



Travis County Commissioners Court Agenda Request

Meeting Date: April 17, 2012, 9:00 AM, Voting Session

Prepared By/Phone Number: Patrick Strittmatter/41183; Marvin Brice, CPPB, Assistant Purchasing Agent

Elected/Appointed Official/Dept. Head: Cyd Grimes

Commissioners Court Sponsor: Judge Biscoe

Agenda Language: Approve Modification No. 2, an assignment of Contract No. PS110158DG, from MACTECH Engineering and Consulting, Inc., to AMEC Environment & Infrastructure, Inc.

- **Purchasing Recommendation and Comments:** Purchasing recommends approval of requested action. This procurement action meets the compliance requirements as outlined by the statutes.
- Purchasing received a notice from the contractor informing of a merger of four companies into one (AMEC Environment & Infrastructure, Inc.). Travis County currently holds a contract for Air Quality Services with one of the merged companies (MACTECH Engineering and Consulting, Inc.). As a result, an Assignment of Contract is required.
- Request the approval of Contract modification No. 2 for an Assignment of Contract from MACTECH Engineering and Consulting, Inc., to AMEC Environment & Infrastructure, Inc. There is no change in contract amount with this modification.
- Contract Modification No. 1 renewed the above contract for Air Quality Testing Services pool, for an additional year.
- **Contract Expenditures:** Within the last 12 months \$0.00 has been spent against this contract/requirement.
- **Contract-Related Information:**
 - Award Amount: \$0.00
 - Contract Type: Professional Service Agreement
 - Contract Period: May 2, 2013

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.

➤ **Contract Modification Information:**

Modification Amount: \$0.00

Modification Type: Professional Service Agreement

Modification Period: May 2, 2013

➤ **Solicitation-Related Information: N/A**

Solicitations Sent:

Responses Received:

HUB Information:

% HUB Subcontractor:

➤ **Special Contract Considerations: N/A**

Award has been protested; interested parties have been notified.

Award is not to the lowest bidder; interested parties have been notified.

Comments:

➤ **Funding Information: N/A**

Purchase Requisition in H.T.E.:

Funding Account(s):

Comments:

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.



28 February 2012

Patrick D. Strittmatter
Construction A & E Procurement Specialist
Travis County Purchasing Office
700 Lavaca, Suite 800
Austin, TX 78701

Subject: Five AMEC subsidiaries combined into one AMEC company

Contract PS110158DG
MACTEC Engineering and Consulting, Inc.

Dear Mr. Strittmatter:

We are pleased to inform you that, effective January 1, 2012, AMEC Geomatrix, Inc., AMEC-BCI Engineers & Scientists, Inc., AMEC E&I, Inc. (f/k/a MACTEC Engineering and Consulting, Inc.) and AMEC E&I Holdings, Inc. (f/k/a MACTEC, Inc.), are scheduled to merge into AMEC Environment & Infrastructure, Inc. All of these entities are part of the AMEC global organization.

This is exciting news! We believe the combined professional, technical and financial strengths of AMEC Environment & Infrastructure, Inc. will permit us to provide a broader level of safe and quality services to our clients.

We assure you that we will continue to provide the same excellent resources and services you have received from AMEC. Our dedicated AMEC team of consultants, project managers, engineers and scientists that have been providing services to your company will continue to work with you. By operation of law, AMEC Environment & Infrastructure, Inc. will assume all of the contractual rights, duties and obligations under our existing agreement.

Please note that, due to the merger, our FEIN number will change on January 1, 2012 to 91-1641772.

After January 1, 2012, our business correspondence will reflect the AMEC Environment & Infrastructure, Inc. name. Please advise us, at your earliest convenience, of any procedural requirements or any additional documentation necessary to recognize this change with your organization.

If you have any questions regarding the merger or related name change, please contact the AMEC Commercial/Legal Department at MergerQuestions@amec.com. Thank you for your continued business, and we look forward to continuing to serve you.

Sincerely,

AMEC Environment & Infrastructure



Principal Scientist

Correspondence:
AMEC
1105 Lakewood Parkway
Suite 300
Alpharetta, GA 30009
United States
Tel 770-360-0600

MODIFICATION OF CONTRACT NUMBER: PS110158DG Air Quality Services PAGE 1 OF 2 PAGES

ISSUED BY: PURCHASING OFFICE 700 LAVACA ST., SUITE 800 AUSTIN, TX 78701	PURCHASING AGENT ASST: Patrick D. Strittmatter TEL NO: (512) 854-1183 FAX NO: (512) 854-9185	DATE PREPARED: March 8, 2012
ISSUED TO: MACTEC Engineering and Consulting, Inc. Attn: Leonard A. Gilbert 3520 Executive Center Drive, #200 Austin, Texas 78731	MODIFICATION NO.: 2	EXECUTED DATE OF ORIGINAL CONTRACT: May 3, 2011

ORIGINAL CONTRACT TERM DATES: May 3, 2011 – May 2, 2012

CURRENT CONTRACT TERM DATES: May 3, 2012 – May 2, 2013

FOR TRAVIS COUNTY INTERNAL USE ONLY:

Original Contract Amount: Pool Contract (as needed)

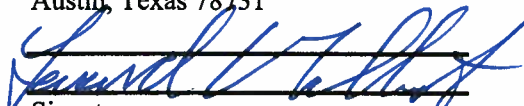
Current Modified Amount Pool Contract (as needed)

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.

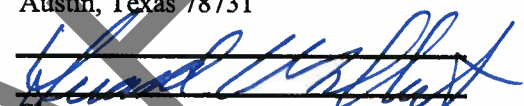
- 1) Pursuant to the attached Assignment of Contract, Attachment 1, the Contractor's name on Contract No. PS110158DG is changed as follows:

FROM:
MACTEC Engineering and Consulting, Inc.
3520 Executive Center Drive, #200
Austin, Texas 78731

TO:
AMEC Environment & Infrastructure, Inc.
3520 Executive Center Drive, #200
Austin, Texas 78731



Signature




Signature

LEONARD A. GILBERT
Printed Name

LEONARD A. GILBERT
Printed Name

Note to Vendor:

[XXX] 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: <u>AMEC ENVIRONMENT & INFRASTRUCTURE, INC.</u>	<input type="checkbox"/> DBA
BY:  SIGNATURE	<input checked="" type="checkbox"/> CORPORATION
BY: <u>LEONARD A. GILBERT</u> PRINT NAME	<input type="checkbox"/> OTHER
TITLE: <u>PRINCIPAL SCIENTIST</u> ITS DULY AUTHORIZED AGENT	DATE: <u>4/2/12</u>

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 AMEC E&I, Inc. (f/k/a MACTEC Engineering and Consulting, Inc.), a corporation duly authorized and operating under the laws of the State of Delaware ("Assignor"), and AMEC Environment & Infrastructure, Inc., a corporation duly authorized and operating under the laws of the State of Nevada ("Assignee").

RECITALS:

- A. Travis County and MACTEC Engineering and Consulting, Inc. entered into a written Contract for Professional Indoor Air Quality Assessment Consulting Services, (Contract No. PS110158DG) on May 3, 2011 which is hereby incorporated by reference herein for all purposes as if fully copied and set forth herein at length, (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 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.

ASSIGNOR:

MACTEC Engineering and Consulting, Inc.

By: Leonard A. Gilbert

Printed Name: LEONARD A. GILBERT

Title & Date: PRINCIPAL SCIENTIST 3/8/12

Attest: Trina Mullen

Date: 3/8/12

ASSIGNEE:

AMEC Environment & Infrastructure, Inc.

By: Leonard A. Gilbert

Printed Name: LEONARD A. GILBERT

Title & Date: PRINCIPAL SCIENTIST 3/8/12

Attest: Trina Mullen

Date: 3/8/12

Travis County consents to this assignment of the Contract from MACTEC Engineering and Consulting, Inc. to AMEC Environment & Infrastructure, Inc.

TRAVIS COUNTY, TEXAS

By: _____
Samuel T. Biscoe
Travis County Judge

Date: _____

Request for Taxpayer Identification Number and Certification

**Give Form to the
requester. Do not
send to the IRS.**

Print or type
See Specific Instructions on page 2.

Name (as shown on your income tax return) AMEC Environment & Infrastructure, Inc	
Business name/disregarded entity name, if different from above	
Check appropriate box for federal tax classification (required): <input type="checkbox"/> Individual/sole proprietor <input checked="" type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ <input type="checkbox"/> Exempt payee <input type="checkbox"/> Other (see instructions) ▶ _____	
Address (number, street, and apt. or suite no.) 1105 Lakewood Parkway, Suite 300	Requester's name and address (optional)
City, state, and ZIP code Alpharetta, GA 30009	
List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Social security number

			-			-			
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Employer identification number

9	1	-	1	6	4	1	7	7	2
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Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.

Sign Here	Signature of U.S. person ▶ <i>Kiklawther</i>	Date ▶ 11/1/2011
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.