements; and technical support efforts to assist the City in addressing chronic maintenance issues on critical transmission lines. Tasks include supporting the City's efforts in evaluating the condition and supporting the rehabilitation of existing critical large diameter transmission mains. The net result of these improvements will be improved water system reliability and operational efficiencies stemming from the consolidation of groundwater pump station facilities.

Specific tasks planned under this appropriation consist of engineering design and associated support services (such as surveying, geotechnical investigations, traffic control design, etc.) Additionally, these tasks include real estate assistance, and water system planning and modeling assistance.

REQUIRED AUTHORIZATION **CUIC ID #20ACM78** *MDT*

Finance Department: 	Other Authorization:  Jim Chang, P.E., D. WRE Deputy Director, Public Utilities Division	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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SUBJECT: Sixth Amendment and an Additional Appropriation to Professional Engineering Services Contract between the City and Lockwood, Andrews & Newnam, Inc., for services associated with the Surface Water Transmission Program. WBS No. S-000900-0002-3

**Originator's
Initials**

ACM

**Page
2 of 3**

LOCATION: The projects that will be executed through this amendment are those listed in the adopted CIP:

1. 48/42-inch water line along existing easements, West Orem Dr., Chimney Rock, River Bluff, Summit Ridge, and Coach Creek from Sims Bayou Pump Station to Hillcroft. (571 J, K, P)
2. 42-inch water line along Hillcroft, Dublin, Dunlap, Main, Haviland, Minetta, and Canemont/Sandpiper from Coach Creek to W. Airport Blvd. (570 H, M; 571 J)
3. 42-inch water line along Sandpiper, Ludington Dr., Pembridge Dr., and W. Bellfort from W. Airport Blvd. to Braes Forest. (570 B, C, D & H)
4. 36-inch water line along Braes Forest, Centerpoint Fee Strip from W. Bellfort to Bissonnet. (530 S, W, X, Y; 570 B, C)
5. 66-inch water line along Moers from Fuqua to Almeda-Genoa. (575 Q, U)
6. 66-inch water line along Almeda-Genoa and Monroe from Moers to Airport Blvd. (575 C, G, L & Q)
7. 42-inch water line along Bellaire Blvd. from Bellaire Braes Pumps Station to S. Kirkwood Dr. (528 H; 529 E)
8. 42-inch water line along ex. easements from Katy Addicks Repump Station (KARP) to Church. (449 U & Y)
9. Sims Bayou Pump Station Hydraulic Evaluation and Design of Overflow Weirs. (571 K)
10. 42-inch water line along Lee Rd. from Aldine Bender to Shirley Ln. (374 R, V & Z)
11. Pressure Reducing Valve Station Improvement Package 5. The project is located in all Key Map Grids.
12. Work Order Rehabilitation to Large Diameter Water Lines, Valves and Appurtenances – Package 8, 9, and Package 10. These projects are located throughout the city in all Key Map Grids.
13. 96-inch water line along City easements from east of Smith Rd. to Lee Rd. (374 Z; 375 S, T, W.)
14. Repair and rehabilitation design for existing 66-inch water line along Richmond from LaBranch to Mandell – Phase 1. (492 Z; 493 W & X)
15. Condition Assessment of North 60-inch water line from Collier to Junius. (494 X, Y; 534 C, D; 535 A, B, F)
16. Design of condition assessment of 96-inch waterline along Clinton from S. Wayside to IH-610. (495N, P, T, U)
17. Condition Assessment of 60-inch waterline at East Water Purification Plant. (496 Y, 536 C)
18. Approximately 5,000 LF of 84-inch waterline interconnection at the East Water Purification Plant. (496 U, Y)
19. Low lift pump station direct connection & pressure regulating station at East Water Purification Plant. (496 Y)
20. 36-inch waterline along Hirsch Road from Bennington to King. (454 P)
21. Encasement of existing 72-inch water line along W. 12th St. from N. Post Oak to IH 610. (451 Z)

PREVIOUS HISTORY AND SCOPE: City Council approved the original contract on March 22, 2006 by Ordinance Number 2006-0277, the First Amendment on March 21, 2007 by Ordinance Number 2007-0329, the Second Amendment on December 12, 2007 by Ordinance Number 2007-1459, the Third Amendment on December 17, 2008 by Ordinance Number 2008-1206, the Fourth Amendment on October 21, 2009 by Ordinance Number 2009-1032 and the Fifth Amendment on January 5, 2011 by Ordinance Number 2011-0008. Under this contract, the designs 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 sale of water contractual requirements, providing technical assistance during transmission main outages, and supporting the City's Condition Assessment efforts.

SCOPE OF THIS SUPPLEMENT AND FEE: The requested Sixth Amendment will accomplish the following tasks: Basic Services (Phase I - Preliminary Design, Phase II - Final Design, Phase III - Construction Phase Services) and Additional Services. \$3,079,600.00 is budgeted as Basic Services Fee to be administered on a lump sum or reimbursable basis. Certain other Additional Services are also proposed to be paid as lump sum or on a reimbursable basis. A major part of the Additional Services are Condition Assessment tasks comprising of manned entry evaluations, material testing, determination of failure risks and developing rehabilitation alternatives intended to reduce the risk for line failures and extend the useful life of these critical assets. Other Additional Services are currently anticipated to include surveying, geotechnical investigations, Phases I and II environmental services, traffic control plans, and surge analysis. The total Additional Services Fee under the Sixth Amendment is \$6,622,000.00. Previously funded tasks were reallocated to accommodate changes in scope and technical support requests. The requested appropriation will complete the funding of these tasks. The total requested appropriation is \$11,156,800.00 to be appropriated as follows: \$9,701,600.00 for contract services and \$1,455,200.00 for CIP cost recovery.

SUBJECT: Sixth Amendment and an Additional Appropriation to Professional Engineering Services Contract between the City and Lockwood, Andrews & Newnam, Inc., for services associated with the Surface Water Transmission Program. WBS No. S-000900-0002-3

Originator's Initials

Acn

Page 3 of 3

PAY OR PLAY:

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

M/WBE INFORMATION: The M/WBE goal established for this project is 24%. The original contract and subsequent additional appropriations total \$22,075,600.00. The engineer has been paid \$19,050,178.53 (86.30%) to date. Of this amount, \$4,049,514.76 has been paid to M/WBE sub-consultants to date. Assuming approval of the requested additional appropriation, the contract amount will increase to \$31,777,200.00. The engineer proposes the following plan to meet the M/WBE goal participation:

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
Prior Commitment		\$5,384,738.51	16.95%
1. Corrigan Consulting, Inc.	Environmental Support	\$75,000.00	0.24%
2. Geotest Engineering, Inc.	Geotechnical Investigations	\$75,000.00	0.24%
3. Grounds Anderson, LLC	H&H Support	\$25,000.00	0.08%
4. IDCUS, Inc., DBA IDC Inc.	Engineering Support	\$75,000.00	0.24%
5. Kuo & Associates, Inc.	Engineering Support & Surveying	\$400,000.00	1.26%
6. Martinez, Guy & Maybik, Inc.	Surveying	\$75,000.00	0.24%
7. Nathelyne A. Kennedy & Associates, LP	Engineering Support	\$775,000.00	2.44%
8. Texas American Engineering, LLC	Engineering Support	\$650,000.00	2.05%
9. RPM Architects, Inc., DBA Environments & Co	Engineering Support	\$25,000.00	0.08%
10. Lina T. Ramey and Associates, Inc.	Subsurface Utility Engineering	\$65,000.00	0.20%
11. Other MWBE Firms	Various Services	\$90,000.00	0.28%
	TOTAL	\$7,714,738.51	24.28%

Additional Firms to be used, but not listed in Amendment 6 MWBE goal:

<u>Name of Firms</u>	<u>Amount</u>
1. Analytical Engineering	\$55,000.00
2. Automation Nation, Inc.	\$150,000.00
3. C.N. Koehl Urban Forestry Inc.	\$20,000.00
4. HDR / Schiff	\$50,000.00
5. HVJ Associates, Inc.	\$20,000.00
6. Lewis Engineering & Consulting	\$30,000.00
7. Precision Land Surveying, Inc.	\$45,000.00
8. SES Horizon Consulting Engineers, Inc.	\$150,000.00
9. Teran Group LLC	\$50,000.00
10. Other Subconsultant Firms	\$100,000.00
	TOTAL
	\$670,000.00

AK WT Acn JP

DWK:DRM:RK:HH:ACM:JP

Z:\design\A-WS-DIV\Projects\IS-0900-02-2\WA10875\Design_RCA-Contract\Amendment-6\Design RCA - Amendment 6.doc

SUBJECT: Contract Award for Northgate and Imperial Valley Wastewater Treatment Plant Improvements. WBS No. R-000265-0064-4	Page 1 of 2	Agenda Item # <i>35</i>
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FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date: 5/10/12	Agenda Date: MAY 16 2012
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Director's Signature: <i>[Signature]</i> Daniel W. Krueger, P.E., Director	Council District affected: B <i>[initials]</i>
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For additional information contact: <i>Ravi Kaleyatodi</i> Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 Senior Assistant Director	Date and identification of prior authorizing Council action: <i>4/27/12</i>
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RECOMMENDATION: (Summary)
Accept low bid, award construction Contract and appropriate funds.

Amount and Source of Funding:
\$2,630,900.00 Water and Sewer System Consolidated Construction Fund No. 8500. *M.P. 5/3/2012*

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's ongoing program to renew and replace inefficient components of existing wastewater treatment plants.

DESCRIPTION/SCOPE: This project consists of improvements for two wastewater treatment plants.
Northgate Wastewater Treatment Plant: Rehab Electrical Equipments for lift station, ventilation system, clean and rehab existing lift station, pumps, motors, pipes and wet well, miscellaneous structural repair, rehab site and interior lightings.
Imperial Valley Wastewater Treatment Plant: Rehab existing lift station structure, piping and wet well, ventilation system, replace existing clarifiers mechanism, airlift pumps, rehab aerobic digester, rehab air conditioning for blower building.
The Contract duration for this project is 365 calendar days. This project was designed by Kellogg, Brown and Root, Inc.

LOCATION: Northgate WWTP is located at 303 Benmar Drive and Imperial Valley Wastewater Treatment Plant is located at 15500 Cotillion Dr. The project is located in Key Map Grids 372N & 373W.

BIDS: Bids were received on March 22, 2012. The four (4) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. LEM Construction Co., Inc.	\$2,326,670.00
2. Industrial TX Corp.	\$2,443,595.00
3. Boyer, Inc.	\$2,890,868.00
4. Peltier Brothers Construction, Ltd. By: PB, LLC; Its General Partner	\$2,895,167.00

REQUIRED AUTHORIZATION CUIC ID #20AKH31

Finance Department:	Other Authorization: <i>[Signature]</i> Jun Chang, P.E., D.WRE, Deputy Director Public Utilities Division	Other Authorization: <i>[Signature]</i> Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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AWARD: It is recommended that this construction contract be awarded to LEM Construction Co., Inc., with a low bid of \$2,326,670.00 and that Addendum Number 1 be made a part of this Contract.

PROJECT COST: The total cost of this project is \$2,630,900.00 to be appropriated as follows:

• Bid Amount	\$2,326,670.00
• Contingencies	\$ 116,333.50
• Engineering and Testing Services	\$ 25,000.00
• CIP Cost Recovery	\$ 162,896.50

Engineering and Testing Services will be provided by ATSER, L.P. 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 benefits for some employees, but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

M/WBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 10% MBE goal, and 8% SBE goal for this project.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Brown Mechanical Services, Inc.	Plumbing, piping	\$ 56,641.00	2.43%
2. Elec-Net Supply	Apparatus and Equipment	\$182,086.00	7.83%
	TOTAL	\$238,727.00	10.26%

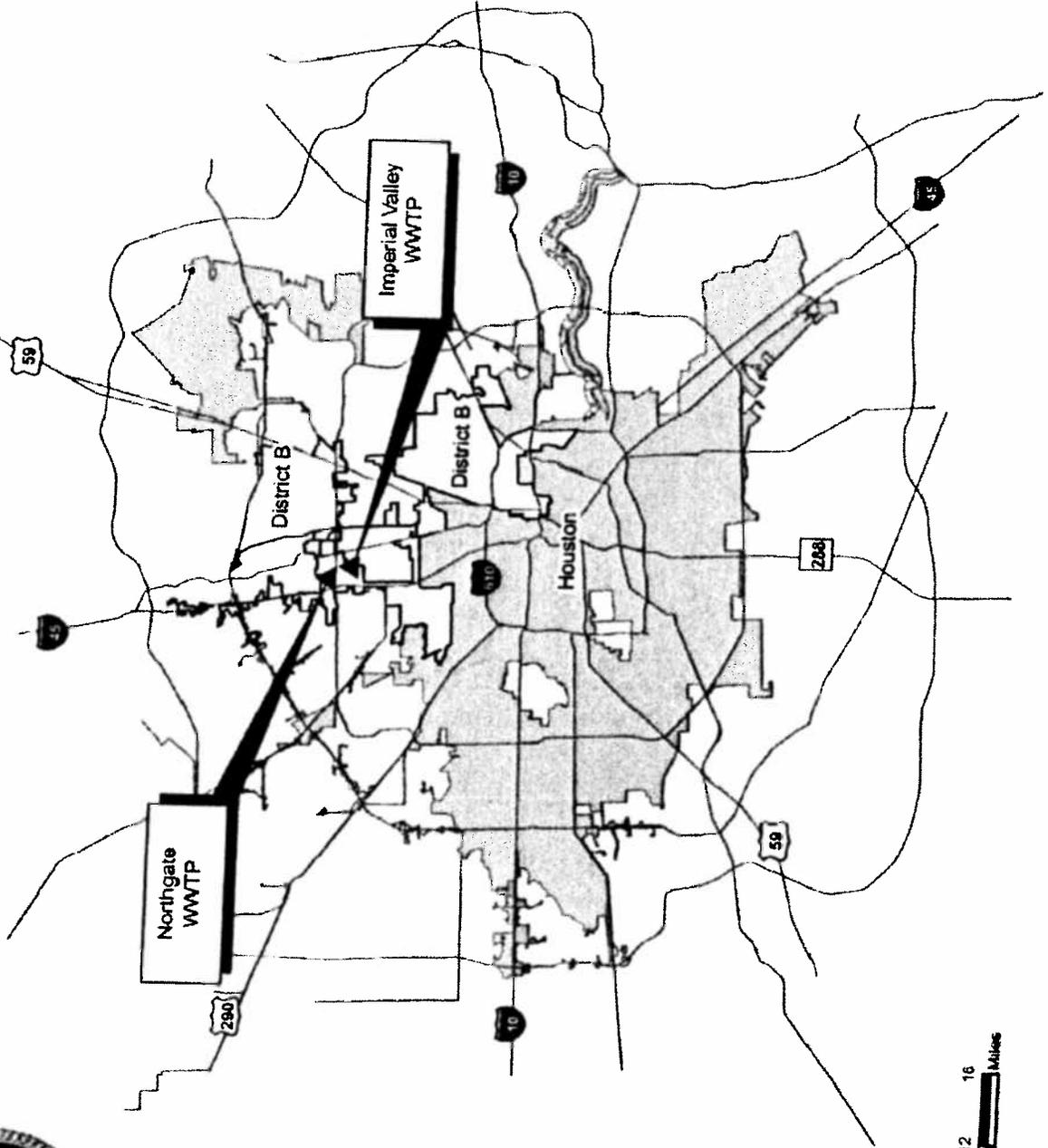
<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Automation Nation, Inc.	Computer Software Analysis and Design	\$ 43,000.00	1.85%
2. Southern Trenchless Solutions	Infrastructure rehabilitation	\$110,708.00	4.76%
3. Macaulay Controls Company	Industrial Process Control	\$ 33,547.00	1.44%
	TOTAL	\$187,255.00	8.05%

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

Me A.B. 02. 02.
DWK:DRM:RK:EN:BZ:AKH:pa

c: File No. R-000265-0064-3

Location Map

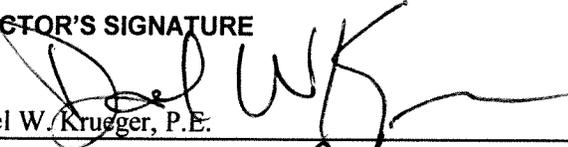
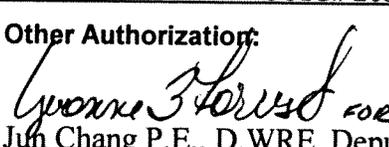


Legend

- Freeways
- District B
- City Limit Line
- City Limit



Scale

SUBJECT: Contract Award for Wastewater Collection System Rehabilitation and Renewal WBS# R-000266-0166-4		Page 1 of 2	Agenda Item # 36								
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 5/10/12	Agenda Date MAY 16 2012								
DIRECTOR'S SIGNATURE  Daniel W. Krugger, P.E.		Council District affected: All									
For additional information contact: Jason Iken, P.E. Senior Assistant Director Phone: (832) 395-4989		Date and identification of prior authorizing Council action: N/A									
RECOMMENDATION: (Summary) Accept low bid, award construction contract, and appropriate funds.											
Amount and Source of Funding: \$1,744,560.00 from Water and Sewer System Consolidated Construction Fund No. 8500. This project is eligible for low interest funding through the State Revolving Fund (SRF), Tier III.		M.P. 3/13/2012									
SPECIFIC EXPLANATION: This project is part of the Neighborhood Sewer Rehabilitation Program and is required to renew/replace various deteriorated neighborhood collection systems throughout the City.											
DESCRIPTION/SCOPE: This project consists of sanitary sewer rehabilitation by point repair method. The contract duration for this project is 730 calendar days.											
LOCATION: The project area is generally bounded by the City Limits.											
BIDS: Three (3) bids were received on December 8, 2011 for this project as follows:											
<table border="0"> <thead> <tr> <th><u>Bidder</u></th> <th><u>Bid Amount</u></th> </tr> </thead> <tbody> <tr> <td>1. T Construction, LLC</td> <td>\$1,642,438.35</td> </tr> <tr> <td>2. PM Construction & Rehab, LLC</td> <td>\$1,778,879.55</td> </tr> <tr> <td>3. Reliance Construction Services, L.P.</td> <td>\$2,356,897.65</td> </tr> </tbody> </table>		<u>Bidder</u>	<u>Bid Amount</u>	1. T Construction, LLC	\$1,642,438.35	2. PM Construction & Rehab, LLC	\$1,778,879.55	3. Reliance Construction Services, L.P.	\$2,356,897.65		
<u>Bidder</u>	<u>Bid Amount</u>										
1. T Construction, LLC	\$1,642,438.35										
2. PM Construction & Rehab, LLC	\$1,778,879.55										
3. Reliance Construction Services, L.P.	\$2,356,897.65										
File/Project No. WW 4235-56		REQUIRED AUTHORIZATION									
Finance Department		Other Authorization:  John Chang P.E., D.WRE, Deputy Director Public Utilities Division									
		CUIC# 20JAI411 <i>MST</i>									

Date	Subject: Contract Award for Wastewater Collection System Rehabilitation and Renewal WBS# R-000266-0166-4	Originator's Initials	Page 2 of 2
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AWARD: It is recommended that this construction contract be awarded to T. Construction, LLC, with a low bid of \$1,642,438.35.

PROJECT COST: The total cost of this project is \$1,744,560.00 to be appropriated as follows:

- Bid Amount \$1,642,438.35
- Contingencies \$82,121.65
- Engineering Testing Services \$20,000.00

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

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

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

M/W/SBE PARTICIPATION: The low bidder has demonstrated a good faith effort to comply with the M/WBE goals of the Texas Water Development Board and the City of Houston. The bidder has proposed an MBE participation of 19.00% and WBE participation of 5.41%.

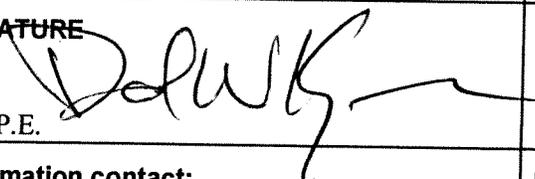
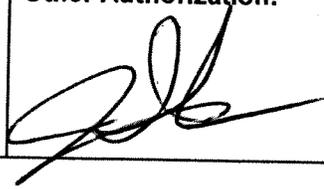
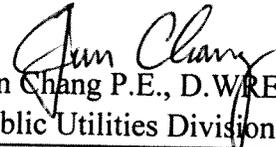
<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
MMG Contractors	Sewer Point Repairs	\$155,000.00	9.44%
T. Gray Utility & Rehab Co., LLC	Manhole/Sewer Rehabilitation	\$110,000.00	6.70%
J.A. Gamez, Trucking Services	Trucking Services	\$46,986.00	2.86%
	TOTAL	\$311,986.00	19.00%

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
CBL Industries, LLC	Concrete/Asphalt Repair	\$49,900.00	3.04%
Deanie Hayes, Inc.	Supplies	\$39,000.00	2.37%
	TOTAL	\$88,900.00	5.41%

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

DWK:JC:JI:DR:mb

File No. WW 4235-56

SUBJECT: Contract Award for Sanitary Sewer Cleaning and Television Inspection In Support of Rehabilitation WBS# R-000266-0182-4		Page 1 of 2	Agenda Item # 37								
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 5/10/12	Agenda Date MAY 16 2012								
DIRECTOR'S SIGNATURE  Daniel W. Krueger, P.E.		Council District affected: All									
For additional information contact: Jason Iken, P.E. Senior Assistant Director Phone: (832) 395-4989		Date and identification of prior authorizing Council action: N/A									
RECOMMENDATION: (Summary) Accept low bid, award construction contract, and appropriate funds.											
Amount and Source of Funding: \$521,866.00 from Water and Sewer System Consolidated Construction Fund No. 8500. This project is eligible for low interest funding through the State Revolving Fund (SRF), Tier III. <i>M.P. 4/17/2012</i>											
SPECIFIC EXPLANATION: This project is part of the Neighborhood Sewer Rehabilitation Program and is required to renew/replace various deteriorated neighborhood collection systems throughout the City.											
DESCRIPTION/SCOPE: This project consists of sanitary sewer cleaning and television inspection in support of rehabilitation. The contract duration for this project is 730 calendar days.											
LOCATION: The project area is generally bounded by the City Limits.											
BIDS: Three (3) bids were received on December 15, 2011 for this project as follows: <table border="1" style="margin-left: 40px;"> <thead> <tr> <th>Bidder</th> <th>Bid Amount</th> </tr> </thead> <tbody> <tr> <td>1. Specialized Maintenance Services, Inc.</td> <td>\$492,253.13</td> </tr> <tr> <td>2. Envirowaste Services Group, Inc.</td> <td>\$532,852.29</td> </tr> <tr> <td>3. CleanServe, Inc.</td> <td>\$656,337.50</td> </tr> </tbody> </table>				Bidder	Bid Amount	1. Specialized Maintenance Services, Inc.	\$492,253.13	2. Envirowaste Services Group, Inc.	\$532,852.29	3. CleanServe, Inc.	\$656,337.50
Bidder	Bid Amount										
1. Specialized Maintenance Services, Inc.	\$492,253.13										
2. Envirowaste Services Group, Inc.	\$532,852.29										
3. CleanServe, Inc.	\$656,337.50										
File/Project No. WW 4277-59		REQUIRED AUTHORIZATION									
Finance Department	Other Authorization: 	Other Authorization:  Jun Chang P.E., D.WRE, Deputy Director Public Utilities Division									

Date	Subject: Contract Award for Sanitary Sewer Cleaning and Television Inspection In Support of Rehabilitation WBS# R-000266-0182-4	Originator's Initials	Page 2 of 2
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AWARD: It is recommended that this construction contract be awarded to Specialized Maintenance Services, Inc., with a low bid of \$492,253.13.

PROJECT COST: The total cost of this project is \$521,866.00 to be appropriated as follows:

- Bid Amount \$492,253.13
- Contingencies \$24,612.87
- Engineering Testing Services \$5,000.00

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

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

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

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

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

JEDX
DWK:JC:JI:DR:mb

File No. WW 4277-59

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Water Line Replacement in Shadywood Area.
WBS No. S-000035-0125-4.

Page
1 of 2

Agenda Item #

38

FROM: (Department or other point of origin):

Department of Public Works and Engineering

Origination Date:

5/10/12

Agenda Date:

MAY 16 2012

DIRECTOR'S SIGNATURE:

Daniel W. Krueger, P.E., Director

Council District affected:

G

For additional information contact:

Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326
Senior Assistant Director

Date and identification of prior authorizing Council action:

Ravi Kaleyatodi 4/19/12

RECOMMENDATION: (Summary)

Accept low bid, award construction contract and appropriate funds.

Amount and Source of Funding:

\$3,034,000.00 from Water and Sewer System Consolidated Construction Fund No. 8500.

Per 04/12/2012

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

DESCRIPTION/SCOPE: This project consists of the construction of approximately 27,506 linear feet of water lines with related appurtenances.

The contract duration for this project is 220 calendar days. This project was designed by Costello Inc.

LOCATION: The project is divided into two areas:

Bounded by

Key Map Grid

Council District

1. I.H.10 on the north, Memorial Dr. on the south, Embassy on the east and Chimney Rock on the west.

491B,C

G

2. Indian Trail on the north, Woodway on the south, Chimney Rock on the east and Shadywood on the west.

491F,J & K

G

REQUIRED AUTHORIZATION

CUIC ID# 20RS111

Finance Department

Other Authorization:

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

Other Authorization:

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

NOT

BIDS: Bids were received on January 19, 2012. The three (3) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. Resicom, Inc.	\$2,647,555.00
2. Metro City Construction, L.P.	\$2,798,144.77
3. D.L. Elliott Enterprises, Inc.	\$3,604,688.08

AWARD: It is recommended that this construction contract be awarded to Resicom, Inc. with a low bid of \$2,647,555.00 and that addendum No.1 be made a part of this contract.

PROJECT COST: The total cost of this project is \$3,034,000.00 to be appropriated as follows:

• Bid Amount	\$2,647,555.00
• Contingencies	\$132,377.75
• Engineering and Testing Services	\$69,000.00
• CIP Cost Recovery	\$185,067.25

Engineering and Testing Services will be provided by Austin-Reed Engineers, LLC 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 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 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 has elected to pay into the Contractor Responsibility Fund in compliance with City policy.

MBE/SBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 11% MBE goal and 9% SBE goal for this project.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. AJM Construction Company	Concrete Construction	\$199,000.00	7.5%
2. Ace Telecom, Inc.	Underground Utilities	\$92,231.05	3.5%
		Total \$291,231.05	11.0%
<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
3. Castaneda Trucking Boring & Tunneling	Pipe Installation	\$199,000.00	7.5%
4. MMG Contractors	Underground Utility	\$39,279.95	1.5%
		Total \$238,279.95	9.0%

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

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT:
Ordinances granting Commercial Solid Waste Operator Franchises

Category #

Page 1 of 1

Agenda Item#

39 + 40

FROM: (Department or other point of origin):

Alfred J. Moran, Director
Administration & Regulatory Affairs

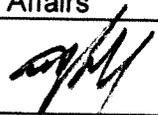
Origination Date

5/2/2012

Agenda Date

MAY 16 2012

DIRECTOR'S SIGNATURE:



Council Districts affected:

ALL

For additional information contact:

Juan Olguin JFO Phone: (713) 837- 9623
Naelah Yahya Phone: (713) 837- 9889

Date and identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve ordinances granting Commercial Solid Waste Operator Franchises

Amount of Funding:

REVENUE

FIN Budget:

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

SPECIFIC EXPLANATION:

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

1. JOSE PULIDO DBA PULIDO TRUCKING L.P
2. PAMELA BUSSEY DBA 1ST CHOICE GREASE SERVICE

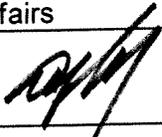
The proposed ordinances grant the Franchisees the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each Franchisee agrees to pay to the City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

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

REQUIRED AUTHORIZATION

Finance Director:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary		RCA #	
SUBJECT: Ordinance granting a Commercial Solid Waste Operator Franchise	Category #	Page 1 of 1	Agenda Item#
			41 45
FROM: (Department or other point of origin): Alfred J. Moran, Director Administration & Regulatory Affairs		Origination Date 4/23/2012	Agenda Date MAY 09 2012
DIRECTOR'S SIGNATURE: 		Council Districts affected: ALL	MAY 16 2012
For additional information contact: Juan Olguin JFO Phone: (713) 837- 9623 Naelah Yahya Phone: (713) 837- 9636		Date and identification of prior authorizing Council Action: Ord. # 2011-781 – June 29, 2011	

RECOMMENDATION: (Summary)

Approve an ordinance granting a Commercial Solid Waste Operator Franchise

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

SPECIFIC EXPLANATION:

It is recommended that City Council approve an ordinance granting a Commercial Solid Waste Operator Franchise to the following solid waste operator pursuant to Article VI, Chapter 39. The proposed Franchisee is:

1. Magna Flow International DBA Magna Flow Environmental

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

The Pay or Play Program does not apply to the Commercial Solid Waste Operator Franchise.

REQUIRED AUTHORIZATION

Finance Director:
F&A 011.A Rev. 5/11/98

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

SUBJECT: Appropriate funds and approve a Lease Agreement with Star of Hope Mission, as landlord, for a site for a sobering center		Page 1 of 1	Agenda Item # 42
FROM: (Department or other point of origin): Chief Development Officer		Origination Date: 5/3/12	Agenda Date: MAY 09 2012
DIRECTOR'S SIGNATURE: Andrew F. Icken 		Council District affected: H	
For additional information contact: Andy Icken Phone: 832-393-1064		Date and identification of prior authorizing Council action: Ord. 2012-208 (March 7, 2012)	

RECOMMENDATION: Appropriate \$4,282,515 for leased premises buildout costs and approve a Lease Agreement with Star of Hope Mission, as landlord, for a site for a sobering center

Amount and Source of Funding: \$235,584 General Fund (1000) - FY13 \$4,282,515 Police Consolidated Construction Fund (4504) WBS No. G-000SOB-0001-4	Finance Budget:
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SPECIFIC EXPLANATION: The administration recommends that council appropriate \$4,282,515 for leased premises buildout costs and approve a Lease Agreement with Star of Hope Mission, as landlord, for a site for a sobering center at 150 N. Chenevert Street (Key Map 493M).

PROJECT DESCRIPTION: Houston police routinely incarcerate individuals for the crime of public intoxication, but this diverts Houston's law enforcement, health and safety resources from more serious or life threatening situations. At the recommendation of the Houston Police Department, the City of Houston seeks to provide a Sobering Center as an alternative to Jail. Inebriates would be brought to the Sobering Center rather than the Jail, and will be kept a minimum time for sobering purposes. The facility will provide triage, observation and necessary outpatient services which will enable staff to manage intoxication and ensure safe withdrawal for individuals admitted. The ability to use the Sobering Center will divert individuals who are intoxicated from the Criminal Justice System, free up jail space, and increase law enforcement's ability to deal with more severe offenses. Additionally, the facility will house the HPD Mental Health Unit. Star of Hope representatives will facilitate efforts in reducing cyclical substance abuse through long-term intervention strategies.

Council, by Ordinance 2012-208 (March 7, 2012), appropriated funds and authorized the issuance of a purchase order for design documents and project management costs for a Sobering Center. Council is now requested to approve a Lease Agreement with the Star of Hope Mission (SOHM) for land and a metal warehouse building to be used for the Sobering Center. The Lease Agreement provides that the City will fund SOHM for up to \$4,282,515 of the construction costs to build out and outfit two floors in the building plus a parking lot. The first floor of the building will be built out for the sobering operations. The second floor of the building will provide office space for the HPD Mental Health Unit.

Completion of the building is expected to take about 5 months, at which time Sobering Center operations will commence in the building and the City, or its assignee, will be obligated to pay rent. The rent, excluding operating costs, is \$15,180 per month. The City, or its assignee, will be obligated to pay all of SOHM's operating expenses for the facility which is initially estimated at \$14,268 per month. Total annual lease costs are \$353,376. The lease is for a ten-year term commencing upon buildout completion and includes two options to renew the lease for consecutive five-year terms.

By separate action, Council is also asked to approve the creation of the Houston Recovery Center LGC. Prior to opening of the facility, it is anticipated that the City will assign the Lease Agreement to such LGC, and enter into an Interlocal Agreement for the LGC to operate the sobering center on behalf of the City.

REQUIRED AUTHORIZATION		CUIC#
General Services Department:  Scott Minnix Director	Other Authorization:	Houston Police Department:  Charles A. McClelland, Jr. Chief of Police

SUBJECT: Resolution authorizing the creation of Houston Recovery Center LGC, approving formation documents and appointing initial directors

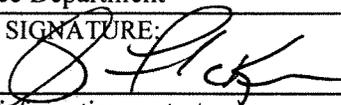
Page 1 of 4	Agenda Item # 3
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FROM (Department or other point of origin):
Houston Police Department

Origination Date

Agenda Date

~~MAY 09 2012~~

DIRECTOR'S SIGNATURE: 

Council District affected:
H

MAY 16 2012

For additional information contact:
Andy Icken 832-393-1064
Andy Icken, 832-393-1064

RECOMMENDATION: Approve a resolution authorizing the creation of Houston Recovery Center LGC, approving formation documents for the Local Government Corporation (LGC) and appointing the initial Directors to the LGC.

Amount and Source of Funding: N/A

SPECIFIC EXPLANATION: This resolution authorizes the creation of a Texas LGC, to be called Houston Recovery Center LGC, which would act on the City's behalf in connection with the management and operation of the Houston Center for Sobriety.

The LGC will provide management of the Houston Center for Sobriety (submitted for funding in a separate council action) by its proposed Board of Directors who are specialists in important fields related to substance abuse and recovery. The facility will provide triage, observation and necessary outpatient services which will enable staff to manage intoxication and ensure safe withdrawal for individuals admitted. At the recommendation of the Houston Police Department, the City of Houston seeks to provide the Houston Center for Sobriety as an alternative to jail. The incarceration diverts law enforcement, health and safety resources from more serious or life threatening crimes. Inebriates would be dropped off by law enforcement and kept for sobering purposes. The Houston Center for Sobriety will divert individuals who are intoxicated from the criminal justice system, free up jail space, and increase law enforcement's ability to deal with more severe offenses. Additionally, the facility will house the HPD Mental Health Unit, as well as other community agencies to facilitate efforts in reducing substance abuse through intervention and provide a chance for many to escape the revolving door of substance abuse and incarceration.

Council by Ordinance 2012-208 (March 7, 2012) appropriated funds and authorized the issuance of a purchase order for design documents and project management costs for a sobriety center at 150 North Chenevert Street (known then as 1811 Ruiz St.) . Council is now requested to approve the formation of an LGC to manage all aspects of the facility to be created by the Lease Agreement with the Star of Hope Mission (SOHM) for land and a metal warehouse building to be converted into the Houston Center for Sobriety.

Before completion of the warehouse conversion, it is anticipated that the City and the LGC will enter into an Interlocal Agreement for the LGC to operate the Houston Center for Sobriety on behalf of the City and the City will assign the Lease with SOHM to the LGC.

The resolution also approves a Certificate of Formation and By-laws for the Houston Recovery Center LGC and appoints the following persons as the initial directors.

Board of Directors:

- Director Position 1, who shall also serve as the Chair - Kay Austin
- Director Position 2 - Deborah Duncan
- Director Position 3 - Arlo Weltge, M.D.
- Director Position 4 - David S. Buck, M.D.
- Director Position 5 - Elizabeth T. Nunnally

Ex Officio Directors:

- Stephen Williams, Director of Health And Human Services Department
- Timothy Oettmeier, Executive Assistant Chief, Houston Police Department
- Dr. David E. Persse - EMS Director, Houston Fire Department

REQUIRED AUTHORIZATION

Other Authorization:	Other Authorization:	Other Authorization:

CITY OF HOUSTON, TEXAS, RESOLUTION NO. 2012- _____

A RESOLUTION AUTHORIZING THE CREATION OF HOUSTON RECOVERY CENTER LGC, A LOCAL GOVERNMENT CORPORATION; APPROVING THE CERTIFICATE OF FORMATION; APPROVING THE BY-LAWS; APPOINTING THE INITIAL DIRECTORS AND CHAIR; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

WHEREAS, the Texas Transportation Corporation Act, Chapter 431, Texas Transportation Code, as amended (the "Act"), authorizes the creation of a local government corporation to aid and act on behalf of a city to accomplish any governmental purpose of such city; and

WHEREAS, the Act requires that a local government corporation be created in accordance with the provisions of Chapter 394, Texas Local Government Code ("Chapter 394"); and

WHEREAS, the Act further requires that the local government corporation's Certificate of Formation and bylaws shall be in the form and be approved, executed, and filed in the manner prescribed by Chapter 394; and

WHEREAS, Chapter 394 requires, as a condition to the creation of a local government corporation, that at least three (3) or more persons who are residents of the city and are at least eighteen (18) years of age, submit a written application for the incorporation of the local government corporation; and

WHEREAS, the City Council of the City of Houston, Texas (the "City") has determined that intoxicated persons divert and consume significant law enforcement, judicial, and medical resources in the community; and

WHEREAS, the City has determined that the operation of a sobering facility would provide an alternative for the safe short-term treatment and management of persons under the influence of alcohol and other drugs, and provide those persons with information on and referrals to community based outpatient services; and

WHEREAS, the City Council desires, as a governmental purpose of the City, to staff, operate and manage a sobering facility; and

WHEREAS, the City Council desires to create a local government corporation to aid and act on behalf of the City to accomplish such governmental purpose; and

WHEREAS, the City desires to create the Houston Recovery Center LGC to staff, manage and operate a sobering facility; and

WHEREAS, there has been presented to and filed with the City an application that meets the requirements of the Act and Chapter 394, requesting the creation of a local government corporation to be known as Houston Recovery Center LGC, to aid and act on behalf of the City to accomplish such governmental purposes; and

WHEREAS, the City Council desires to grant the application for creation of the Houston Recovery Center LGC, authorize its Certificate of Formation, approve its Bylaws, confirm the appointment of its Board of Directors and of the Chair of such Board of Directors, and take such other actions as the City Council deems appropriate; **NOW, THEREFORE**;

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

Section 1.

(a) The recitals of facts contained in the preamble of this Resolution are hereby found and declared to be true and correct and are adopted as part of this Resolution for all purposes.

(b) The City Council hereby finds, determines, recites and declares that it is wise, expedient, necessary and advisable that a local government corporation, to be named Houston Recovery Center LGC (the "Corporation"), be created to aid and act on behalf of the City to accomplish the City's governmental purposes of staffing, managing and operating a sobering center for the safe short-term treatment and management of persons under the influence of alcohol and other drugs, and to provide those persons with information on and referrals to community based outpatient services for the purposes of preservation of law enforcement, judicial and medical resources in the city limits of the City and its extra-territorial jurisdiction.

(c) Accordingly, the creation and organization of the Corporation under the Act and Chapter 394 is hereby authorized.

Section 2. The City Council hereby approves the Certificate of Formation of the Corporation in substantially the form attached hereto as Exhibit A and authorizes the incorporators of the Corporation to file the Certificate of Formation with the Secretary of State of the State of Texas in the manner provided by law.

Section 3. The City Council hereby confirms the appointment of the persons listed in the Certificate of Formation to serve as the initial members of the Board of Directors of the Corporation.

Section 4. The City Council hereby confirms the appointment of Kay Austin as the initial Chair of the Corporation's Board of Directors.

Section 5. The City Council hereby approves the Bylaws of the Corporation in substantially the form attached hereto as Exhibit B.

Section 6. The City Council hereby directs and declares that the Certificate of Formation and the Bylaws of the Corporation may be amended at any time and from time to time by the Board of Directors of the Corporation with the approval of the City Council, and in accordance with the Act, Chapter 394 and other applicable law.

Section 7. The City Council hereby directs that the Corporation shall comply with the Open Meetings Act, Chapter 551, Texas Government Code and the Public Information Act, Chapter 552, Texas Government Code.

Section 8. The City Council hereby finds, determines and declares that, notwithstanding that the Corporation shall be a governmental unit to aid and act on behalf of the City to accomplish the City's governmental purpose described herein, the Corporation is not intended to be, nor shall it ever be deemed to be, a political subdivision of the State of Texas within the meaning of its Constitution and statutory provisions, including, without limitation, Article III, Section 52 of said Constitution, unless the constitutional or statutory provision specifically provides that a nonprofit local government corporation created pursuant to the Act is to be considered such a political subdivision.

Section 9. No agreements, bonds, debts, or obligations of the Corporation are or shall ever be deemed to be the agreements, bonds, debts, or obligations, or the lending of credit, or a grant of public money or thing of value, of or by the City or any other political subdivision or authority or government agency of the State of Texas, or a pledge of the faith and credit of any of them. No action of the Corporation shall be deemed an action of the City or its agent or employee, nor shall this Resolution create a joint enterprise between the City and the Corporation.

Section 10. The City Council hereby finds, determines, recites, and declares that it is the purpose, intent, and desire of the city in approving the creation of the Corporation and its Certificate of Formation and Bylaws, that such actions and the Authority hereby authorized comply with the requirements of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations and Internal Revenue Service rulings promulgated thereunder and the rulings issued pursuant thereto, such that the Authority shall be deemed to be a constituted authority acting on behalf of the City pursuant to the provisions of the Act and Chapter 394.

Section 11. If any provision, section, subsection, sentence, clause or phrase of this Resolution, as the application of the same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Resolution or its application to other persons or other circumstances shall not be affected thereby, it being the intent of the City Council that no portion hereof or provision, or regulation contained herein, shall become inoperative or fail by reason

of the unconstitutionality, illegality or other invalidity of any portion hereof, and all provisions of this Resolution are declared to be severable for that purpose.

Section 12. This Resolution shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Resolution within five (5) days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND APPROVED this ____ day of _____, 2012.

ADOPTED this ____ day of _____, 2012.

Mayor of the City of Houston, Texas

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Resolution is _____, 2012.

Anna Russell, City Secretary

(Prepared by: DEBORAH F. JOHNSON)

Deborah F. Johnson
Sr. Assistant City Attorney

Requested by: Andy Icken, Chief Development Officer

LD: _____-001

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EXHIBIT A

**CERTIFICATE OF FORMATION
OF
HOUSTON RECOVERY CENTER LGC**

We, the undersigned persons, each of whom is at least eighteen (18) years of age, a resident and a qualified voter of the City of Houston, Texas (the "City"), and a citizen of the State of Texas, acting as incorporators of a local government corporation under the provisions of Subchapter D of Chapter 431, Texas Transportation Code, as amended ("Chapter 431"); Chapter 394, Texas Local Government Code, as amended ("Chapter 394"); and Chapter 22, Texas Business Organizations Code, as amended ("Chapter 22"); do hereby adopt the following Certificate of Formation for such corporation:

ARTICLE I. NAME

The name of the corporation is HOUSTON RECOVERY CENTER LGC (the "Corporation").

ARTICLE II. NON-PROFIT

The Corporation is a non-profit local government corporation created and operated in accordance with Chapter 431, Chapter 394, Chapter 22 and other applicable laws.

ARTICLE III. DURATION

The period of the duration of the Corporation is perpetual.

ARTICLE IV. PURPOSES, ACTIVITIES

- A. The Corporation is incorporated to aid and act on behalf of the City to accomplish a governmental purpose of the City; namely to staff, manage and operate a sobering center for the safe short-term treatment and management of persons under the influence of alcohol and other drugs, and to provide those persons with information on and referrals to community based outpatient services, for the purposes of preservation of law enforcement, judicial and medical resources in the city limits of the City and its extra-territorial jurisdiction. To accomplish said purpose, the Corporation shall be authorized to:
1. To contract with persons and with governmental, for-profit and non-profit entities for the procuring of services and supplies, the hiring of personnel, and the operation and maintenance of a sobering facility;
 2. To acquire and hold title to real property and interests in real property;

3. To accept funds and property appropriated by the City and by other governmental entities;
4. To apply for grants of funds, services, and things of value and to accept awards of such grants;
5. To accept donations of funds, services and things of value;
6. To issue bonds, notes, and other debt obligations as necessary for the accomplishment of the governmental purpose stated above, *provided that* the Corporation shall not incur any debt without the consent of the City Council of the City (the "City Council"), as evidenced by a resolution approved by majority vote; and
7. To carry out such other lawful purposes as it may deem necessary or appropriate to accomplish the governmental purpose stated above.

B. The Corporation is formed pursuant to the provisions of the Chapter 431 and Chapter 394, which authorize the Corporation to assist and act on behalf of the City and to engage in activities in the furtherance of the purposes for its creation. The Corporation has all of the rights, powers, privileges, authority, and functions given by the general laws of Texas to non-profit corporations incorporated under Chapter 22. The Corporation has all other powers of a like or different nature not prohibited by law which are available to local government and non-profit corporations in Texas and which are necessary or useful to enable the Corporation to perform the purposes for which it is created.

C. The Corporation is a governmental unit within the meaning of Chapter 101, Texas Civil Practice and Remedies Code. The operations of the Corporation are governmental and not proprietary functions.

D. To the extent permitted by applicable law, the Corporation shall, in the conduct of its business, comply with the City's prevailing wage and minority/women, disadvantaged business enterprise policies from time to time in effect.

E. The Corporation shall comply with the provisions of both the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, and the Texas Public Information Act, Chapter 552, Texas Government Code, as amended.

ARTICLE V. NO MEMBERS

The Corporation has no members and no stock.

ARTICLE VI. BOARD

All powers of the Corporation are vested in a Board of Directors ("Board") consisting of five (5) persons. The initial directors of the Corporation ("Director" or "Directors") are those persons named in Article VII. Each initial Director named in Article VII hereof shall serve for the initial term expiring on the date set forth in Article VII. Subsequent appointments shall be made by the Mayor of the City, such appointments to be subject to confirmation by the City Council of the City, with each Director serving a three (3) year term. The Star of Hope Mission shall recommend persons to the Mayor for appointment to Director positions numbers 3 and 5. The current directors shall recommend a person to the Mayor for appointment to Director position number 1. Any Director may be removed from office at any time, with cause, by the Mayor of the City, who shall have the right to appoint a replacement for such Director, such appointment to be subject to the confirmation by the City Council of the City. Any such removal by the Mayor shall be effective immediately and the Mayor shall appoint a replacement within sixty (60) days following such removal. The number of Directors may only be increased or decreased by an amendment to this Certificate of Formation.

To be qualified to serve as a Director, a person must be at least eighteen (18) years old. A person need not be a resident of the City in order to be appointed to the Board of Directors except that a person who is not a resident of the City may not be appointed to the Board of Directors if the appointment of that person would result in less than a majority of the Board of Directors being residents of the City. All Directors shall be appointed by position to the Board by the Mayor of the City. The Mayor of the City shall appoint the Chair of the Board, and such appointment to be subject to confirmation by the City Council of the City.

All other matters pertaining to the internal affairs of the Corporation shall be governed by the Bylaws of the Corporation, so long as such Bylaws are not inconsistent with this Certificate of Formation, and the laws of the State of Texas.

ARTICLE VII. INITIAL BOARD

The number of Directors constituting the initial Board is five (5). The names, addresses, and positions of the five (5) initial Directors, the majority of whom reside in the City, are as follows:

Position	Name	Address	Initial Term Expires
1	Kay Austin	17220 Champions Lakeway Tomball, Texas 77375	September 30, 2016
2	Deborah Duncan	12318 Barryknoll Houston, Texas 77024	September 30, 2015
3	Arlo Weltge, M.D.	5213 Valerie Street Bellaire, Texas 77401	September 30, 2015
4	David S. Buck, M.D.	2105 Woodhead Street Houston, Texas 77019	September 30, 2014
5	Elizabeth T. Nunnally	3022 Riata Lane Houston, Texas 77043	September 30, 2016

Kay Austin is hereby appointed and confirmed as Chair of the Board.

The Chief of the Houston Police Department, or his or her designee; the City of Houston EMS Physician Director/Public Health Authority, or his or her designee; and the Director, of the Houston Health and Human Services Department, or his or her designee, shall each be non-voting ex-officio Directors of the Corporation.

ARTICLE VIII. REGISTERED OFFICE, AGENT

The name of the initial registered agent of the Corporation is David M. Feldman, the City Attorney of the City of Houston, and the street address of its initial registered agent is 900 Bagby, 4th Floor, Houston, Texas, 77002, Attention: City Attorney of the City of Houston.

ARTICLE IX. INCORPORATORS

The names and street addresses of the incorporators, who reside within the City, are as follows:

Name	Address
Andrew F. Icken	901 Bagby, 4 th Floor, Houston, TX 77002
David M. Feldman	900 Bagby, 4 th Floor, Houston, TX 77002
Thomas R. Davis	901 Bagby, 4 th Floor, Houston, Texas 77002

ARTICLE X. LIMITED LIABILITY

No Director of the Corporation shall be liable for monetary damages for an act or omission in the Director's capacity as a Director, except for liability (i) for a breach of the Director's duty of loyalty to the Corporation, (ii) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, (iii) for a transaction from which the Director received an improper benefit, whether or not the benefit resulted from an act taken within the scope of the Director's office, or (iv) for acts or omissions for which the liability of a Director is expressly provided by statute. Any repeal or amendment of this Article by the Directors shall be prospective only, and shall not adversely affect any limitation on the personal liability of a Director existing at the time of such repeal or amendment. In addition to the circumstances in which a Director is not personally liable as set forth in this Article X, a Director shall not be liable to the fullest extent permitted by any amendment to the Texas statutes hereafter enacted that further limits the liability of a Director. For purposes of this Article only, the ex-officio member of the Board shall be considered a "Director."

ARTICLE XI. TAX MATTERS

In accordance with Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and regardless of any other provisions of this Certificate of Formation, the Corporation (a) shall not permit any part of the net earnings of the Corporation to inure to the benefit of any private individual (except that reasonable compensation may be paid for services rendered to or for the Corporation in effecting its purposes); (b) shall not devote more than an insubstantial part of its activities or income to attempting to influence legislation; (c) shall not participate in, or intervene in by any means any political campaign on behalf of (or in opposition to) any candidate for public office; and (d) shall not attempt to influence the outcome of any public election or election for public office or to carry on, directly or indirectly, any voter registration drives.

ARTICLE XII. DISSOLUTION

The Corporation may be dissolved only in the manner prescribed by Section 394.026, Texas Local Government Code, *provided that* no certificate effecting a dissolution of the Corporation shall be executed without the consent of the City Council, as evidenced by a resolution approved by a majority vote. Upon the dissolution of the Corporation, the Corporation's assets shall be distributed to the City and held and used for public purposes by the City.

ARTICLE XIII. PUBLIC INSTRUMENTALITY

The Corporation is a constituted authority and a public or governmental instrumentality within the meaning of the regulations of the United States Treasury Department and the rulings of the Internal Revenue Service prescribed and promulgated pursuant to Section 103 of the Internal Revenue Code. Although the Corporation is authorized to act on behalf of the City as provided in this Certificate of Formation, the Corporation is not a political subdivision or political authority of the State of Texas within the meaning of its constitution and laws, including, without limitation, Article III, Section 52 of said constitution, and no agreements, bonds, debts, or obligations of the Corporation are or shall ever be deemed to be the agreements, bonds, debts, or obligations, or the lending of credit, or a grant of public money or thing of value, of or by the City or any other political subdivision or authority or government agency of the State of Texas, or a pledge of the faith and credit of any of them. No action of the Corporation shall be deemed an action of the City or its agent or employee, nor shall this Certificate of Formation create a joint enterprise between the City and the Corporation.

ARTICLE XIV. AMENDMENTS

This Certificate of Formation may not be amended without the consent of the City Council, as evidenced by a resolution approved by a majority vote.

ARTICLE XV. SPONSOR

The City of Houston, Texas, is the sponsor of the Corporation. The City has specifically authorized the Corporation to act on the City's behalf to further the governmental purposes set forth above. The City Council approved the form of this Certificate of Formation by adopting City of Houston, Texas Resolution No. 2012-_____ on _____, ____, 2012.

ARTICLE XVI. EFFECTIVE DATE

This Certificate of Formation is effective when fully executed and filed with the Office of the Texas Secretary of State.

Andrew F. Icken, Incorporator
Chief Development Officer, Mayor's Office
City of Houston
901 Bagby, 4th Floor
Houston, Texas 77002

David M. Feldman, Incorporator
City Attorney
City of Houston
900 Bagby, 4th Floor
Houston, Texas 77002

Thomas R. Davis, Incorporator
City of Houston
901 Bagby, 4th Floor
Houston, Texas 77002

THE STATE OF TEXAS §
COUNTY OF HARRIS §

Sworn to and subscribed before me on the ___ day of _____, 2012 by
Andrew F. Icken.

(seal)

Notary Public in and for the State of Texas

THE STATE OF TEXAS §
COUNTY OF HARRIS §

Sworn to and subscribed before me on the ___ day of _____, 2012 by
David R. Feldman.

(seal)

Notary Public in and for the State of Texas

THE STATE OF TEXAS §
COUNTY OF HARRIS §

Sworn to and subscribed before me on the ___ day of _____, 2012 by
Thomas R. Davis.

(seal)

Notary Public in and for the State of Texas

LD: _____
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EXHIBIT B

CERTIFICATE OF ADOPTION OF BYLAWS

The undersigned hereby certifies that these Bylaws are the true and correct Bylaws of the Corporation duly adopted on ____ day of _____, 2012.

Dated and executed this _____ day of _____, 2012.

By: _____

Name: _____

Title: Secretary/Treasurer

Director at least 72 hours prior to such meeting, and that such notice shall also be given in accordance with the Open Meetings Act.

Section 5.2 Certificate of Formation.

These Bylaws are subject to, and governed by, the Certificate of Formation.

Section 4.3 Deposits.

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

Section 4.4 Gifts and Grants.

The Board may accept on behalf of the Corporation any contribution, gift, bequest, or devise for the general purposes or for any special purpose of the Corporation. The Corporation shall also have the power to request and accept any appropriation, grant, contribution, donation, or other form of aid from the federal government, the State, any political subdivision, or municipality in the State.

Section 4.5 Fiscal Year.

The fiscal year of the Corporation shall commence on July 1st.

Section 4.6 Audits.

The Board shall cause to be maintained a proper and complete system of records and accounts of all transactions, business, and affairs of the Corporation. After the close of each fiscal year, the Corporation shall cause financial statements to be prepared which shall be audited by an independent certified public accountant or firm of independent certified public accountants. The Corporation shall furnish a copy of such audited financial statements, together with the independent certified accountants' report thereon, without cost to the Controller of the City.

Section 4.7 Books and Records.

The Corporation shall keep correct and complete books and records of accounts and shall also keep minutes of the proceedings of its Board of Directors. All books and records may be inspected by representatives of the City at any reasonable time.

**ARTICLE 5
General Provisions**

Section 5.1 Amendments.

These Bylaws shall be effective from and after their adoption. These Bylaws may be amended, subject to approval of City Council, by the affirmative vote of a majority of the Directors of the Corporation at any meeting of the Board of Directors, provided that notice of the proposed amendment shall have been mailed to each

Section 3.6 Treasurer.

The Board shall appoint the Treasurer of the Corporation, who shall have charge and custody of and be responsible for all funds and securities of the Corporation, receive and give receipts for monies due and payable to the Corporation from any source whatsoever, deposit all such monies in the name of the Corporation in such banks as shall be selected in accordance with the provisions of these Bylaws, and in general perform all duties incident to the office of Treasurer and such other duties as from time to time may be assigned by the President or by the Board. The Treasurer of the Corporation shall serve at the discretion of the Board, and may be removed by the Board at any time, with or without cause.

Section 3.7 Other Officers.

The Board may appoint other officers of the Corporation and other authorized representatives of the Corporation, who shall have the powers and duties as may be delegated by the Board. Such additional officers and authorized representatives shall serve at the discretion of the Board, and may be removed by the Board at any time, with or without cause. One person may hold the position of one or more offices for the Corporation except that neither the Board Chair nor the Executive Director may also hold the office of Secretary.

ARTICLE 4
Contracts; Handling of Funds; Audits; and Records

Section 4.1 Contracts.

The Board may authorize any officer or officers or agent or agents of the Corporation to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such authority may be general or confined to specific instances. No contract or other transaction between the Corporation and any Director may be entered into by the Corporation except (1) on terms no more favorable to the Director than if such contract or transaction were entered into with a third party, and (2) when approved and authorized by a majority of the Board, and provided that any Director with whom such contract or transaction is proposed to be entered into shall not vote in such Board approval and authorization.

Section 4.2 Payment of Funds.

All checks, drafts, or orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the Corporation shall be signed by such officer or officers or agent or agents of the Corporation and in such manner as shall from time to time be determined by resolution of the Board. In the absence of such determination by the Board, such instruments shall be signed by the Secretary or Treasurer and countersigned by the Executive Director, or the Chair in absence of the Executive Director.

Section 3.2 Chair.

The Chair shall preside at all meetings of the Board. In furtherance of the purposes of the Corporation and subject to the limitations contained in the Certificate of Formation, the Chair, may, upon authorization by resolution of the Board, sign and execute all bonds, notes, deeds, conveyances, franchises, assignments, mortgages, notes, contracts and other instruments of any kind in the name of the Corporation. The Chair may call special or emergency meetings of the Board.

Section 3.3 Vice Chair.

The Vice Chair shall perform the duties and exercise the powers of the Chair upon the Chair's death, absence, disability, or resignation, or upon the Chair's inability to perform the duties of his or her office. Any action taken by the Vice Chair in the performance of the duties of the Chair shall be conclusive evidence of the absence or inability to act of the Chair at the time such action was taken.

Section 3.4 Executive Director.

The Board shall appoint the Executive Director of the Corporation, who shall be the chief executive officer of the Corporation and shall in general supervise and control all of the business and affairs of the Corporation. The Executive Director may sign, with the Secretary, the Executive Director, or any other proper officer of the Corporation authorized by the Board, all bonds, notes, deeds, conveyances, franchises, assignments, mortgages, notes, contracts and other instruments of any kind in the name of the Corporation which the Board has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board, or by these Bylaws, or by statute, to some other officer or agent of the Corporation. In general, the Executive Director shall perform all duties prescribed by the Board from time to time. The Executive Director of the Corporation shall serve at the discretion of the Board, and may be removed by the Board at any time, with or without cause.

Section 3.5 Secretary.

The Board shall appoint the Secretary of the Corporation to keep the minutes of the meetings of the Board of Directors in one or more books provided for that purpose, see that all notices are duly given in accordance with the provisions of these Bylaws or as required by law, be custodian of the Corporation records, and in general perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned by the Board or the President. The Secretary of the Corporation shall serve at the discretion of the Board, and may be removed by the Board at any time, with or without cause.

Section 2.8 Quorum.

A majority of the Board shall constitute a quorum for the consideration of matters pertaining to the purposes of the Corporation. The act of a majority of the Directors present and voting at a meeting at which a quorum is in attendance shall constitute the act of the Board, unless the act of a greater number is required by law, by the Certificate of Formation, or by these Bylaws.

Section 2.9 Conduct of Business.

At its meetings, the Board shall consider matters pertaining to the purposes of the Corporation in such order as from time to time the Board may determine. The Chair shall preside at all meetings of the Board, and in the absence of the Chair, the Vice Chair shall preside. In the absence of the Chair and the Vice Chair, a chair shall be chosen by the Board from among the Directors present. The Secretary of the Corporation shall act as secretary of all meetings of the Board, but in the absence of the Secretary, the presiding officer may appoint any person to act as secretary of the meeting.

Section 2.10 Committees.

The Board may designate two (2) or more Directors to constitute a committee.

Section 2.11 Compensation.

No part of the income or revenues of the Corporation shall ever be paid to or inure to the benefit of any Director except for reimbursement of actual expenses incurred in connection with the business affairs of the Corporation, and no such reimbursement of expenses shall be made unless approved by the Board.

ARTICLE 3
Officers

Section 3.1 Officers.

The officers of the Corporation shall be the Chair of the Board of Directors, a Vice Chair, Executive Director, Treasurer, Secretary, and such other officers as the Board may from time to time appoint. The term of office for each officer shall be three (3) years, but each Board officer shall hold office until his or her successor has been appointed. The Chair shall be designated by appointment by the Mayor, such appointment to be subject to confirmation by the City Council of the City. The remaining officers shall be elected by the Board, and all such remaining officers shall be subject to removal, with or without cause, at any time by a vote of two-thirds (2/3) of all Directors then in office. A vacancy in any Board office (other than the Chair) shall be filled by the Board for the unexpired term of such office.

Section 2.3 Terms of Office.

Each Director shall hold office for a term of three (3) years, or until the Director's earlier death, resignation, disqualification or removal from office, and until the Director's successor shall have been duly selected and qualified; provided, however, that the initial terms of the initial Directors are specified in Article VII of the Corporation's Certificate of Formation. If a Director has been appointed to fill an unexpired term, then such Director's term shall expire on the expiration date of the term of the Director he or she was appointed to fill.

Section 2.4 Resignations.

Any Director or Board officer may resign at any time. Such resignations shall be made in writing and shall take effect at the time specified therein, or, if no time be specified, at the time of its receipt by the Chair or Secretary. The acceptance of a resignation shall not be necessary to make it effective, unless expressly so provided in the resignation.

Section 2.5 Vacancy.

Any vacancy of Directors on the Board will be filled by an appointment by the Mayor of the City, such appointments to be subject to confirmation by City Council.

Section 2.6 Meetings.

The annual meeting of the Board shall be held at the time and at the location in the City designated by resolution of the Board. Other regular meetings of the Board shall be held at such times and places as shall be designated, from time to time, by resolution of the Board. Failure to hold the annual meeting at the designated time shall not work a dissolution of the Corporation nor impair the powers, rights and duties of the Corporation's officers and Directors. Special and emergency meetings of the Board shall be held whenever called by the Chair of the Board or by any two Directors. Meetings of the Board may be held by telephone conference, videoconference, internet broadcast or other means of communications technology as permitted under and in conformance with Chapter 551, Texas Government Code, as amended from time to time (the "Open Meetings Act").

Section 2.7 Notices of Meetings.

The Board shall meet in accordance with and file notice of each meeting of the Board for the same length of time and in the same manner and location as is required of a city under the Open Meetings Act. In addition, the Secretary of the Board shall give notice to each Director of each annual, regular or special meeting in person, by telephone, fax, mail or e-mail to the last known address of each Director at least three (3) days before the meeting. Notice of any emergency meeting shall be given to each Director at least three (3) hours prior to the meeting.

- G. To carry out such other lawful purposes as it may deem necessary or appropriate to accomplish the governmental purpose stated above.

In accordance with the provisions of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), and regardless of any other provisions of these Bylaws or the laws of the State of Texas, the Corporation: (a) shall not permit any part of the net earnings of the Corporation to inure to the benefit of any private individual (except that reasonable compensation may be paid for services rendered to or for the Corporation in effecting one or more of its purposes); (b) shall not devote more than an insubstantial part of its activities or income to attempting to influence legislation by propaganda or otherwise; (c) shall not participate in, or intervene in (including the publication or distribution of statements) any political campaign on behalf of any candidate for public office; and (d) shall not attempt to influence the outcome of any public election or election for public office or to carry on, directly or indirectly, any voter registration drives.

ARTICLE 2

Board of Directors

Section 2.1 General Powers.

All powers of the Corporation are vested in the Board of Directors (the "Board").

Section 2.2 Appointment, Qualifications and Removal.

The Board shall consist of five (5) Directors. Directors of the Corporation shall be appointed to such position on the Board by the Mayor of the City, subject to confirmation by City Council. The Star of Hope Mission shall recommend persons to the Mayor for appointment to Director positions numbers 3 and 5. The current directors shall recommend a person to the Mayor for appointment to Director position number 1. To be qualified to serve as a Director, a person must be at least eighteen (18) years old. A person need not be a resident of the City in order to be appointed to the Board of Directors except that a person who is not a resident of the City may not be appointed to the Board of Directors if the appointment of that person would result in less than a majority of the Board of Directors being residents of the City. Any Director may be removed from office at any time, with cause, by the Mayor of the City and such removal shall be effective immediately. The Mayor of the City shall have the right to appoint a replacement for such Director, such appointment to be subject to confirmation by the City Council of the City.

The Chief of the Houston Police Department, or his or her designee; the City of Houston EMS Physician Director/Public Health Authority, or his or her designee; and the Director, of the Houston Health and Human Services Department, or his or her designee, shall each be non-voting ex-officio Directors of the Corporation.

BYLAWS OF

HOUSTON RECOVERY CENTER LGC, a Texas local government corporation

ARTICLE 1 Name and Purposes

Section 1.1 Name.

The name of the corporation is Houston Recovery Center LGC (the "Corporation").

Section 1.2 Purposes.

The Corporation has been incorporated and is hereby organized and is to be operated to aid and act on behalf of the City of Houston, Texas (the "City") to accomplish the City's governmental purposes of purposes of staffing, managing and operating a sobering center for the safe short-term treatment and management of persons under the influence of alcohol and other drugs, and to provide those persons with information on and referrals to community based outpatient services for the purposes of preservation of law enforcement, judicial and medical resources in the city limits of the City and its extra-territorial jurisdiction. To accomplish said purpose, the Corporation shall be authorized to:

- A. To contract with persons and with governmental, for-profit and non-profit entities for the procuring of services and supplies, the hiring of personnel, and the operation and maintenance of a sobering facility;
- B. To acquire and hold title to real property and interests in real property;
- C. To accept funds and property appropriated by the City and by other governmental entities;
- D. To apply for grants of funds, services, and things of value and to accept awards of such grants;
- E. To accept donations of funds, services and things of value;
- F. To issue bonds, notes, and other debt obligations as necessary for the accomplishment of the governmental purpose stated above, *provided that* the Corporation shall not incur any debt without the consent of the City Council of the City (the "City Council"), as evidenced by a resolution approved by majority vote; and

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BYLAWS

OF THE

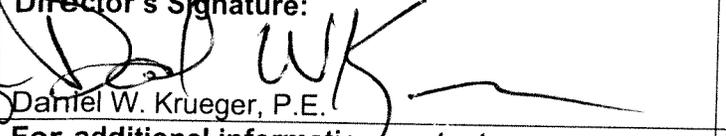
HOUSTON RECOVERY CENTER LGC

a Texas local government corporation
created by and for the City of Houston

Date of Adoption: _____, 2012

SUBJECT: Ordinance amending Ordinance No. 2010-0749 to increase the spending authority for an Enterprise Point of Sale System for the Public Works & Engineering Department and appropriate additional funds. WBS D-000145-0001-3-01	Page 1 of 1	Agenda Item # <div style="border: 1px solid black; padding: 5px; display: inline-block;">44</div>
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From: (Department or other point of origin): Public Works and Engineering Department	Origination Date 5/3/12	Agenda Date MAY 16 2012 MAY 09 2012
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Director's Signature:  Daniel W. Krueger, P.E.	Council District affected: All
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For additional information contact: Ogilvie Gericke (832) 395-2004 David Guernsey (832) 395-3640	Date and identification of prior authorizing Council action: Ordinance 2010-0749, 9/22/10 Ordinance 2011-0070, 1/26/11
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Recommendation: (Summary)
 Adopt an Ordinance amending Ordinance No. 2010-0749 to increase the spending authority with Sogeti USA, LLC and appropriate additional funds.

Award Amount: \$127,542.00 Reimbursement of Equipment/Projects Fund 1850 WBS D-000145-0001-3-01

SPECIFIC EXPLANATION:
 The Director of the Public Works & Engineering Department recommends that City Council approve an Ordinance increasing the spending authority from \$1,224,228.00 to \$1,351,770.00 and appropriating additional funds to the contract between the City of Houston and Sogeti USA, LLC, for the Enterprise Point of Sale System for the Houston Permitting Center.

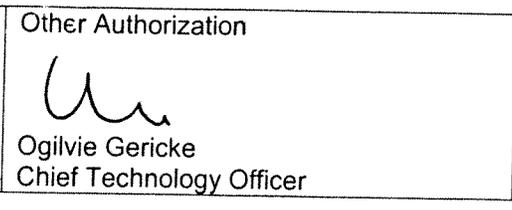
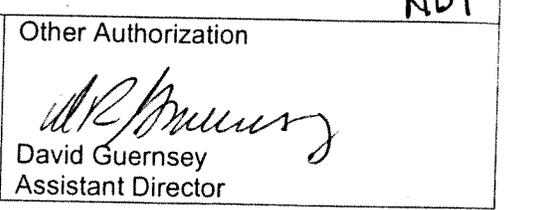
The contract was originally awarded on September 22, 2010 by Ordinance No. 2010-0749 for a three year term with two one-year options to renew in an amount not to exceed \$550,000.00, for the first stage of the design and implementation of the Enterprise Point Of Sale system for the Houston Permitting Center. A First Amendment was approved by City Council on January 26, 2011 by Ordinance No. 2011-0070 for \$689,228.00 increasing the maximum contract amount to \$1,224,228.00. Contract expenditures to date total \$1,220,876.00.

The additional appropriation is to accommodate the approved time extension required to deploy the iNovah® cashiering solution for the Houston Permitting Center. The time extension is a result of delayed development of key functionality by 3rd party companies to allow a range of City permitting systems to integrate with the point of sale system. It also allows for the completion of the knowledge transfer from Sogeti's project team to City of Houston personnel. The total cost of the project remains within the planned budget.

M/WBE Subcontractor:
 This contract was awarded with a 15% MWBE participation level. Currently, the contractor is achieving a 28.07% MWBE participation level earning an Outstanding rating by the Mayor's Office of Business Opportunity.

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

REQUIRED AUTHORIZATION CUIC ID 20JBR22

Finance Department	Other Authorization  Ogilvie Gericke Chief Technology Officer	Other Authorization  David Guernsey Assistant Director
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NDT