



## **RESOLUTION NO. 23-41**

### **RESOLUTION RATIFYING THE EXECUTION OF A PROPOSAL WITH GSMA, INC., TO PROVIDE ARCHITECTURAL AND ENGINEERING SERVICES FOR THE BERNICIA PLACE AFFORDABLE HOUSING DEVELOPMENT**

**WHEREAS**, by Resolution No. 20-21, Harris County Housing Authority (HCHA) authorized negotiation with Metropolitan Transit Authority of Harris County for the acquisition of land on which to construct a multifamily affordable housing project to be named Bernicia Place consisting of approximately 120 units to be located at the Southeast corner of Old Spanish Trail and Scottcrest Dr., Houston, Texas 77021; and

**WHEREAS**, by Resolution No. 22-47, HCHA authorized the financing of construction and other actions required for development of Bernicia Place through bonds to be issued by Harris County Housing Authority Public Facility Corporation; and

**WHEREAS**, HCHA's plans to develop Bernicia Place reached the point where architectural and engineering services (A/E Services) are required to move the project forward; and

**WHEREAS**, HCHA published on its website its Request for Qualifications #23-01 (RFQ), for firms to provide A/E Services for HCHA's future affordable housing developments; and

**WHEREAS**, the RFQ was advertised in the Houston Chronicle on February 19 and 26, 2023, and HCHA's website on February 20, 2023; and

**WHEREAS**, HCHA received three responses that were reviewed, evaluated, and ranked by HCHA's staff as follows:

1. GSMA, Inc.
2. Smith & Company Architects, Inc.
3. 1919 Architects; and

**WHEREAS**, GSMA, Inc. (GSMA) was determined by HCHA staff to be the most qualified architectural firm to provide the A/E Services for Bernicia Place, LP (the Texas limited partnership formed by HCHA's instrumentality, HCHA Redevelopment Authority, Inc., for the purpose of developing, owning, and operating Bernicia Place) which requires A/E Services to move ahead with constructing and developing Bernicia Place; and

**WHEREAS**, by Resolution No. 23-18, HCHA authorized its Executive Director to negotiate a contract with GSMA, Inc. to provide A/E Services after notifying GSMA that it was determined to be the most qualified architectural firm.

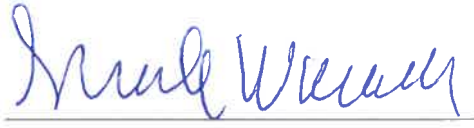
**WHEREAS**, by Resolution No. 23-31, HCHA authorized the Executive Director to negotiate a not to exceed contract amount of \$1,671,690, and contract containing the terms and conditions substantially the same as those set forth in the American Institute of Architects Standard Form of Agreement between Owner and Architect. Thereafter, GSMA provided HCHA its Proposal for the A/E Services, a copy of which is attached to this resolution; and


**WHEREAS**, after review of said proposal Executive Director and staff found that the proposal contained most required terms and conditions as typically found in the basic American Institutes of Architects' Standard Form of Agreement between Owner and Architect including detailed specifications of all A/E Services: Specifically a Scope of Work (SOW) outlining in particular the Schematic Design Phase, Design Development Phase, Construction Documentation Phase, Bidding and Negotiation Phase, and Construction Administration Phase and, because of critical construction bonding application deadlines and/or procedural requirements imposed by third party entities, and to avoid missing those critical development deadlines, the Executive Director signed the proposal with the intent that terms of the proposal were sufficient to have GSMA begin the work as outlined in its proposal, said proposal having been signed on July 27, 2023.

**NOW, THEREFORE, BE IT RESOLVED**, that HCHA's Board of Commissioners hereby ratifies and approves the actions taken by its Executive Director on July 27, 2023, to avoid a potential extensive and/or costly delay in starting the development project and most importantly a potential loss of funding. The below noted actions are hereby ratified by the Board of Commissioners for actions taken or approved as actions that may be taken in the future relative to ensuring that GSMA continues to provide the contracted A/E Services as stated in its proposal for the development of Bernicia Place, which ratification and authority include:

1. The ratification and approval of GSMA's executed proposal as being the contract between the parties to provide Architectural and Engineering Services, as executed on July 27, 2023, which is attached and incorporated herein by this reference.
2. Approval or affirmation of the Not to Exceed amount of \$1,671,690 for A/E Services.
3. Approval and ratification of all GSMA services that were provided between the date of execution of proposal and the date of this resolution, which gave rise to the submission by GSMA of its invoice(s) and request for payment in the amount of \$238,077.15 on invoice number 1. The Board approves the payment of GSMA's invoice(s) in full after review and confirmation by staff that services were rendered in accordance with the executed proposal and during the time periods referenced in any invoice as they become due. Invoice number 1 is attached hereto and incorporated herein by this reference.
4. To negotiate and present to the Board of Commissioners any required contract amendment(s) that add, delete or modify in any way the current terms of the proposal for the Boards approval prior to execution.
5. The authority to take such other actions necessary or convenient to carry out the purposes of this resolution.

**PASSED**, by the Board of Commissioners this 20th day of September 2023.

Chair:   
Gerald Womack

Secretary:   
Melissa Quijano, Executive Director

Attachments: 1. GSMA executed proposal 2. GSMA invoice dated July 31, 2023.