


<b>SUBJECT:</b> Appropriate Additional Funds Design/Build Contract Times Construction, Inc. City Hall Annex Elevator Modernization WBS No. D-000176-0002-4	<b>Page</b> 1 of 1	<b>Agenda Item</b>
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<b>FROM (Department or other point of origin):</b>  General Services Department	<b>Origination Date</b>	<b>Agenda Date</b>
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<b>DIRECTOR'S SIGNATURE</b> Scott Minnix 	<b>Council District affected:</b> 1
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<b>For additional information contact:</b> Jacquelyn L. Nisby <b>Phone:</b> 832-393-8023 	<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2014-433; Dated May 7, 2014
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**RECOMMENDATION:** Appropriate additional funds for the project.

<b>Amount and Source Of Funding:</b> <b>\$503,000.00</b> Equipment Acquisition Consolidated Fund (1800)  <b>Previous Funding:</b> \$622,950.00 General Improvement Consolidated Construction Fund (4509)	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** On May 7, 2014, Ordinance No. 2014-433, City Council awarded a design/build contract to Times Construction, Inc. to provide pre-construction and construction phase services for modernization of the four elevators in City Hall Annex.

The previous funding noted above represented the funds that were allocated for the project in the FY 2014 Capital Improvement Plan. The construction estimate exceeds this amount. Therefore, the General Services Department (GSD) recommends that City Council appropriate an additional amount of \$503,000.00 to the design/build contract with Times Construction, Inc. to complete construction and ensure that the elevators are in compliance with current codes. Times Construction, Inc. will submit the final cost of construction to the GSD director for approval as part of its Guaranteed Maximum Price.


**PROJECT LOCATION:** 900 Bagby (Key Map 493L)

**PROJECT DESCRIPTION:** This project will modernize the four existing passenger elevators in City Hall Annex and will include a non-proprietary control system, new equipment and new cab finishes. The facility will remain occupied and in full operation during this renovation. During the course of this project, two elevators will remain operational. Any construction activities that are deemed excessively disruptive will be performed at night.

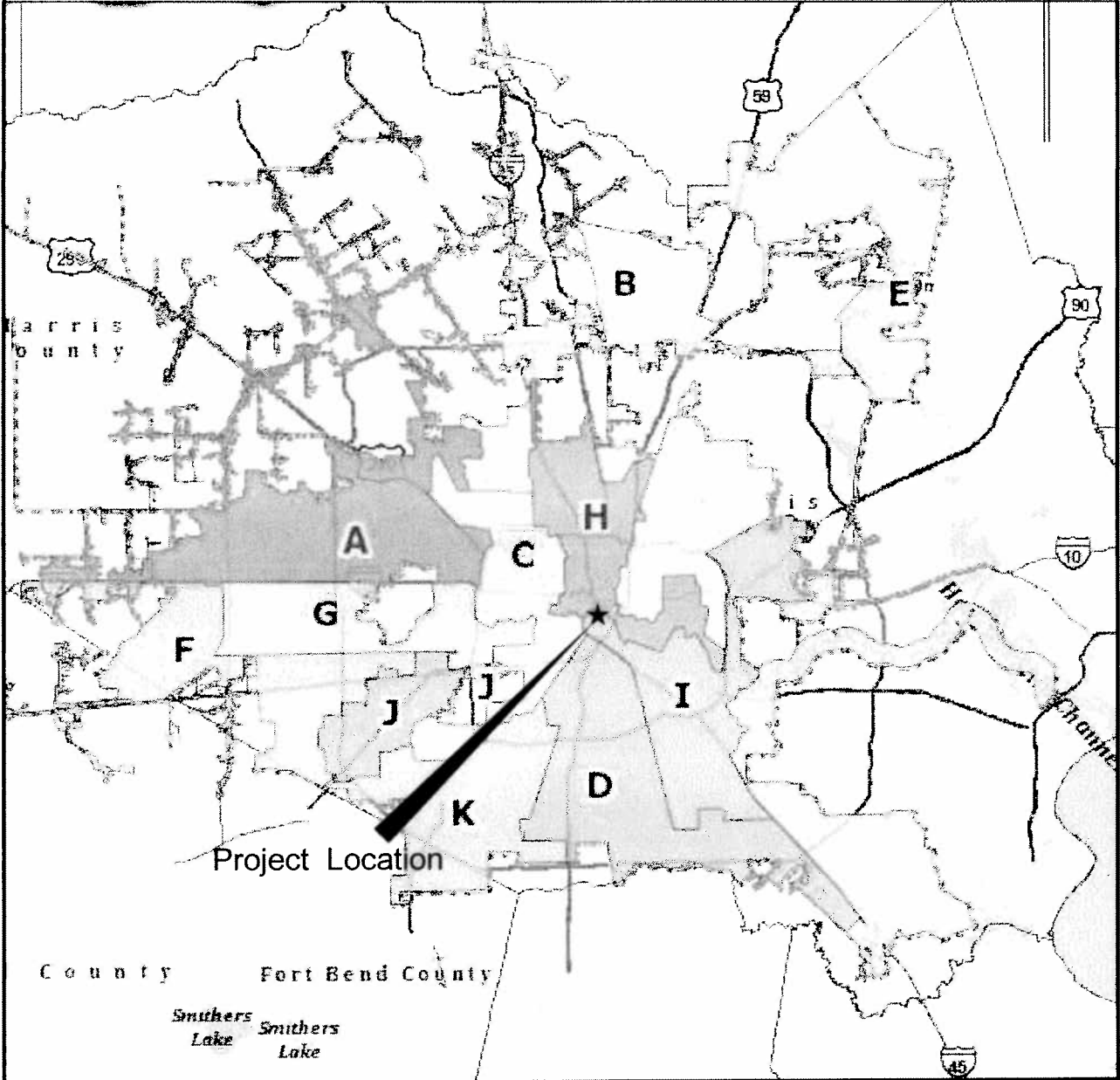
SM:JLN:RAV:CRC:jw

c: Marta Crinejo, Jacquelyn L. Nisby, Mike Isermann, Martha Leyva

**REQUIRED AUTHORIZATION** CUIC ID # 25CONS259

<b>General Services Department:</b>    Richard A. Vella Chief of Design & Construction Division	
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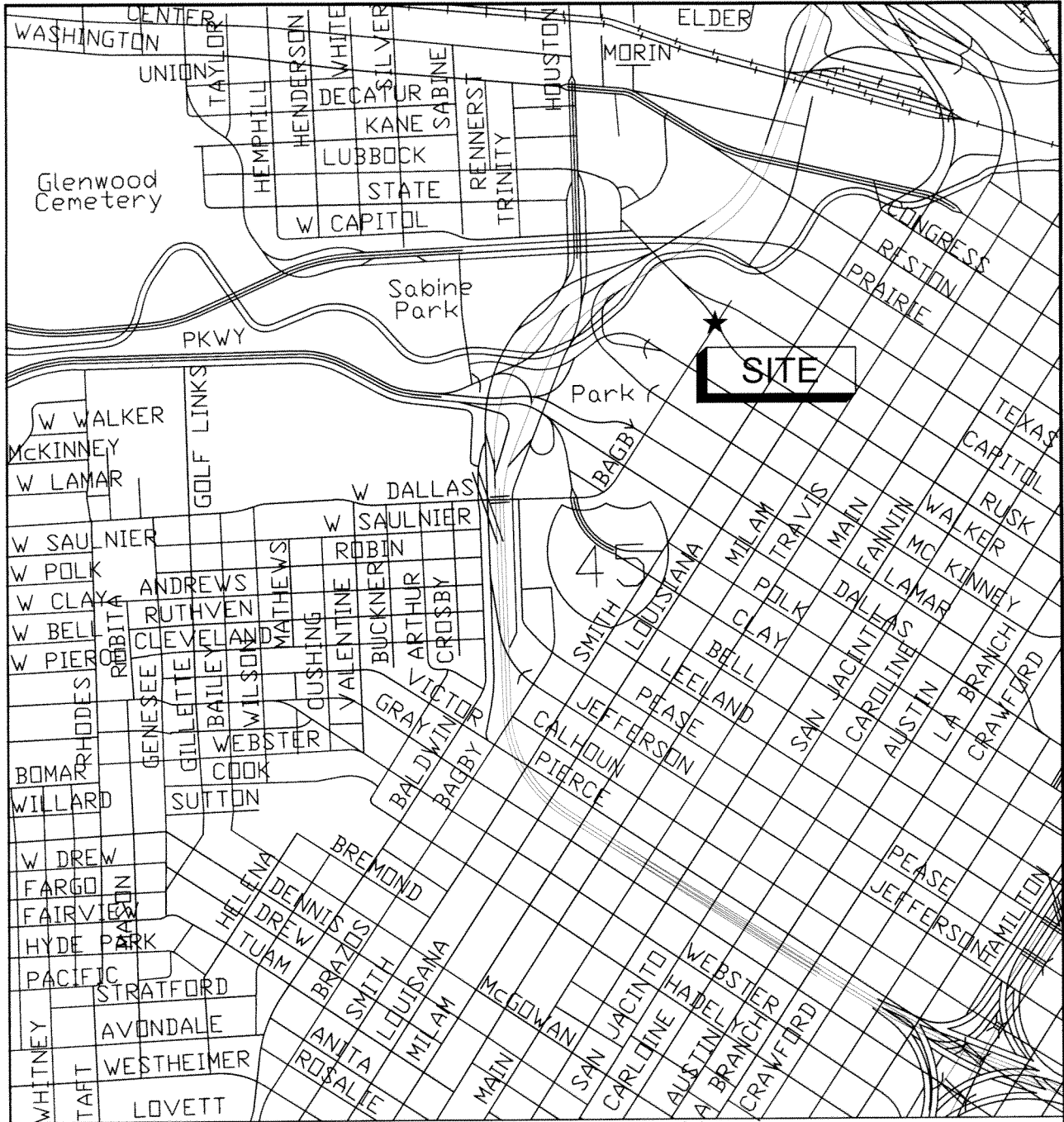
CITY OF HOUSTON  
HARRIS COUNTY, TEXAS



WBS D-000176-0002-4  
City Hall Annex Elevator Modernization  
900 Bagby  
Houston, TX 77002

COUNCIL DISTRICT "I"

KEYMAP No. 493L



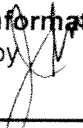
WBS D-000176-0002-4  
City Hall Annex Elevator Modernization  
 900 Bagby  
 Houston, TX 77002

**TO: Mayor via City Secretary      REQUEST FOR COUNCIL ACTION**

<b>SUBJECT:</b> Award Design/Build Contract Times Construction, Inc. City Hall Annex Elevator Modernization WBS No. D-000176-0002-4	<b>Page</b> 1 of 2	<b>Agenda Item</b>
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b>	<b>Agenda Date</b>
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<b>DIRECTOR'S SIGNATURE:</b> Scott Minnix 	<b>Council District(s) affected:</b> 1
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<b>For additional information contact:</b> Jacquelyn L. Nisby  <b>Phone:</b> 832-393-8023	<b>Date and identification of prior authorizing Council action:</b>
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**RECOMMENDATION:** Award design/build contract and appropriate funds for the project.

<b>Amount and Source Of Funding:</b> \$622,950.00 General Improvement Consolidated Construction Fund (4509)	<b>Finance Budget:</b>
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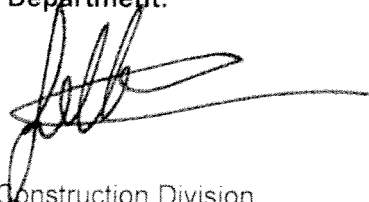
**SPECIFIC EXPLANATION:** The General Services Department (GSD) recommends that City Council award a design/build contract to Times Construction, Inc. to provide pre-construction and construction phase services for the City Hall Annex Elevator Modernization.

On February 14 and February 21, 2014, GSD advertised a Request for Qualifications (RFQ) containing selection criteria that ranked the respondents on experience, technical approach, and quality assurance program. The Statements of Qualifications (SOQ) were due on February 26, 2014 and two teams responded. GSD formed a selection committee comprised of representatives from GSD. The selection committee evaluated the respondents and interviewed both teams. The team of Times Construction, Inc. and Persohn/Hahn Associates, Inc. received the most points and offers the best value for the City based on the advertised criteria.

**PROJECT LOCATION:** 900 Bagby (Key Map 493L)

**PROJECT DESCRIPTION:** This project will modernize the four existing passenger elevators in City Hall Annex and will include a non-proprietary control system, new equipment and new cab finishes. The facility will remain occupied and in full operation during this renovation. Currently and for the last year there have only been three elevators in service. During the course of this project, two elevators will remain operational. Any construction activities that are deemed excessively disruptive will be performed at night.

**REQUIRED AUTHORIZATION** CUIC ID# 25CONS247

<b>General Services Department:</b>  Richard A. Vella Chief of Design & Construction Division	
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Date	<b>SUBJECT:</b> Award Design/Build Contract Times Construction, Inc. City Hall Annex Elevator Modernization WBS No. D-000176-0002-4	<b>Originator's Initials</b> JW	<b>Page</b> 2 of 2
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**AWARD:** It is recommended that City Council award a design/build contract to Times Construction, Inc. and appropriate funds for the project. The following amounts for construction and contingency are based on the funds currently identified in the FY 2014 Capital Improvement Plan. The final cost of construction will be submitted to the director for approval as part of the Guaranteed Maximum Price proposal.

**FUNDING SUMMARY:**

\$ 60,000.00	Pre-Construction Phase Services
\$ 506,350.00	Estimated Construction Phase Services
\$ <u>56,600.00</u>	10% Contingency (Estimate)
<b>\$ 622,950.00</b>	<b>Total Funding</b>

**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.

**HIRE HOUSTON FIRST:** This procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicited because the department is utilizing the design-build project delivery method for this project.

SM:JLN:RAV:CRC:JW:jw

c: Marta Crinejo, Jacquelyn L. Nisby, Gabriel Mussio, Eboni Barnes, File

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

*Ronald C. Shaw*  
*Ronald P. Shaw*  
 City Controller of the City of Houston, Texas

Date: 5-6, 2014

FUND REF: 4509-2500-520126 ① # 42-5480  
520755 AMOUNT: 622,950.00 ENCUMB. NO.: 3-3289

*me*  
*JKS*

*OA 46-12715 ①*  
*FMBB# 3-15714* City of Houston, Texas Ordinance No. 2014-433

AN ORDINANCE APPROPRIATING THE SUM OF \$622,950.00 OUT OF THE GENERAL IMPROVEMENT CONSOLIDATED CONSTRUCTION FUND AND AWARDING A DESIGN/BUILD CONTRACT BETWEEN THE CITY OF HOUSTON AND TIMES CONSTRUCTION, INC. FOR CITY HALL ANNEX ELEVATOR MODERNIZATION; PROVIDING FUNDING FOR CONTINGENCIES RELATING TO CONSTRUCTION OF FACILITIES FINANCED BY THE GENERAL IMPROVEMENT 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 **\$60,000.00** is appropriated for pre-construction phase services related to the project described in the title, the sum of **\$506,350.00** is appropriated for estimated construction phase services and the sum of **\$56,600.00** is appropriated for contingency 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 upon receipt of all required contract documents, including but not limited to insurance certificates in the form required by the contract. If Contractor fails to provide such required contract documents within 30 days after the effective date of this ordinance, Council's approval of the contract shall automatically be rescinded and the contract may not be executed by the Mayor without further council action. 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.

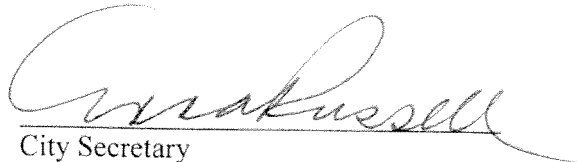
Section 5. There exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; 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.

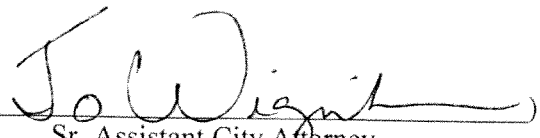
PASSED AND ADOPTED this 7<sup>th</sup> day of May, 2014.

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 MAY 13 2014.

  
 City Secretary

(Prepared by Legal Dept.   
 (JSW/bt 04/30/2014) Sr. Assistant City Attorney  
 (Requested by Scott Minnix, Director, General Services Department)  
 (L.D. File No. 0571400001001)

AYE	NO	
✓		MAYOR PARKER
....	....	COUNCIL MEMBERS
✓		STARDIG
✓		DAVIS
	ABSENT	COHEN
	ABSENT	BOYKINS
✓		MARTIN
✓		NGUYEN
✓		PENNINGTON
✓		GONZALEZ
✓		GALLEGOS
✓		LASTER
✓		GREEN
✓		COSTELLO
✓		ROBINSON
✓		KUBOSH
✓		BRADFORD
✓		CHRISTIE
CAPTION	ADOPTED	

CAPTION PUBLISHED IN DAILY COURT  
 REVIEW  
 DATE: MAY 13 2014

**CERTIFICATE OF CITY CONTROLLER**

I, Ronald C. Green, 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 **\$622,950.00** required for the project referenced in the title of this ordinance, do hereby certify as follows:

(1) The sum of **\$622,950.00** 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 **General Improvement 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 **\$622,950.00** 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 