



Travis County Commissioners Court Agenda Request

Meeting Date: October 23, 2012

Prepared By/Phone Number: Michael Long, 854 4850; Marvin Brice, 854 9765

Elected/Appointed Official/Dept. Head: Cyd Grimes

Commissioners Court Sponsor: Judge Biscoe

Agenda Language: Approve Ratification of Modification No. 1 to Contract No. 4400000861, Family Eldercare, for Guardianship Services.

➤ **Purchasing Recommendation and Comments:**

Contract No. 4400000861 allows Travis County to provide personal and professional services for the care of indigents and other qualified recipients and provide for public health, education and informative services.

The Contract provided for renewal and/or amendment of the Contract by written agreement of the Parties.

Due to the late receipt of necessary documents from the department and legal, the Purchasing Office was unable to have item placed on the agenda prior to contract expiration.

Modification No. 1 will ratify the provisions of services under the terms of the FY'13 renewal from October 1, 2012 through the date of execution of this FY'13 renewal.

➤ **Contract Expenditures:** Within the last 12 months \$478,999.00 has been spent against this contract.

➤ **Contract-Related Information:**

Award Amount: \$478,999.00

Contract Type: Professional Service

Contract Period: September 11, 2011 – September 30, 2012

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: \$545,598.00

Modification Type: Professional Service

Modification Period: October 1, 2012 – September 30, 2013

➤ **Funding Information:**

Purchase Requisition in H.T.E.:

Funding Account(s): \$466,598 from cost center 1250010001

\$79,000 from special fund, cost center 1250010132

Comments:

Judge Guy Herman

TRAVIS COUNTY PROBATE COURT NO. 1

1000 Guadalupe Street – P.O. Box 1748

Travis County Courthouse, Room 217

Austin, Texas 78767

Phone: (512) 854-9258

Fax: (512) 854-4418



To: Mike Long, Purchasing

From: Judge Guy Herma 

Date: Monday, September 24, 2012

Subject: Extension of Contract with Family Eldercare

The purpose of this memo is to state formally that the Probate Court does want to extend the contract with Family Eldercare for guardianship services. There will be no changes in the work statement or the performance report form, but there will be an increase in the contract:

Total contract: \$545,598

\$466,598 from general fund, cost center 1250010001

\$79,000 from special fund, cost center 1250010132

Please let me know if you need any additional information.

MODIFICATION OF CONTRACT NUMBER: 4400000861(PS980044LB)		PAGE 1 OF 3 PAGES
Guardian Services		
ISSUED BY: PURCHASING OFFICE 700 LAVACA 8 TH FLOOR AUSTIN, TX 78701	PURCHASING AGENT ASST: Michael Long TEL NO: (512) 854-4850 FAX NO: (512) 854-9185	DATE PREPARED: September 24, 2012
ISSUED TO: Family Eldercare, Inc. Attn: Joyce Pohlman, Contract Mgr. 1700 Rutherford lane Austin, TX 78754	MODIFICATION NO.: 1	EXECUTED DATE OF ORIGINAL CONTRACT: September 11, 2011
ORIGINAL CONTRACT TERM DATES: <u>9/11/11 - 9/30/12</u>		CURRENT CONTRACT TERM DATES: <u>10/01/12 - 9/30/13</u>
FOR TRAVIS COUNTY INTERNAL USE ONLY:		
Original Contract Amount: \$478,999.00		Current Modified Amount \$545,598.00 (FY '13)
<p>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.</p> <p>The above referenced contract is hereby modified to reflect the following changes, as well as those more completely set forth in the attachment:</p> <ol style="list-style-type: none"> 1. The Contract amount is changed from \$478,999 to \$545,598 , an increase of \$66,599, for funding of the FY'13 Renewal Term. 2. Pursuant to section 2.2, the term of the Contract has been extended for an additional period of one year, from October 1, 2012 through September 30, 2013 (the "FY 13 Renewal Term"). 		
<p>Note to Vendor: <input checked="" type="checkbox"/> Complete and execute (sign) your portion of the signature block section below for all copies and return all signed copies to Travis County. <input type="checkbox"/> DO NOT execute and return to Travis County. Retain for your records.</p>		
LEGAL BUSINESS NAME: <u>FAMILY Eldercare, Inc.</u> BY: <u>[Signature]</u> SIGNATURE BY: <u>ANGELA Atwood</u> PRINT NAME TITLE: <u>CEO</u> ITS DULY AUTHORIZED AGENT	<input type="checkbox"/> DBA <input checked="" type="checkbox"/> CORPORATION <input type="checkbox"/> OTHER DATE: <u>9-26-2012</u>	
TRAVIS COUNTY, TEXAS BY: <u>[Signature]</u> CYD V. GRIMES, C.P.M., CPPO, TRAVIS COUNTY PURCHASING AGENT	DATE: <u>10/10/12</u>	
TRAVIS COUNTY, TEXAS BY: _____ SAMUEL T. BISCOE, TRAVIS COUNTY JUDGE	DATE: _____	

ID# 7241

**RENEWAL AND RATIFICATION OF CONTRACT BETWEEN
TRAVIS COUNTY AND
FAMILY ELDERCARE, INC.**

This renewal and ratification of written instrument ("FY2013 Renewal") is entered into by the following parties: Travis County, a political subdivision of the state of Texas ("County"), and Family Eldercare, a non-profit organization ("Contractor").

RECITALS

The Travis County Commissioners Court approved and the County Judge executed a contract with Contractor effective September 20, 2011, and terminating September 30, 2012 ("Contract").

Contractor agreed to provide services and activities for indigent and other qualified recipients in accordance with the terms of the Contract, including the attachments thereto, during any approved Contract period.

The Contract provided for renewal and/or amendment of the Contract by written agreement of the Parties.

County and Contractor desire to renew the Contract for an additional one-year term and to ratify the provision of services under the terms of this FY2013 Renewal from October 1, 2012, through the date of execution of this FY2013 Renewal.

In order to renew the Contract for an additional one-year term, and in consideration of the mutual benefits to be received through that renewal, County and Contractor agree as follows:

1.0 AGREEMENT PERIOD

1.1 **FY 2013 Renewal Term.** The Parties agree to renew the Contract for an additional one-year term, beginning October 1, 2012, and terminating September 30, 2013 ("2013 Renewal Term"), and to ratify the provision of services under the terms of this FY2013 Renewal from October 1, 2012 through the date of execution of this FY2013 Renewal.

2.0 CONTRACT FUNDS

2.1 **Maximum Funds.** The Parties agree that the maximum amount of County Funds provided under the Contract, as amended, for the 2013 Renewal Term will be: an amount not to exceed Five Hundred Forty-five Thousand, Five Hundred and Ninety-Eight Dollars (\$545,598.00) with the monthly payment amount equal to 1/12 of the total Maximum Funds set forth in this Section 2.1. Maximum Funds for future Renewal Terms will be as agreed to by the Commissioners Court and the Contractor during the budget process relating to that Renewal Term.

3.0 CONTRACT TERMS

3.1 **General Terms.** The Parties agree that any terms not specifically changed in this FY2013 Renewal will remain in full force and effect as set forth in the Contract.

4.0 **INCORPORATION**

4.1 County and Contractor hereby incorporate this FY2013 Renewal into the Contract and hereby incorporate the Contract into this FY2013 Renewal for the purposes of interpretation of both. Except for the changes made in this FY2013 Renewal, County and Contractor hereby ratify all terms and conditions of the Contract as amended. The Contract, as amended, with the changes made in this FY2013 Renewal, constitutes the entire agreement between the Parties and supersedes any prior undertaking or written or oral agreements or representations between the Parties.

5.0 **EFFECTIVE DATE**

5.1 This FY2013 Renewal shall be effective October 1, 2012, when fully executed by County and Contractor.