

**FIRST AMENDMENT TO THE AGREEMENT BETWEEN HARRIS COUNTY
AND CITY OF FRIENDSWOOD FOR THE BLACKHAWK PROPERTY
ACQUISITION AND REHABILITATION PROJECT**

**THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §**

This First Amendment to the Agreement is made and entered into by and between Harris County (the “Grantee”) and City of Friendswood (the “Subrecipient”). The Grantee and the Subrecipient are known individually as “Party” and collectively as “Parties.”

Recitals

On October 27, 2020, the Grantee approved an Agreement (the “Master Agreement”) with the City of Friendswood for the Blackhawk Property Acquisition and Rehabilitation Facility Project during the term of this Agreement. The scope of the Project is to create a public shelter for emergency events and will contribute to the City’s ability to respond to emergencies during flood events. Renovation will be made to ensure the facility will meet minimum shelter requirements. The shelter space will be separated from the rest of the building by installing demising walls. The building will meet shelter requirements and have an available space to serve as a shelter during future disasters and community facilities. The property is located at 15355 Blackhawk Blvd, Friendswood, TX 77546, in Precinct Two. This is an eligible activity under the rules and regulations regarding CDBG-DR Program Grant Funds (the “Services”).

The Parties now desire to amend the Master Agreement to modify Exhibit B Budget.

Terms

I.

This Amendment is governed by the Master Agreement, incorporated herein by reference as if set forth word for word.

II.

Exhibit B Budget, is modified in the following respects:

Exhibit B, BUDGET
Maximum Amount to be Paid Under this Agreement

It is expressly agreed and understood that the total amount to be paid by the Grantee under this Agreement shall not exceed ONE MILLION TWO HUNDRED SEVENTY-NINE THOUSAND THREE HUNDRED EIGHT and 00/100 Dollars (\$1,279,308.00), as certified available by the Harris County Auditor and as evidenced by the issuance of a Purchase Order from the Harris County Purchasing Agent.

PROJECT SUMMARY

DESCRIPTION		CSD (CDBG-DR)	LEVERAGE	TOTAL
Project Costs				
I	Engineering/ Architectural Design	\$20,000.00	\$20,335.00	\$40,335.00
II	Acquisition	\$787,748.03	\$3,142,624.00	\$3,930,372.03
II	Construction	\$471,559.97	\$76,818.00	\$548,377.97
Project Budget Total		\$1,279,308.00	\$3,239,777.00	\$4,519,085.00

CDBG-D PY 2017 \$1,279,308.00

PROJECT DETAIL

PROJECT COSTS		CSD (CDBG-DR)	LEVERAGE	AMOUNT
I.	Engineering/ Architectural Design			
	Engineering/ Architectural Services	\$20,000.00	\$20,335.00	\$40,335.00
	Subtotal	\$20,000.00	\$20,335.00	\$40,335.00
II.	Acquisition			
	Properties/Acquisition	\$787,748.03	\$3,142,624.00	\$3,930,372.03
	Subtotal	\$787,748.03	\$3,142,624.00	\$3,930,372.03
III.	Construction			
	Construction (new construction, rehabilitation, renovation)	\$471,559.97	\$76,818.00	\$548,377.97
	Subtotal	\$471,559.97	\$76,818.00	\$548,377.97
Project Detail Total		\$1,279,308.00	\$3,239,777.00	\$4,519,085.00

IV.

In the event of any conflict between the term and provisions of this Amendment, or any portion thereof, and the terms and provisions of any other part or portion of the Master Agreement, this Amendment shall control.

V.

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

VI.

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.

ATTEST:

By: 

Name: Leticia Borge



CITY OF FRIENDSWOOD

By: 

Name: MAZHD KABIRI

Title: CITY MANAGER

Date Signed: 05/02/2023

APPROVED AS TO FORM:

CHRISTIAN D. MENEFEE
Harris County Attorney

By: 

Kevin G. Markowski

Assistant County Attorney

C.A. File Number: 23GEN0984

4-20-2023

Date

HARRIS COUNTY

By: _____

LINA HIDALGO

County Judge

Date

Signed: _____

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

The Commissioners Court of Harris County, Texas, convened at a meeting of said Court at the Harris County Administration Building in the City of Houston, Texas, on the _____ day of _____, 2023, with the following members present, to wit:

Lina Hidalgo	County Judge
Rodney Ellis	Commissioner, Precinct No. 1
Adrian Garcia	Commissioner, Precinct No. 2
Tom S. Ramsey	Commissioner, Precinct No. 3
Lesley Briones	Commissioner, Precinct No. 4

And the following members absent, to-wit _____, constituting a quorum, when among other business, the following was transacted:

ORDER AUTHORIZING EXECUTION OF FIRST AMENDMENT BETWEEN HARRIS COUNTY AND CITY OF FRIENDSWOOD FOR THE BLACKHAWK PROPERTY ACQUISITION AND REHABILITATION PROJECT

Commissioner _____ introduced an order and made a motion that the same be adopted. Commissioner _____ 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 Hidalgo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Ellis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Garcia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Ramsey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Briones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The County Judge thereupon announced that the motion had duly and lawfully carried and that the order had been duly and lawfully adopted. The amended order thus adopted follows:

IT IS ORDERED that the Executive Director of Harris County Community Services Department is hereby authorized to execute First Amendment to the Agreement between Harris County and City of Friendswood to modify Exhibit B Budget. The Amendment is incorporated herein as though fully set forth word for word.

The Executive Director of Harris County Community Services Department or her designee is authorized to take such actions and execute such other documents as they deem necessary or convenient to carry out the purpose of this Amendment.



Harris County Commissioners Court

Request for Court Action

Department: Community Services

Department Head/Elected Official: Thao Costis, Interim Executive Director

Regular or Supplemental RCA: Regular RCA

Type of Request: Contract - Amendment

Project ID (if applicable): D2017-051

Vendor/Entity Legal Name (if applicable): City of Friendswood

MWDBE Contracted Goal (if applicable): N/A

MWDBE Current Participation (if applicable): N/A

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

Request Summary (Agenda Caption):

..**title**

Request for approval of a first amendment to the agreement with the City of Friendswood for the Blackhawk Property and Rehabilitation Shelter Project, in the amount of \$300,000 in 2017 Harvey CDBG-DR Round One Funds, to revise the budget to cover a construction budget shortfall.

..**end**

Background and Discussion:

The project intends to renovate the proposed property to include approximately seven thousand eight hundred seventy-five square feet (7,875 sq. ft.) of shelter space. Renovations will include the installation of demising walls, installation of separate entry and exit points, and completion of all associated site work and appurtenances. The facility is located at 15355 Blackhawk Boulevard in Friendswood, Texas, located in Precinct 2.

Additional CDBG-DR funds are being requested to cover bid costs that exceeded the amount allotted.

Expected Impact:

The expected impact of the project is to acquire and renovate a shelter and all associated site work and appurtenances that benefits 25,030 persons in the City of Friendswood, Texas. The fiscal impact to the County is anticipated to be \$300,000 in CDBG-DR funds.

Alternative Options:

N/A

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
10/27/2020	8.f.	Agreement between Harris County and the City of Friendswood

Location:

Address (if applicable): 15355 Blackhawk Boulevard, Friendswood, Texas

Precinct(s): Precinct 2

Fiscal and Personnel Summary

Service Name	Infrastructure Investments		
	FY 23	FY 24	Next 3 FYs
Incremental Expenditures (do NOT write values in thousands or millions)			
Labor Expenditures	\$	\$	\$
Non-Labor Expenditures	\$50,277	\$249,723	\$
Total Incremental Expenditures	\$50,277	\$249,723	\$
Funding Sources (do NOT write values in thousands or millions)			
Existing Budget			
Grant	\$50,277	\$249,723	\$
Choose an item.	\$	\$	\$
Choose an item.	\$	\$	\$
Total Current Budget	\$50,277	\$249,723	\$
Additional Budget Requested			
Choose an item.	\$	\$	\$
Choose an item.	\$	\$	\$
Choose an item.	\$	\$	\$
Total Additional Budget Requested	\$	\$	\$
Total Funding Sources	\$50,277	\$249,723	\$
Personnel (Fill out section only if requesting new PCNs)			
Current Position Count for Service	-	-	-
Additional Positions Requested	-	-	-
Total Personnel	-	-	-

Anticipated Court Date: May 16, 2023

Anticipated Implementation Date (if different from Court date): N/A

Emergency/Disaster Recovery Note: Disaster Recovery related item

Contact(s) name, title, department: Crystal L. Keller, Infrastructure Program Manager, HCCSD

Attachments (if applicable): Amendment