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CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

Item Creation Date: 9/13/2024

HAS – Settlement and Release Agreement with Pierce Goodwin Alexander & Linville, Inc. (PGAL)

Agenda Item#:

Background:

RECOMMENDATION:

Enact an ordinance approving and authorizing a Final Settlement and Release Agreement ("Agreement") Requiring Pierce Goodwin Alexander & Linville, Inc. also known as PGAL Company ("PGAL") to provide professional engineering services for the Houston Airport System at no cost to the City as compensation for identified design errors and omissions.

SPECIFIC EXPLANATION:

The Director of the Houston Airport System (HAS) and the City Attorney recommend approval of a Settlement and Release Agreement between the City of Houston and Pierce Goodwin Alexander & Linville, Inc. (PGAL) to settle claims associated with contract disputes existing between the Parties.

An On-Call Design Services Agreement with PGAL was approved by City Council on September 19, 2012 (Ordinance 2012-0839). A Letter of Authorization under the Agreement was issued on September 20, 2018 for Restroom Design Services at William P. Hobby Airport (HOU). The design work was completed and paid for, and the Agreement expired. However, during the subsequent restroom construction work, several conditions were discovered that were not captured in the design, adding significant construction expense. There now exists a disagreement between HAS and PGAL as to whether PGAL failed to meet the Design Services Agreement's specified performance measures and that there were errors and omissions in the design work.

In the interest of avoiding the uncertainties, expense, and delay of litigation, this Final Settlement and Release Agreement is being undertaken. Subject to a "Free of Charge Design Services Contract," PGAL will perform no-cost design services valued at $93,530.00 for HAS as consideration.

Fiscal Note:

There is no impact to the fiscal budget or no additional spending authority. Therefore, no Fiscal Note is required as stated in the Financial Policies.

Director's Signature:

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Jim Szczesniak
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Jim Szczesniak
Houston Airport System

DocuSigned by:
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Arturo Michel
City Attorney

DS
GH

Prior Council Action:

09/19/2012 (O) 2012-0839

Amount and Source of Funding:

No funding required.

Contact Information:

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