



**Texas General Land Office  
Legal Services Division – MC 158  
PO BOX 12873 / Austin, TX 78711-2873  
512.305.9126**

**TRANSMITTAL OF DOCUMENTS – NOVEMBER 25, 2013**

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David B. Turkel, Director  
County of Harris  
8410 Lantern Point Drive  
Houston, TX 77054

**RE: GLO CONTRACT No. 12-494-000-6692**  
• **AMENDMENT No. 1**

Dear Mr. Turkel:

Enclosed concerning the GLO document referenced above is one fully-executed document for your files.

Please do not hesitate to contact me if you have any questions. I can be reached at (512) 305-9126 or by email at [arjun.atholi@glo.texas.gov](mailto:arjun.atholi@glo.texas.gov).

Best regards,

Arjun Atholi  
Contract Specialist  
GLO Legal Services Division



**AMENDMENT NO. 1  
GLO CONTRACT NO. 12-494-000-6692  
COMMUNITY DEVELOPMENT BLOCK GRANT  
DISASTER RECOVERY PROGRAM RENTAL HOUSING PROJECTS  
ROUND 2 SUBRECIPIENT GRANT AGREEMENT**

STATE OF TEXAS

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COUNTY OF TRAVIS

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The TEXAS GENERAL LAND OFFICE, (“the GLO”) and the COUNTY OF HARRIS, (“Subrecipient”), parties to that certain Community Development Block Grant disaster recovery grant agreement effective July 24, 2012, and denominated GLO Contract No. 12-494-000-6692 (“Contract”), now desire to amend the Contract.

**WHEREAS**, the parties desire to revise the Performance Statement and Benchmarks; and

**WHEREAS**, the parties desire to revise the Budget to reflect an increase in the amount of Grant Funds;

**NOW, THEREFORE**, the parties hereby agree to amend and modify the Contract as follows:

1. SECTION 1.01 (b) of the Contract, GRANT AWARD, is hereby amended and modified by adding funding in the amount of SIX MILLION NINE HUNDRED SIXTY-TWO THOUSAND ONE HUNDRED DOLLARS (\$6,962,100.00) for a total amount not to exceed FORTY-THREE MILLION THIRTY-EIGHT THOUSAND THIRTY-SEVEN DOLLARS (\$43,038,037.00) for the duration of this Contract.
2. ATTACHMENT A of the Contract, PERFORMANCE STATEMENT AND BENCHMARKS, is hereby deleted in its entirety and replaced with the REVISED PERFORMANCE STATEMENT AND BENCHMARKS, attached hereto and incorporated herein for all purposes in its entirety as ATTACHMENT A-1.
3. ATTACHMENT B of the Contract, PROJECT BUDGET, is hereby deleted in its entirety and replaced with the REVISED PROJECT BUDGET, attached hereto and incorporated herein for all purposes in its entirety as ATTACHMENT B-1.
4. This Amendment No. 1 shall be effective as of the date last signed.



5. Except as amended and modified by this Amendment No. 1, all terms and conditions of the Contract shall remain in full force and effect.
6. Further material revisions to the Contract shall be by written agreement of the parties.

**SIGNATURE PAGE FOLLOWS**



**SIGNATURE PAGE FOR AMENDMENT NO. 1  
TO GLO CONTRACT NO. 12-494-000-6692  
SUBRECIPIENT HOUSING GRANT AGREEMENT – ROUND 2**

**GENERAL LAND OFFICE**

**COUNTY OF HARRIS**

  
\_\_\_\_\_  
Larry L. Laine, Chief Clerk/  
Deputy Land Commissioner

  
\_\_\_\_\_  
By: \_\_\_\_\_  
Title: \_\_\_\_\_

Date of execution: 11/25/13

Date of execution: 11-12-13

APES LEGAL AP  
LCP DIV BB  
AGC \_\_\_\_\_  
GC \_\_\_\_\_  


**ATTACHED TO THIS CONTRACT:**

**ATTACHMENT A-1: Revised Performance Statement and Benchmarks – Rental Housing Projects**

**ATTACHMENT B-1: Revised Project Budgets – Rental Housing Projects**

**ATTACHMENTS FOLLOW**



**COUNTY OF HARRIS**

**SINGLE/MULTI-FAMILY RENTAL HOUSING PERFORMANCE STATEMENT**

Subrecipient shall carry out the following housing activities in the County of Harris area in strict accordance with the terms of the Sub-recipient's approved Housing Guidelines, Contract and all Attachments, whether attached physically or incorporated by reference.

**Project Description**

The Subrecipient will provide a rental housing program to include rehabilitation, reconstruction, new construction, buyout and demolition activities for one thousand four hundred six (1,406) units for a not-to-exceed budget of forty-three million thirty-eight thousand thirty-seven dollars (\$43,038,037.00). Project Delivery and Administration costs will not exceed twelve percent (12%) of the total grant allocation.

**Multi-Family Rental Housing Units-R-LMI-MULTI**

The Subrecipient will construct nine hundred eleven (911) multi-family rental housing units for eligible applicants within specific site locations for a total not-to-exceed budget of fourteen million three hundred forty-four thousand five hundred ninety-six dollars (\$14,344,596.00). These funds may be used for the rehabilitation, reconstruction, and new construction of damaged or replace bought out rental housing units or to serve populations who were displaced during the storm, such as the homeless. Projects may involve the acquisition of property as discussed in the Acquisition section below.

The Subrecipient will ensure that all rehabilitated portions of the units meet all applicable local codes, rehabilitation standards, ordinances, including zoning ordinances and building codes, and the entire rehabilitated project complies with local health and safety codes, standards, and Housing Quality Standards (HQS) at project completion.

Newly constructed and reconstructed housing units meet the Model Energy Code (MEC), the design and construction requirements of the Texas Administrative Code (TAC), Title 10, Chapter 60, Subchapter (B) 10 TAC § 60.201-211 and the accessibility requirements noted in 24 CFR Part 8, which implements Section 504 of the Rehabilitation Act of 1973. Multi-family dwellings, as defined at 24 CFR §100.201, as well as common use facilities in developments must meet the design and construction requirements at 24 CFR §100.205, which implement the Fair Housing Act (42 U.S.C.3601-4619). All reconstructed and newly constructed housing units must comply with the universal design features in new construction as established by §2306.514, Texas Government Code.

Subrecipient shall conduct inspections on all Housing Units as follows: (1) foundation, including elevation certification when building in a floodplain; (2) rough-in (mechanical, plumbing, and electrical); (3) structural; (4) insulation; and (5) a final inspection; to meet the International Residential Code 2009, or the Local, County, State, or Federal Code, whichever is most stringent.



If the Housing Unit is located in an unincorporated or rural area, Subrecipient shall hire a certified 2009 IRC inspector to conduct the required inspections, and shall maintain all inspection documentation in the activity file.

**Single Family Rental Housing Units-R-LMI-SINGLE**

The Subrecipient will construct two hundred twenty-five (225) single family housing units for eligible applicants within specifically defined locations for a total not-to-exceed budget of nine million three hundred eighty thousand two hundred five dollars (\$9,380,205.00). These funds may be used for the rehabilitation, reconstruction, and new construction of damaged and or replace bought out rental housing units. Projects may involve the acquisition of property as discussed in the Acquisition section below.

The Subrecipient must ensure that, upon completion, the rehabilitated portion of each property complies with local building codes, and that the entire structure complies with local health and safety codes and standards, and all applicable federal, state, and local Housing Quality Standards (HQS).

All reconstructed and newly constructed housing units must comply with the universal design features in new construction, as established by §2306.514, Texas Government Code; Energy Standards verified by a U.S. Department of Energy Building Energy Codes Program RESCHECK Certification, and the International Residential Codes, as required by Subchapter G, Chapter 214, Local Government Code. All replacement housing, including manufactured housing units or modular homes, must comply with Housing and Urban Development (HUD) construction standards, and state, local or regional building codes, as applicable.

Subrecipient shall conduct inspections on all Housing Units as follows: (1) foundation, including elevation certification when building in a floodplain; (2) rough-in (mechanical, plumbing, and electrical); (3) structural; (4) insulation; and (5) a final inspection; to meet the International Residential Code 2009, or the Local, County, State, or Federal Code, whichever is most stringent.

If the Housing Unit is located in an unincorporated or rural area, Subrecipient shall hire a certified 2009 IRC inspector to conduct the required inspections, and shall maintain all inspection documentation in the activity file.



**Acquisition-ACO-LMI-MULTI; ACO-LMI-SINGLE**

The Subrecipient will set aside funds for the acquisition of properties for a not-to-exceed amount of eight million seventy-five thousand dollars (\$8,075,000). The acquired properties will be for:

- Two (2) Multi-family rental projects (\$6,475,000), where additional construction or rehabilitation activities are funded and benefit nine hundred eleven (911) Multi-Family Rental Housing Units-R-LMI-MULTI.
- One (1) single-family rental project (\$1,600,000), where additional construction activities are funded and benefit two hundred twenty-five (225) Single Family Rental Housing Units-R-LMI-SINGLE.

**Buyout and Demolition Activities-Buyout/Demo LMI; Buyout/Demo S/B**

Subrecipient will set aside funds for Buyout and Demolition activities consisting of two hundred seventy (270) housing units primarily multi-family units that were damaged by the storm. This program will allow residents to move to an area outside of the hundred-year flood zone and minimize slum and blight conditions. Subrecipient will provide a budget not-to-exceed six million ninety-five thousand three hundred fifty-seven dollars (\$6,095,357). One (1) bought out and demolished multi-family complex will be under the Low to Moderate Income National Objective, funded at four million nine hundred thousand dollars (\$4,900,000) and one (1) bought out and demolished multi-family complex will be under the Elimination of Slum and Blight National Objective funded at one million one hundred ninety-five thousand three hundred fifty-seven (\$1,195,357).

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**COUNTY OF HARRIS**

**RENTAL HOUSING BENCHMARKS**

***Two (2) Months from the contract effective date:***

- The Subrecipient is required to submit Housing Guidelines for approval by the GLO within sixty (60) days of the effective date of the Contract.

***Six (6) months from the contract effective date:***

- All sites for the construction of single/multi-family rental housing will have been identified;
- The architectural and engineering plans and specifications for the identified and/or acquired properties will be at one hundred percent (100%) completion;
- All environmental documents will have been approved and permits issued to allow construction to commence on all identified and/or acquired properties;
- The construction contract(s) will have been awarded to an approved contractor.

***Twelve (12) Months from the contract effective date:***

- Fifty percent (50%) of the construction work will have been completed;
- Thirty percent (30%) of the project funds will have been drawn down.

***Eighteen (18) Months from the contract effective date:***

- Ninety percent (90%) of the of construction work will have been completed;
- Seventy-five percent (75%) of the project funds will have been drawn;
- Lease up of the units will be underway.

***Twenty-four (24) months from the contract effective date:***

- One hundred percent (100%) of construction work is complete;
- A certificate of occupancy or architect's letter of completion has been issued;
- A total of eighty-five percent (85%) of the LMI units are under lease for multi-family, or;
- A total of one hundred percent (100%) of the LMI units are under lease for single-family rental.



**COUNTY OF HARRIS**  
**RENTAL BUDGET**

<u>ACTIVITY CODE</u>	<u>CATEGORIES</u>		<u>ACTIVITY FUNDS</u>
R-LMI-MULTI	Rehabilitation, Reconstruction, New Construction	\$	14,344,596
R-LMI-SINGLE	Rehabilitation, Reconstruction, New Construction	\$	9,380,205
ACQ-LMI-MULTI	Purchase of Private Properties	\$	6,475,000
ACQ-LMI-SINGLE	Purchase of Private Properties	\$	1,600,000
Buyout/Demo LMI	Purchase and Demo of Structures	\$	4,900,000
Buyout/Demo S/B	Purchase and Demo of Structures	\$	1,195,357
4-PD	Project Delivery	\$	4,302,280
206-GA	Administration	\$	840,599
<b>TOTAL</b>		<b>\$</b>	<b>43,038,037</b>

<sup>1</sup>Buyout/Demo Activities include one (1) bought out and demolished multi-family complex under the Low to Moderate Income National Objective funded at \$4,900,000 and one (1) bought out and demolished multi-family complex under the Elimination of Slum and Blight National Objective funded at \$1,195,357.