

Item 8



Travis County Commissioners Court Agenda Request

Meeting Date: Tuesday, February 12, 2013

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 assignment of Contract No. 4400000797 (PS100145ML), Modification no. 4, from Mitotyping Technologies to American International Biotechnology Services.

- **Purchasing Recommendation and Comments:** Purchasing concurs with department and recommends approval of requested action. This procurement action met the compliance requirements as outlined by the statutes.

Mitotyping Technologies has been providing DNA testing under Contract PS100145ML since August 10, 2013. The Purchasing Office received a company letter on October 12, 2012, advising us of the acquisition of Mitotyping Technologies by American International Biotechnology Services (AIBioTech) resulting in the name change on this contract from Mitotyping Technologies to AIBioTech.

This modification assigns all rights, titles and interest to AIBioTech and as required in 7.13.3 of the Contract, this modification is being presented to the Commissioners Court for approval.

- **Contract Expenditures:** Within the last 12 months \$0.00 has been spent against this contract/requirement.

- **Contract-Related Information:**

Award Amount: As needed

Contract Type: Professional Services Agreement

Contract Period: 8/10/10 – 9/30/10 (auto renewal after initial terms)

DNA Testing

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: January 17, 2013
ISSUED TO: American International Biotechnology Services 601 Biotech Drive Richmond, VA 23235 Attn: Robert B. Harris, Ph.D.	MODIFICATION NO.: <p style="text-align: center;">4</p>	EXECUTED DATE OF ORIGINAL CONTRACT: October 3, 2006

ORIGINAL CONTRACT TERM DATES: 4/8/2008 - 9/30/08 CURRENT CONTRACT TERM DATES: 10/1/12 - 9/30/13

FOR TRAVIS COUNTY INTERNAL USE ONLY:
 Original Contract Amount: as needed Current Modified Amount n/a

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. Execution of this modification will assign all rights, title and interest in Contract Number PS100145ML and change the Contractors name follows:

From: Mitotyping Laboratories
 1981 Pine Hall Drive
 State College, PA 16801

To: American International Biotechnology
 Services (AIBiotech)
 601 Biotech Drive
 Richmond, VA 23235

See attached for Assignment of Contract

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: <u>American International Biotechnology Services (AIBiotech)</u>	<input checked="" type="checkbox"/> DBA <input checked="" type="checkbox"/> CORPORATION <input type="checkbox"/> OTHER
BY: <u>Elizabeth Rafferty</u> SIGNATURE	DATE: <u>1/23/13</u>
BY: <u>Elizabeth Rafferty</u> PRINT NAME	
TITLE: <u>Owner / chairman</u>	

TRAVIS COUNTY, TEXAS	DATE:
BY: <u>Cyd V. Grimes</u> CYD V. GRIMES, C.P.M., TRAVIS COUNTY PURCHASING AGENT	<u>2/4/13</u>

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

ASSIGNMENT OF CONTRACT

The parties to this Agreement are Mitotyping Technologies LLC, a Business Unit (the Assignor,) and American International Biotechnology Services (AIBioTech) a corporation (the Assignee).

RECITALS:

- A. Travis County and Mitotyping Technologies, LLC, entered into a written Contract for providing mitochondrial testing (Contact No. PS100145ML) on August 10, 2010, with option to renew each October 1 for succeeding periods of one (1) year subject to continued funding by Commissioners Court, a copy of which is attached to this assignment and incorporated in it by reference (the "Contract").
- B. Assignor desires by this Agreement 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 Agreement.

TERMS:

In consideration of the mutual agreements in this assignment, the parties hereby agree as follows:

Assignor assigns to Assignee all of its right, title and interest in Contract Number PS100145ML, attached to this assignment, as of July 12, 2012.

Assignee assumes and is bound by and must perform all terms, conditions, covenants, obligations, and duties of Assignor under the Contract accruing on or after July 12, 2012.

Assignor and Assignee acknowledge that nothing in this Agreement waives or modifies any of the provisions of the Contract.

The provisions of this Agreement are binding on and inure to the benefit of the heirs, representatives, successors and assigns of the parties.

Mitotyping Technologies

By: Terry Melton
Printed Name: Terry Melton
Title & Date: Lab. Director 1/23/13
Attest: Michelle Self
Date: 1-23-13

AIBioTech

By: Elizabeth Rafferty
Printed Name: ELIZABETH RAFFERTY
Title & Date: Owner
Attest: [Signature]
Date: 1/23/13

Travis County consents to this assignment of the Contract from Mitotyping Technologies to AIBioTech



July 12th, 2012 -AI BioTech, LLC and Fairfax Identity Laboratories (FIL) announced the purchase of Mitotyping Technologies, LLC, one of the oldest and most experienced companies in the Forensic DNA analysis market. Mitotyping is devoted to the forensic applications of mitochondrial DNA (mtDNA) analysis and operates out of State College, Pennsylvania. AIBioTech plans to operate Mitotyping as a Division of FIL keeping all operations in State College.

If you have any question please feel free to contact me.

Best regards

A handwritten signature in black ink, appearing to read 'Thomas R. Reynolds', with a stylized flourish at the end.

Thomas R. Reynolds

Executive Vice President, Science and Technology



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