



Travis County Commissioners Court Agenda Request

Meeting Date: March 27, 2012

Prepared By/Phone Number: Scott Wilson/854-1182

Elected/Appointed Official/Dept. Head: Cyd Grimes

Commissioners Court Sponsor: Judge Biscoe

Agenda Language: Approve Modification No. 6, An Assignment of Contract No. CM110091SW from INX, Inc. to INX, LLC, a Wholly Owned Subsidiary of Presidio Networked Solutions, Inc.

- **Purchasing Recommendation and Comments:** Purchasing concurs with department and recommends approval of requested action. This procurement action meets/does not meet the compliance requirements as outlined by the statutes.

This modification will change the contractor name from INX, Inc. to INX, LLC, a wholly owned subsidiary of Presidio Networked Solutions, Inc. In effect, INX, LLC will assume all rights and responsibilities of INX, Inc. in regards to Contract No. CM110091SW, for purchase, maintenance and support of Unified Communications Equipment.

- **Contract Expenditures:** Within the last twelve (12) months \$132,298 has been spent against this contract/requirement.

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us by Tuesdays at 5:00 p.m. for the next week's meeting.

PRESIDIO™

December 30, 2011

To: Valued INX Client
From: Mark Hilz, President, Presidio West
Subject: Presidio Acquisition of INX

I am pleased to inform you that we have formally completed the Presidio acquisition of INX that was announced on November 1, 2011. This change of control should have no effect on the quality of service you have come to expect from our organization and in fact you should continue to be supported by the same talented sales, engineering, and business consulting teams. What you should expect to see is a change of name as we begin to operate as Presidio West.

Of course our goal is to provide even higher levels of service from a team with even greater reach and capability. By combining Presidio and INX we are creating one of the largest national advanced IT solution providers. Presidio employs over 1,800 IT professionals operating out of 45+ offices across the United States and offers clients unparalleled access to world-class consulting, engineering & technical resources.

Presidio is the leading Data Center, Cloud, Collaboration, Security and Network Infrastructure Architecture provider in the United States. We deliver a full suite of mature managed and hosted services offerings associated with those architectures. There will be no disruption of services or termination of offerings that were previously provided, but rather we will grow our offerings and capabilities.

If you have any questions or concerns, do not hesitate to contact us via your account management team or our corporate office directly. You can send any inquiries to me or our new Presidio West Senior Vice President of Sales, Andy Cadwell.

Sincerely,

Mark Hilz

MODIFICATION OF CONTRACT NUMBER: CM110091SW for Purchase, Maintenance and Support of Cisco Unified Communications Equipment PAGE 1 OF 2 PAGES

ISSUED BY: PURCHASING OFFICE 700 Lavaca Street, STE 800 AUSTIN, TX 78701	PURCHASING AGENT ASST: Scott Wilson TEL. NO: (512) 854-9700 FAX NO: (512) 854-9185	DATE PREPARED: March 16, 2012
ISSUED TO: INX, Inc. Attn: Brent Blaha 1955 Lakeway Drive Suite 220 Lewisville, TX 75057	MODIFICATION NO.: 6	EXECUTED DATE OF ORIGINAL CONTRACT: December 21, 2010
ORIGINAL CONTRACT TERM DATES: <u>December 21, 2010 through December 20, 2011</u>		CURRENT CONTRACT TERM DATES: <u>December 21, 2011 through December 20, 2012</u>

FOR TRAVIS COUNTY INTERNAL USE ONLY:
Original Contract Amount: \$ _____ Current Modified Amount: \$ _____

DESCRIPTION OF CHANGES: Except as provided herein, all terms, conditions, and provisions of the document referenced above as heretofore modified, remain unchanged and in full force and effect.

The above referenced contract is hereby modified to reflect the following changes:

1) Effective January 1, 2012, the Contractor's name on Contract No. CM110091SW is changed as follows:

From: INX, Inc.
1955 Lakeway Drive
Lewisville, TX 75057

To: INX, LLC
1955 Lakeway Drive
Lewisville, TX 75057

Signature

Printed Name

Signature

Printed Name

Note to Vendor:
 Complete and execute (sign) your portion of the signature block section below for all copies and return all signed copies to Travis County.
 DO NOT execute and return to Travis County. Retain for your records.

LEGAL BUSINESS NAME: _____	<input type="checkbox"/> DBA <input type="checkbox"/> CORPORATION <input type="checkbox"/> OTHER
BY: _____ SIGNATURE	
BY: _____ PRINT NAME	DATE: _____
TITLE: _____ ITS DULY AUTHORIZED AGENT	

TRAVIS COUNTY, TEXAS	DATE: _____
BY: _____ CYD V. GRIMES, C.P.M., CPPO, TRAVIS COUNTY PURCHASING AGENT	

TRAVIS COUNTY, TEXAS	DATE: _____
BY: _____ SAMUEL T. BISCOE, TRAVIS COUNTY JUDGE	

ASSIGNMENT OF CONTRACT

The parties to this Assignment of Contract (this "Assignment") are INX, Inc. ,Tax ID 760515249, an incorporated company duly authorized and operating under the laws of the State of Texas ("Assignor"), and INX, LLC, a wholly owned subsidiary of Presidio Networked Solutions, Inc. Tax ID 581667655, an incorporated company duly authorized and operating under the laws of the State of Texas ("Assignee").

RECITALS:

- A. Travis County and INX, Inc. entered into a written Contract for the purchase, maintenance and support of a Unified Communications Solution (Contract No. CM110091SW) dated December 21, 2010, which is incorporated herein by reference for all purposes (the "Contract"); and
- B. Assignor desires by this Assignment to assign all of its right, title and interest in and to the Contract to Assignee, subject to the terms of the Contract and this Assignment.

TERMS:

In consideration of the mutual agreements set forth in this Assignment, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

- 1. Assignor assigns, transfers and conveys to Assignee all of its right, title and interest in and to the Contract effective as of January 1, 2012 (the "Effective Date of Assignment").
- 2. Assignee accepts such assignment, and assumes and is bound by and shall perform all terms, conditions, covenants, obligations, and duties of Assignor under the Contract as of the Effective Date of Assignment.
- 3. Assignor and Assignee acknowledge that nothing in this Assignment waives or modifies any of the provisions of the Contract.
- 4. The provisions of this Assignment are binding on and inure to the benefit of the heirs, representatives, successors and assigns of the parties.
- 5. This Assignment shall be construed and enforced in accordance with the laws of the State of Texas. Venue for any action arising hereunder or connected herewith shall lie exclusively in Travis County, Texas.
- 6. All references in this Assignment to the Contract encompass the original Contract, No CM110091SW and all modifications to the Contract, including this modification 6. All Contract modifications are incorporated herein by reference for all purposes.

INX, Inc.

INX, LLC, a wholly owned subsidiary of Presidio Networked Solutions, Inc.

By: _____

By: _____

Printed Name: _____

Printed Name: _____

Title & Date: _____

Title & Date: _____

Attest: _____

Attest: _____

Date: _____

Date: _____

By its signature below, Travis County signifies its consent to and approval of this Assignment from INX, Inc. to INX, LLC.

TRAVIS COUNTY, TEXAS

By: _____

Samuel T. Biscoe
Travis County Judge

Date: _____