

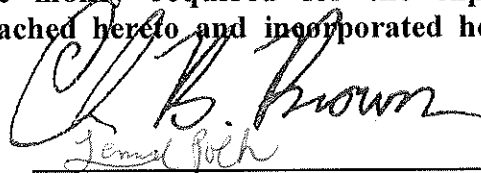
Controller's Office

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

I hereby certify, with respect to the money required for the contract, agreement, obligation or expenditure contemplated by the ordinance set out below that:

- () Funds have been encumbered out of funds previously appropriated for such purpose.
- () Funds have been certified and designated to be appropriated by separate ordinance to be approved prior to the approval of the ordinance set out below.
- () Funds will be available out of current or general revenue prior to the maturity of any such obligation.
- () No pecuniary obligation is to be incurred as a result of approving the ordinance set out below.
- () The money required for the expenditure or expenditures specified below is in the treasury, in the fund or funds specified below, and is not appropriated for any other purposes.
- (✓) A certificate with respect to the money required for the expenditure or expenditures specified below is attached hereto and incorporated herein by this reference.
- () Other – Grant Funds Available

Date: 9-1-2020


Jemal Roach

City Controller of the City of Houston, Texas

4042-2000-520106-522730

1,474,600.00

FR 8-5231

FUND REF:

AMOUNT:

ENCUMB. NO.:

3-2577

OK CA 46-14567

Fms 3-28050

City of Houston, Texas Ordinance No.

2020-762

AN ORDINANCE APPROPRIATING THE SUM OF \$1,474,600.00 OUT OF THE DEDICATED DRAINAGE AND STREET RENEWAL CAPITAL FUND – DRAINAGE CHARGE; APPROVING AND AUTHORIZING A FIRST AMENDMENT TO THE PROFESSIONAL ENGINEERING SERVICES CONTRACT BETWEEN THE CITY OF HOUSTON AND KIT PROFESSIONALS, INC. FOR WESTBURY AREA DRAINAGE AND PAVING IMPROVEMENTS SUBPROJECT 1 (APPROVED BY ORDINANCE NO. 2017-0891); PROVIDING FUNDING FOR CIP COST RECOVERY RELATING TO CONSTRUCTION OF FACILITIES FINANCED BY THE DEDICATED DRAINAGE AND STREET RENEWAL CAPITAL FUND – DRAINAGE CHARGE; CONTAINING PROVISIONS RELATING TO THE SUBJECT AND DECLARING AN EMERGENCY.

* * * *

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

Section 1. The City Council hereby appropriates the sum or sums of money set out in the title of this Ordinance, out of the respective fund or funds set out in such title as follows: the sum of \$1,340,545.00 is appropriated for contract services related to the project described in the title, and the sum of \$134,055.00 is appropriated for CIP Cost Recovery relating to construction of facilities financed by the fund described in such title.

Section 2. The City Council hereby approves and authorizes this First Amendment as described in the title of this Ordinance, in substantially the form as shown in the document which is attached hereto and incorporated herein by this reference. The Mayor is hereby authorized to execute such document and all related documents on behalf of the City of Houston. The City Secretary is hereby authorized to attest to all such signatures and to affix the seal of the City to all such documents.

Section 3. The Mayor is hereby authorized to take all actions necessary to effectuate the City's intent and objectives in approving such agreement, agreements or other undertaking described in the title of this ordinance, in the event of changed circumstances.

Section 4. The City Attorney is hereby authorized to take all action necessary to enforce all legal obligations under said contract without further authorization from the City Council.

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

PASSED AND ADOPTED this 2nd day of September, 2020.
APPROVED this ____ day of _____, 20 ____.

Mayor of the City of Houston, Texas

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is SEP 08 2020.

CAPTION PUBLISHED IN DAILY COURT
REVIEW
DATE: SEP 08 2020

Pat D. Harned
City Secretary

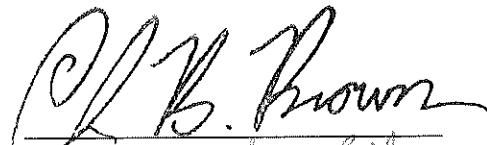
(Prepared by Legal Dept. _____)
(MNB/sjl 06/25/2020) Marina Banks
(Requested by Carol Ellinger Haddock P.E., Director, Houston Public Works)
(L.D. File No. 0661700024002)

CERTIFICATE OF CITY CONTROLLER

I, Chris B. Brown, Controller of the City of Houston, Texas, pursuant to Article II, Section 19a of the Charter of the City of Houston, Texas, with respect to the sum of **\$1,474,600.00** required for the project referenced in the title of this ordinance, do hereby certify as follows:

DEDICATED DRAINAGE AND STREET RENEWAL CAPITAL FUND – DRAINAGE CHARGE (Fund Number - 4042)

- (a) General Obligation Commercial paper Series K, Ordinance No. 2011-1088, is available as an "initial" funding source for the project referenced above in the amount of **\$1,474,600.00**.
- (b) The department has responsibility to ensure that cash in **DEDICATED DRAINAGE AND STREET RENEWAL FUND 2310** is sufficient to fund 4042 when bills are presented for payment.


City Controller *James P. ...*

DDSRCF 4042

AYE	NO	
✓		MAYOR TURNER
....	COUNCIL MEMBERS
✓		PECK
✓		DAVIS
✓		KAMIN
✓		EVANS-SHABAZZ
✓		MARTIN
✓		THOMAS
✓		TRAVIS
✓		CISNEROS
✓		GALLEGOS
✓		POLLARD
✓		MARTHA CASTEX-TATUM
✓		KNOX
✓		ROBINSON
✓		KUBOSH
✓		PLUMMER
✓		ALCORN
CAPTION	ADOPTED	

FIRST AMENDMENT TO THE AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES FOR DESIGN OF WESTBURY AREA DRAINAGE AND PAVING IMPROVEMENTS BETWEEN THE CITY OF HOUSTON AND KIT PROFESSIONALS, INC.

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

THIS FIRST AMENDMENT TO THE AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES FOR DESIGN OF WESTBURY AREA DRAINAGE AND PAVING IMPROVEMENTS ("FIRST AMENDMENT") is made on the counter-signature date by and between the **CITY OF HOUSTON, TEXAS** (the "City"), a home-rule city of the state of Texas, and **KIT PROFESSIONALS, INC.** (the "Consultant"), a Texas corporation.

RECITALS:

1. Pursuant to Ordinance No. 2017-0891 (November 21, 2017), the City and the Consultant entered into an Agreement for Professional Engineering Services for the Design of Westbury Area Drainage and Paving Improvements (the "Original Agreement").
2. The original appropriation covered Phase I – Preliminary Design Basic and Additional Services. The City is currently ready to move on to Phase II – Final Design and Phase III – Construction Phase Services.
3. This First Amendment will increase the Limit of Appropriation, to allow for completion of the services provided by the Consultant.
4. **NOW THEREFORE**, the parties agree as follows:

ARTICLE I.

Section 3.4, "Limit of Appropriation," of Article 3, "Duties of the City", of the Original Agreement, is deleted in its entirety and replaced with the following:

- 3.4 **Limit of Appropriation.** Consultant recognizes that under certain provisions of the Charter of the City of Houston, the City may not obligate itself by contract to an extent in excess of an amount appropriated by the City Council and further recognizes that only **\$1,285,857.00** has been appropriated and budgeted by City Council to pay the Cost of Basic Services hereunder and that only

\$742,873.00 has been appropriated and budgeted by the City Council to pay the cost of Additional Services hereunder for a total amount of \$2,028,730.00.


ARTICLE II.

Except as modified under this First Amendment, the Original Agreement will remain in full force and effect. In the event of a conflict between the Original Agreement, and this First Amendment, this First Amendment shall prevail.


Signatures

The Parties have executed this Agreement in multiple copies, each of which is an original.

KIT PROFESSIONALS, INC.

DocuSigned by:

By: _____
Name: Srikanth "Sree" Punukula, P.E.
Title: Principal

ATTEST/SEAL (if a corporation)
WITNESS (if not a corporation)

By: 
Name: SUDHAKAR KALALA
Title: PRESIDENT


CITY OF HOUSTON, TEXAS

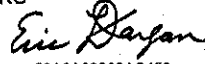
By: _____
Mayor

ATTEST/SEAL:

City Secretary

APPROVED:

DocuSigned by:

8/13/2020
A93C410B72B3453
Director, Houston Public Works

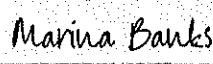
DocuSigned by:

59A0A69363AC456...

COUNTERSIGNED BY:

City Controller

DATE COUNTERSIGNED:

APPROVED AS TO FORM:

DocuSigned by:

FD1DDF43618E47F
Assistant City Attorney
L.D. No. 0661700024002