



Travis County Commissioners Court Agenda Request

Meeting Date: April 15, 2014

Prepared By/Phone Number: Shannon Pleasant, CTPM 854-1181 /
Marvin Brice, CPPB 854-9765

Elected/Appointed Official/Dept. Head: Cyd Grimes, C.P.M., CPPO

Commissioners Court Sponsor: Judge Biscoe

Agenda Language: Approve Modification No. 2, an Assignment of Contract No. 4400000578, from Fuller - Sheffield Funeral Services to Fuller - Sheffield Funeral Services, Inc.

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

Sheffield Funeral Services entered into a written Contract for the provision of indigent burial services on April 25, 1995.

Modification No. 2 will approve assignment of Contract 4400000578 to Fuller - Sheffield Funeral Services, Inc. Fuller - Sheffield Funeral Services, Inc. accepts such assignment, and assumes and is bound by and shall perform all terms, conditions, covenants, obligations, and duties.

Modification No. 1 approved changes to the schedule of reimbursement rates.

Contract Expenditures: Within the last 12 months \$22,025 has been spent against this contract/requirement.

ID #10657

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

➤ **Contract-Related Information:**

Award Amount: As Needed

Contract Type: Professional Services

Contract Period: April 25, 1995 – Auto renewal

➤ **Contract Modification Information:**

Modification Amount: N/A

Modification Type: Bilateral

Modification Period: Effective date: March 1, 2014

➤ **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

SAP Shopping Cart #:

Funding Account(s):

Comments:

ID #10657

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

MODIFICATION OF CONTRACT NUMBER: 4400000578 – Indigent Burial Services

ISSUED BY: Travis County Purchasing Office P.O. Box 1748 Austin, Texas 78767	PURCHASING AGENT ASST: Shannon Pleasant TEL. NO: (512) 854-1181 FAX NO: (512) 854-9185	DATE PREPARED: <p style="text-align: center;">March 25, 2014</p>
ISSUED TO: Fuller - Sheffield Funeral Services 2808 E. Martin Luther King Blvd. Austin, TX 78702	MODIFICATION NO.: <p style="text-align: center;">2</p>	EXECUTED DATE OF ORIGINAL CONTRACT: <p style="text-align: center;">April 25, 1995</p>

ORIGINAL CONTRACT TERM DATES: April 25, 1995 – October 1, 2020 CURRENT CONTRACT TERM DATES: Auto Renewal

FOR TRAVIS COUNTY INTERNAL USE ONLY:

Original Contract Amount: As Needed Current Modified Amount: As Needed

DESCRIPTION OF CHANGES: The Contract is amended according to the terms of the attachment to this Modification, all of which is made a part of the Contract and constitutes promised performances by the Contractor in accordance with all terms and conditions of the Contract, as amended.

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

Effective March 1, 2014, the Contractor's name on Contract No. 4400000578 is changed as follows:

Fuller - Sheffield Funeral Services 2808 E. Martin Luther King Blvd. Austin, TX 78702 Tax ID# 74-1752688 Vendor # 1000000211	to	Fuller - Sheffield Funeral Services, Inc. 2808 E. Martin Luther King Blvd. Austin, TX 78702 Tax ID# 76-0575294 Vendor# 1000019336
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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.

Note to Vendor:

[X] 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>FULLER SHEFFIELD FUNERAL SERVICES INC.</u> BY: <u></u> SIGNATURE	<input type="checkbox"/> DBA <input type="checkbox"/> CORPORATION <input type="checkbox"/> OTHER
BY: <u>Tonya L. Walls-Davis</u> PRINT NAME TITLE: <u>Funeral Director / Manager</u> ITS DULY AUTHORIZED AGENT	DATE: <p style="font-size: 1.5em; text-align: center;"><u>4/3/14.</u></p>
TRAVIS COUNTY, TEXAS BY: <u></u> CYD V. GRIMES, C.P.M., CPPO TRAVIS COUNTY PURCHASING AGENT	DATE:
TRAVIS COUNTY, TEXAS BY: _____ SAMUEL T. BISCOE, TRAVIS COUNTY JUDGE	DATE:

ASSIGNMENT OF CONTRACT

The parties to this Assignment of Contract (this "Assignment") are Fuller - Sheffield Funeral Services, Tax ID # 74-1752688 a corporation duly authorized and operating under the laws of the State of Texas ("Assignor"), and Fuller - Sheffield Funeral Services, Inc., Tax ID # 76-0575294, a corporation duly authorized and operating under the laws of the State of Texas ("Assignee").

RECITALS:

- A. Travis County and Fuller - Sheffield Funeral Services entered into a written Contract for the provision of indigent burial services (Contract No. 440000578) on April 25, 1995, 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.

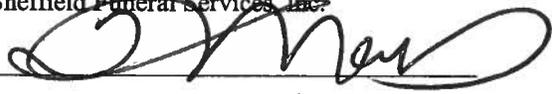
TERMS: In consideration of the mutual agreements set forth in this Assignment, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

- 1. Assignor assigns, transfers and conveys to Assignee all of its right, title and interest in and to the Contract effective as March 1, 2014 (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. 440000578.

Fuller - Sheffield Funeral Services

Fuller - Sheffield Funeral Services, Inc.

By: 

By: 

Printed Name: Tanja L. Walls-Davis

Printed Name: Tanja L. Walls-Davis

Title & Date: Funeral Director/Manager 4/13/14

Title & Date: Funeral Director/Manager 4/13/14

Attest: _____

Attest: _____

Date: _____

Date: _____

By its signature below, Travis County signifies its consent to and approval of this Assignment from Fuller - Sheffield Funeral Services to Fuller - Sheffield Funeral Services, Inc.

TRAVIS COUNTY, TEXAS

By: _____

Samuel T. Biscoe
Travis County Judge

Date: _____