

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 by this reference.
- () Other - Grant available

Date: _____, 20__

City Controller of the City of Houston, Texas

FUND REF: _____ AMOUNT: _____ ENCUMB. NO.: _____

City of Houston, Texas Ordinance No _____

AN ORDINANCE APPROPRIATING THE SUM OF \$287,903.40 OUT OF THE FIRE CONSOLIDATED CONSTRUCTION FUND; AWARDING A CONSTRUCTION CONTRACT TO AIA GENERAL CONTRACTORS, INC. FOR REMEDIATION, REMOVAL AND INSTALLATION OF UNDERGROUND STORAGE TANKS AT FIRE STATION NO. 44; SETTING A DEADLINE FOR THE BIDDER'S EXECUTION OF THE CONTRACT AND DELIVERY OF ALL BONDS, INSURANCE AND OTHER REQUIRED CONTRACT DOCUMENTS TO THE CITY; HOLDING THE BIDDER IN DEFAULT IF IT FAILS TO MEET THE DEADLINES; PROVIDING FUNDING FOR MATERIALS TESTING, PROJECT MANAGEMENT AND CONSTRUCTION OVERSIGHT AND CONTINGENCIES RELATING TO CONSTRUCTION OF FACILITIES FINANCED BY THE FIRE 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 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 **\$247,031.40** is allocated for construction of the Project described in the title, the sum of **\$4,000.00** for **Materials Testing** under Outline Agreement No. **4600011711** and the sum of **\$36,872.00** for **Project Management and Construction Oversight** under Outline Agreement No. **4600011819** relating to construction of facilities financed by the fund described in such title. In the event there are unspent funds remaining in the Construction Appropriation after construction and closeout of the Project, such unspent funds are appropriated for project management relating to construction of facilities financed by the fund described in the title.

Section 2. Having duly advertised for and received competitive bids for the work described in the title of this Ordinance, the City Council hereby finds and determines that the lowest responsible bid was submitted by the bidder named in the title hereof in the amount of **\$224,574.00** (which amount is only an estimate if unit prices are included in the bid proposal of said bidder). The Contract for said work is hereby awarded to said bidder. The bidder must execute the Contract and deliver to the City's Director of the General Services Department all required bonds, insurance certificates, MWBE information, and all other contract documents required to be provided in post bid procedures in a form acceptable to the City Attorney within 5 days of the date of passage of this Ordinance by City Council. If the bidder does so, the Mayor is hereby authorized to execute the Contract.

Section 3. If bidder fails to comply by the above deadline, it shall be in default. The Director shall give the bidder notice of default and recommend award of the Contract to the next lowest bidder. The City Attorney is authorized to declare forfeit the bid bond of the bidder.

Section 4. 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 undertakings referenced in the title of this Ordinance, in the event of changed circumstances.

Section 5. 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 6. 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, City of Houston Charter.

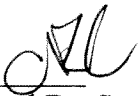
PASSED AND ADOPTED this _____ day of _____, 20__.

APPROVED this _____ day of _____, 20__.

Mayor of the City of Houston, Texas

Pursuant to Article VI, Section 6, Houston, Texas City Charter, the effective date of the foregoing Ordinance is _____.

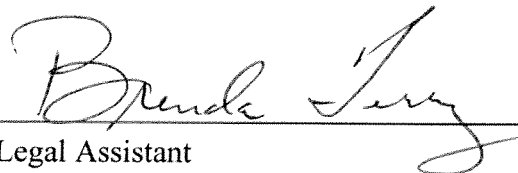
City Secretary

(CRC) 
Requested By Scott Minnix, Director
General Services Department

Contact: Gabriel Mussio
Phone: 832-393-8079

This Ordinance and/or Contract has (have) been reviewed as to form by the undersigned legal assistant and has (have) been found to meet established Legal Department criteria. The Legal Department has not reviewed the content of these documents.

Date: 11-6-14



Legal Assistant

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 **\$287,903.40** required for the project referenced in the title of this ordinance, do hereby certify as follows:

- (1) The sum of **\$287,903.40** 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 Fire 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 **\$287,903.40** 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