



**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date:  
District C  
Item Creation Date:

HPW 20PDP42B Second Amendment to Agreement for Home Elevation Project at 4710 North Braeswood Blvd.

Agenda Item#:

**Background:**

**SUBJECT:** Second Amendment to the Homeowner Agreement for Flood Mitigation Assistance Home Elevation Project for the property owner at 4710 North Braeswood Blvd., Houston, Texas 77096-1710.

**RECOMMENDATION: (SUMMARY)** Adopt an ordinance approving and authorizing a Second Amendment to Homeowner Agreement for Flood Mitigation Assistance Home Elevation Project between the City of Houston and the property owner at 4710 North Braeswood Blvd., Houston, Texas 77096-1710 to change contractor from Titan Lifetime Foundations, LLC to Arkitektura Development, Inc. and disperse funds associated with the project.

**PROJECT NOTICE/JUSTIFICATION:** The Flood Mitigation Assistance Grant for 42 flood-prone homes was awarded to the City of Houston on the behalf of the homeowners. On September 28, 2016, City Council passed Ordinance No. 2016-0735 approving an agreement between the City of Houston and Texas Water Development Board for administering the Grant and to receive funds as sub-applicant from the Texas Water Development Board for reimbursement of the cost to complete the elevation of the flood-prone homes up to \$14,846,975.92 for 42 approved homes.

City Council adopted Ordinance No. 2017-0559 on July 26, 2017 approving a Homeowner Agreement for Flood Mitigation Assistance Home Elevation Project between the City of Houston and the property owner at 4710 North Braeswood Blvd., Houston, Texas 77096-1710

City Council adopted Ordinance No. 2019-0638 authorizing a first amendment for extension of time, as the original contractor defaulted and was unable to complete the elevation project. The City worked with the Surety Company (Great Midwest Insurance Company) to arrange completion through the execution of the payment and performance bonds. The surety has subsequently selected Arkitektura Development, Inc. to complete the elevation of the residence in accordance with grant requirements and as detailed in the Tender Agreement of Completion for the sum of \$124,303.31.

The surety has provided payment to the City in the amount of \$38,709.16 to cover the increased costs from the bid received by Arkitektura Development, Inc. and in excess of remaining grant funds previously allocated by Ordinance No. 2017-0559.

Original Bid Amount (Titan Lifetime Foundations, LLC)	\$213,985.33
Remaining Grant Balance	\$85,594.15
Payment from Surety Company to City of Houston	\$38,709.16
Total due to Arkitektura Development, Inc. (Remaining Grant funds + Surety Funds)	\$124,303.31

**ACTION RECOMMENDED:** It is recommended that the City Council adopt an ordinance approving and authorizing a Second Amendment to the Homeowner Agreement for Flood Mitigation Assistance Home Elevation Project between the City of Houston and the property owner at 4710 North Braeswood Blvd., Houston, Texas 77096-1710 to change the contractor to Arkitektura Development, Inc. and disperse funds to the contractor as set forth in Attachment A.

**FISCAL NOTE:** No fiscal note is required on grant funded items.

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Carol Ellinger Haddock, P.E.  
Director  
Houston Public Works

**Prior Council Action:**

Ordinance 2016-0735, dated 09-28-2016  
Ordinance 2017-0559, dated 07-26-2017  
Ordinance 2019-0638, dated 08-21-2019

**Amount of Funding:**

\$85,594.15 Fund 5030 – Federal State Local – Pass Through Fund (Remains from Previous funding)  
\$ 38,709.16 - Fund 1021 – Grant Matching Fund

(Previous funding:  
\$258,255.72 – Fund 5030 – Federal State Local – Pass Through Fund  
\$438.50 – Fund 2301 – Building Inspection)

**Contact Information:**

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Assistant Director  
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**ATTACHMENTS:**

<b>Description</b>	<b>Type</b>
Prior Council Action Ordinance 2016-0735	Backup Material
Prior Council Action Ordinance 2017-0559	Backup Material
Prior Council Action Ordinance 2019-0638	Backup Material
Finance Approval Email	Financial Information