

**AGENDA - COUNCIL MEETING - TUESDAY - SEPTEMBER 10, 2013 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

**INVOCATION AND PLEDGE OF ALLEGIANCE** - Council Member Hoang

**1:30 P. M. - ROLL CALL**

**ADOPT MINUTES OF PREVIOUS MEETING**

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

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

**5:00 P. M. - RECESS**

**RECONVENE**

**WEDNESDAY - SEPTEMBER 11, 2013 - 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 27**

**MISCELLANEOUS** - NUMBERS 1 through 5

1. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **REINVESTMENT ZONE NUMBER TWENTY-ONE, CITY OF HOUSTON, TEXAS (HARDY/NEAR NORTHSIDE) BOARD OF DIRECTORS:**  
**EDWARD (ED) REYES**, appointment, to serve as Chair, for a term ending December 31, 2013  
Position Four - **SYLVIA CAVAZOS**, reappointment, for a term to expire December 31, 2014
2. CONFIRMATION of the appointment of **THELDON BRANCH** for Position 3 on the **PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY**, for a two year term
3. CONFIRMATION of the appointment of **KAMAL RASHEED** for Position 4 on the **WASTEWATER CAPACITY RESERVATION REVIEW BOARD**, for the remainder of the designated two year term

**AGENDA - SEPTEMBER 11, 2013 - PAGE 2**

**MISCELLANEOUS** - continued

4. RECOMMENDATION from Fire Chief for Extension of Injury on Duty Leave for 90 days for **WES WHEELAND** - (03/01/2013 through 03/25/2013 and 05/29/2013 through 08/17/2013)
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of payment of FY 2013 Membership dues for the Water Research Foundation - \$256,027.54 Enterprise Fund

**ACCEPT WORK** - NUMBERS 6 through 8

6. RECOMMENDATION from Director Department of General Services for approval of Change Order No. 5 in the amount of \$191,901.00 and Change Order No. 7 in the amount of \$19,831.61, final contract amount of \$1,072,607.11 and acceptance of work on contract with **AIA GENERAL CONTRACTORS, INC** for Northeast Maintenance Facility Underground Storage Tank Modifications and Cleanup - 26.56% over the original contract amount - **DISTRICT H - GONZALEZ**
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,422,806.72 and acceptance of work on contract with **BLASTCO TEXAS, INC** for Rehabilitation of Water Storage Tanks - 3.11% over the original contract amount and under 5% contingency - **DISTRICTS B - DAVIS and E - MARTIN**
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,123,703.67 and acceptance of work on contract with **BLASTCO TEXAS, INC** for Rehabilitation of Water Storage Tanks - 2.26% under the original contract amount - **DISTRICTS B - DAVIS; F - HOANG and G - PENNINGTON**

**PROPERTY** - NUMBER 9

9. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Daniel Massiatte, Century Engineering, Inc., on behalf of BWS Humble Center, L.P. (BWS-GP, Inc., [Pierre Bejjani, Director], General Partner), for abandonment and sale of (1) a 14-foot-wide utility easement located within Lots 14 through 26, Block 4; (2) a 14-foot-wide utility easement located within Lots 1 through 13, Block 5; (3) a 14-foot-wide utility easement located within Lots 14 through 26, Block 5; (4) a 14-foot-wide utility easement located within Lots 1 through 13, Block 6; and (5) a 14-foot-wide utility easement located within Lots 25 through 48, Block 6, all located within the Rosslyn Subdivision, out of the Joseph Bays Survey, A-127, Parcels SY13-087A through SY13-087E **DISTRICT A - BROWN**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 10 through 13

10. ORDINANCE appropriating \$180,820.34 out of Parks & Recreation Dedication Fund for the purchase of Playground Equipment for the General Services Department on behalf of the Parks & Recreation Department - **DISTRICTS D - ADAMS and K - GREEN**
  - a. **LONE STAR RECREATION, INC** for Purchase and Installation of Playground Equipment through the Interlocal Agreement for Cooperative Purchasing with BuyBoard for the General Services Department on behalf of the Parks & Recreation Department - \$172,209.85 and contingencies for a total amount not to exceed \$180,820.34 - Parks & Recreation Dedication Fund - **DISTRICTS D - ADAMS and K - GREEN**

**PURCHASING AND TABULATION OF BIDS** - continued

11. ORDINANCE appropriating \$62,092.02 out of Parks Consolidated Construction Fund for the purchase of Playground Equipment for the General Services Department on behalf of the Parks & Recreation Department - **DISTRICT B - DAVIS**
- a. **THE PLAYWELL GROUP, INC** for Purchase and Installation of Playground Equipment through the Interlocal Agreement for Cooperative Purchasing with BuyBoard for the General Services Department on behalf of the Parks & Recreation Department - \$59,135.26 and contingencies for a total amount not to exceed \$62,092.02 - Parks Consolidated Construction Fund - **DISTRICT B - DAVIS**
12. ORDINANCE appropriating \$288,075.00 out of Water & Sewer System Consolidated Construction Fund to Remove, Furnish and Install a New Bar Screen, Conveyor/Compactor System and Associated Equipment for the Public Works & Engineering Department - **DISTRICT H - GONZALEZ**
- a. **LEM CONSTRUCTION CO., INC** to Remove, Furnish and Install a New Bar Screen, Conveyor/Compactor System and Associated Equipment for the Public Works & Engineering Department - \$250,500.00 and contingencies for a total amount not to exceed \$288,075.00 Water & Sewer System Consolidated Construction Fund - **DISTRICT H - GONZALEZ**
13. **AMEND MOTION #2009-0890, 12/09/09, TO INCREASE** spending authority from \$1,346,873.89 to \$1,683,592.36 for Chemical, Aqua Ammonia for Department of Public Works & Engineering awarded to **SOUTHERN IONICS, INC** - \$336,718.47 - Enterprise Fund

**ORDINANCES** - NUMBERS 14 through 27

14. ORDINANCE **AMENDING SECTION 1-11 OF THE CODE OF ORDINANCE, HOUSTON, TEXAS**, relating to a declaration to be filed with an application for permit, license or certificate, acknowledging responsibility to comply with laws, regulations and ordinances in connection with the requested permit, license, or certificate
15. ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 2013-722 by adding one Deputy Chief position; adding three District Chief positions; adding four Senior Captain positions; adding one Assistant Arson Investigator position; and deleting four Captain positions; substituting the amended Exhibit as part of the current Fire Station Classified Personnel Ordinance
16. ORDINANCE approving and authorizing Loan Agreement between the City of Houston and **COTTAGES AT SOUTH ACRES, LTD.** to provide \$2,160,000.00 of Federal "HOME" Funds to assist with construction of a 144 unit mixed-income housing community, to be located in the vicinity of 11300 Scott Street, Houston, Texas - **DISTRICT D - ADAMS**
17. ORDINANCE appropriating \$283,500.00 out of Homeless & Housing Consolidated Bond Fund; approving and authorizing a grant agreement between the City of Houston and Rockwell Community 26 LP to provide the appropriated funds to assist with accessibility improvements to Jadestone Apartments, a 226 Unit Multifamily Housing Community, located at 7520 Cook Road in Houston, Texas, that provides affordable housing to low income families; approving and authorizing a second amendment and modification agreement pertaining to loan agreement, restrictive covenants and other loan documents to increase the number of affordable units at Jadestone Apartments - **DISTRICT F - HOANG**

**ORDINANCES** - continued

18. ORDINANCE approving and authorizing a First Amendment to Grant Agreement between the City of Houston and Houston Area Community Development Corporation to provide an additional \$1,352,464.00 in Homeless Housing and Services Program Funds for the Development of 160-Unit Single Residence Occupancy Facility Located at 7020 Stuebner Airline Road, Houston, Texas to House Low-Income and Very Low-Income Households - **DISTRICT H - GONZALEZ**
19. ORDINANCE authorizing the Mayor to accept funding in an amount not exceeding \$30,751.23 by executing an Other Transaction Agreement by and between the City of Houston and the Transportation Security Administration for an Explosive Storage Magazine at William P. Hobby Airport - **DISTRICT I - RODRIGUEZ**
20. ORDINANCE enlarging the boundaries of **REINVESTMENT ZONE NUMBER SEVEN, CITY OF HOUSTON, TEXAS (OLD SPANISH TRAIL/ALMEDA CORRIDORS ZONE)** - **DISTRICT D - ADAMS**
  - a. ORDINANCE approving the fifth amended **PROJECT PLAN AND REINVESTMENT ZONE FINANCING PLAN FOR REINVESTMENT ZONE NUMBER SEVEN, CITY OF HOUSTON, TEXAS (OLD SPANISH TRAIL/ALMEDA CORRIDORS ZONE)**; authorizing the City Secretary to distribute such plans - **DISTRICT D - ADAMS**
21. ORDINANCE approving and authorizing third amendment to the Hermann Park Pedal Boat and Other Concessions Agreement between the City of Houston and **HERMANN PARK CONSERVANCY** - **DISTRICT D - ADAMS**
22. ORDINANCE approving and authorizing second amendment to the Hermann Park Development Agreement between the City of Houston and **HERMANN PARK CONSERVANCY** - **DISTRICT D - ADAMS**
23. ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON CLEAN CITY COMMISSION INC dba KEEP HOUSTON BEAUTIFUL** for Maintenance on Equipment and Tools for use in the cleaning and clearing of lots for the Department of Neighborhoods; providing a maximum contract amount - \$810,000.00 - 5 years - General Fund
24. ORDINANCE determining that the formal taking of competitive bids is not required for the work described herein; and awarding contract to **TIBH INDUSTRIES, INC** for Litter Removal Services for the Public Works & Engineering Department - \$7,919,936.64 - 3 years with two one-year options - Stormwater Fund
25. ORDINANCE appropriating \$404,000.00 out of Equipment Acquisition Consolidated Fund for Professional Services/Products supporting the Enterprise Data Warehousing Project for the City of Houston Finance Department and Houston Information Technology Services Department
26. ORDINANCE appropriating \$1,050,000.00 out of Equipment Acquisition Consolidated Fund for the Data Center Consolidation Project (Approved by Ordinance No. 2013-364)
27. ORDINANCE appropriating \$3,754,485.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **IPR SOUTH CENTRAL, LLC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method; 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 (WW4258-56)

**CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA**

**MATTERS HELD** - NUMBER 28

28. REVIEW on the record and make determination relative to the appeal from the decision of the General Appeals Board, filed by Richard L. Rothfelder, Attorney at Law, on behalf of Bright Light Sign Service, Inc. regarding sign located at 10410 Westheimer

**TAGGED BY COUNCIL MEMBER PENNINGTON**

This was Item 31 on Agenda of September 4, 2013

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Burks first

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

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

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



ANNISE D. PARKER  
MAYOR

OFFICE OF THE MAYOR  
CITY OF HOUSTON  
TEXAS

SEP 11 2013

August 22, 2013

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 8-22-13  
date

COUNCIL MEMBER: \_\_\_\_\_

The Honorable City Council  
Houston, Texas

Dear Council Members:

Pursuant to Texas Tax Code, Chapter 311, and City of Houston Ordinance No. 2003-1258, I am nominating the following individuals for appointment or reappointment to the Board of Directors of Reinvestment Zone Number Twenty-One, City of Houston, Texas (Hardy/Near Northside), subject to Council confirmation:

Edward (Ed) Reyes, appointment to serve as Chair for a term ending December 31, 2013;  
Sylvia Cavazos, reappointment to Position Four, for a term to expire December 31, 2014.

Pursuant to the Bylaws of the Hardy/Near Northside Redevelopment Authority, appointment of a director of the Board of Directors of this Reinvestment Zone Number Twenty-One will also constitute appointment of the director to the corresponding position on the Board of Directors of the Hardy/Near Northside Redevelopment Authority for the same term.

The résumés of the nominees are attached for your review.

Sincerely,

Annise D. Parker  
Mayor

AP:JC:jsk

Attachment

cc: Mr. Ralph De Leon, Division Manager, Office of the Mayor, Economic Development



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SEP 11 2013

MOTION NO. 2013 0616

MOTION by Council Member Bradford that nominations for Position 3 on the Port of Houston Authority of Harris County, for a two year term, be closed.

Seconded by Council Member Burks and carried.

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

Council Member Martin absent on City business

PASSED AND ADOPTED this 4th day of September 2013.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is September 10, 2013.

City Secretary

Theldon Branch was nominated by Council Member Costello.

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SEP 11 2013

MOTION NO. 2013 0617

MOTION by Council Member Burks that nominations for Position 4 of the Wastewater Capacity Reservation Review Board, for the remainder of the designated two year term, be closed.

Seconded by Council Member Bradford and carried.

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

Council Member Martin absent on City business

PASSED AND ADOPTED this 4th day of September, 2013.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is September 10, 2013.

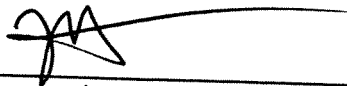
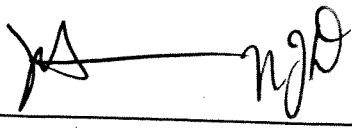
City Secretary

Council Member Green nominated Kamal Rasheed for Position 4

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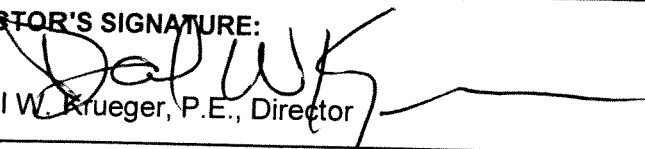
**TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION**

<b>SUBJECT:</b> Request for Extension of Injury Leave for Wes Wheeland, Emp. No. 123286		Category #	Page 1 of 1	Agenda Item <b>4</b>
				SEP 11 2013
<b>FROM (Department or other point of origin):</b> Fire Department		<b>Origination Date</b> 08/26/2013	<b>Agenda Date</b>	
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council District affected:</b> All		
<b>For additional information contact:</b> Neil DePascal Phone: (832) 394-6755		<b>Date and identification of prior authorizing Council action:</b>		
<b>RECOMMENDATION: (Summary)</b> Request approval for injury on duty leave (Salary Continuation) extension for Engineer Operator/EMT Wes Wheeland.				
<b>Amount of Funding</b>		<b>F &amp; A Budget:</b>		
<b>SOURCE OF FUNDING:</b> [ ] General Fund [ ] Grant Fund [ ] Enterprise Fund [ ] Other (Specify)				
<b>SPECIFIC EXPLANATION:</b>				
<b>Recommendation:</b> Approve extension for 90 days of additional leave from March 1, 2013 thru March 25, 2013 and May 29, 2013 thru August 17, 2013.				
<b>Background:</b> EOE Wes Wheeland was first injured while on duty on January 27, 2012. EOE Wheeland sustained an injury while waking up to a house when he stepped in a low area of the grass twisting his left knee. EOE Wheeland was diagnosed with a sprain/strain to his left knee. He has since undergone medical treatment and was released to transitional duty on July 30, 2012. On August 27, 2012, EOE Wheeland was taken back off work due to complications with his recovery. He later returned to transitional duty on March 26, 2013, but was subsequently taken off work effective May 29, 2013. EOE Wes Wheeland was released to full duty on August 17, 2013.				
<b>Leave information:</b> EOE Wheeland was approved for injury leave beginning on January 28, 2012. The Firefighter has completed one year of injury on duty leave on or about February 28, 2013. After the initial year, City Council approval is required. As such, this request is to extend this leave 90 days from March 1, 2013 thru March 25, 2013 and May 29, 2013 thru August 17, 2013, which will result in the amount of \$3,819.64				
cc: Anna Russell, City Secretary Marta Crinejo, Agenda Director Lydia Henn, HFD Risk Management Office Human Resources Department Records				
<b>REQUIRED AUTHORIZATION</b>				
<b>F&amp;A Director</b> 		<b>Other Authorization:</b>		<b>Other Authorization:</b>

*Handwritten initials/signature*

<b>SUBJECT: Approval of payment of FY 2013 Membership dues for the Water Research Foundation</b>		Page 1 of 1	Agenda Item #  5
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 9/5/13	<b>Agenda Date</b> SEP 11 2013
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<b>DIRECTOR'S SIGNATURE:</b>  Daniel W. Krueger, P.E., Director	<b>Council District affected: All</b>
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<b>For additional information contact:</b> Yvonne W. Forrest Senior Assistant Director Phone: (832) 395-2847	<b>Date and identification of prior authorizing Council action:</b> Motion No. 2012-0699-September 19, 2012
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**RECOMMENDATION: (Summary)**  
Adopt a Motion approving spending authority in the amount of \$256,027.54 to pay the Water Research Foundation annual fees for Subscription Year 2013 (09/01/2013 to 08/31/2014).

**Amount and Source of Funding:**  
\$256,027.54 – Water and Sewer System Operating Fund (8300) *ES 8 2013*

**DESCRIPTION/SCOPE:** The Water Research Foundation is a member-supported, international nonprofit 501(c)3 organization. Formed in 1966, they are the nation's only research foundation devoted to drinking water research and governed by water utilities.

**PURPOSES:** The City of Houston, along with other member utilities, asks the Water Research Foundation to solicit research proposals on identifying the best available technology, such as granular activated carbon, membrane technology, ion exchange and alternate disinfectants for the removal of contaminants which have been identified as candidates for regulation or which are being proposed for regulation. The foundation also adopts research projects that deal with the study of new technologies which could help treatment plants operate more efficiently and economically or for research which could evaluate the risks and/or cost benefits associated with regulating certain contaminants.


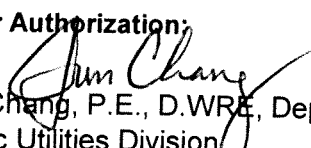
The program is international in scope and the results will benefit all water utilities, including the City of Houston and its customers. The primary benefit that they offer to the City of Houston, and to all utility subscribers, is participation in a centralized research program that is directed by and conducted on behalf of the drinking water community.

As a result of the program, the drinking water community has realized savings of millions of dollars annually; The Foundation has demonstrated the value of an industry-sponsored research program that benefits the drinking water community and the customer.

**BENEFITS:** As a member of the Water Research Foundation, the City of Houston will receive research on today's most complex challenges. With the long list of proposed regulations now facing the water industry in the short term, this membership will continue to play a vital role in ensuring that the City of Houston is ready to meet these regulations in an efficient and timely manner.

**DUES:** Annual subscription cost is determined by the volume of water treated by the City of Houston multiplied by our subscription rate of \$2.30 per million gallons minus water sold to other utilities and minus any unmetered water. This calculation has yielded a subscription amount of \$256,027.54.

**REQUIRED AUTHORIZATION** CUIC#20YWF32

<b>Finance Department</b>	<b>Other Authorization:</b>  Yvonne W. Forrest Senior Assistant Director	<b>Other Authorization:</b>  Jun Chang, P.E., D.WRE, Deputy Director Public Utilities Division
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**REQUEST FOR COUNCIL ACTION**

<b>SUBJECT:</b> Approve Change Order Nos. 5 and 7 and Accept Work AIA General Contractors, Inc. Northeast Maintenance Facility Underground Storage Tank Modifications and Cleanup. WBS Nos. D-000160-0002-4; D-000073-0095-4	<b>Page</b> 1 of 2	<b>Agenda Item</b>  <span style="font-size: 2em;">6</span>
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b> 9/5/13	<b>Agenda Date</b> SEP 11 2013
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<b>DIRECTOR'S SIGNATURE:</b> Scott Minnix 	<b>Council District affected:</b>  H
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<b>For additional information contact:</b> Jacquelyn L. Nisby Phone: 832-393-8023 	<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 12-0426; Dated: 05-09-2012 Ordinance No. 12-1060; Dated: 12-12-2012 Ordinance No. 13-0367; Dated: 05-01-2013
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**RECOMMENDATION:** The General Services Department recommends approval of Change Order 5 in the amount of \$191,901.00 and Change Order 7 in the amount of \$19,831.61; and approval of final contract amount of \$1,072,607.11 and acceptance of work on contract with AIA General Contractors, Inc. for Northeast Maintenance Facility underground storage tank modifications and cleanup at 5672 Neches Street – 26.56% over the original contract amount.

<b>Amount and Source of Funding:</b> No Additional Funding Required  <b>Previous Funding:</b> \$909,700.84 – General Improvement Consolidated Construction Fund (4509) <u>\$162,906.27</u> – Solid Waste Consolidated Construction Fund (4503) \$1,072,607.11 Total Funding	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council approve Change Orders 5 and 7, and the final contract amount of \$1,072,607.11 or 26.56% over the original contract amount, accept the work and authorize final payment to AIA General Contractors, Inc. for construction services in connection with the Northeast Maintenance Facility underground storage tank modifications and cleanup for the Fleet Management Department.

The construction contract was twice amended. The intent of the First and Second Amendments was to increase the director's authority to approve Change Orders up to 26.56% instead of 21.56% of the original contract amount. Council appropriated funding for the 26.56%. The approval of Change Orders 5 and 7 corrects the mathematical error on the percentage from 21.56% to 26.56%.

**PROJECT LOCATION:** 5617 Neches Street - Houston, Texas (Key Map 454-S)

**PROJECT DESCRIPTION:** The project removed one 10,000 gallon gasoline underground storage tank (UST), and three 10,000 gallon diesel USTs along with all ancillary equipment, piping connections and vent lines. Installed one 15,000 gallon UST and three 15,000 gallon diesel USTs. Disposed of aqueous liquid, soil and gravel, saw-cut, demolished and removed concrete paving over the USTs. The project also installed a new canopy over the fuel islands with new foundations and lighting.

**REQUIRED AUTHORIZATION** CUIC ID # 25GM284

<b>General Services Department:</b>  Humberto Bautista, P.E. Assistant Director		<b>Fleet Management Department:</b>  Kenneth Hogland, P.E. Director
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<b>Date</b>	<b>SUBJECT:</b> Approve Change Order Nos. 5 and 7 and Accept Work AIA General Contractors, Inc. Northeast Maintenance Facility Underground Storage Tank Modifications and Cleanup. WBS Nos. D-000160-0002-4, D-000073-0095-4	<b>Originator's Initials</b>  GM	<b>Page</b>  2 of 2
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**PREVIOUS HISTORY AND PROJECT SCOPE:** On May 9, 2012, Ordinance 12-0426, Council awarded a construction contract to AIA General Contractors, Inc. on its low bid amount of \$847,494.50 to provide construction services at the Northeast Maintenance Facility. On December 12, 2012, Ordinance No. 12-1060, Council approved a First Amendment which increased the director's authority to approve Change Orders up to 19.22% of the original contract amount due to unforeseen conditions discovered during UST excavation and removal, and appropriated \$162,906.27. On May 1, 2013, Ordinance No. 13-0367, Council approved a Second Amendment which increased the director's authority to approve Change Orders up to 21.56%, and appropriated \$19,831.61.

**CHANGE ORDER SCOPE:** Change Order 5 addressed unforeseen conditions related to an oversized tank hold that necessitated the disposal of an additional 1300 tons of contaminated soil and the removal and replacement of additional concrete and pea gravel for backfilling. Change Order 7 covered the cost to keep and maintain temporary aboveground fuel tanks for an additional 30 days to continue fueling for the fleet maintenance facility during construction.

**PREVIOUSLY APPROVED CHANGE ORDERS:**

Change Order 1 granted a non-compensable time extension to begin the project due to a re-design of the canopy structure and electrical system.

Change Order 2 installed two additional Fuel Force Controllers as requested by the Fleet Management Department.

Change Order 3 removed and disposed of an additional 45,500 gallons of contaminated water from the tank excavation.

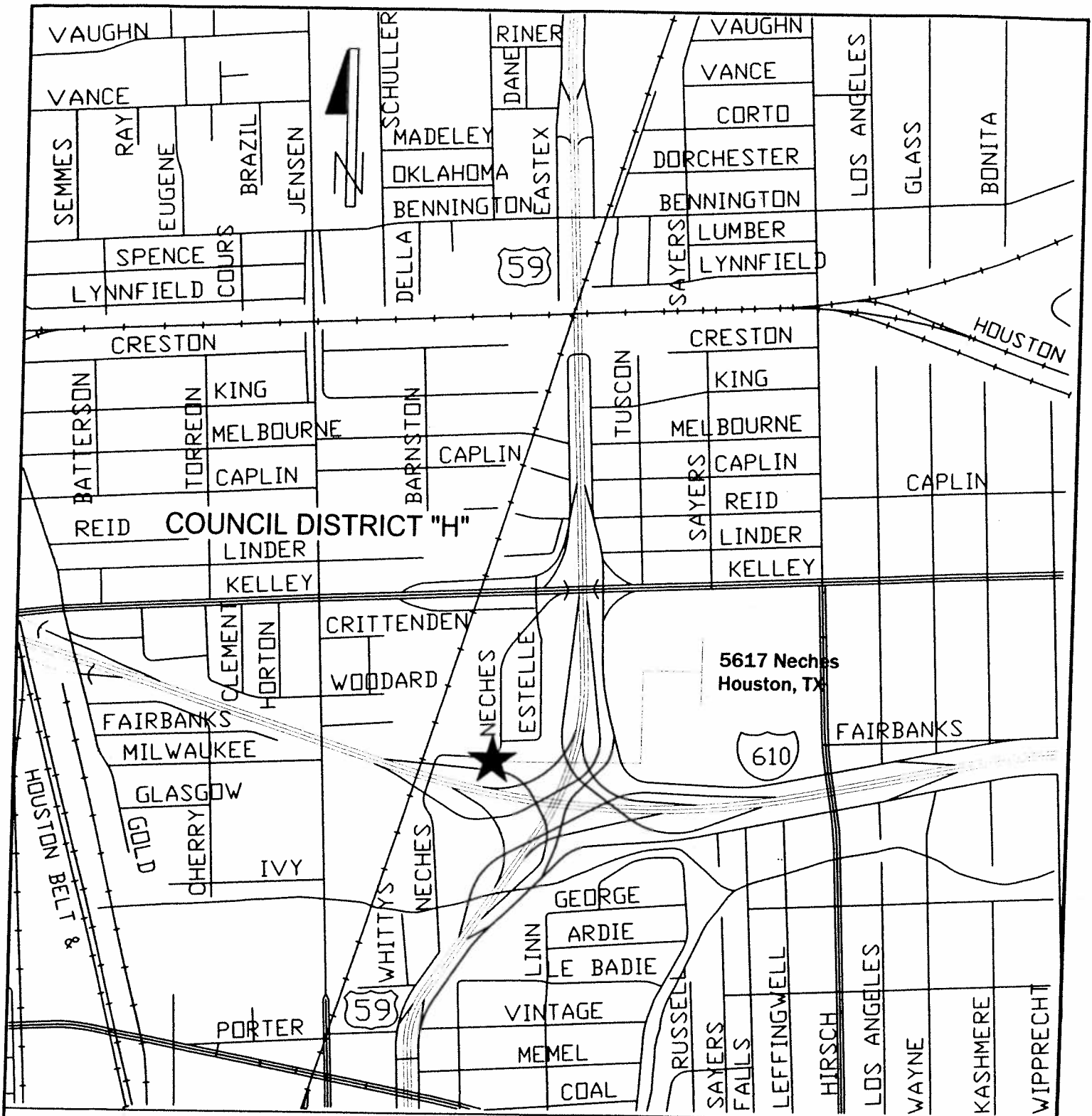
Change Order 4 granted a non-compensable time extension for additional sampling and analysis of contaminated soils and removal of additional contaminated soil and water.

Change Order 6 provided a credit to the City for work which was not required to complete the project.

**CONTRACT COMPLETION AND COST:** The contractor completed the project within 360 days: the original contract time of 90 days plus 270 days approved by Change Orders. The final cost of the project, including Change Orders 5 and 7, together with previously approved Change Orders, is \$1,072,607.11, an increase of \$225,112.61 or 26.56% over the original contract amount.

SM:HB:JLN:GM:FK:fk

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



**Northeast Maintenance Facility**  
**Underground Storage Tank Modifications and Cleanup**  
 5617 Neches  
 Houston, TX 77026

COUNCIL DISTRICT "H"

KEYMAP No. 454S

Document 00941

CHANGE ORDER / C.O. No. 5

PROJECT: Northeast Maintenance Facility Underground Storage Tank Modifications and Cleanup.

CONTRACT No.: 4600011575

WBS Nos.: D-000160-0002-4  
D-000073-0095-4

TO: AIA General Contractors, Inc.  
Contractor and 18331 Running Vine Lane, Spring, Texas 77379  
Address for Written Notice

REFERENCE RFIs/RFPs/WCDs: RFI No. 5

1.01 DESCRIPTION OF CHANGES

		CONTRACT CHANGE	
		AMOUNT	TIME
<b>ITEM 1 SCOPE:</b>	Provide additional 3000 square feet of concrete for the over excavated tank hold.	\$21,750.00	0 Days
<b>JUSTIFICATION:</b>	The fuel tank hold was 8 to 12 feet wider on each side than anticipated. This contributed to larger concrete removal and replacement quantities required to replace the tanks.		
<b>ITEM 2 SCOPE:</b>	Dispose of approximately 1300 tons of Class 1 contaminated soil from the tank hold.	\$72,800.00	0 Days
<b>JUSTIFICATION:</b>	The estimated gravel quantity for disposal is much higher than anticipated due to the oversized tank hold and must now be disposed of as Class 1 waste. The volume of Class 1 waste was also increased due to the rain water entering the tank hold between the bid award and project initiation which distributed the diesel and gasoline through the entire pea gravel mass.		
<b>ITEM 3 SCOPE:</b>	Provide approximately 1440 tons of clean washed pea gravel for installation of new 15,000 gallon fuel tanks.	\$50,400.00	0 Days
<b>JUSTIFICATION:</b>	Because the tank hold volume is unpredictably larger than necessary, and because the hold-down slab is thicker than anticipated, significantly more pea gravel is required than originally estimated for backfilling.		

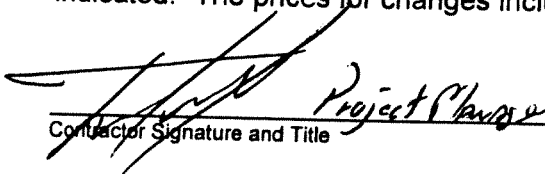
ITEM 4 SCOPE: Line Item D3 - Reinstate cost of replacement of the old concrete in drive area. \$46,951.00 0 Days

JUSTIFICATION: In order to reduce schedule delays, Item Scope No. 2 in Change Order No. 3 reduced the planned concrete costs to pay for the disposal of additional contaminated groundwater from the tank excavation. The scope needs to be expanded back to include the remaining contracted amount.

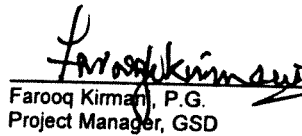
TOTALS: \$191,901.00 0 Days

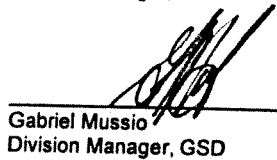
1.02 ACCEPTANCE BY CONTRACTOR


Contractor agrees to perform change(s) included in this Change Order for the price and time indicated. The prices for changes include all costs associated with this Change Order.

 Project Manager  
Contractor Signature and Title  
01/28/2013  
Date

1.03 ACCEPTANCE BY THE CITY

 Farooq Kirmani, P.G.  
Project Manager, GSD  
01/28/13  
Date

 Gabriel Mussio  
Division Manager, GSD  
1/28/13  
Date

 Humberto Bautista, P.E.  
Assistant Director, General Services Department  
1-29-13  
Date

END OF DOCUMENT

c: Malcolm Pirnie (Arcadis), Gabriel Mussio, File

**EXECUTIVE SUMMARY**

C.O. No. 5                      Contract No.: 4600011575                      WBS Nos.: D-000160-0002-4  
D-000073-0095-4

1.01 CONTRACT PRICE SUMMARY		DOLLAR AMOUNT	PERCENT
A.	Original Contract Price	\$847,494.50	100.00%
B.	Previous Change Orders 1, 2, 3, 4	\$13,380.00	1.58%
C.	This Change Order No. 5	\$191,901.00	22.64%
D.	Revised Contract Price	\$1,052,775.50	124.22%
E.	Projected Contract Modifications*	\$0.00	0.00%
F.	Projected Contract Price	\$1,052,775.50	124.22%

1.02 CONTRACT TIME SUMMARY		DURATION	COMPLETION DATE
		Date of Commencement of the Work: Wednesday, May 23, 2012	
A.	Original Contract Time	90 Days	Monday, August 20, 2012
B.	Previous Change Orders 1, 2, 3, 4	180 Days	Saturday, February 16, 2013
C.	This Change Order 5	0 Days	
D.	Revised Contract Time	270 Days	Saturday, February 16, 2013
E.	Projected Contract Modifications*	0 Days	
F.	Projected Contract Time	270 Days	Saturday, February 16, 2013

1.03 A. TOTAL VALUE OF INCREASES OUTSIDE OF GENERAL SCOPE OF WORK including this Change Order, and outstanding approved Work Change Directives, the following table is provided to track conditions related to Paragraph 7.1.2.3 of Document 00700 - General Conditions (Deductive changes are NOT included in numbers below).

WCD & C.O. Nos.	AMOUNT ADDED	PERCENT OF ORIGINAL CONTRACT PRICE
C.O. 1	\$0.00	0.00%
C.O. 2	\$13,380.00	1.58%
C.O. 3	\$0.00	0.00%
C.O. 4	\$0.00	0.00%
C.O. 5	\$191,901.00	22.64%
<b>TOTALS</b>	<b>\$205,281.00</b>	<b>24.22%</b>

\* These are based on approved WCDs not yet included in Change Orders, and Change Orders not yet issued.

END OF SUMMARY



Document 00941

CHANGE ORDER / C.O. No. 7

PROJECT: Northeast Maintenance Facility Underground Storage Tank Modifications and Cleanup.

CONTRACT No.: 4600011575

WBS Nos.: D-000160-0002-4  
D-000073-0095-4

TO: Contractor and Address for Written Notice  
AIA General Contractors, Inc.  
18331 Running Vine Lane, Spring, Texas 77379

REFERENCE RFIs/RFPs/WCDs: RFI No. 7

1.01 DESCRIPTION OF CHANGES

CONTRACT CHANGE

ITEM 1 SCOPE: Additional cost to keep and maintain the aboveground fuel tanks to use for fueling the fleet maintenance vehicles.

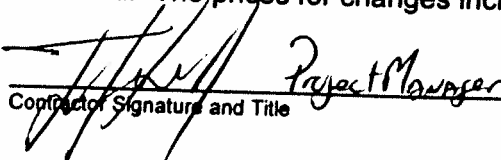
AMOUNT	TIME
\$19,831.61	0 Days

JUSTIFICATION: The original scope of work included the rental of three aboveground storage fuel tanks for fueling the fleet maintenance vehicle during the construction duration of 90 days. However, due to additional soil sampling and removal of contaminated soil and groundwater the project was delayed. The contractor was asked to keep and maintain the temporary aboveground fuel tanks at the site for an additional 30 days to continue fueling for the fleet maintenance facility.

TOTALS: \$19,831.61 0 Days

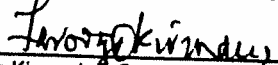
1.02 ACCEPTANCE BY CONTRACTOR

Contractor agrees to perform change(s) included in this Change Order for the price and time indicated. The prices for changes include all costs associated with this Change Order.


  
Contractor Signature and Title Project Manager

05/16/2013  
Date

1.03 ACCEPTANCE BY THE CITY

  
Farooq Kirmani, A.G.  
Project Manager, GSD 05/16/13  
Date

  
Gabriel Mussio  
Division Manager, GSD 5/16/13  
Date

  
Humberto Bautista, P.E.  
Assistant Director, General Services Department 5-20-13  
Date

END OF DOCUMENT

c: Malcolm Pirnie (Arcadis), Gabriel Mussio, File

**EXECUTIVE SUMMARY**

C.O. No. 7                      Contract No.: 4600011575                      WBS Nos.: D-000160-0002-4  
D-000073-0095-4

1.01	CONTRACT PRICE SUMMARY	DOLLAR AMOUNT	PERCENT
A.	Original Contract Price	\$847,494.50	100.00%
B.	Previous Change Orders 1 thru 6	\$205,281.00	24.22%
C.	This Change Order No. 7	\$19,831.61	2.34%
D.	Revised Contract Price	\$1,072,607.11	126.56%
E.	Projected Contract Modifications*	\$0.00	0.00%
F.	Projected Contract Price	\$1,072,607.11	126.56%

Date of Commencement of the Work: Wednesday, May 23, 2012


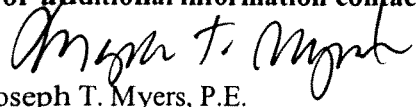
1.02	CONTRACT TIME SUMMARY	DURATION	COMPLETION DATE
A.	Original Contract Time	90 Days	Monday, August 20, 2012
B.	Previous Change Orders 1 thru 6	270 Days	Friday, May 17, 2013
C.	This Change Order 7	0 Days	
D.	Revised Contract Time	360 Days	Friday, May 17, 2013
E.	Projected Contract Modifications*	0 Days	
F.	Projected Contract Time	360 Days	Friday, May 17, 2013

1.03 TOTAL VALUE OF INCREASES OUTSIDE OF GENERAL SCOPE OF WORK including this Change Order, and outstanding approved Work Change Directives, the following table is provided to track conditions related to Paragraph 7.1.2.3 of Document 00700 - General Conditions (Deductive changes are NOT included in numbers below).

WCD & C.O. Nos.	AMOUNT ADDED	PERCENT OF ORIGINAL CONTRACT PRICE
C.O. 1	\$0.00	0.00%
C.O. 2	\$13,380.00	1.58%
C.O. 3	\$0.00	0.00%
C.O. 4	\$0.00	0.00%
C.O. 5	\$191,901.00	22.64%
C.O. 6	\$0.00	0.00%
C.O. 7	\$19,831.61	2.34%
<b>TOTALS</b>	<b>\$225,112.61</b>	<b>26.56%</b>

\* These are based on approved WCDs not yet included in Change Orders, and Change Orders not yet issued.

END OF SUMMARY

<b>SUBJECT:</b> Accept Work for Rehabilitation of Water Storage Tanks; WBS No. S-000600-0035-4.	Page 1 of 2	Agenda Item # <span style="float: right;">7</span>
<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b>  9/5/13	<b>Agenda Date</b>  SEP 11 2013
<b>DIRECTOR'S SIGNATURE:</b>   Daniel W. Krueger, P.E., Director	<b>Council District affected:</b> B, E (B, E) TGD	
<b>For additional information contact:</b>  8/28/13 Joseph T. Myers, P.E. Sr. Assistant Director Phone: (832) 395-2355	<b>Date and identification of prior authorizing Council action:</b>  Ord. # 2011-0904 dated: 10/19/2011	

**RECOMMENDATION:** (Summary) Pass a motion to approve the final Contract Amount of \$2,422,806.72 or 3.11% over the original Contract Amount and under 5% contingency amount, accept the Work, and authorize final payment.

**Amount and Source of Funding:** No additional funding required. Total (original) appropriation of \$2,728,000.00 from Water and Sewer System Consolidated Construction Fund No. 8500.

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

**DESCRIPTION/SCOPE:** This project consisted of rehabilitation of three (3) ground storage tanks. The work in general consisted of but not limited to the following tasks:

- Remove and replace the internal Cathodic Protection System with impressed current system.
- Prepare interior and exterior areas of the tank and apply the protective coating as specified.
- Furnish and install baffle system including baffle curtains for two of the tanks at EWPP.
- Furnish and install two 48 inch Butterfly Valves at EWPP and perform structural repairs.


Brown and Gay Engineers, Inc. designed the project with 320 calendar days allowed for construction. The project was awarded to Blastco Texas, Inc. with an original Contract Amount of \$2,349,620.00.

**LOCATION:** The project areas are located as follows:

	<u>Facility &amp; Tank No.</u>	<u>Address</u>	<u>Key Map Grids</u>	<u>Council District</u>
1.	Acres Homes-GST No.4	1810 Dolly Wright	412S	B
2.	East Water Plant-GST No.1	12555 Clinton Dr.	496Y	E
3.	East Water Plant-GST No.2	12555 Clinton Dr.	496Y	E

**CONTRACT COMPLETION AND COST:** The Contractor, Blastco Texas, Inc., has completed the work under the subject Contract. The project was completed with an additional 10 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. 1 is \$2,422,806.72, an increase of \$73,186.72 or 3.11% over the original Contract Amount.

The increased cost is a result of the difference between planned and measured quantities. This increase is primarily the result of Change Order No. 1, which was necessary to complete the project.

<b>REQUIRED AUTHORIZATION</b>		20HA241
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>   Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division

NO

Date

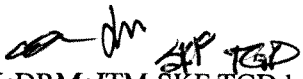
SUBJECT: Accept Work for Rehabilitation of Water Storage Tanks; WBS No. S-000600-0035-4.

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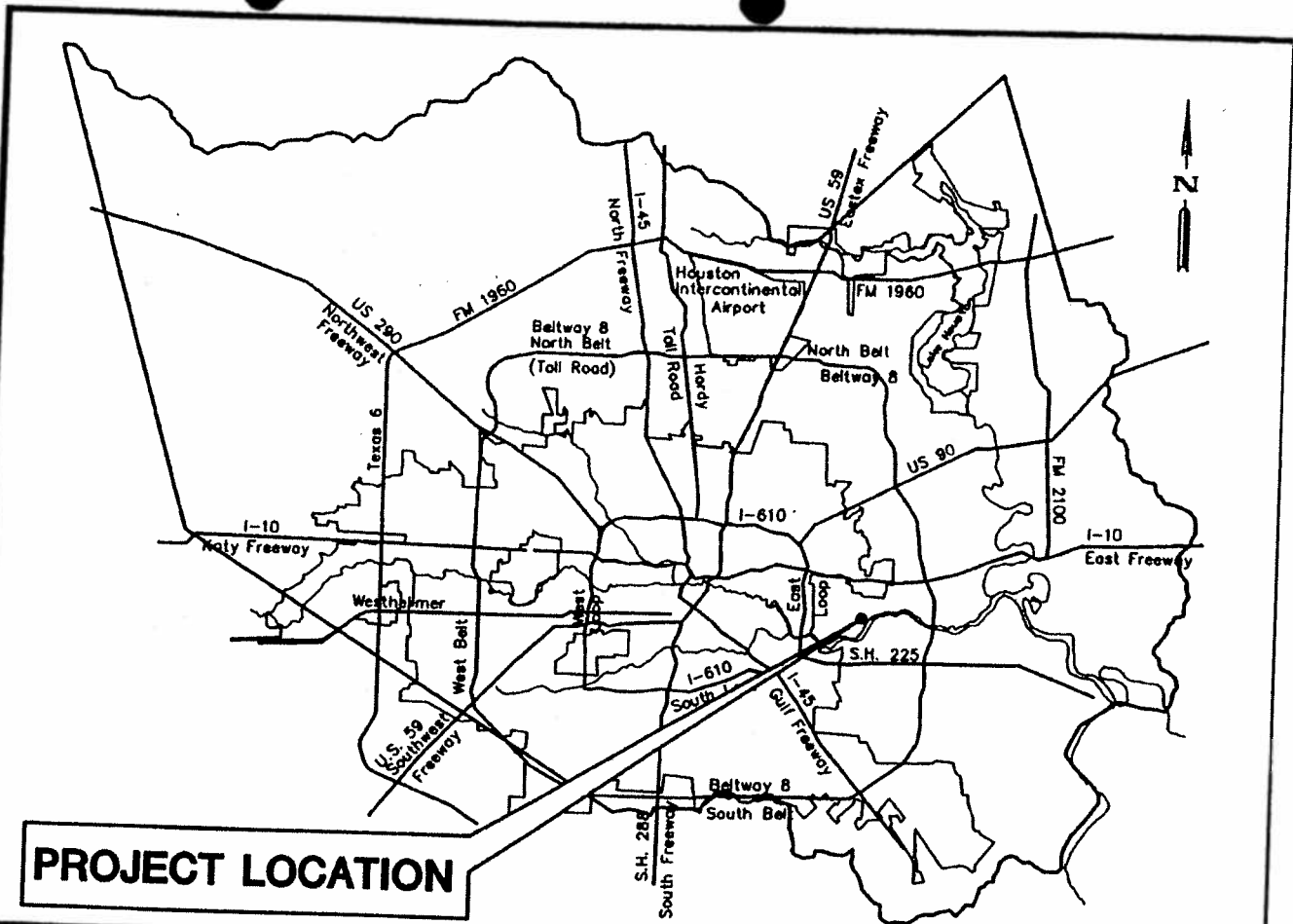
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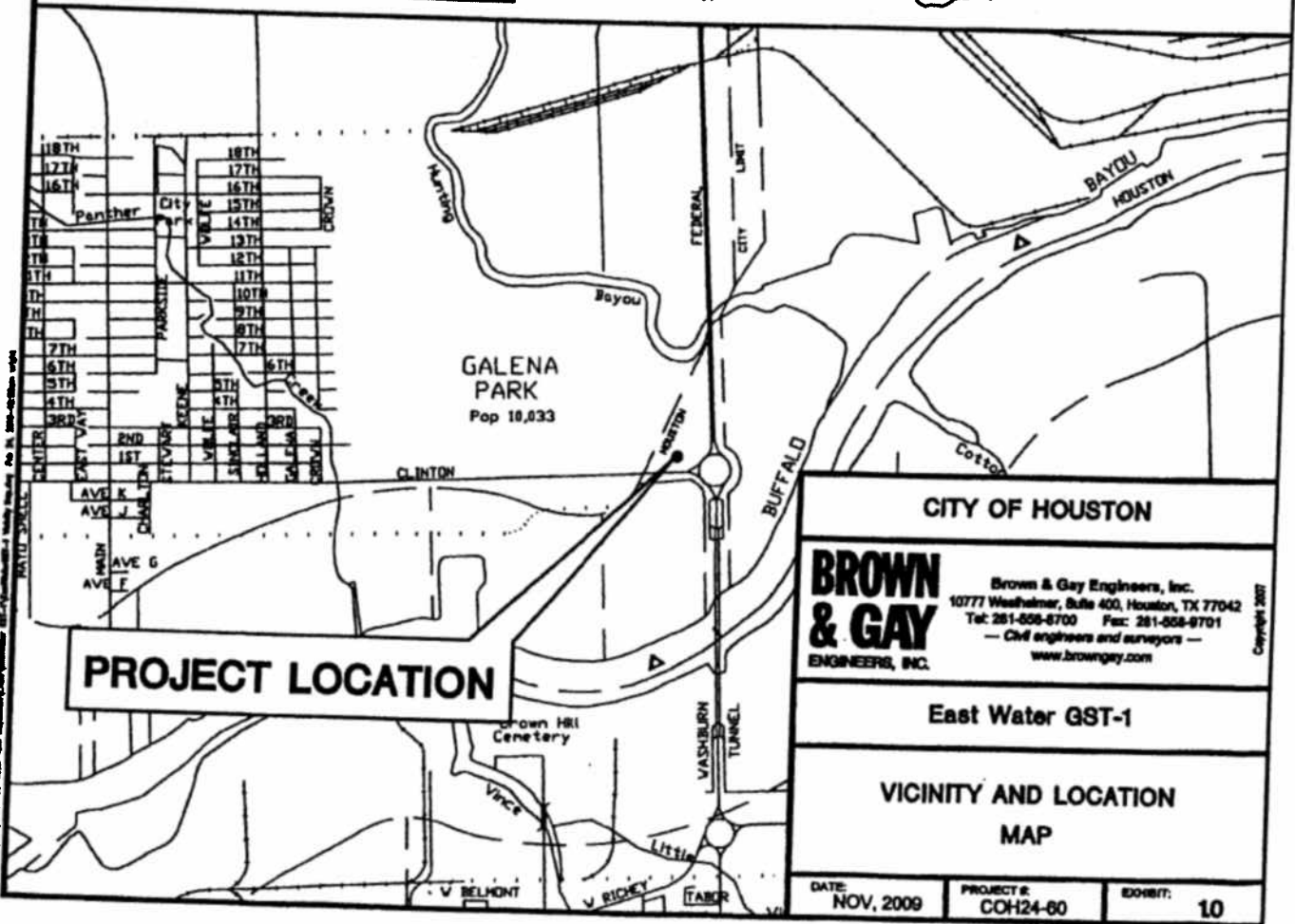
**MBE/SBE PARTICIPATION:** The MBE/SBE goal established for this project was 11%. According to Mayor's Office of Business Opportunity, the participation was 19.94%. Contractor's MBE/SBE performance evaluation was rated Outstanding.

  
DWK:DRM:JTM:SKF:TGD:ha

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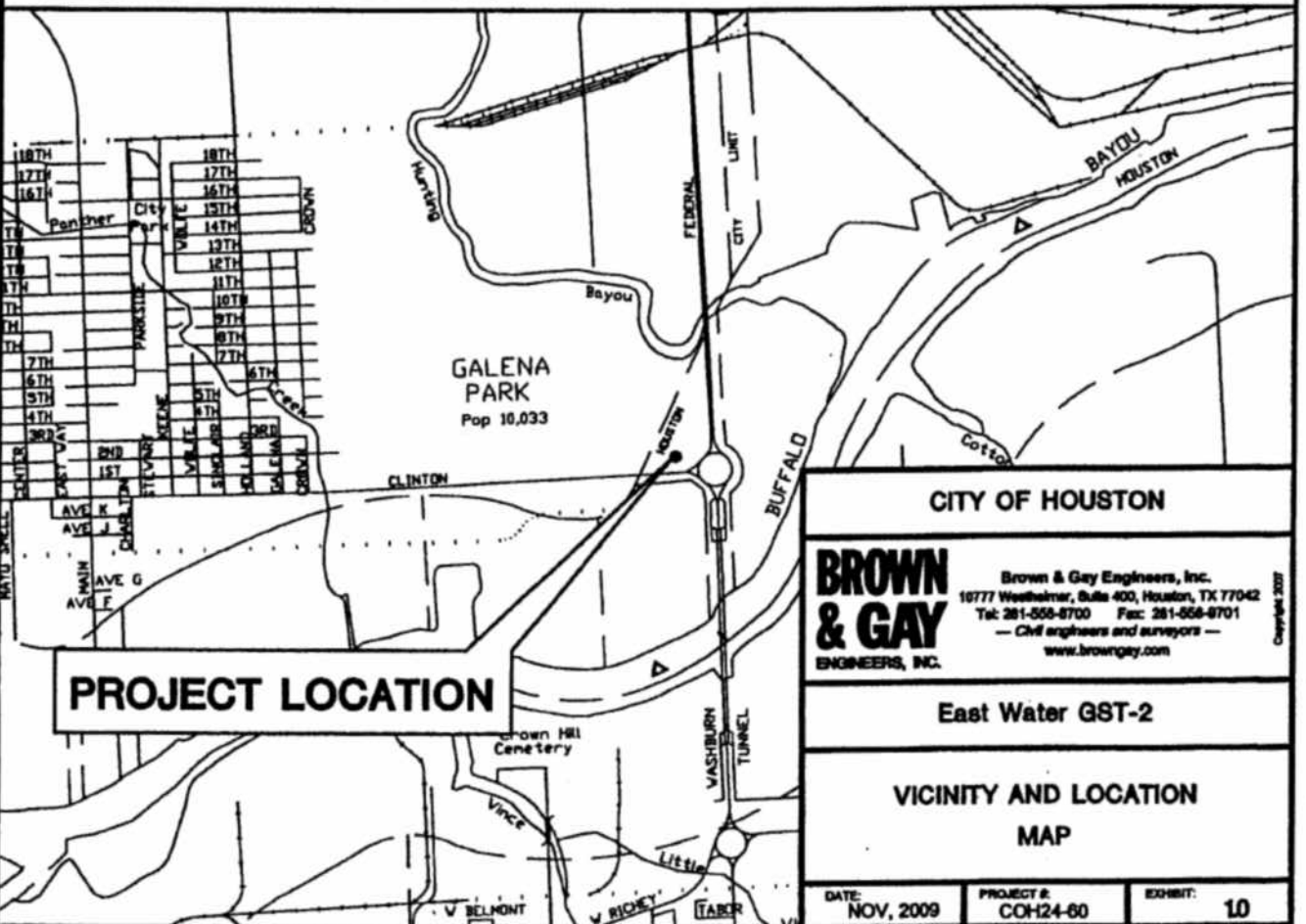
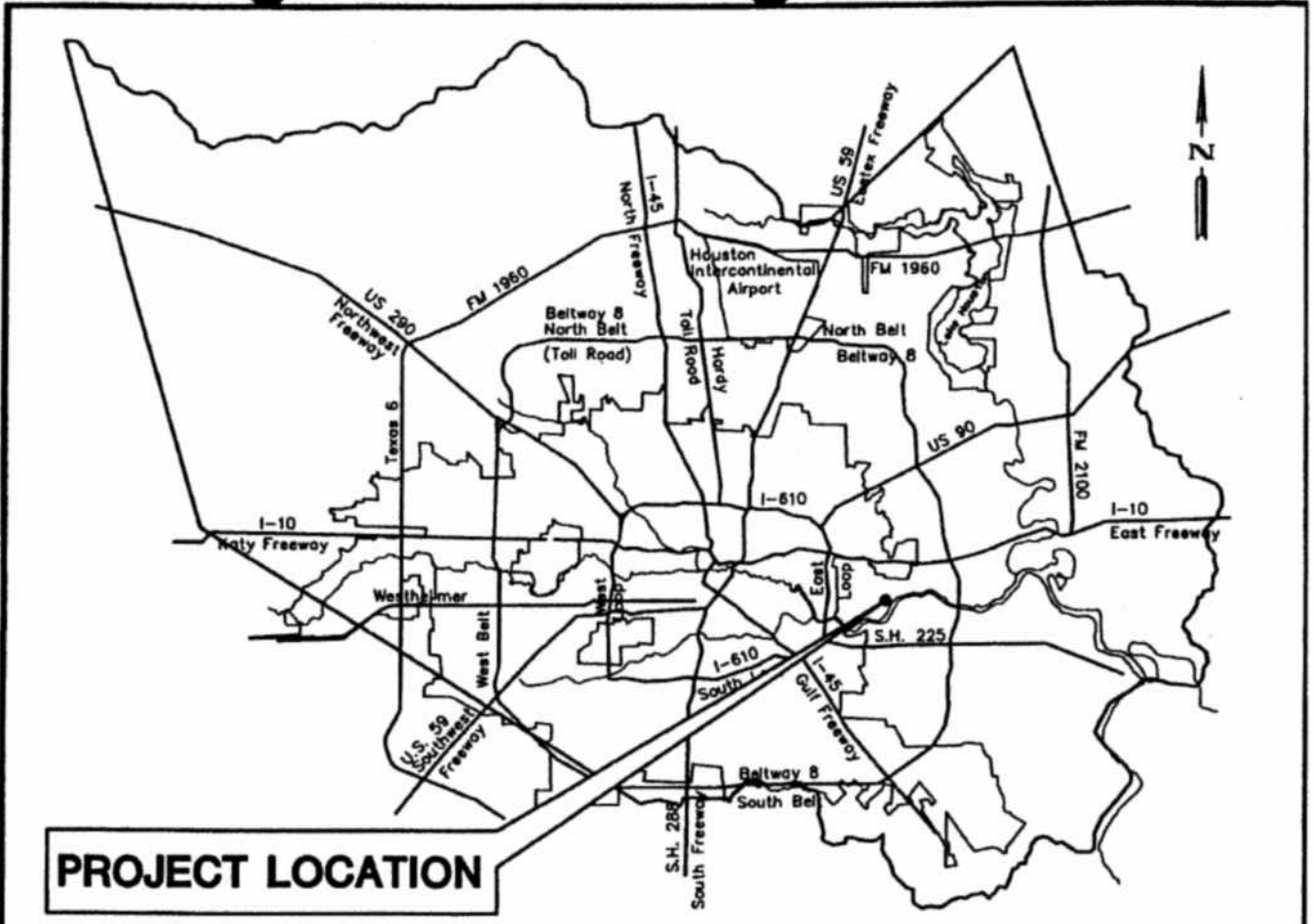
**PROJECT LOCATION**



**PROJECT LOCATION**

<b>CITY OF HOUSTON</b>		
<b>BROWN &amp; GAY</b> ENGINEERS, INC.		
Brown & Gay Engineers, Inc. 10777 Weatherhimer, Suite 400, Houston, TX 77042 Tel: 281-658-8700 Fax: 281-658-8701 — Civil engineers and surveyors — www.browngay.com		
<b>East Water GST-1</b>		
<b>VICINITY AND LOCATION MAP</b>		
DATE: NOV, 2009	PROJECT #: COH24-80	EDITION: 10

BROWN & GAY ENGINEERS, INC.  
 10777 WEATHERHIMER, SUITE 400, HOUSTON, TX 77042  
 TEL: 281-658-8700 FAX: 281-658-8701  
 WWW.BROWNGAY.COM



<b>CITY OF HOUSTON</b>		
<b>BROWN &amp; GAY</b> ENGINEERS, INC.	Brown & Gay Engineers, Inc. 10777 Weathermer, Suite 400, Houston, TX 77042 Tel: 281-558-8700 Fax: 281-558-8701 — Civil engineers and surveyors — www.browngay.com	
	<small>Copyright 2007</small>	
<b>East Water GST-2</b>		
<b>VICINITY AND LOCATION MAP</b>		
DATE: NOV, 2009	PROJECT #: COH24-60	EXHIBIT: 10

BROWN & GAY ENGINEERS, INC. 10777 WEATHERMER, SUITE 400, HOUSTON, TX 77042

**PROJECT LOCATION**

**PROJECT LOCATION**

**CITY OF HOUSTON**

**BROWN & GAY**  
ENGINEERS, INC.

Brown & Gay Engineers, Inc.  
10777 Westheimer, Suite 400, Houston, TX 77042  
Tel: 281-658-8700 Fax: 281-658-8701  
— Civil engineers and surveyors —  
www.browngay.com

**ACRES HOMES GST-4**

**VICINITY AND LOCATION MAP**

DATE: OCT, 2009	PROJECT #: COH24-60	EXHIBIT: 10
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H:\Projects\COH24-60\Map\Task Inspection\COH24-60\Acres Homes GST-4\AcresHomesGST-4 Vicinity Map.dwg, 10/29/2009 3:04:31 PM, 1:1

BROWN & GAY ENGINEERS, INC.  
 10777 Westheimer, Suite 400, Houston, TX 77042  
 Tel: 281-658-8700 Fax: 281-658-8701  
 www.browngay.com

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

<b>SUBJECT:</b> Accept Work for Rehabilitation of Water Storage Tanks; WBS No. S-000600-0038-4.	<b>Page</b> 1 of 2	<b>Agenda Item #</b> 8
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 9/5/13	<b>Agenda Date</b> SEP 11 2013
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<b>DIRECTOR'S SIGNATURE:</b>  Daniel W. Krueger, P.E., Director	<b>Council District affected:</b> B, F, G	
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<b>For additional information contact:</b>  Joseph T. Myers, P.E. Sr. Assistant Director <b>Phone: (832) 395-2355</b>	<b>Date and identification of prior authorizing Council action:</b>  Ord. # 2012-0563    dated: 06/13/2012	
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**RECOMMENDATION:** (Summary) Pass a motion to approve the final Contract Amount of \$2,123,703.67 or 2.26% 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 \$2,479,000.00 from the Water and Sewer System Consolidated Construction Fund No. 8500.

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

**DESCRIPTION/SCOPE:** This project consisted of rehabilitation of four (4) Ground Storage Tanks and the construction of three (3) new Ground Storage Tanks. The work in general consisted of but was not limited to the following tasks:

- Remove and replace the internal cathodic protection system with impressed current system.
- Remove existing tank and replace it with welded steel tank at Enclave Re-pump Station.
- Remove existing tanks and replace with galvanized bolted steel tanks at Braes UD Re-pump Station.


Brown and Gay Engineers, Inc. designed the project with 320 calendar days allowed for construction. The project was awarded to Blastco Texas, Inc. with an original Contract Amount of \$2,172,789.00.

**LOCATION:** The project areas are located as follows:

<u>S. No.</u>	<u>Facility &amp; Tank No.</u>	<u>Address</u>	<u>Key Map Grid</u>	<u>Council District</u>
1.	Intercontinental 1-GST No.1	3102 Mckaughan	374A	B
2.	Intercontinental 1-GST No.2	3102 Mckaughan	374A	B
3.	Braes UD-GST No.1	3710 Eldridge	528B	F
4.	Braes UD-GST No.2	3710 Eldridge	528B	F
5.	District 218-GST No.1	12705 Brant Rock	528D	F
6.	District 54-GST No.1	8108 Richmond	490Y	F
7.	Enclave-GST No.2	13135 Forkland Rd.	488L	G

**CONTRACT COMPLETION AND COST:** The Contractor, Blastco Texas, Inc., has completed the work under the subject Contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order No. 1 is \$2,123,703.67 a decrease of \$49,085.33 or 2.26% under the original Contract Amount.

**REQUIRED AUTHORIZATION** 20HA248 *MS*

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>   Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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Date

SUBJECT: Accept Work for Rehabilitation of Water Storage Tanks; WBS No. S-000600-0038-4.

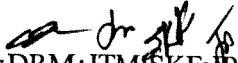
Originator's  
Initials

Page

2 of 2

The decreased cost is a result of the difference between planned and measured quantities of Extra Unit Price Items, which were not necessary to complete the project.

**MBE/SBE PARTICIPATION:** The MBE/SBE goal established for this project was 11%. According to Mayor's Office of Business Opportunity, the participation was 14.71%. Contractor's MBE/SBE performance evaluation was rated Outstanding.

  
DWK:DRM:JTM:SKF:JP:ha

H:\E&C Construction\Facilities\Projects\S-000600-0038-4 Rehabilitation of GST tanks\RCA\RCA - Closeout.doc

**SUBJECT:** Abandonment and sale of: 1) a 14-foot-wide utility easement located within Lots 14 through 26, Block 4; 2) a 14-foot-wide utility easement located within Lots 1 through 13, Block 5; 3) a 14-foot-wide utility easement located within Lots 14 through 26, Block 5; 4) a 14-foot-wide utility easement located within Lots 1 through 13, Block 6; and 5) a 14-foot-wide utility easement located within Lots 25 through 48, Block 6, all located within the Rosslyn Subdivision, out of the Joseph Bays Survey, A-127. **Parcels SY13-087A, SY13-087B, SY13-087C, SY13-087D, and SY13-087E**

Page  
1 of 2

Agenda Item #

9

**FROM (Department or other point of origin):**

Origination Date

Agenda Date

Department of Public Works and Engineering

9/5/13

SEP 11 2013

**DIRECTOR'S SIGNATURE:**

Council District affected: A

*cus*  
Daniel W. Krueger, P.E., Director

AP  
Key Map: 451A

**For additional information contact:**

Date and identification of prior authorizing Council Action:

Nancy P. Collins *(NPC)* Phone: (832) 395-3130  
Senior Assistant Director-Real Estate

**RECOMMENDATION: (Summary)** It is recommended City Council approve a Motion authorizing the abandonment and sale of: 1) a 14-foot-wide utility easement located within Lots 14 through 26, Block 4; 2) a 14-foot-wide utility easement located within Lots 1 through 13, Block 5; 3) a 14-foot-wide utility easement located within Lots 14 through 26, Block 5; 4) a 14-foot-wide utility easement located within Lots 1 through 13, Block 6; and 5) a 14-foot-wide utility easement located within Lots 25 through 48, Block 6, all located within the Rosslyn Subdivision, out of the Joseph Bays Survey, A-127. **Parcels SY13-087A, SY13-087B, SY13-087C, SY13-087D, and SY13-087E**

**Amount and**

**Source of Funding:** Not Applicable

**SPECIFIC EXPLANATION:**

Daniel Massiatte, Century Engineering, Inc., 3030 South Gessner Road, Suite 100, Houston, Texas 77063, on behalf of BWS Humble Center, L.P. (BWS-GP, Inc., [Pierre Bejjani, Director], General Partner), requested the abandonment and sale of: 1) a 14-foot-wide utility easement located within Lots 14 through 26, Block 4; 2) a 14-foot-wide utility easement located within Lots 1 through 13, Block 5; 3) a 14-foot-wide utility easement located within Lots 14 through 26, Block 5; 4) a 14-foot-wide utility easement located within Lots 1 through 13, Block 6; and 5) a 14-foot-wide utility easement located within Lots 25 through 48, Block 6, all located within the Rosslyn Subdivision, out of the Joseph Bays Survey, A-127. BWS Humble Center, L.P., the abutting property owner, plans to replat the abutting tracts into one new reserve tract.

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

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CUIC #20TP9378

**REQUIRED AUTHORIZATION**

**Finance Department:**

**Other Authorization:**

**Other Authorization:**

*Mark Loethen*

Mark L. Loethen, P.E., CFM, PTOE  
Deputy Director  
Planning and Development Services Division

<b>Date:</b>	<b>Subject:</b> Request for the abandonment and sale of: 1) a 14-foot-wide utility easement located within Lots 14 through 26, Block 4; 2) a 14-foot-wide utility easement located within Lots 1 through 13, Block 5; 3) a 14-foot-wide utility easement located within Lots 14 through 26, Block 5; 4) a 14-foot-wide utility easement located within Lots 1 through 13, Block 6; and 5) a 14-foot-wide utility easement located within Lots 25 through 48, Block 6, all located within the Rosslyn Subdivision, out of the Joseph Bays Survey, A-127. <b>Parcels SY13-087A, SY13-087B, SY13-087C, SY13-087D, and SY13-087E</b>	<b>Originator's Initials</b>  JP	<b>Page</b> <u>2</u> of <u>2</u>
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1. The City abandon and sell: 1) a 14-foot-wide utility easement located within Lots 14 through 26, Block 4; 2) a 14-foot-wide utility easement located within Lots 1 through 13, Block 5; 3) a 14-foot-wide utility easement located within Lots 14 through 26, Block 5; 4) a 14-foot-wide utility easement located within Lots 1 through 13, Block 6; and 5) a 14-foot-wide utility easement located within Lots 25 through 48, Block 6, all located within the Rosslyn Subdivision, out of the Joseph Bays Survey, A-127.
2. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the utility easements being abandoned and sold;
3. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
4. The Legal Department be authorized to prepare the necessary transaction documents; and
5. Inasmuch as the value of the City's property interest is not expected to exceed \$50,000.00, that the value be established by staff appraisal, according to City policy.

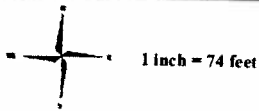
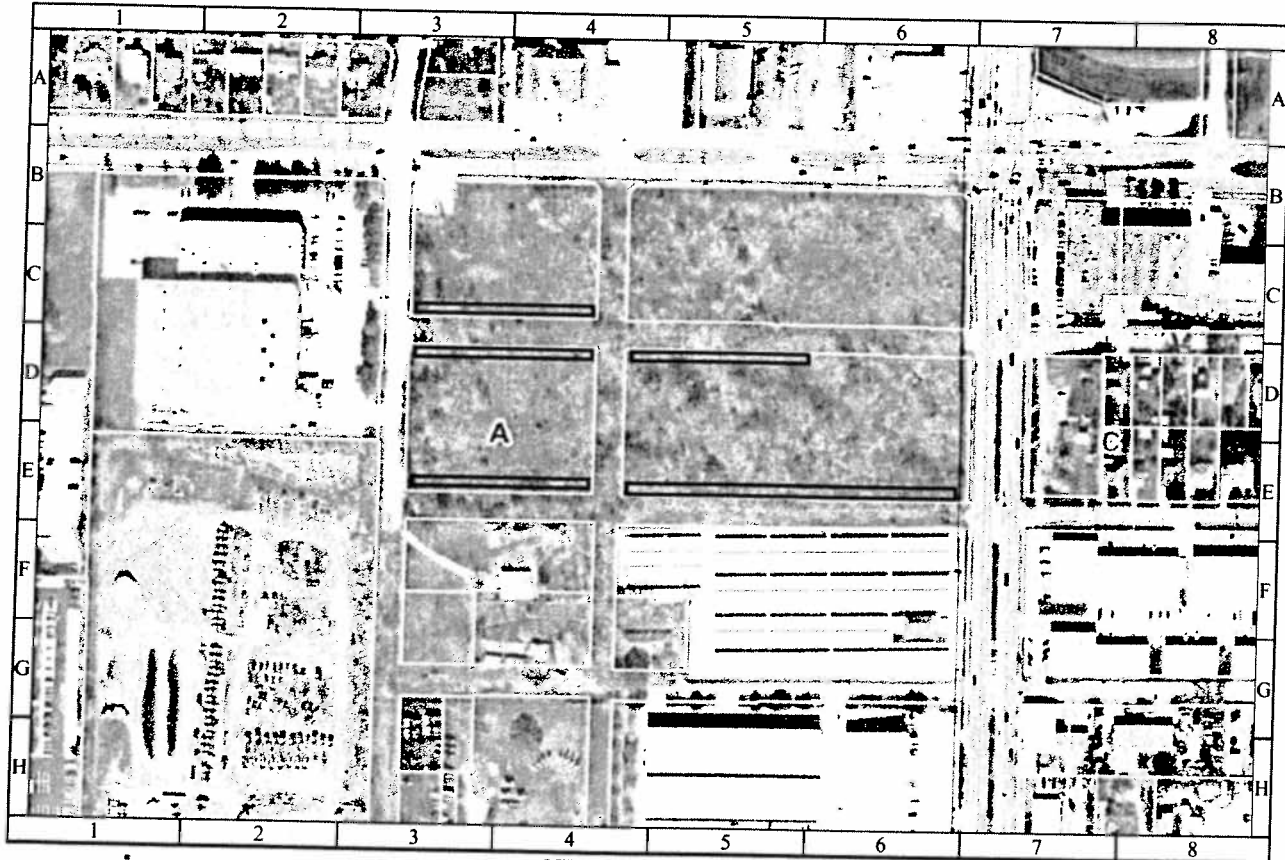
DWK:NPC:tp

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

# Council District Map - District A

Parcels SY13-087A, SY13-087B, SY13-087C, SY13-087D, and SY13-087E

Abandonment and sale of: 1) a 14-foot-wide utility easement located within Lots 14 through 26, Block 4; 2) a 14-foot-wide utility easement located within Lots 1 through 13, Block 5; 3) a 14-foot-wide utility easement located within Lots 14 through 26, Block 5; 4) a 14-foot-wide utility easement located within Lots 1 through 13, Block 6; and 5) a 14-foot-wide utility easement located within Lots 25 through 48, Block 6, all located within the Rosslyn Subdivision, out of the Joseph Bays Survey, A-127.



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



**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 9796**

**Subject:** Purchase and Installation of Playground Equipment through the Texas Local Government Purchasing Cooperative (BuyBoard) for the General Services Department on behalf of the Parks and Recreation Department.  
S54-C24699E

Category #  
4

Page 1 of 1

Agenda Item

*10+10A*

**FROM (Department or other point of origin):**

Calvin D. Wells  
City Purchasing Agent  
Finance Department

**Origination Date**

August 23, 2013

**Agenda Date**

SEP 11 2013

**DIRECTOR'S SIGNATURE**

*CWS*  
*Calvin D. Wells*

**Council District(s) affected**  
D, K

**For additional information contact:**

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

**Date and Identification of prior authorizing Council Action:**

**RECOMMENDATION: (Summary)**

Approve an ordinance authorizing the appropriation of \$180,820.34 out of the Parks and Recreation Dedication Fund (Fund 4035) and approve the purchase of playground equipment and installation services in the total amount of \$172,209.85 and contingencies (5% for unforeseen changes within the scope of work) in the amount of \$8,610.49 for a total amount not to exceed \$180,820.34 through the Texas Local Government Purchasing Cooperative (BuyBoard) for the General Services Department on behalf of the Parks and Recreation Department.

Award Amount: \$180,820.34

**Finance Budget**

\$180,820.34 - Parks and Recreation Dedication Fund (4035)

**SPECIFIC EXPLANATION:**

The Director of the General Services Department and the City Purchasing Agent recommend that City Council approve an ordinance authorizing the appropriation of \$180,820.34 out of the Parks and Recreation Dedication Fund (Fund 4035) and approve the purchase of playground equipment and installation services in the total amount of \$172,209.85 and contingencies (5% for unforeseen changes within the scope of work) in the amount of \$8,610.49 for a total amount not to exceed \$180,820.34 through the Interlocal Agreement for Cooperative Purchasing with BuyBoard for the General Services Department on behalf of the Parks and Recreation Department and that authorization be given to issue purchase orders, as required, to the BuyBoard contractor, Lone Star Recreation, Inc. The playground equipment will be installed at Westbury Park, located at 5635 Willowbend Boulevard and Sagemont Park, located at 11507 Hughes Drive.

The scope of work requires the contractor to provide all labor, tools, materials, equipment, supplies, supervision and transportation necessary to furnish and install at Westbury Park (one playbooster (ages 2-5); one double bobble rider; one playbooster (ages 5-12); one 5000 series swing with two belt seats and two full bucket seats; eleven tufturf tiles (3' x 3' abrasion mats); and one loop bike rack). Sagemont Park (one playbooster (ages 2-5); one 5000 series swing with two full bucket seats; one playbooster (ages 5-12); one 5000 series swing with two belt seats and two full bucket seats; and thirteen tufturf tiles (3' x 3' abrasion mats). The life expectancy of the playground equipment is from 15 to 20 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 or Cooperative Purchasing Agreement for this purchase.

Buyer: Mabel G. Martinez  
PR 10172688 and 10172728

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*CWS*

*DOT*

*10+10A*

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

RCA# 9797

**Subject:** Purchase and Installation of Playground Equipment through the Texas Local Government Purchasing Cooperative (BuyBoard) for the General Services Department on behalf of the Parks and Recreation Department.  
S54-C24699E

Category #  
1 & 4

Page 1 of 1

Agenda Item

11-11A

**FROM (Department or other point of origin):**

Calvin D. Wells  
City Purchasing Agent  
Finance Department

**Origination Date**

September 03, 2013

**Agenda Date**

SEP 11 2013

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**

B

**For additional information contact:**

Jacquelyn L. Nisby  
Ray DuRousseau

Phone: (832) 393-8023

Phone: (832) 393-8726

**Date and Identification of prior authorizing Council Action:**

**RECOMMENDATION: (Summary)**

Approve an ordinance authorizing the appropriation of \$62,092.02 out of the Parks Consolidated Construction Fund (Fund 4502) and approve the purchase of playground equipment and installation services in the total amount of \$59,135.26 and contingencies (5% for unforeseen changes within the scope of work) in the amount of \$2,956.76 for a total amount not to exceed \$62,092.02 through the Texas Local Government Purchasing Cooperative (BuyBoard) for the General Services Department on behalf of the Parks and Recreation Department.

Award Amount: \$62,092.02

**Finance Budget**

\$62,092.02 - Parks Consolidated Construction Fund (4502)

*[Signature]*

**SPECIFIC EXPLANATION:**

The Director of the General Services Department and the City Purchasing Agent recommend that City Council approve an ordinance authorizing the appropriation of \$62,092.02 out of the Parks Consolidated Construction Fund (Fund 4502) and approve the purchase of playground equipment and installation services in the total amount of \$59,135.26 and contingencies (5% for unforeseen changes within the scope of work) in the amount of \$2,956.76 for a total amount not to exceed \$62,092.02 through the Interlocal Agreement for Cooperative Purchasing with BuyBoard for the General Services Department on behalf of the Parks and Recreation Department and that authorization be given to issue purchase orders, as required, to the BuyBoard contractor, The PlayWell Group, Inc. The playground equipment will be installed at Brewster Park, located at 1800 Des Chaumes Street.

The scope of work requires the contractor to provide all labor, tools, materials, equipment, supplies, supervision and transportation necessary to furnish and install at Brewster Park one custom playmaker, one arch swing, one add a bay arch swing, sixteen wear mats and three duraliners. The life expectancy of the new playground equipment is 15 to 20 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 or Cooperative Purchasing Agreement for this purchase.

Buyer: Mabel G. Martinez  
PR #10172446

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*MO*

11-11A *D*

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 9753**

**Subject:** Formal Bids Received to Remove, Furnish and Install a New Bar Screen, Conveyor/Compactor System and Associated Equipment for the Public Works and Engineering Department  
S50-C24545

Category #  
4

Page 1 of 2

Agenda Item

*129/2A*

**FROM (Department or other point of origin):**

Calvin D. Wells  
City Purchasing Agent  
Finance Department

**Origination Date**

July 24, 2013

**Agenda Date**

SEP 11 2013

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
H

**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 an ordinance authorizing the appropriation of \$275,550.00 out of the Water and Sewer System Consolidated Construction Fund (Fund 8500) and approve an award to LEM Construction Co., Inc. on its low bid in the amount of \$250,500.00 and contingencies (15% for unforeseen changes within the scope of work) in the amount of \$37,575.00 for a total amount not to exceed \$288,075.00 to remove existing equipment, furnish and install a bar screen, conveyor/compactor system and associated equipment for the Public Works and Engineering Department.

Awarded Amount: \$288,075.00

**Finance Budget**

\$288,075.00 - Water & Sewer System Consolidated Construction Fund (8500)

**SPECIFIC EXPLANATION:**

The Director of the Public Works and Engineering Department and the City Purchasing Agent recommend that City Council approve an ordinance authorizing the appropriation of \$288,075.00 out of the Water and Sewer System Consolidated Construction Fund (Fund 8500). It is further recommended that City Council approve an award to LEM Construction Co., Inc., a designated City business, on its low bid in the amount of \$250,500.00 and contingencies (15% for unforeseen changes within the scope of work) in the amount of \$37,575.00 for a total amount not to exceed \$288,075.00 to remove existing equipment, furnish and install a bar screen, conveyor/compactor system and associated equipment for the Public Works and Engineering Department and that authorization be given to issue purchase orders as necessary. The bar screen will be used to filter out floating solid matter from raw wastewater intakes at the Homestead Wastewater Treatment Plant to prevent blockage and build-up of grit inside the wastewater distribution channels. The conveyor will be used to transport the solids to the compactor, which will compact and package the solids into disposal bags for subsequent disposal into a landfill.

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:

<u>Company</u>	<u>Total Amount</u>
1. LEM Construction Co., Inc.	\$250,500.00
2. Pepper-Lawson Waterworks, LLC	\$269,000.00
3. Industrial TX Corp.	\$318,000.00
4. Boyer, Inc.	\$350,858.00

The scope of work requires the construction contractor to provide all tools, materials, equipment, labor, permits, supervision and transportation necessary to remove and properly dispose of the existing bar screen,

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*MT*

*129A*

Date: 7/24/2013	Subject: Formal Bids Received to Remove, Furnish and Install a New Bar Screen, Conveyor/Compactor System and Associated Equipment for the Public Works and Engineering Department S50-C24545	Originator's Initials AL	Page 2 of 2
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conveyor/compactor system and associated equipment at the Homestead Wastewater Treatment Plant, located at 5565 Kirkpatrick Drive, Houston, TX. The contractor shall also be required to furnish and install a new bar screen, conveyor/compactor system and associated equipment and reconnect to the City's existing supervisory control and data acquisition system at the aforementioned location. The existing 20 plus year old bar screen and conveyor/compactor system are obsolete and in poor operating condition and repair parts are unavailable. The new bar screen, conveyor/compactor system and associated equipment will come with a full one-year warranty on the equipment and workmanship and the life expectancy is 20 years. The contractor shall have 190 calendar days to complete this project after receipt of the notice-to-proceed.

**Hire Houston First:**

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

**Pay or Play Program:**

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

Buyer: Arturo Lopez



**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 9795**

**Subject:** Amend Council Motion 2009-0890 for Chemical, Aqua Ammonia for the Public Works & Engineering Department S12-S23036-A1

Category #  
4

Page 1 of 1

Agenda Item

13

**FROM (Department or other point of origin):**

Calvin D. Wells  
City Purchasing Agent  
Finance Department

**Origination Date**

July 31, 2013

**Agenda Date**

SEP 11 2013

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**

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

**Date and Identification of prior authorizing Council Action:**

CM No. 2009-0890, Dtd. 12-09-09

**RECOMMENDATION: (Summary)**

Amend Council Motion 2009-0890, passed December 9, 2009, to increase the spending authority from \$1,346,873.89 to \$1,683,592.36 for chemical, aqua ammonia for the Public Works & Engineering Department.

Spending Authority Increased By: \$336,718.47

**Finance Budget**

\$336,718.47 - Water & Sewer System Operating Fund (8300)

**SPECIFIC EXPLANATION:**

The Director of the Public Works & Engineering Department and the City Purchasing Agent recommend that City Council amend Council Motion 2009-0890, passed December 9, 2009, to increase the spending authority for chemical, aqua ammonia awarded to Southern Ionics, Inc. from \$1,346,873.89 to \$1,683,592.36. The current spending authority is insufficient for the remaining contract term and an increase in spending authority in an amount not to exceed \$336,718.47 is required to sustain the Department through the end of the awarded term. Aqua ammonia is required to maintain compliance with the Environmental Protection Agency and the Texas Commission on Environmental Quality.

This award began December 9, 2009, for a 60-month term, in an amount not to exceed \$1,346,873.89. Expenditures as of July 23, 2013 totaled \$1,230,116.58. All other terms and conditions shall remain as originally approved by City Council.

This award consisted of approximately 2,650 tons of bulk aqua ammonia (chemical). This chemical is utilized on a daily basis by the Department's Drinking Water Operations Branch to prevent the formation of carcinogenic compounds during the potable drinking water treatment process.

**M/WBE Subcontracting:**

This contract was awarded with an 11% M/WBE participation goal and Southern Ionics, Inc. is currently exceeding this goal.

Buyer: Martin L. King

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

NOT

*CF*

13 22

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**Subject:** Approve an Ordinance Amending Section 1-11 of the Code of Ordinances, Houston, Texas, Relating to a Declaration to be Filed in Connection with an Application for a Permit, License, or Certificate

Category #  
4

Page 1 of 2

Agenda Item  
14

**FROM (Department or other point of origin)**

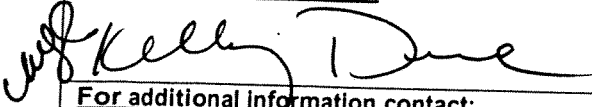
Kelly Dowe  
Director, Finance Department

Origination Date

9/5/13 SEP 11 2013

Agenda Date

**DIRECTOR'S SIGNATURE**



Council District(s) affected  
ALL

**For additional information contact:**

Bruce Haupt

Phone: (832) 393-9110

Date and Identification of prior authorizing Council Action

**RECOMMENDATION: Summary**

Approve an ordinance amending Section 1-11 of the Code of Ordinances, Houston, Texas, relating to a Declaration to be filed in connection with an application for a permit, license, or certificate, acknowledging responsibility to comply with laws, regulations and ordinances in connection with the requested permit, license, or certificate

**AMOUNT AND SOURCE OF FUNDING:**

N/A

Finance Budget

**SPECIFIC EXPLANATION:**

The Director of the Finance Department recommends that City Council approve an ordinance amending Section 1-11 of the Code of Ordinances, Houston, Texas, relating to a Declaration to be filed in connection with an application for a permit, license, or certificate, acknowledging responsibility to comply with laws, regulations and ordinances in connection with the requested permit, license, or certificate.

The current notarized affidavit requirement of Section 1-11 of the Code of Ordinances is onerous and outdated, and adds unnecessary steps to the application process for City permits, licenses, and certificates.

Section 132.001 of the Texas Civil Practice and Remedies Code, amended in the 82<sup>nd</sup> Legislative Session (2011), provides that unsworn declarations may now be used in lieu of an affidavit. Amending Section 1-11 of the Code to provide for the use of declarations rather than affidavits will reduce paperwork, result in a simpler permitting process for businesses and City staff, and facilitate online permitting.

The provisions of this ordinance are applicable to all applications for permits, licenses and certificates issued pursuant to any ordinance except building permits, certificates of occupancy, modular home placement permits, and manufactured home permits.

Finance Department:

Other Authorization:

Other Authorization:

**Redline of Subsection (a) of Sec. 1-11.**

~~(a) A license, permit or certificate issued pursuant to this Code or any other code or ordinance of the city authorizing a person or persons to engage in a business, do anything, or for any other purpose whatsoever, shall not be issued unless the applicant for the permit, license, or certificate submits the following affidavit, acknowledging responsibility to comply with all deed restrictions and laws, regulations and ordinances, in connection with the requested permit, license, or certificate declaration, pursuant to Texas Civil Practice and Remedies Code section 132.001:~~

~~My name is \_\_\_\_\_ (first, middle, and last name), my date of birth is \_\_\_\_\_ and my address is \_\_\_\_\_ (street, city, state, zip code) and \_\_\_\_\_ (country).~~

~~I have personal knowledge of the statements made in the application. None of the statements are misleading or false. I acknowledge that issuance of the license, permit or certificate does not excuse or approve any violation of deed restrictions or city, state, or federal laws or regulations. To the extent that this declaration is made on behalf of a corporation or any other legal entity or persons, I certify that I have fully advised them of the contents of the application and this declaration and that I am authorized to execute this declaration.~~

~~I declare under penalty of perjury that the foregoing is true and correct.~~

~~Executed in \_\_\_\_\_ County, State of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, (month), \_\_\_\_\_, (year).~~

\_\_\_\_\_  
Declarant

~~THE STATE OF TEXAS \_\_\_\_\_ § Deed Restriction  
\_\_\_\_\_ § and Law Compliance  
COUNTY OF HARRIS \_\_\_\_\_ § Affidavit~~

~~Before me the undersigned authority on this day personally appeared \_\_\_\_\_ (type or legibly print name of affiant) who being first duly sworn by me deposed and said:~~

~~I understand and agree that it is my responsibility to comply with all deed restrictions and city, state, and federal laws, regulations or ordinances concerning any activity authorized by the license, permit or certificate, requested in the application to which this affidavit appertains and concerning any land or place where such activities may be conducted.~~

~~\_\_\_\_\_ I also understand and agree that the City of Houston, by issuing the license, permit or certificate for which I am applying, does not excuse or approve of any violation of deed restrictions, or of city, state or federal laws, regulations or ordinances and that the license, permit or certificate will be void in the event that it is issued in violation thereof.~~

~~\_\_\_\_\_ I fully understand that if the permit, license or certificate for which I am applying is issued, the City of Houston or any other appropriate entity may institute legal proceedings against me if I violate any deed restriction, or any city, state or federal law, regulation or ordinance.~~

~~\_\_\_\_\_ To the extent that this affidavit is made on behalf of a corporation or for the benefit of any persons other than myself I certify that I have fully advised them of the content of this affidavit and that I am duly authorized to execute the same as the act and deed of the applicant or persons.~~

~~\_\_\_\_\_ To certify which, witness my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_, 19\_\_\_\_\_.~~

\_\_\_\_\_  
Notary public in and for  
the State of Texas

My Commission expires:

\_\_\_\_\_

**REQUEST FOR COUNCIL ACTION**

RCA# 9833

**TO:** Mayor via City Secretary

**Subject:** Amendment to the Fire Department Classified Personnel Ordinance

Category #  
3

Page 1 of 1

Agenda Item

**FROM (Department or other point of origin):**

Terry Garrison  
Fire Chief  
Fire

**Origination Date**

September 03, 2013

**Agenda Date**

SEP 11 2013

**DIRECTOR'S SIGNATURE**



**Council District(s) affected**

All

**For additional information contact:**

Beda Kent *B*  
Janet Mccown

Phone: (832) 394-6748  
Phone: (713) 837-9325

**Date and Identification of prior authorizing Council Action:**

Ordinance 2013-722; August 14, 2013

**RECOMMENDATION: (Summary)**

Adopt and Ordinance amending the Classified Personnel Ordinance for the Houston Fire Department.

\$707,906. General Fund (Fund 1000)

**Finance Budget**

**SPECIFIC EXPLANATION:**

The Director of the Houston Fire Department and Human Resources request City Council approve changes to the Classified Personnel Ordinance to add one (1) Deputy Chief, three (3) District Chief, four (4) Senior Captain, and one (1) Assistant Arson Investigator positions; and remove four (4) Captain positions.

**Amendments to the current Fire Department Classified Personnel Ordinance are as follows:**

Title	Present Positions	Amount Change	Proposed Total
Deputy Chief	8	1	9
District Chief	102	3	105
Senior Captain	185	4	189
Captain	428	4	424
Assistant Arson Investigator	5	1	6

As presented in the Public Safety Committee on August 27, 2013, the staffing changes of the Airport Rescue Fire Fighting (ARFF) Division have been planned to provide more efficient operations and span-of control. These changes include the addition of one Deputy Chief and three District Chief positions as well as to reclassify four Captain positions to Senior Captain positions. The incremental cost of \$682,000. will be reimbursed to HFD by HAS and includes base pay and benefits.

The addition of a Chief Arson Investigator position is organizationally essential to provide managerial direction and supervision in the division of Staff Services. This includes the administrative operations of Internal Affairs, the grievance process, interdepartmental motor vehicle accident review, and the coordination of language assessment compliance. This position is currently staffed by an Assistant Arson Investigator which creates a vacancy in the field that is being backfilled through higher classification. The additional position would provide consistency in the field as well as in the office of Staff Services. The incremental cost for this position is \$25,906. which includes base pay and benefits is included in our FY14 budget submission.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

*Theresa DePaol*

Other Authorization:

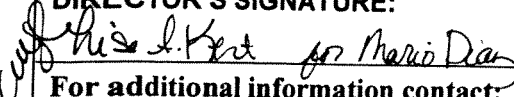
*[Signature] 9/5/2013*

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Ordinance approving an Other Transaction Agreement (OTA) between the Transportation Security Administration (TSA) and the City of Houston authorizing the Mayor to accept OTA funding for an explosive storage magazine at William P. Hobby Airport (HOU).	<b>Category #2</b>	<b>Page 1 of 1</b>	<b>Agenda Item #</b> <div style="text-align: right; font-size: 2em;">19</div>
	<b>FROM (Department or other point of origin):</b> Houston Airport System		

<b>FROM (Department or other point of origin):</b> Houston Airport System	<b>Origination Date</b> September 1, 2013	<b>Agenda Date</b> SEP 11 2013
--	--	-----------------------------------

<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b> I
--	--

<b>For additional information contact:</b> Kathy Elek <i>Kae</i> Phone: 281-233-1826 Perry Miller 713-641-7701	<b>Date and identification of prior authorizing Council action:</b> N/A
--	--

<b>AMOUNT &amp; SOURCE OF FUNDING:</b> \$ 30,751.23 - Transportation Security Administration (TSA) Other Transaction Agreement (OTA) Funds	<b>Prior appropriations:</b> N/A
--	-------------------------------------

**RECOMMENDATION: (Summary)**  
 Enact an Ordinance approving an Other Transaction Agreement (OTA) between the Transportation Security Administration (TSA) and the City of Houston authorizing the Mayor to accept funding in an amount not to exceed \$30,751.23 for an explosive storage magazine at William P. Hobby Airport (HOU).

**SPECIFIC EXPLANATION:**

The Transportation Security Administration (TSA) has approved an Other Transaction Agreement (OTA) relating to an explosive storage magazine at William P. Hobby Airport (HOU). The Houston Airport System (HAS) is now requesting approval of the OTA and authorization for the Mayor to accept end of Federal Fiscal Year OTA funds in an amount not to exceed \$30,751.23.

The OTA funds will cover all labor and material costs associated with design and construction of a 20 ft. x 30 ft. concrete pad with related safety and security features and installation of an explosive storage magazine. The OTA funds also include the first year's rental fee of \$156.00.

The site will be used to store explosive training aids to be used by the TSA in training canine teams under the National Explosives Detection Canine Team Program. This program enhances passenger screening at the TSA security checkpoint and increases the ability to detect potential explosive threats in the airport.

TSA OTA For P690

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
----------------------------	-----------------------------	-----------------------------

**REQUEST FOR COUNCIL ACTION**

**TO: Mayor via City Secretary**

**RCA #**

**SUBJECT:** Ordinance enlarging the boundaries of Reinvestment Zone Number Seven (Old Spanish Trail/Alameda Corridors Zone).

**Category #**

**Page**  
1 of 1

**Agenda Item#**

20

**FROM: (Department or other point of origin):**

Andrew F. Icken  
Chief Development Officer

**Origination Date**

9/5/13

**Agenda Date**

SEP 11 2013

**DIRECTOR'S SIGNATURE:**

*Handwritten signature of Andrew F. Icken*

**Council Districts affected:**

D

**For additional information contact:**

Ralph De Leon Phone: (832) 393-0985

**Date and identification of prior authorizing Council Action:**

Ord. No. 1997-0478, 05/07/97, Ord. No. 1997-0539, 05/14/97, Res. No. 1998-0028, 07/14/98, Ord. No. 1998-1145, 12/09/98, Ord. No. 2008-0418, 05/14/08

**RECOMMENDATION: (Summary)** Approve an ordinance enlarging the boundaries of Reinvestment Zone Number Seven (Old Spanish Trail/Alameda Corridors Zone).

**Amount of Funding:** No Funding Required

**SOURCE OF FUNDING:**  General Fund  Grant Fund  Enterprise Fund  
 Other (Specify)  N/A

**SPECIFIC EXPLANATION:**

City of Houston Tax Increment Reinvestment Zone No. 7, the Old Spanish Trail/Alameda Corridors Zone ("Zone") was created by Ordinance No. 1997-0478, on May 7, 1997 to facilitate the revitalization of the Old Spanish Trail and Alameda Corridors area. Subsequently, City Council ("City") approved a Project Plan and Reinvestment Zone Financing Plan ("Plan") by Ordinance No. 1997-0539, approved on May 14, 1997, and created the Old Spanish Trail/Alameda Corridors Redevelopment Authority by Resolution No. 1998-0028, on July 15, 1998 to help implement the Plan. The City subsequently enlarged the boundaries of the Zone by Ordinance No. 1998-1145 On December 9, 1998, and again on May 14, 2008, by Ordinance No. 2008-0418.

It is recommended that approximately 5.15 acres be annexed into the Zone. Generally bounded by Dennis Street on the north, Tuam Street on the south, Hutchins Street on the west, and Dowling Street on the east, the area proposed to be annexed into the Zone could be characterized as an area of the City consisting of deteriorated site improvements and defective sidewalk and street layout. The proposed enlargement of the Zone resulting from the annexation would allow the Zone to facilitate the design and construction of infrastructure and cultural and public facility improvements.

Accordingly, the Administration recommends that City Council approve enlarging the boundaries of the Zone.

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

**REQUIRED AUTHORIZATION**





**Other Authorization:**

**Other Authorization:**

**Other Authorization:**

**City Of Houston  
TIRZ #7  
Proposed Annexation  
Fiscal Year 2013**

**Legend**

-  Waterway
-  Proposed Annexation
-  OST/Almeda
-  Parcels



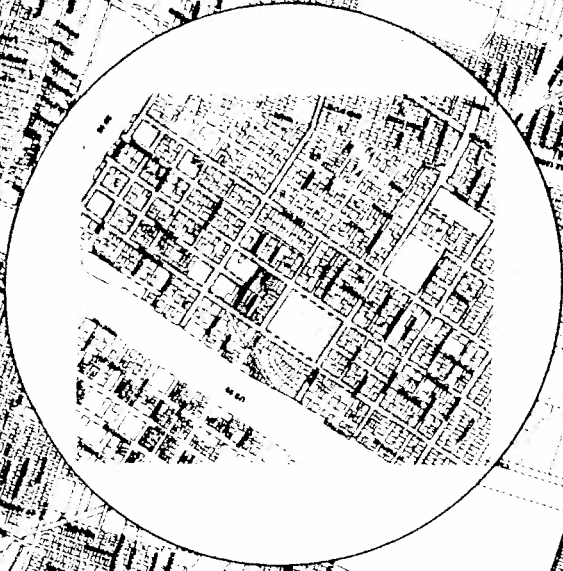
0 600 1,200 2,400 Feet



**PLANNING &  
DEVELOPMENT  
DEPARTMENT**

This map is made available for reference purposes only and should not be substituted for a survey product. The City of Houston will not accept liability of any kind in conjunction with its use.




Source: GIS Services Division  
Date: September 2012  
Reference: H16829\_Proposed





**City of Houston  
TIRZ #7  
As Enlarged**

**Legend**

-  Waterway
-  OST/Alameda
-  Parcels



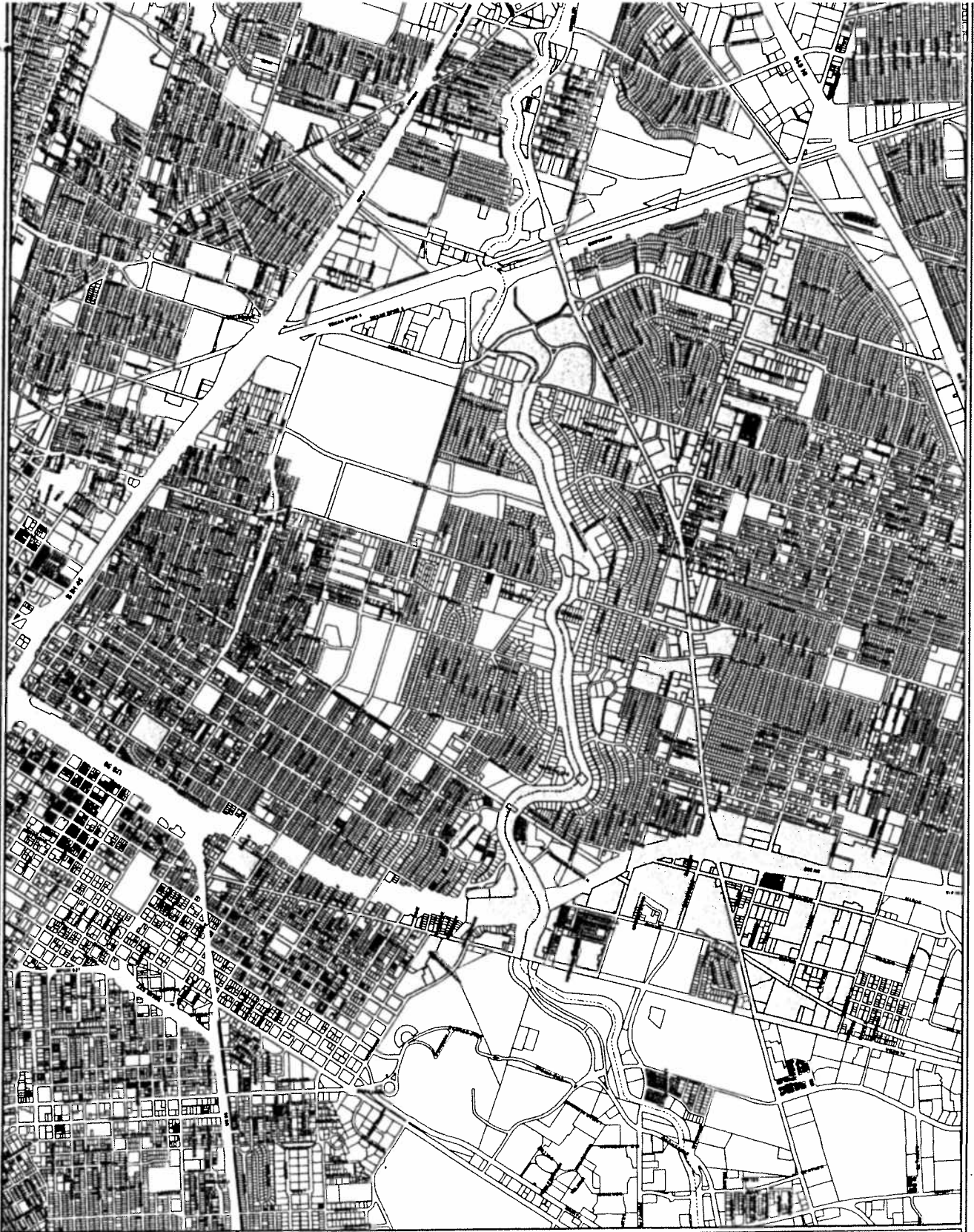
0 800 1,200 2,400 Feet



**PLANNING &  
DEVELOPMENT  
DEPARTMENT**

This map is made available for reference purposes only and should not be substituted for a survey product. The City of Houston will not accept liability of any kind in conjunction with its use.

Source: GIS Services Division  
Date: September 2012  
Reference: 1516629 - Enlarged



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Ordinance approving a Fifth Amended Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Seven (Old Spanish Trail/Alameda Corridors Zone)	<b>Category # 1</b>	<b>Page 1 of 1</b>	<b>Agenda Item #</b> <i>20A</i>
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<b>FROM: (Department or other point of origin):</b> Andrew F. Icken Chief Development Officer <i>[Signature]</i>	<b>Origination Date</b> 9/5/13	<b>Agenda Date</b> SEP 11 2013
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<b>DIRECTOR'S SIGNATURE:</b>	<b>Council Districts affected:</b> D
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<b>For additional information contact:</b>  Ralph De Leon <b>Phone:</b> (832) 393-0985	<b>Date and identification of prior authorizing Council Action:</b> Ord. No. 1997-0478, 05/07/97, Ord. No. 1997-0539, 05/14/97, Res. No. 1998-0028, 07/14/98, Ord. No. 1998-1146, 12/09/98, Ord. No. 1999-0829, 08/11/99, Ord. No. 2006-1110, 11/08/06, Ord. No. 2008-0419, 05/14/08
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**RECOMMENDATION: (Summary)**  
City Council adopt an ordinance approving a Fifth Amended Project Plan and Reinvestment Zone Financing Plan and Extension of the Zone's Duration for Reinvestment Zone Number Seven (Old Spanish Trail/Alameda Zone).

**Amount and Source of Funding:**      No Funding Required

**Specific Explanation:**

On May 7, 1997, by Ordinance 1997-0478, City Council ("City") created Tax Increment Reinvestment Zone Number Seven, the Old Spanish Trail/Alameda Corridors Zone ("Zone"). On May 14, 1997, by Ordinance 1997-0539, the City approved a Project Plan and Reinvestment Zone Financing Plan for the Zone. On July 14, 1998, by Resolution 1998-0028, the City created the Old Spanish Trail/Alameda Corridors Redevelopment Authority to implement the Plan. On December 9 1998 by Ordinance 1998-1146, and again on August 11, 1999 by Ordinance No. 1999-0829, and by Ordinance No. 2006-1110 approved on November 8, 2006, and by Ordinance No. 2008-0419 approved on May, 14, 2008, the City approved Amendments to the Project Plan and Reinvestment Zone Financing Plan (collectively, "Plans"). The Zone and the City now desire to further amend the Plans ("Amended Plan").

The proposed Amended Plan restates the goals and objectives included in the original Plans, including the design and construction of public infrastructure improvements including roadways and utilities, cultural and public facility improvements, hike and bike trails, land assembly and environmental remediation, economic development and affordable housing. The project costs in the Zone will increase by \$15 million from previous Plans. Projected Zone revenues are sufficient to support the projects in the Amended Plan. In addition, the Amended Plan also includes provisions for the annexation of an approximately 5.15 additional acres into the Zone. The proposed Amended Plan will enable the City and the Zone to address distressed infrastructure, deteriorated site improvements, and other quality of life issues in the Zone.

To support the Zone's and City's efforts in this regard, the Administration recommends that City Council approve a Fifth Amended Plan for the Zone.

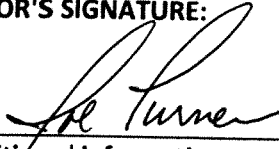
cc:      Marta Crinejo, Agenda Director  
         Anna Russell, City Secretary  
         Dave Feldman, City Attorney  
         Deborah McAbee, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

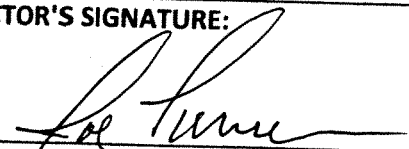
<b>Other Authorization:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
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*20A*

**REQUEST FOR COUNCIL ACTION**

<b>TO:</b> Mayor via City Secretary			
<b>SUBJECT:</b> Ordinance approving Third Amendment to the Hermann Park Pedal Boat and Other Concessions Agreement with the Hermann Park Conservancy	<b>Category #</b>	<b>Page 1 of 1</b>	<b>Agenda Item</b>  21
<b>FROM (Department or other point of origin):</b> Houston Parks and Recreation Department	<b>Origination Date:</b> August 27, 2013	<b>Agenda Date</b>  SEP 11 2013	
<b>DIRECTOR'S SIGNATURE:</b>  Joe Turner, Director	<b>Council District(s) affected:</b>  D		
<b>For additional information contact:</b> Luci Correa, 832-395-7057	<b>Date and Identification of prior authorizing Council Action:</b> May 5, 2002 Ordinance 2002-418 June 13, 2007 Ordinance 2007-661 December 16, 2009 Ordinance 2009-1309		
<b>RECOMMENDATION (Summary):</b> Approve an Ordinance authorizing a third amendment to the Hermann Park Pedal Boat and Other Concessions Agreement between the City of Houston and the Hermann Park Conservancy for the use and rental of the new Centennial Gardens and Garden Pavilion.			
<b>Amount and Source of Funding:</b>  REVENUE		<b>Finance Budget:</b>	
<b>SPECIFIC EXPLANATION:</b>			
<p>The Houston Parks and Recreation Department (HPARD) requests approval of the third amendment to the agreement with the Hermann Park Conservancy (HPC) for Hermann Park Pedal Boat and Other Concessions ("Concessions Agreement"). City Council approved the original Concessions Agreement on May 5, 2002, the first amendment on June 13, 2007, and the second amendment on December 16, 2009.</p> <p>This amendment deals specifically with the rental concessions of the new Centennial Gardens and Garden Pavilion ("the Gardens"). HPC is funding the \$30 million cost of construction of the Gardens, which will replace the old Garden Center facility. The Gardens consist of approximately eight (8) acres of garden areas and a pavilion, display gardens, meeting and event space, office space, and public areas. The project was presented in detail to the Quality of Life Committee in August 2012. The aspects of the proposed third amendment were presented to the Quality of Life Committee on August 26, 2013.</p> <p>The proposed third amendment to the Concessions Agreement assigns scheduling and managing of new facility rentals to HPC, assigns responsibility for collecting rental fees to HPC, establishes maximum rental fees, and requires all fees to go toward operation of the facility. HPC's estimated annual rental revenue for the new Centennial Gardens is \$250,000. HPC will pay the City 3% of rental fees. The Director of HPARD may approve rate increases not to exceed the then-current Consumer Price Index for All Urban Consumers Houston-Galveston-Brazoria on January 1 of each calendar year. The City may, with reasonable notice to HPC and provided the space is available, reserve the Gardens at no charge for up to 5 meetings per month Monday through Friday at noon and up to 2 events per year Friday through Sunday. The terms of the agreement shall continue until October 1, 2029.</p> <p>Council approval is recommended.</p>			
<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>	

## REQUEST FOR COUNCIL ACTION

<b>TO:</b> Mayor via City Secretary			
<b>SUBJECT:</b> Ordinance approving Second Amendment to the Hermann Park Development Agreement with the Hermann Park Conservancy		Category #	Page 1 of 1
			Agenda Item <i>22</i>
<b>FROM (Department or other point of origin):</b> Houston Parks and Recreation Department		<b>Origination Date:</b> August 27, 2013	<b>Agenda Date:</b> <i>SEP 11 2013</i>
<b>DIRECTOR'S SIGNATURE:</b>  Joe Turner, Director		<b>Council District(s) affected:</b>  D	
<b>For additional information contact:</b> Luci Correa, 832-395-7057		<b>Date and Identification of prior authorizing Council Action:</b> July 17, 1997 Ordinance 97-563 May 10, 2006 Ordinance 2006-448	
<b>RECOMMENDATION (Summary):</b> An Ordinance approving and authorizing a second amendment to the Hermann Park Development Agreement between the City of Houston and the Hermann Park Conservancy to develop and operate the Centennial Gardens and Garden Pavilion.			
<b>Amount and Source of Funding:</b> \$470,000 per year FY2015 to FY2029 plus \$120,000 one-time in FY2015 General Fund (1000)			<b>Finance Budget:</b>
<b>SPECIFIC EXPLANATION:</b> <p>The Houston Parks and Recreation Department (HPARD) requests approval of the second amendment to the Development Agreement between the City of Houston and the Hermann Park Conservancy (HPC). City Council approved the original Development Agreement on July 17, 1997 and the first amendment on May 10, 2006. Since the commencement of the original agreement, HPC has funded nearly \$40 million in improvements including the renovation of the Jones Reflection Pool, expansion of McGovern Lake, construction of Kinder Station and the expanded and improved Hermann Park railroad, restoration of the Japanese Garden, and the expansion and renovation of Miller Outdoor Theatre.</p> <p>This amendment deals specifically with the operation of the new Centennial Gardens and Garden Pavilion ("the Gardens"). HPC is funding the \$30 million cost of construction of the Gardens, which is part of Phase II development approved in the first amendment to the Development Agreement. The Gardens will replace the old Garden Center facility and consists of approximately eight (8) acres of garden areas and a pavilion, display gardens, meeting and event space, office space, and public areas. The project was presented in detail to the Quality of Life Committee in August 2012. The aspects of the proposed second amendment were presented to the Quality of Life Committee on August 26, 2013.</p> <p>The proposed second amendment to the Development Agreement assigns responsibility for operating, managing and maintaining the facility to HPC, provides office space for HPC, and commits HPC to a portion of the operation and maintenance costs. HPARD will continue to be responsible for maintenance of the parking lot, public art collection and Chinese Pavilion, hazard tree and limb removals, pole lights, dumpster service and trash removal. HPARD will pay for utilities and provide trades services for the facility including but not limited to electrical, plumbing, HVAC, and graffiti removal.</p> <p>The estimated annual cost to operate and maintain the Gardens is \$1 million. HPC will fund \$280,000 and use \$250,000 from facility rental revenue. The City will contribute \$470,000 annually beginning FY2015 subject to Council Approval of the proposed amendment also includes a proposed one-time payment of \$120,000 to HPC for start-up maintenance supplies and equipment.</p>			
<b>Finance Director:</b>		<b>Other Authorization:</b>	<b>Other Authorization:</b>

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 9758**

**Subject:** Approve an Ordinance Awarding a Contract to the Best Respondent for Maintenance on Equipment and Tools for Use in the Cleaning and Clearing of Lots for the Department of Neighborhoods/S30-Q24470.

Category #  
4

Page 1 of 2

Agenda Item

23

**FROM (Department or other point of origin):**

Calvin D. Wells  
City Purchasing Agent  
Finance Department

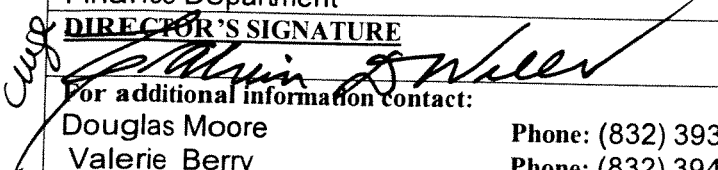
**Origination Date**

July 09, 2013

**Agenda Date**

SEP 11 2013

**DIRECTOR'S SIGNATURE**

*CWS*  


**Council District(s) affected**  
All

**For additional information contact:**

Douglas Moore Phone: (832) 393-8724  
Valerie Berry Phone: (832) 394-0616

**Date and Identification of prior authorizing Council Action:**

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a contract to the sole respondent, Houston Clean City Commission Inc. d/b/a Keep Houston Beautiful, in an amount not to exceed \$810,000.00 for maintenance on equipment and tools for use in the cleaning and clearing of lots for the Department of Neighborhoods.

Maximum Contract Amount: \$810,000.00

**Finance Budget**

\$810,000.00 - General Fund (1000)

**SPECIFIC EXPLANATION:**

The Director of the Department of Neighborhoods and the City Purchasing Agent recommend that City Council approve an ordinance awarding a five-year contract to the sole respondent, Houston Clean City Commission Inc. d/b/a Keep Houston Beautiful, in an amount not to exceed \$810,000.00 for maintenance on equipment and tools for use in the cleaning and clearing of lots for the Department of Neighborhoods (DON). The City Purchasing Agent/DON Director may terminate this contract at any time upon 30-days written notice to the contractor.

The scope of work requires the contractor to provide all supervision, labor, materials, supplies, tools, and equipment necessary to provide maintenance on equipment and tools for use in the cleaning and clearing of lots for DON. Additionally, the contractor will be required to supply, assign and maintain tools and equipment for City employees, neighborhood organizations, probationers and civic organization for use in the cleaning and clearing of dilapidated lots as identified by DON, as well as for the abatement of graffiti on identified properties.

This Request for Qualifications (RFQ) was advertised in accordance with the requirements of the State of Texas bid laws. Twelve prospective bidders downloaded the solicitation document from SPD's e-bidding website and as a result, a sole proposal was received from Houston Clean City Commission Inc. d/b/a Keep Houston Beautiful, the incumbent contractor currently providing maintenance on equipment and tools for use in the cleaning and clearing of lots for DON. Subsequent to receipt of the proposal, the Strategic Purchasing Division (SPD) contacted prospective proposers to determine the reason for the limited response to the RFQ; based upon SPD's findings, potential respondents advised that they had limited resources to meet the scope of work requirements specified within the RFQ, or they were disinterested in submitting a proposal to provide the necessary services. The evaluation committee was comprised of three evaluators from DON. The proposal was evaluated based upon the following criteria:

- Experience, Abilities and Qualifications
- Equipment
- M/WBE
- Conformance to the RFQ

**M/WBE Subcontracting:**

This RFQ was issued as a goal-oriented contract with an 11% M/WBE participation level. Houston Clean City Commission Inc. d/b/a Keep Houston Beautiful has designated the below-named companies as its certified M/WBE subcontractors.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*NO*

21

Date: 7/9/2013	Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Maintenance on Equipment and Tools for Use in the Cleaning and Clearing of Lots for the Department of Neighborhoods/S30-Q24470.	Originator's Initials RM	Page 2 of 2
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<u>Name</u>	<u>Type of Work</u>	<u>Percentage</u>	<u>Amount</u>
B-W Industrial Supply Corporation	Equipment	10.4%	\$84,000.00
Tejas Office Products, Inc.	Office Supplies	0.6%	\$ 5,100.00

The Office of Business Opportunity will monitor the award.

**Pay or Play Program:**

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

**Hire Houston First:**

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

Buyer: Richard Morris

Estimated Spending Authority			
DEPARTMENT	FY 2014	OUT YEARS	TOTAL
Department of Neighborhoods	\$150,000.00	\$660,000.00	<b>\$810,000.00</b>

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 9694**

**Subject:** Approve an Ordinance Awarding a Contract for Litter Removal and Disposal Services for the Public Works and Engineering Department/S55-E24604

Category #  
4

Page 1 of 2

Agenda Item

24

**FROM (Department or other point of origin):**

Calvin D. Wells  
City Purchasing Agent  
Finance Department

**Origination Date**

July 01, 2013

**Agenda Date**

SEP 11 2013.

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*

**Council District(s) affected**  
All

**For additional information contact:**

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

**Date and Identification of prior authorizing Council Action:**

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a contract to TIBH Industries, Inc. in an amount not to exceed \$7,919,936.64 for litter removal and disposal services for the Public Works and Engineering Department.

Maximum Contract Award Amount: \$7,919,936.64

**Finance Budget**

\$7,919,936.64 - Stormwater Fund (2302)

**SPECIFIC EXPLANATION:**

The Director of the Public Works and Engineering Department and the City Purchasing Agent recommend that City Council approve an ordinance awarding a three-year contract with two one-year options to TIBH Industries, Inc. in an amount not to exceed \$7,919,936.64 for litter removal and disposal services for the Public Works and Engineering Department (PWE). The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

The scope of work requires the contractor to provide all equipment, labor, materials, supplies, supervision and transportation necessary to pick-up litter discarded onto the City of Houston right-of-ways. The litter removal and disposal services includes refuse discarded onto right-of-ways, including, but not limited to, scrap metal, paper, wood, plastic and glass products. The contractor will provide four 12 person-crews, including supervision, five days per week, for seven hours per day (7:30 a.m. – 4:30 p.m.) weather permitting, year-round. All litter debris and refuse collected shall be transported to State-certified facilities and landfills.

TIBH Industries, Inc. employs individuals with disabilities who will provide the requested services under this contract. Additionally, TIBH Industries, Inc. has committed, in writing, to priority hiring of disabled veterans from the Iraq, Afghanistan and Bosnia conflicts. PWE is satisfied with TIBH Industries, Inc.'s performance on current and previous litter removal and disposal services contracts with the City.

The Texas Human Resources Code, Section 122.017 provides: A political subdivision of this state may purchase products or services for its user from private businesses through its authorized purchasing procedures, but may substitute equivalent products or services produced by persons with disabilities under the provisions of this chapter.

Texas Attorney General Opinion No. JM-444 states that general statutes that require counties, cities, hospital districts and school districts to engage in competitive bidding in order to make certain purchases do not apply to purchases such as political subdivisions make pursuant to Section 122.017 of the Human Resources Code. TIBH Industries, Inc. has approved the contract specifications, services and the agencies that will provide these services.

**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 Purchasing Agreement for this purchase.

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

*MX*

22

Date: 7/1/2013	Subject: Approve an Ordinance Awarding a Contract for Litter Removal and Disposal Services for the Public Works and Engineering Department/S55-E24604	Originator's Initials JB	Page 2 of 2
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Buyer: Joseph Badell

**Estimated Spending Authority**

DEPARTMENT	FY2014	OUT YEARS	TOTAL
Public Works & Engineering	\$1,083,900.00	\$6,836,036.64	\$7,919,936.64

Attachment: M/WBE zero-percent document approved by the Office of Business Opportunity.  
Pay or Play Contractor/Subcontractor waiver request approved by the Office of Business Opportunity.



**Breaux, Roy - ARA**

**From:** Wiginton, Jo - LGL  
**Sent:** Wednesday, June 17, 2009 10:32 AM  
**To:** Breaux, Roy - ARA  
**Cc:** Wallace, Drenda - LGL  
**Subject:** RE: State Agencies  
Works for me.

**From:** Breaux, Roy - ARA  
**Sent:** Wednesday, June 17, 2009 10:27 AM  
**To:** Wiginton, Jo - LGL  
**Cc:** Wallace, Drenda - LGL  
**Subject:** FW: State Agencies

Is this information from Affirmative Action sufficient for the exemption of the MWBE requirement for TIBH.



**Roy Breaux, Procurement Specialist**

Administration & Regulatory Affairs Department  
Strategic Purchasing Division  
901 Bagby, City Hall Concourse Level  
Houston, Texas 77002

Direct: 832.393.8728  
General: 832.393.8800  
Email: roy.breaux@cityofhouston.net

*Partnering to better serve Houston*

**From:** Gallegos, Robert - AAD  
**Sent:** Wednesday, June 17, 2009 10:21 AM  
**To:** Breaux, Roy - ARA; Hamilton, Daniel - AAD; Qasim, Bobby A - AAD  
**Subject:** State Agencies

Hello Everyone:

There is no official letter or waiver that our department has to write on behalf of TIBH. TIBH is a non-profit organization and it is a State of Texas agency.

I consulted with Velma Laws and she stated what I just told you.

Please make a copy of this e-mail for your records.

Thank you.

**Robert D. Gallegos**  
Deputy Director  
Affirmative Action & Contract Compliance  
611 Walker, 7th Floor  
Houston, TX 77002

To OBO 4/4/2013  
3:00 pm

DUPLICATE RECEIVED 7/1/2013  
meb

# PWE SERVICE & SUPPLY CONTRACTS

To: Tony Henshaw  
PWE Small Business Development

Date of Request: 4/5/2013

RECEIVED

APR 09 2013

OBO

From: Delbert Nave / PW&E MMB

Subject: MWBE PARTICIPATION GOAL  
REQUEST FOR A WAIVER FOR  
LITTER REMOVAL SERVICES FOR  
THE PUBLIC WORKS AND  
ENGINEERING DEPARTMENT WITH  
THE TEXAS INDUSTRIES FOR THE  
BLIND AND HANDICAPPED  
CURRENT CONTRACT NO.  
OA# 4600008989

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

Basis for Request? [Ref. Code Ch15,15-83(c)(1)]

A  A public or administrative emergency exists which requires the goods or services to be provided with unusual immediacy.

B  The service or goods requested are of such a specialized, technical or unique nature as to require the city department to be able to select its contractor without application of MBE/SBE/WBE provisions (such as contracts for expert witnesses, certain financial advisors or technical consultants); or

C  If application of MBE/SBE/WBE provisions would impose an unwarranted economic burden or risk on the city or unduly delay acquisition of the goods or services, or would otherwise not be in the best interest of the city; or

D  If the possible MBE/SBE/WBE participation level based on MBE, SBE and WBE availability would produce negligible MBE, SBE or WBE participation

E  Exempted Procurement - Attorney General of Texas Opinion No. JM-444 states that general statutes that require counties, cities, hospital districts and school districts to engage in competitive bidding in order to make certain purchases to not apply to purchases such political subdivisions made pursuant to Section 122.017 of the Human Resources Code.

I am requesting a new MWBE Goal: Yes  No  \_\_\_\_\_ 0% \_\_\_\_\_

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

If requesting a revision, how many solicitations were received: \_\_\_\_\_

Solicitation Number: Pending Estimated Dollar Amount: \$7,500,000.00

Anticipated Advertisement Date: Pending Solicitation Due Date: Pending

Goal on Last Contract: 0% Was Goal Met? Yes  No

If goal was not met, what did the vendor achieve? \_\_\_\_\_

# PWE SERVICE & SUPPLY CONTRACTS

**Name and Intent of this Solicitation:** The scope of work requires the contractor to furnish all equipment, labor, materials supplies, supervision and transportation necessary to pick-up litter discarded onto City of Houston right-of-ways.

**Reason for Request (Use additional paper if necessary):** This is an exempted procurement with TIBH and MWBE goals would not apply.

Concurrence:

Albert L. Nave  
Buyer

Tony Henshaw  
Tony Henshaw  
Small Business Development Group

Mary Williams 4/8/13  
Division Manager

W.R. Young 4/8/13  
MMB Assistant Director

**FOR SMALL BUSINESS DEVELOPMENT GROUP USE ONLY**

Notification of zero percent (0%) MWBE participation goal sent to OBO.\*  
\*Code of Ordinance Chapter 15, Article V, Section 15-83 (C)

Date Sent: Apr. 19, 2013

W. Burke & Blaney 4/15/13  
Office of Business Opportunity  
(For zero percent (0%) MWBE goal)

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**SUBJECT:** Ordinance Approving the Appropriation of Funds for Products and Professional Services to Fund Needed Infrastructure for the Enterprise Data Warehousing Project

Page 1 of 2

Agenda Item

25

**FROM (Department or other point of origin):**  
Finance Department

**Origination Date:**  
9/4/2013

**Agenda Date**

SEP 11 2013

**DIRECTOR'S SIGNATURE:**

*Kelly Dowe*  
Kelly Dowe, Finance Director

**Council District(s) affected:**  
ALL

**For additional information contact:**

Charles Thompson, CIO      **Phone:** (832) 393-0082  
Bruce Haupt                      **Phone:** (832) 393-9110

**Date and Identification of prior authorizing Council Action:**

**RECOMMENDATION (Summary):**

Ordinance approving the appropriation of funds for products and professional services to fund needed infrastructure for the Enterprise Data Warehousing project.

**AMOUNT AND SOURCE OF FUNDING:**

\$404,000.00 – FY14 Equipment Acquisition Consolidated Fund (1800)

**SPECIFIC EXPLANATION:**

The Director of the Finance Department and the Chief Information Officer (CIO) of Houston IT Services (HITS) recommend that City Council approve an ordinance to appropriate \$404,000.00 from the Equipment Acquisition Consolidated Fund (1800) for infrastructure, products, and professional services supporting the enterprise data warehousing project.

**BACKGROUND:**

The Enterprise Data Warehousing project originated as an off-shoot of the citywide accounts receivable and collections project. In reviewing all citywide revenue streams and collections processes, it was observed that almost all accounts receivable processes are managed from separate IT systems without integration of the data. Integration of customer and accounts receivable data could lead to better service to our customers, improved management of the processes, timely reporting on results, and increased revenue collections.

Following these observations, the Finance and HITS departments initiated a pilot Accounts Receivable (AR) Data Mart to capture and integrate transactional data, and to deploy a business intelligence tool that produces scorecards, performance metrics, and ad-hoc reporting capabilities. The pilot project is now complete and a demo was provided to the City Council Budget & Fiscal Affairs (BFA) Committee on September 3<sup>rd</sup>, 2013.

Deliverables from the project to date include:

- The integrated data model for the AR data mart has been developed
- Data for Parking Citations, False Burglar Alarm Penalties, and False Fire Alarm Penalties has been integrated into the data model and uploaded to the AR data mart
- An interactive dashboard and ad-hoc reporting environment has been implemented to support the accounts receivable and collections vendor management program
- Data warehousing educational modules have been developed including: Introduction to Data Warehousing, State of Data Warehousing at the City, Citywide Vision for Data Warehousing and AR Data Mart Overview

Finance Director:

Chief Information Officer:

Other Authorization:

*Charles Thompson*      9-4-2013

**NEXT STEPS:**

In order to expand the AR Data Mart to additional revenue streams, as well as leverage and grow city business intelligence capabilities, the Director of the Finance Department and the Chief Information Officer (CIO) of Houston IT Services (HITS) recommend appropriation of \$404,000.00 from the Equipment Acquisition Consolidated Fund (1800) for infrastructure, products, and professional services supporting the enterprise data warehousing project.

This funding will support hardware (servers), software (database and business intelligence software licenses), project management and necessary training in order to transform this pilot project into an enterprise data warehousing environment that can support all citywide accounts receivable activities, as well as future data marts as determined in consultation with the Director led governance committee that would prioritize future data warehousing projects. HITS anticipates purchasing the software, infrastructure, products, and services primarily through the Texas Department of Information Resources (DIR) or similar Cooperative Purchasing Programs and seeking City Council's approval, where appropriate, for specific contracts.

**PREVIOUS PRESENTATIONS:**

This item was presented before the City Council Budget & Fiscal Affairs (BFA) Committee on September 3<sup>rd</sup>, 2013. Documentation on the business case and progress building the pilot "AR Data Mart" has been presented to the BFA Committee on the following dates as part of City ARC Project Status Updates:

- April 2, 2013
- January 7, 2013
- October 2, 2012
- August 7, 2012
- July 2, 2012
- June 5, 2012
- May 1, 2012
- April 3, 2012
- March 6, 2012
- January 31, 2012
- January 9, 2012

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 9836**

**Subject:** Approve an Ordinance to Appropriate Funds from the Equipment Acquisition Consolidated Fund (Fund 1800) for the Data Center Consolidation Project

Category #  
1

Page 1 of 2

Agenda Item

*26*

**FROM (Department or other point of origin):**

Charles T. Thompson  
Chief Information Officer  
Houston Information Technology Services (HITS)

**Origination Date**  
August 28, 2013

**Agenda Date**  
**SEP 11 2013**

**DIRECTOR'S SIGNATURE**

*Charles T. Thompson* 9-3-2013

**Council District(s) affected**  
All

**For additional information contact:**

Tina Carkhuff Phone: 832-393-0009

**Date and Identification of prior authorizing Council Action:**  
Ordinance: 2013-364: 04/24/13

**RECOMMENDATION: (Summary)**

Approve an ordinance authorizing the appropriation of \$1,050,000.00 from the FY14 Equipment Acquisition Consolidated Fund (Fund 1800) for professional services/products supporting the Data Center Consolidation Project made through various vendors.

**AMOUNT AND SOURCE OF FUNDING:**

\$1,050,000.00 – FY14 Equipment Acquisition Consolidated Fund (Fund 1800)

**Finance Budget**

**SPECIFIC EXPLANATION:**

The Chief Information Officer (CIO) of Houston IT Services (HITS) recommends that City Council approve an ordinance to appropriate \$1,050,000.00 from the Equipment Acquisition Consolidated Fund (1800) for the issuance of purchase orders made through various vendors for professional services/products supporting the implementation of the Data Center Consolidation Project.

**BACKGROUND:**

On April 24, 2013, City Council approved HITS to implement the Data Center Consolidation Project by Ordinance No. 2013-364. The project calls for the consolidation of seven computer facilities to become centrally managed backup and recovery sites for the City's most critical server-based computer applications and databases. This consolidation project is meant to address significant shortcomings in the data centers that have serious implications to stability, efficiency (power & cooling), security and business continuation.

Based on a 3<sup>rd</sup> party survey, cost analysis and subsequent research conducted by TLC Technology Infrastructure Group (TTIG), it was recommended that HITS considered contracting with a Data Center co-location service provider. In addition, it was advised that HITS enter into a lease agreement with a commercial Data Center provider that is physically located within a 25 mile radius of downtown Houston. This provides obvious hardening of operations against natural disaster and location-specific disasters.

The project is set up in five phases. Phase I is the initiation phase, which includes project start up, technical reviews, documentation and securing the data facilities. The goal of the second phase, the planning phase, is to make the necessary provisions, design a solution and create the project plan/timeline to ensure that the consolidation is executed in an organized, timely and cost efficient manner. Phase III is the implementation or execution phase, the purpose of this phase is to stand-up the data center, execute the project plan and to begin the migration of the seven sites. The monitor/stabilization phase, Phase IV, is where the team delivers the project to operations and ensures that no issues will arise before closing the project. Lastly, the final stage is closing out the project and certifying that there are no outstanding items and issues. To date the project team is conjunctively working on Phase I and Phase II, and anticipates completion of the two phases by the end of December 2013.

**BENEFITS UPON COMPLETION:**

- Significantly reduced initial capital outlay

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

Date:  
08/28/2013

Subject: Approve an Ordinance to Appropriate Funds from  
the Equipment Acquisition Consolidated Fund (Fund  
1800) for the Data Center Consolidation Project

Originator's  
Initials  
LS

Page 2 of 2

- No need to focus on technology changes and upgrades to infrastructure
- Enhanced Security
- Flexibility to grow or shrink as needed
- Reliable power and cooling
- Access to a variety of network service providers
- Faster time to market
- No need to staff, monitor, and maintain the facility

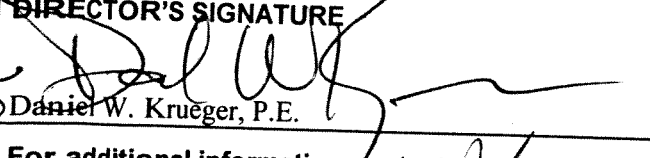
Houston IT Services is requesting funding to cover the additional costs associated with the build-out of the data centers. The appropriation will be used to purchase the environmental units (A/C) and Power Distribution (PDUs) necessary in the space. Also included in the appropriation are the costs of installation.

This item was presented at the January 9, 2013 Transportation, Technology & Infrastructure Committee.

WBS # X-680003

<b>SUBJECT:</b> Contract Award for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method WBS# R-000295-0049-4	<b>Page</b> 1 of 2	<b>Agenda Item #</b>  27
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<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>Origination Date</b> 9/5/13	<b>Agenda Date</b> SEP 11 2013
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<b>DIRECTOR'S SIGNATURE</b>  Daniel W. Krueger, P.E.	<b>Council District affected:</b> All
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<b>For additional information contact:</b> Jason Iken, P.E. Senior Assistant Director Phone: (832) 395-4989	<b>Date and identification of prior authorizing Council action:</b>  N/A
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**RECOMMENDATION: (Summary)**  
Accept low bid, award construction contract, and appropriate funds.

**Amount and Source of Funding:** \$3,754,485.00 from Water and Sewer System Consolidated Construction Fund No. 8500. This project is eligible for low interest funding through a State Revolving Fund (SRF) Equivalency loan. *U.P. 8/27/2013*

**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 cured-in-place pipe method. The contract duration for this project is 540 calendar days.

**LOCATION:** The project area is generally bounded by the City Limits.

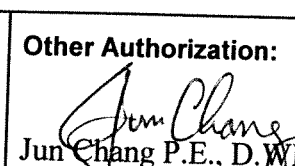
**BIDS:** Two (2) bids were received on June 20, 2013 for this project as follows:

Bidder	Bid Amount
1. IPR South Central, LLC	\$3,547,128.80
2. Layne Inliner, LLC	\$3,610,931.12

LTS No. 6417  
File/Project No. WW 4258-56

**REQUIRED AUTHORIZATION**

CUIC# 20JAI480

Finance Department	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Jun Chang P.E., D.WRE, Deputy Director Public Utilities Division
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<b>Date</b>	<b>Subject:</b> Contract Award for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method WBS# R-000295-0049-4	<b>Originator's Initials</b>	<b>Page</b> 2 of 2
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**AWARD:** It is recommended that this construction contract be awarded to IPR South Central, LLC, with a low bid of \$3,547,128.80.

**PROJECT COST:** The total cost of this project is \$3,754,485.00 to be appropriated as follows:

- Bid Amount \$3,547,128.80
- Contingencies \$177,356.20
- Engineering Testing Services \$30,000.00

Engineering Testing Services will be provided by HTS, Inc. Consultants under a previously approved contract.

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

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

**M/WSBE PARTICIPATION:** The bidder has proposed an MBE participation of 12.94% and WBE participation of 8.72%, which fulfills the goal published in the solicitation.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Chief Solutions, Inc.	Clean & Televise Sewer Lines	\$123,085.37	3.47%
Nerie Construction	Point Repairs	\$106,413.86	3.00%
5M Rope & Supply, LLC	Supplies	\$229,499.23	6.47%
	<b>TOTAL</b>	<b>\$458,998.46</b>	<b>12.94%</b>

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Deanie Hayes, Inc.	Supplies	\$35,471.29	1.00%
CBL Industries, LLC	Asphalt/Paving	\$154,654.82	4.36%
Advantage Manhole & Concrete Services, Inc.	Manhole Rehabilitation	\$119,183.53	3.36%
	<b>TOTAL</b>	<b>\$309,309.64</b>	<b>8.72%</b>

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

DWK:JC:JI:DR:MB:lt

File No. WW 4258-56



**CITY OF HOUSTON**

Legal Department

**Interoffice Memorandum**

*37*

**To:** Anna Russell, City Secretary

SEP 4 2013

**From:** Candice M. Gambrell, Assistant City Attorney

*CMS*  
*28*

**Date:** August 27, 2013

**Subject:** Notice of Appeal of Brite Lite Sign Service, Inc. regarding denial of sign permit at 10410 Westheimer

SEP 11 2013

By the attached memorandum and handwritten note, dated July 5, 2013 and August 22, 2013 respectively, you have requested advice as to whether the legal counsel for Brite Lite Sign Service, Inc. ("Brite Lite") has timely filed, and therefore may be granted, an appeal to the City Council of the General Appeals Board's (the "Board") decision regarding the denial of Brite Lite's sign permit at 10410 Westheimer, Houston, Texas.

Brite Lite, not represented by legal counsel at the time, appeared before the Board on June 27, 2013 to appeal the decision of the Public Works & Engineering Department/ Sign Administration's determination to deny a sign permit. The Board denied the appeal and provided Brite Lite a copy of the Board's ruling on June 27, 2013.

Subsection 4604(e)(1) of the City of Houston Building Code provides that any person wishing to appeal a decision of the Board may appeal to City Council by giving notice of appeal in writing to the City Secretary within ten days following the decision of the Board. Further, subsection 4604(e)(2) provides that an appellant who has complied with section 2-2 of the Code of Ordinances, Rule 12 of the City Council's Rules of Procedure, must file with the City Secretary within 60 days following the Board's decision a record consisting of the written transcript of the hearing before the Board, along with written exceptions, if any, of each party to the proceedings to the facts and administrative rulings and decisions made by the Board.

As you noted in your attached memorandum, Mr. Richard Rothfelder, legal counsel for Brite Lite, filed his notice of appeal regarding the Board's decision in writing to your office on July 3, 2013; this notice of appeal falls within ten days of the Board's ruling on Brite Lite's sign permit. Additionally, as you noted in your handwritten note, Mr. Rothfelder filed a transcript of the Board's hearing with your office on August 22, 2013. On August 23, 2013, Hope Hammill-Reh of the City Legal Department, with the consent of Mr. Rothfelder, filed a transcript you're your office complete with all of the exhibits considered by the Board at its hearing. The filing of the complete transcript and exhibits falls within 60 days of the Board's decision. Accordingly, the appeal of Brite Lite to the City Council is timely and may be granted.

Attachment

cc: Maria Vrana, PWE-Code Enforcement  
Hope Hammill-Reh, Legal

*NOTE: See BACKUP FOR ITEM 31 ON 9-4-13*

*To Review*

*TRANSCRIPT*

