



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 10/29/2019

District K

Item Creation Date: 10/11/2019

25DSGN118 – Architectural Contract – Brave / Architecture, Inc. New Westbury Neighborhood Library

Agenda Item#: 25.

Background:

RECOMMENDATION: Approve professional architectural services contract and appropriate funds for the project.

SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council approve a professional architectural services contract with Brave / Architecture, Inc. to perform design and construction phase services for a new Westbury Neighborhood Library for the Houston Public Library (HPL). HPL desires to build this new library to replace the Meyer Neighborhood Library which remains closed due to damages sustained during Hurricane Harvey, and the Frank HPL Express Library which operates out of a leased space.

On October 12, 2018 and October 19, 2018, GSD advertised a Request for Qualifications containing selection criteria that ranked respondents on experience, key personnel experience, key personnel's office location, design implementation, proposed design team consultants, and community engagement. The Statements of Qualifications (SOQ) were due on December 6, 2018 and 12 firms responded. GSD evaluated the respondents and interviewed the five highest ranked firms. Brave / Architecture, Inc. ranked highest in combined scores from the SOQ evaluation and interview and offers the best value for the City based on the advertised criteria.

PROJECT LOCATION: 5606 Belrose Dr., Houston, TX 77036

PROJECT DESCRIPTION: The scope of services includes architectural services necessary to design, document and administer the construction contract for the new Westbury Neighborhood Library. The project will combine the service areas of the Meyer Neighborhood Library and Frank HPL Express Library. The new facility will be constructed with energy efficient mechanical, electrical and plumbing systems and will meet all current environmental and LEED™ (Leadership in Energy and Environmental Design) standards.

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

\$ 1,106,466.00	Basic Services Fee
\$ 292,320.00	Additional Services Fee
\$ 28,100.00	Reimbursable Expenses
\$ 1,426,876.00	Total Contract Services
\$ 24,970.00	Civic Art (1.75%)
\$ 1,451,846.00	Total Funding

M/WBE INFORMATION: A 26.67% M/WBE goal has been established for this contract. The architect has submitted the following certified firms to achieve the goal:

Firm	Work Description	Amount	% of Contract
Gradient Group, LLC	Civil Engineering Services	\$ 86,550	4.66%
Asakura Robinson Company LLC	Landscape Architectural Services	\$ 61,200	4.29%
Infrastructure Associates, Inc.	MEP Engineering Services	\$103,750	7.27%
Matrix Structural Engineers, Inc.	Structural Engineering Services	\$ 64,800	4.54%
GreenNexus Consulting, LLC	LEED Commissioning & Consulting Services	\$ 49,800	3.49%
4b Technology Group, LLC	Security and IT Services	\$ 34,441	2.42%
Total		\$380,541	26.67%

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

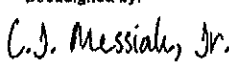
CIP FISCAL NOTE: The five-year projected operating and maintenance costs for this project are noted below:

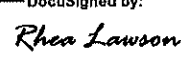
Capital Project Information: See attached Form A for a breakdown of capital costs.

Estimated Fiscal Operating Impact

Project	FY 20	FY 21	FY 22	FY 23	FY 24	Total
New Westbury Neighborhood Library	N/A	N/A	N/A	\$50,000	\$50,000	\$100,000
WBS No: E-000262-0001-3						

DIRECTOR'S SIGNATURE/DATE:

DocuSigned by:
 10/16/2019
 C.J. Messiah, Jr.
 General Services Department

DocuSigned by:

 Rhea Lawson, Ph.D.
 Houston Public Library Department

Amount of Funding:

\$ 1,451,845.00 Public Library Consolidated Construction Fund (4607)

Contact Information:

Jacquelyn L. Nisby
 Council Liaison
 Phone: 832.393.8023

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ATTACHMENTS:

Description	Type
<u>25DSGN118 - Maps</u>	Backup Material
<u>25DSGN118 - Tax Delinquent</u>	Backup Material
<u>25DSGN118 - Form 1295</u>	Backup Material
<u>25DSGN118 - CIP Form A</u>	Backup Material
<u>25DSGN118 - Form A Fair Campaign</u>	Backup Material
<u>25DSGN118 - Form B Fair Campaign</u>	Backup Material

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 hereby this reference.
- () Other – Grant Funds Available.

[Handwritten Signature]
Jenise [unclear]

Date 11-15, 2019

City Controller of the City of Houston, Texas

PRO 42-9092

SCC ⁵²⁰¹⁰⁰ FUND REF: ⁵²⁰¹⁰⁰ 4507-3400 AMOUNT: \$1,451,845.00 ENCUMB. NO.: FR 3-407
FMBB 3-26814 CA 46-15750

City of Houston, Texas Ordinance No. 2019-911

[Handwritten Mark]
AN ORDINANCE APPROPRIATING THE SUM OF \$1,451,845.00 OUT OF THE PUBLIC LIBRARY CONSOLIDATED CONSTRUCTION FUND; APPROVING AND AUTHORIZING A PROFESSIONAL ARCHITECTURAL SERVICES CONTRACT BETWEEN THE CITY OF HOUSTON AND BRAVE / ARCHITECTURE, INC. TO PERFORM DESIGN AND CONSTRUCTION PHASE SERVICES FOR THE NEW WESTBURY NEIGHBORHOOD LIBRARY FOR THE HOUSTON PUBLIC LIBRARY; PROVIDING FUNDING FOR CIVIC ART RELATING TO CONSTRUCTION OF FACILITIES FINANCED BY THE PUBLIC LIBRARY CONSOLIDATED CONSTRUCTION FUND; 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 **\$1,106,455.00** for basic service fees related to the project described in the title, and the sum of **\$24,970.00** is appropriated for Civic Art relating to construction of facilities financed by the fund described in such title.

Section 2. The City Council hereby approves and authorizes the contract, agreement, or other undertaking 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 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 20th day of November, 2019

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 NOV 26 2019.

AT J. Manuel
City Secretary **Assistant**

CAPTION PUBLISHED IN DAILY COURT
REVIEW
DATE: **NOV 26 2019**

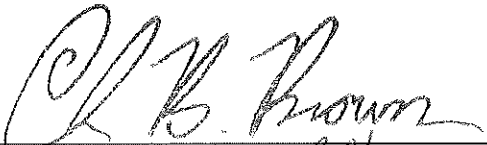
(Prepared by Legal Dept. Michelle Sumner)
(MG/sjl 10/11/2019) Assistant City Attorney
(Requested by C.J. Messiah, Jr., Director, General Services Department)
(L.D. File No. 0331900125001)

CERTIFICATE OF CITY CONTROLLER

I, Chris B. Brown, City Controller of the City of Houston, Texas, pursuant to Article II, Section 19a of the Charter of the City of Houston, with respect to the sum of **\$1,451,845.00** required for the project referenced in the title of this ordinance, do hereby certify as follows:

- (1) The sum of **\$1,451,845.00** will be funded from public improvement bond proceeds and/or public improvement commercial paper proceeds (first-in-first-out basis) pursuant to Ordinance No. 94-405 authorizing the creation of the **Public Library Consolidated Construction Fund**. To the extent that this sum will be paid with bond proceeds, it is in the treasury in the said fund, and is not appropriated for any other purpose.

- (2) To the extent that the **\$1,451,845.00** will be paid by commercial paper proceeds, funds will be received into the treasury and available before the maturity of said obligation, and such anticipated funds have not already been appropriated for any other purpose. Such sum will be received as a cash draw(s) to the City of Houston pursuant to the General Obligation Commercial Paper Ordinance, Ordinance No. 93-1149.



City Controller *Jennad Bell*

AYE	NO	
✓		MAYOR TURNER
••••	••••	COUNCIL MEMBERS
✓		STARDIG
✓		DAVIS
✓		COHEN
✓		BOYKINS
✓		MARTIN
✓		LE
✓		TRAVIS
✓		CISNEROS
✓		GALLEGOS
✓		LASTER
✓		MARTHA CASTEX-TATUM
✓		KNOX
✓		ROBINSON
✓		KUBOSH
	ABSENT	EDWARDS
✓		CHRISTIE
CAPTION	ADOPTED	



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 7/20/2021

District K

Item Creation Date: 6/29/2021

25DSGN126 – De-appropriate/Appropriate Funds – Brave / Architecture, Inc. – New
Westbury Neighborhood Library

Agenda Item#: 4.

Background:

RECOMMENDATION: Approve an Ordinance (i) de-appropriating the sum of \$87,500.00 from construction contingency (previously appropriated by Ordinance No. 2020-537) to the Construction Manager at Risk Contract with SpawGlass Construction Corp.; and (ii) appropriating an equivalent amount to the professional architectural services contract with Brave / Architecture, Inc. for the project.

SPECIFIC EXPLANATION: On June 17, 2020, by Ordinance No. 2020-537, City Council appropriated construction funds to the Construction Manager at Risk Contract with SpawGlass Construction Corp. for the new Westbury Neighborhood Library, including a 6% construction contingency of \$702,500.00. The standard construction contingency for new construction is 5%. Due to revised flood control requirements, additional architectural services are necessary to perform additional services including site, topographic, and utility surveys. The contingency will also cover the increase in design scope for audio/visual, a digital recording studio, and acoustics design.

Therefore, the General Services Department recommends that City Council de-appropriate \$87,500.00 from the construction contingency, reducing the overall construction contingency to 5% and appropriate an equivalent amount to the professional architectural services contract with Brave Architecture, Inc. to perform the additional scope of work.

PROJECT LOCATION: 5505 Belrose Drive, Houston TX, 77035

PREVIOUS HISTORY AND PROJECT SCOPE: On November 20, 2019, by Ordinance No. 2019-911, City Council approved a professional architectural services contract with Brave / Architecture, Inc. to perform design and construction phase services for a new Westbury Neighborhood Library for the Houston Public Library (HPL).

M/WBE INFORMATION: The contract was awarded with a 26.7% M/WBE goal. To date, Brave / Architecture, Inc. has achieved 11% participation. It is anticipated that Brave / Architecture, Inc. will achieve the 26.7% M/WBE goal by the completion of the project.

CIP FISCAL NOTE: The five-year projected operating and maintenance costs for this project are noted below:

Capital Project Information: See attached Form A for a breakdown of capital costs.

Estimated Fiscal Operating Impact

Project	FY 20	FY 21	FY 22	FY 23	FY 24	Total
New Westbury Neighborhood Library	N/A	N/A	N/A	\$50,000	\$50,000	\$100,000

WBS No: E-000262-0001-3

DIRECTOR'S SIGNATURE/DATE:

DocuSigned by:

C.J. Messiah, Jr. 7/2/2021 | 11:42:39 AM CDT

C. J. Messiah, Jr.
General Services Department

DocuSigned by:

Rhea Lawson 8/4/2021

Rhea Brown Lawson, Ph.D.
Houston Public Library Department

DS
M

Prior Council Action:

Ordinance No. 2019-911; Dated November 20, 2019

Amount of Funding:

De-appropriate/Appropriate:

\$87,500.00 – Public Library Consolidated Construction Fund (4507)

Contact Information:

Enid M. Howard
Council Liaison
Phone: 832.393.8023

DS
EH

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

[Handwritten Signature]
Jimmi Bell

Date: 8-24, 2021

City Controller of the City of Houston, Texas

[Handwritten Mark] SC FUND REF: 45073400 520106 AMOUNT: \$ 87,500.00 ENCUMB. NO.: FR 3-5534
FMBB 3-20836

City of Houston, Texas Ordinance No. 2021-749

AN ORDINANCE DE-APPROPRIATING THE SUM OF \$87,500.00 OUT OF THE PUBLIC LIBRARY CONSOLIDATED CONSTRUCTION FUND FOR THE CONSTRUCTION MANAGER AT RISK CONTRACT WITH SPAWGLASS CONSTRUCTION CORP. (PREVIOUSLY APPROVED BY ORDINANCE NO. 2020-537); AND APPROPRIATING \$87,500.00 TO THE PROFESSIONAL ARCHITECTURAL SERVICES CONTRACT WITH BRAVE/ARCHITECTURE, INC. FOR THE WESTBURY NEIGHBORHOOD LIBRARY (PREVIOUSLY APPROVED BY ORDINANCE NO. 2019-911); 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 de-appropriates the sum of money set out in the title of this Ordinance, out of the fund set out in such title.

Section 2. The City Council appropriates the sum of money set out in the title of this Ordinance out of the fund set out in such title for the purpose set out in such title.

Section 3. 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 25th day of August, 2021.

APPROVED this _____ day of _____, 2021.

Mayor of the City of Houston, Texas

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is AUG 31 2021.

[Signature]
City Secretary

(Prepared by Legal Dept. *[Signature]*)
(CRC:yjs 08-04-2021) Sr. Assistant City Attorney

(Requested by C.J. Messiah, Jr., General Services Department, and Rhea Brown Lawson, Houston Public Library)
(L.D File No. 0412100056001)

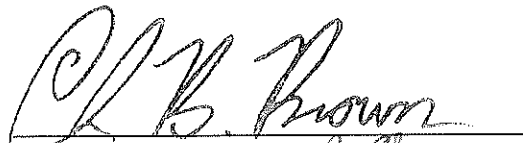
AYE	NO	
✓		MAYOR TURNER
....	COUNCIL MEMBERS
✓		PECK
✓		JACKSON
✓		KAMIN
✓		EVANS-SHABAZZ
✓		MARTIN
✓		THOMAS
	ABSENT DUE TO BEING ILL	TRAVIS
✓		CISNEROS
✓		GALLEGOS
✓		POLLARD
✓		MARTHA CASTEX-TATUM
✓		KNOX
✓		ROBINSON
✓		KUBOSH
✓		PLUMMER
✓		ALCORN
CAPTION	ADOPTED	

CERTIFICATE OF CITY CONTROLLER

I, Chris Brown, City Controller of the City of Houston, Texas, pursuant to Article II, Section 19a of the Charter of the City of Houston, with respect to the sum of **\$87,500.00** required for the project referenced in the title of this ordinance, do hereby certify as follows:

- (1) The sum of **\$87,500.00** will be funded from public improvement bond proceeds and/or public improvement commercial paper proceeds (first-in-first-out basis) pursuant to Ordinance No. 94-405 authorizing the creation of the **Public Library Consolidated Construction Fund**. To the extent that this sum will be paid with bond proceeds, it is in the treasury in the said fund, and is not appropriated for any other purpose.

- (2) To the extent that the **\$87,500.00** will be paid by commercial paper proceeds, funds will be received into the treasury and available before the maturity of said obligation, and such anticipated funds have not already been appropriated for any other purpose. Such sum will be received as a cash draw(s) to the City of Houston pursuant to the General Obligation Commercial Paper Ordinance, Ordinance No. 93-1149.



City Controller *Chris Brown*