



## Harris County, Texas

1001 Preston St., Suite 934  
Houston, Texas 77002

### Commissioners Court

#### Request for Court Action

File #: 22-1607

Agenda Date: 3/8/2022

Agenda #: 233.

Department: Purchasing

Department Head/Elected Official: DeWight Dopslauf

Regular or Supplemental RCA: Regular RCA

Type of Request: Contract - Amendment

Project ID (if applicable):

Vendor/Entity Legal Name (if applicable):

MWDBE Contracted Goal (if applicable): 0

MWDBE Current Achievement (if applicable):

Justification for 0% MWDBE Participation Goal: N/A - Goal not applicable to request

#### Request Summary (Agenda Caption):

Request that the County Judge execute an amendment to an agreement with Ward, Getz & Associates, PLLC in the additional amount of \$640,000 for the Bernadine Subdivision Drainage Harvey CDBG-DR project for design services for the development and implementation of various Hurricane Harvey Recovery drainage infrastructure improvement projects for the period of July 30, 2021 - July 29, 2022 (180388).

#### Background and Discussion:

The Office of the County Engineer continues to deliver projects to reduce the risk of flooding within subdivisions caused by ineffective stormwater drainage facilities in those subdivisions, improve mobility, and provide community improvement projects. The Ward, Getz & Associates PLLC retainer on-call agreement is being utilized to produce the design and construction phase services for the Bernadine Estates and Tower Oaks Sec 3 Subdivision Drainage Improvements project in Precinct 3, and necessary scope revisions have caused the fees to increase in excess of the current limit of appropriation. The project is located in northwest Harris County in the White Oak Bayou watershed. Barwood consists of roadside ditches that drains into HCFCF channel E132-00-00. The scope and proposed improvements are to regrade roadside ditches, install a storm sewer system under the ditches, upsize culverts, and reconstruct roadways within the neighborhood. Additionally, detention ponds will be required for mitigation within the project limits. This work is fully funded by Harvey CDBG-DR grant funds.

#### Expected Impact:

This project seeks to reduce flood risk and strengthen resiliency in Harris County by assisting in the alleviation of structural flood damage to homes in the community. Completion of the project will help reduce the financial, physical, and emotional burden flood damage places on homeowners and will reduce the financial impact of recovery costs to the Bernadine Estates subdivision residents, Harris County, and FEMA. No impact to project schedule or staffing anticipated.

**Alternative Options:**

The County could decline to increase the limit of appropriation on the agreement and not to pursue the project further.

Presented to Commissioners Court

March 8, 2022

Approve: G/E

**Alignment with Goal(s):**

- ☐ Justice and Safety
- ☐ Economic Opportunity
- ☐ Housing
- ☐ Public Health
- ☒ Transportation
- ☒ Flooding
- ☐ Environment
- ☐ Governance and Customer Service

**Prior Court Action (if any):**

Date	Agenda Item #	Action Taken
7/30/19	21.d.10.o	Approval of Agreement
1/26/21	21.d.15.f	Approval of Amendment #1 to Agreement

**Location:**

Address (if applicable): Bernadine Estates and Tower Oakes Sec 3

Precinct(s): Precinct 3

Fiscal and Personnel Summary			
Service Name			
	SFY 22	FY 23	Next 3 FYs
<b>Incremental Expenditures (do NOT write values in thousands or millions)</b>			
Labor Expenditures	\$	\$	\$
Non-Labor Expenditures	\$707,000	\$192,000	\$70,000
<b>Total Incremental Expenditures</b>	\$707,000	\$192,000	\$70,000
<b>Funding Sources (do NOT write values in thousands or millions)</b>			
Existing Budget			
Grant	\$707,000	\$192,000	\$70,000
Choose an item.	\$	\$	\$
Choose an item.	\$	\$	\$
<b>Total Current Budget</b>	\$707,000	\$192,000	\$70,000
Additional Budget Requested			
Choose an item.	\$	\$	\$

Choose an item.	\$	\$	\$
Choose an item.	\$	\$	\$
Total Additional Budget Requested	\$	\$	\$
<b>Total Funding Sources</b>	\$707,000	\$192,000	\$70,000
<b>Personnel</b> (Fill out section only if requesting new PCNs)			
Current Position Count for Service	-	-	-
Additional Positions Requested	-	-	-
<b>Total Personnel</b>	-	-	-

**Anticipated Implementation Date:** March 8, 2022

**Emergency/Disaster Recovery Note:** Not an emergency, disaster, or COVID-19 related item

**Contact(s) name, title, department:** Marcus Baskin, Recovery and Resiliency Division Manager, Harris County Engineering Department

**Attachments** (if applicable):



**DeWight Dopslauf, C.P.M., CPPO**  
**Harris County Purchasing Agent**

February 28, 2022

Commissioners Court  
Harris County, Texas

**RE: Job No. 180388**

Members of Commissioners Court:

Please approve the attached Order(s) authorizing the County Judge to execute the attached Second Amendment to the Agreement(s) for the following:

**Description:** Design Services for the Development and Implementation of Various Hurricane Harvey Recovery Drainage Infrastructure Improvement Projects

**Vendor(s):** Ward, Getz & Associates, PLLC

**Amount:** \$ 760,000 previously approved funds for the term 07/30/2021 - 07/29/2022  
640,000 additional funds for the term 07/30/2021 - 07/29/2022  
\$1,400,000

**Reviewed By:** • Harris County Purchasing • Office of the County Engineer

The Amendment increases funding for the Bernadine Subdivision Drainage Harvey CDBG-DR project. Purchase order(s) will be issued upon Commissioners Court approval.

Sincerely,

DeWight Dopslauf  
Purchasing Agent

MM  
Attachment(s)  
cc: Vendor(s)

**FOR INCLUSION ON COMMISSIONERS COURT AGENDA MARCH 08, 2022**



**SECOND AMENDMENT TO THE AGREEMENT BETWEEN HARRIS COUNTY AND  
WARD,  
GETZ & ASSOCIATES, PLLC**

THE STATE OF TEXAS     §  
                                     §  
COUNTY OF HARRIS     §

This Amendment to the Agreement is made and entered into by and between Harris County (“County”), a body corporate and politic under the laws of the State of Texas, and Ward, Getz & Associates, PLLC (“Contractor”). County and Contractor are known individually as “Party” and collectively as “Parties”.

***Recitals***

On July 30, 2019, the County entered into an agreement with Ward, Getz & Associates, PLLC to provide design services for Hurricane Harvey Recovery Drainage Infrastructure Development for the County (the “Master Agreement”).

On January 26, 2021, the County and Contractor amended the Master Agreement for the first time (“First Amendment”) to adjust the spending limit of the Master Agreement.

The County and Contractor now desire to amend the agreement for the second time (“Second Amendment”) to increase the limit of appropriations.

Contractor warrants and represents that it is willing and capable to continue providing the Services.

***Terms***

**I.**

This Amendment shall be governed by the Master Agreement, which is incorporated herein by reference as though fully set forth word for word.

**II.**

Section 2.2 entitled “Limit of Appropriation” of the Master Agreement is amended to add the following:

Having previously certified funds in the amount of Seven Hundred Sixty Thousand and No/100 Dollars (\$760,000.00), the Parties hereby amend the Master Agreement to provide Six Hundred Forty Thousand and No/100 Dollars (\$640,000.00) in additional funds bringing the total amount of funds available under the Master Agreement to One Million Four Hundred Thousand and No/100 Dollars (\$1,400,000.00).

III.

All other terms and provisions of the Master Agreement shall remain in full force and effect as originally written.

IV.

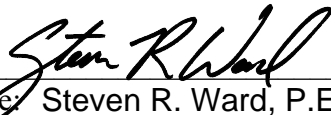
It is expressly understood and agreed that the Master Agreement is incorporated herein by reference. In the event of any conflict between the terms and provisions of this Amendment, or any portion thereof, and the items and provisions of any other part or portion of the Master Agreement, this Amendment shall control.

V.


Execution, Multiple Counterparts: This Amendment may be executed in several counterparts. Each counterpart is deemed an original. All counterparts together constitute one and the same instrument. Each party warrants that the undersigned is a duly authorized representative with the power to execute this Amendment.

[EXECUTION PAGE FOLLOWS]

WARD, GETZ & ASSOCIATES, PLLC

By:   
Name: Steven R. Ward, P.E.  
Title: Managing Partner  
Date: 02/22/2022

HARRIS COUNTY

By:   
Lina Hidalgo  
Harris County Judge

APPROVED AS TO FORM:

Christian D. Menefee  
Harris County Attorney

By:   
Sarah Hodges  
Assistant County Attorney  
C.A. File No.: 22GEN0721

## ORDER OF COMMISSIONERS COURT

The Commissioners Court of Harris County, Texas, met in regular session at its regular term at the Harris County Administration Building in the City of Houston, Texas, on March 8, 2022, with all members present except none.

A quorum was present. Among other business, the following was transacted:

### ORDER AUTHORIZING EXECUTION OF A SECOND AMENDMENT TO THE AGREEMENT BETWEEN HARRIS COUNTY AND WARD, GETZ & ASSOCIATES, PLLC

Commissioner Garcia introduced an order and moved that Commissioners Court adopt the order. Commissioner Ellis seconded the motion for adoption of the order. The motion, carrying with it the adoption of the order, prevailed by the following vote:

	Yes	No	Abstain
Judge Lina Hidalgo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Rodney Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Adrian Garcia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Tom S. Ramsey, P.E.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. R. Jack Cagle	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The meeting chair announced that the motion had duly and lawfully carried, and this order was duly and lawfully adopted. The order adopted follows:

#### IT IS ORDERED that:

1. The Harris County Judge is authorized to execute the attached Agreement Supplement between **Harris County** and **Ward, Getz & Associates, PLLC** for Second Amendment to Professional Engineering Services Agreement. The attached Supplement, including any addendums, may be executed with an electronic or facsimile signature. The Harris County Engineering Department is authorized to request the Harris County Purchasing Agent to expend up to **\$640,000.00** in consideration of the work, products, services, licenses and/or deliverables provided under this Supplement.
2. The Harris County Engineering Department and all other Harris County officials and employees are authorized to do any and all things necessary or convenient to accomplish the purpose of this Order.

Presented to Commissioners Court

March 8, 2022

Approve: **G/E**