



Legislation Details (With Text)

File #: 22-5571 **Version:** 1 **Name:**
Type: Memorandum of Understanding **Status:** Passed
File created: 9/6/2022 **In control:** Commissioners Court
On agenda: 9/13/2022 **Final action:** 9/13/2022
Title: Request for approval of a Memorandum of Understanding with Merchants Bonding Company (Mutual) and Merchants National Bonding, Inc. (collectively, "Merchants") in connection with Gessner Road from West Road to Beltway 8, Job No. 20/0362, UPIN 18104MF0R801, Precinct 1, MWDBE Contracted Goal: 0% (project was awarded prior to launch of County's M/WBE Program).

Sponsors:

Indexes:

Code sections:

Attachments: 1. 22-5571 MOU - 20-0362 Gessner Rd.pdf

Date	Ver.	Action By	Action	Result
9/13/2022	1	Commissioners Court		

Department: County Engineer

Department Head/Elected Official: Milton Rahman, PhD, P.E., PMP, CFM, County Engineer

Regular or Supplemental RCA: Regular RCA

Type of Request: Memorandum of Understanding

Project ID (if applicable): Job No. 20/0362

Vendor/Entity Legal Name (if applicable): Merchants Bonding Company (Mutual) and Merchants National Bonding, Inc. (collectively, "Merchants")

MWDBE Contracted Goal (if applicable): 0%

MWDBE Current Participation (if applicable): 0%

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

Request Summary (Agenda Caption):

Request for approval of a Memorandum of Understanding with Merchants Bonding Company (Mutual) and Merchants National Bonding, Inc. (collectively, "Merchants") in connection with Gessner Road from West Road to Beltway 8, Job No. 20/0362, UPIN 18104MF0R801, Precinct 1, MWDBE Contracted Goal: 0% (project was awarded prior to launch of County's M/WBE Program).

Background and Discussion:

Project includes improvements to Gessner Road between West Road and Beltway 8 to include the construction of a 4-lane concrete boulevard section with appropriate drainage system. The original

construction contract for this project was between Harris County and Burnside Services, Inc. As of May 25, 2022, the surety, Merchants, has assumed the role of the contractor for the completion of the project. This Memorandum of Understanding provides a reference document useful to both parties as understanding of expectation regarding the completion of emergency work under the management of the surety.

Expected Impact:

Approval of this document allows both Harris County and the surety a reference for expectations regarding the emergency work with regards to this project. The scope of this emergency work was identified by the Engineer of Record and confirmed by the Harris County Flood Control District as work of an emergent nature that should be completed prior to that of the remainder of the project. As the work is within the HCFCF's channel, the current unfinished condition could have drainage impacts to the surrounding properties.

Fiscal Impact: The action does not request a new expenditure of funds.

Alternative Options:

Request Granted: The benefits of a documented mutual understanding will be realized.

Request Denied: The benefits of a documented mutual understanding will be lost, potentially increasing the likelihood of future misunderstandings or disputes related to the construction sequences described in the agreement.

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

Location:

Address (if applicable): Gessner Rd

Precinct(s): Precinct 1

Fiscal and Personnel Summary	
Service Name	Emergency Work

	SFY 22	FY 23	Next 3 FYs
Incremental Expenditures (do NOT write values in thousands or millions)			
Labor Expenditures	\$	\$	\$
Non-Labor Expenditures	\$744,072.00	\$	\$
Total Incremental Expenditures	\$744,072.00	\$	\$
Funding Sources (do NOT write values in thousands or millions)			
Existing Budget			
1070 - Mobility Fund	\$744,072.00	\$	\$
Choose an item.	\$	\$	\$
Choose an item.	\$	\$	\$
Total Current Budget	\$744,072.00	\$	\$
Additional Budget Requested			
Choose an item.	\$	\$	\$
Choose an item.	\$	\$	\$
Choose an item.	\$	\$	\$
Total Additional Budget Requested	\$	\$	\$
Total Funding Sources	\$744,072.00	\$	\$
Personnel (Fill out section only if requesting new PCNs)			
Current Position Count for Service	-	-	-
Additional Positions Requested	-	-	-
Total Personnel	-	-	-

Anticipated Court Date: September 13, 2022

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

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

Contact(s) name, title, department: Julia Bond, P.E., Manager HCED-CPD

Attachments (if applicable): County Auditor's Form 1258B