



## Legislation Details (With Text)

**File #:** 24-2226      **Version:** 1      **Name:**  
**Type:** Contract - Amendment      **Status:** Passed  
**File created:** 4/10/2024      **In control:** Commissioners Court  
**On agenda:** 4/23/2024      **Final action:** 4/23/2024  
**Title:** Request for approval of a second amendment to an agreement with National Housing Partnership Foundation (NHPF) Caroline Conduit, LLC, and Magnificat Permanent Affordable, LLC to extend the construction completion date to October 23, 2024 due to unanticipated rain/hurricane delays and unexpected infrastructure delays.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Backup 3300 Caroline Street Amendment#2\_Final

Date	Ver.	Action By	Action	Result
4/23/2024	1	Commissioners Court		

**Department:** Housing and Community Development

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

**Regular or Supplemental RCA:** Regular RCA

**Type of Request:** Contract - Amendment

**Project ID** (if applicable): D2017-089

**Vendor/Entity Legal Name** (if applicable): Magnificat Permanent Affordable, LLC

**MWDBE Contracted Goal** (if applicable): The City of Houston, which is jointly funding the project, will set the MWDBE contracted goal and monitor MWDBE compliance.

**MWDBE Current Participation** (if applicable): N/A

**Justification for 0% MWDBE Participation Goal:** N/A - Goal is not 0% and is listed above

**Request Summary (Agenda Caption):**

Request for approval of a second amendment to an agreement with National Housing Partnership Foundation (NHPF) Caroline Conduit, LLC, and Magnificat Permanent Affordable, LLC to extend the construction completion date to October 23, 2024 due to unanticipated rain/hurricane delays and unexpected infrastructure delays.

**Background and Discussion:**

On April 5, 2022, the Commissioner's Court approved an agreement between Harris County and National Housing Partnership Foundation (NHPF) Caroline Conduit, LLC, and Magnificat Permanent Affordable, LLC. Attached for Commissioner's Court review and approval is the first amendment to the agreement between Harris County and National Housing Partnership Foundation (NHPF) Caroline Conduit, LLC, and Magnificat Permanent Affordable, LLC, for the above-described project. On August 2, 2022, the Commissioner's Court

approved the first amendment to amend said agreement to: (i) increase the Site Work line item by \$1,282,132, (ii) increase the Direct Construction line by \$224,164, and (iii) to increase the Other Construction line item by \$122,171. The increases total \$1,709,890 in additional funding, requested from the subrecipient due to the surge in construction materials cost. The revised amount of the CDBG-DR funding for this project will be \$10,248,169.00 and the total amount of project funding will be \$44,822,492. Further, at the request of Precinct 1, the agreement is being amended to provide certain minimum protections for residents of the Project (EXHIBIT E-1, "TENANT RIGHTS"). The parties now desire to amend said agreement to extend the 18-month construction completion requirement for an additional six (6) months to October 23, 2024, due to unanticipated weather delays and unexpected infrastructure delays.

**Expected Impact:**

The expected impact is to allow the 3300 Caroline Street project additional time to finish constructing the multifamily units. No fiscal impact on the County is anticipated.

**Alternative Options:**

The alternative option is that the project will not complete construction within the contracted timeframe.

**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
07/10/18	III.1.2	Approval of and resolution to submit Harris County Supplemental Action Plan to the GLO
08/11/20	8.h.1	Approval of funding for the 3300 Caroline Street Project
04/05/22	108	Approval of the 3300 Caroline Street Loan Agreement
08/02/22	288	Approval of the Second Amendment to the 3300 Caroline Street Loan Agreement

**Location:**

Address (if applicable): 3300 Caroline Street, Houston, Texas, 77004

Precinct(s): Precinct 1

**Fiscal and Personnel Summary**

Service Name	
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	Current Fiscal Year Cost			Annual Fiscal Cost
	Labor	Non-Labor	Total	Recurring Expenses
<b>Funding Sources</b>				
<b>Existing Budget</b>				
Choose an item.	\$	\$	\$	\$
Choose an item.	\$	\$	\$	\$
Choose an item.	\$	\$	\$	\$
Total Current Budget	\$	\$	\$	\$
<b>Additional Budget Request</b> ( <i>Requires Fiscal Review Request Form</i> )				
Choose an item.	\$	\$	\$	\$
Choose an item.	\$	\$	\$	\$
Choose an item.	\$	\$	\$	\$
Total Additional Budget Request	\$	\$	\$	\$
<b>Total Funding Request</b>	\$	\$	\$	\$
<b>Personnel</b> (Fill out section only if requesting new PCNs)				
Current Position Count for Service	-	-	-	-
Additional Positions Request	-	-	-	-
<b>Total Personnel</b>	-	-	-	-

**Anticipated Court Date:** 04/23/24

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

**Emergency/Disaster Recovery Note:** Disaster Recovery related item

**Contact(s) name, title, department:** Sam Borders, Director, Multi-Family Housing Development, Harris County Housing and Community Development

**Attachments** (if applicable): Amendment #2