



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District I

Item Creation Date: 5/22/2024

HPW – 20WWP10 Amendment / Omega Engineers, Inc.

Agenda Item#:

### **Background:**

**SUBJECT:** First Amendment to the Professional Engineering Services contract between the City and Omega Engineering, Inc. for Work Order Engineering Services for Capacity Remedial Measures Plan (CRMP) for Package 02.

**RECOMMENDATION:** Approve the First Amendment to the Professional Engineering Services contract with Omega Engineers, Inc. and appropriate funds.

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the CRMP for the City of Houston and is required to identify improvements necessary to address Recognized Capacity Constraints Areas (RCCAs). The work to be performed under this contract is necessary to maintain compliance with Houston's proposed wastewater consent decree with the EPA and TCEQ.

**DESCRIPTION/SCOPE:** The project is located within the Sims Bayou North and Sims Bayou South Wastewater Treatment Plant (WWTP) Service Areas for different capacity constraint areas including but not limited to Areas 5 (Upstream of Eddington Area), 6 (Downstream of Eddington Area), Area 7 (YMCA Area in Sims Bayou) and Area 10 (Wheeler-Telephone Road Area). The consultant shall provide services related to the CRMP, prepare engineering and technical documentation and collaborate with the City of Houston and its contractors.

**LOCATION:** The project area is in the City of Houston generally bound by Polk Street on the north, Interstate 610 on the south, Broadway Street on the east and Mykawa Rd on the west.

**PREVIOUS HISTORY AND SCOPE:** City Council approved the original contract on April 07, 2021 under Ordinance No. 2021-0244. The scope of services under the original contract consisted of evaluating the capacity of the existing Wastewater Collection and Transmission Systems (WCTS) within the study area. In addition, the scope of services included the consultant identifying improvements necessary to address RCCAs to be implemented immediately and identifying improvements in the WCTS that are hydraulically connected to the RCCAs, which would be implemented in future phases as set forth in the wastewater consent decree with the EPA and TCEQ. The scope of work under this work order contract also consisted of the consultant performing Phase I - Preliminary Engineering Services based on the cost of time and materials with a not-to-exceed agreed upon amount.

Under this contract, the Consultant has accomplished identification of capacity constraints areas for the Sims Bayou WWTP and Sims Bayou South Service areas and recommended resolutions that generated two (2) Houston Public Works Capital Projects for an estimated construction cost of \$44 million. These projects have been submitted to the EPA for approval on schedule as per Consent Decree and transferred to Houston Public Works Capital Projects to complete design and construction phases. Houston Public Works Capital Projects has selected an Engineer of Record (EOR) for each project.

**SCOPE OF THIS AMENDMENT AND FEE:** Under the scope of this First Amendment, the Consultant will accomplish the following: Since the transfer of the previously mentioned projects to Houston Public Works Capital Projects, the need has been identified to keep the CRMP consultant until the EORs complete design phases. The CRMP consultant will be responsible to provide required communication and bridge services to all EORs and the City of Houston so that all recommended projects, as submitted to the EPA under the Consent Decree, would stay in their scope, budget and schedule. During Phase I - Preliminary Design and Phase II – Final Design, CRMP consultant will participate with the Stakeholders, EORs, and other agencies as needed.

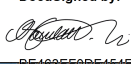
The total requested appropriation for contract services is \$1,376,874.75.

**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/WBE PARTICIPATION:** The M/WBE goal advertised for this project was 24.00%. The original contract amount totals \$1,431,210.00. The Consultant has been paid \$1,188,870.00 (83.07%). Of this amount, \$389,025.00 (32.72%) has been paid to M/WBE sub-contractors to date. Assuming approval of the requested additional appropriation, the contract amount will increase to \$2,808,084.75. The Office of Business Opportunity will continue to monitor this contract for M/WBE compliance. The Consultant proposes the following plan to meet the M/WBE goal.

<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Total Contract</u>
Paid Prior M/WBE Commitment		\$389,025.00	13.85%
Unpaid Prior M/WBE Commitment		\$143,957.60	5.13%
1. Red Fox Infrastructure Inc.	Computer Aided Design for Engineering projects	\$357,987.44	12.75%
<b>TOTAL</b>		<u>\$890,970.04</u>	<u>31.73%</u>

**FISCAL NOTE:** No significant Fiscal Operating impact is anticipated as a result of this project.

DocuSigned by:  
  
 9/13/2024  
 PE168EF0DF151EB  
 Randy Macchi, Chief Operating Officer  
 Houston Public Works

WBS No. R-000020-0073-3

**Prior Council Action:**

Ordinance No. 2021-0244, dated 04-07-2021

**Amount and Source of Funding:**

\$1,376,874.75 - Fund No. 8500 - Water and Sewer System Consolidated Construction Fund

Original appropriation of \$1,502,770.50 from Fund No. 8500 – Water and Sewer System Consolidated Construction Fund.

**Contact Information:**

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**ATTACHMENTS:**

<b>Description</b>	<b>Type</b>
SAP Documents	Financial Information
Maps	Backup Material
OBO Document	Backup Material
Form B	Backup Material
Ownership Information Form & Tax Report	Backup Material
Pay or Play	Backup Material
Form 1295	Backup Material
Prior Council Action	Backup Material