



**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 11/13/2019

ALL

Item Creation Date: 10/4/2019

HPW-20PSB001 - Full and Final Settlement, Confidentiality and Indemnity Agreement and Release between the City of Houston and Gowan, Inc.

Agenda Item#: 29.

**Summary:**

ORDINANCE approving and authorizing a full and final settlement, confidentiality and indemnity agreement and release between the City of Houston and **GOWAN, INC.**; containing provisions relating to the subject and declaring an emergency.

**Background:**

**Subject:**

Adopt an ordinance approving and authorizing a full and final settlement, confidentiality and indemnity agreement and release between the City of Houston in the amount not to exceed \$127,694.12 for heating, ventilation and air conditioning services for Houston Public Works (HPW).

**Recommendation:**

The Director of Houston Public Works recommends that City Council adopt an ordinance approving and authorizing a full and final settlement, confidentiality and indemnity agreement and release between the City of Houston in the amount not to exceed the settlement amount of \$127,694.12 for heating, ventilation and air conditioning services (HVAC) for Houston Public Works.

**Project notice/Justification:**

On June 3, 2015, by Motion Number 2015-0370, City Council approved spending authority for Heating, Ventilation and Air Conditioning Services through the Interlocal Agreement approved by Harris County Department of Education (HCDE) for the Department of Houston Public Works to carry out preventative maintenance, unit repair and replacement services, over a 41-month period, to the HCDE contractor, Gowan, Inc., in an amount not to exceed \$5,378,568.94, the contract expired on May 20, 2018.

HPW services over 700 HVAC units, located at over 60 facilities across Houston. HPW was required to carry out several critical repair projects such as replacement of a 45-ton air cooled chiller at the 69th Street Wastewater Treatment Plant, re-routing duct for return air at the Sims South Wastewater Treatment Plant, replacement of a 20-ton split system at the Almeda Sims Wastewater Treatment Plant, and controls retrofit and repair of 13 fan cool units at the Southeast Water Purification Plant. Upon completing the final accounting of this agreement, it was confirmed that HPW had exceeded the fixed contract amount by \$127,694.12.

City Council awarded a new contract to Star Service, Inc., for HVAC services for HPW on March 27, 2019, Ordinance Number 2019-0213 for continuing HVAC services. The contract commenced on April 10, 2019 and will expire on April 9, 2024.

**Fiscal Note:**

Funding for this item is included in the FY2020 Adopted Budget. Therefore, no Fiscal Note is required as stated in the Financial Policies.

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Carol Ellinger Haddock, P.E.  
Director  
Houston Public Works

**Prior Council Action:**

Motion #2015-0370

**Amount of Funding:**

**Amount of Funding:**

\$121,607.43 - Water and Sewer System Operating Fund (8300)  
\$ 6,086.69 - Dedicated Drainage & Street Renewal Fund (2310)  
Supported by Metro Funds (\$4,017.22) and Ad Valorem Taxes (\$2,069.47)

\$127,694.12 TOTAL

**Contact Information:**

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Latania Mena, Division Manager	HPW	832-395-2463

**ATTACHMENTS:**

<b>Description</b>	<b>Type</b>
Signed Coversheet	Signed Cover sheet
Affidavit of Ownership	Backup Material
Contract bwtween Harris County Dept. of Education and Gowan, Inc.	Backup Material
Amendment #1 to Contract between Harris County Dept. of Education and Gowan, Inc	Backup Material
Motion No. 2015-0370	Backup Material
Certification of Funds	Financial Information
Tax Report	Backup Material
Budget vs. Actual 20PSB001	Financial Information
Contract	Contract/Exhibit
Ordinance	Ordinance/Resolution/Motion
Funding Verification for Fund 8300	Financial Information
Funding Verification HPW 2310	Financial Information