



**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 10/17/2023

ALL

Item Creation Date: 5/23/2023

HCD23-61 Home Repair Program Fourth Amendment to the Master Contractor Agreement

Agenda Item#: 5.

**Background:**

The Housing and Community Development Department (HCD) recommends Council approval of an Ordinance authorizing a Fourth Amendment to the Home Repair Program (HRP) Master Contractor Agreement (MCA) and a new form of Tri-Party Agreement (TPA) and related documents (approved pursuant to Ord. No. 2018-56, as amended) for the City of Houston (City) HRP to be executed by the City and each of the following contractors: DSW HOMES, LLC.; HABITAT FOR HUMANITY, INC.; JAMES W. TURNER CONSTRUCTION, LTD.; MAYBERRY HOMES, INC.; PMG CONSTRUCTION, INC.; REBUILDING TOGETHER - HOUSTON; and SLSCO, LTD., to allow the HCD Director (by written approval) to increase the maximum TPA amount from \$250,000.00 to \$300,000.00 due to unforeseen cost increases.

Construction cost increases may be due to historic conservation district and historic neighborhood regulations, homeowner association guidelines enforcement, and deed restrictions; to change the amount of liquidated damages triggered by construction delays; to change the levels of assistance and related cost ranges; to change the warranty protections available to homeowners; and to update various definitions, exhibits, and provisions regarding notice, force majeure, and state law compliance.

The HRP provides home repair and reconstruction services for eligible low-and moderate-income (LMI) homeowners to alleviate immediate threats to their health, life, and safety. The HRP has completed 254 homes with an additional 34 homes currently in preconstruction.

Funding under the Contract will be expended through TPAs between the City, Homeowner, and the Contractor and related documents for each rehabilitation or reconstruction project. The total of all TPA amounts will not exceed the allocated funding available. No additional funding.

**Fiscal Note:**

Funding for this item is included in the FY2023 Adopted Budget. Therefore, no significant Fiscal Operating impact is anticipated as a result of this project. No Fiscal Note is required on grant items.

This item was reviewed by the Housing and Community Affairs Committee on May 16, 2023.

DocuSigned by:  
  
Keith W. Bynam, Director

**Prior Council Action:**

01/24/2018 (O) 2018-56; 02/07/2018 (O) 2018-84; 11/28/2018 (O) 2018-936; 12/04/2018 (O) 2018-981; 01/13/2019 (O) 2019-83; 06/26/2019 (O) 2019-498; 01/29/2020 (O) 2020-77; 02/19/2020 (O) 2020-115; 05/19/2020 (O) 2020-406; 12/16/2020 (O) 2020-1094; 12/16/2020 (O) 2020-1095; 02/03/2021(O) 2021-0092; 04/21/2021 (O) 2021-273; 06/22/2022 (O) 2022-502

**Contact Information:**

(832) 394-6307

**ATTACHMENTS:**

Description	Type
Public Notice	Public Notice
Ordinance 2018-56	Backup Material
Ordinance 2018-84	Backup Material
Ordinance 2018-936	Backup Material
Ordinance 2018-981	Backup Material
Ordinance 2019-83	Backup Material
Ordinance 2019-498	Backup Material
Ordinance 2020-77	Backup Material
Ordinance 2020-115	Backup Material
Ordinance 2020-406	Backup Material
Ordinance 2020-1094	Backup Material
Ordinance 2020-1095	Backup Material

Ordinance 2021-92  
Ordinance 2021-273  
Ordinance 2022-502  
PNFDF  
Amended Public Notice

Backup Material  
Backup Material  
Backup Material  
Backup Material  
Public Notice