



## Travis County Commissioners Court Agenda Request

**Meeting Date:** June 17<sup>th</sup>, 2014

**Prepared By/Phone Number:** Rachel Fishback, 854-9853

**Elected/Appointed Official/Dept. Head:** Cyd Grimes

**Commissioners Court Sponsor:** Judge Biscoe

**Agenda Language: Approve Modification No. 3, an Assignment of Contract No. 4400000946 from Move Solutions – Austin, Ltd., to Total Office Solutions, LLP.**

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

This contract provides Commercial Moving and Storage Services for Travis County.

This Modification No. 3 will approve Assignment of contract no. 4400000946 from Move Solutions – Austin, Ltd., to parent company, Total Office Solutions, LLP. Total Office Solutions, LLP will assume all rights and responsibilities to contract no. 4400000946.

- **Contract Modification Information:**

Modification Amount: Estimated Requirement

Modification Type: Annual, Unilateral

Modification Period: January 1, 2014 through June 26, 2015

- **Funding Information:**

SAP Shopping Cart #: as needed

Funding Account(s):

Comments:

**MODIFICATION OF CONTRACT: Commercial Move and Storage Services (4400000946)**

ISSUED BY:  
PURCHASING OFFICE  
700 LAVACA STREET, 8<sup>TH</sup> FLOOR  
AUSTIN, TX 78701

PURCHASING AGENT ASST:  
Rachel Fishback  
TEL. NO: (512) 854-9853  
FAX NO: (512) 854-9185

DATE PREPARED:  
  
May 28, 2014

ISSUED TO:  
**Move Solutions Ltd.**  
Attn: Randal Handberry  
4101 Smith School Road  
Austin, TX 78744

MODIFICATION NO.:  
  
3

EXECUTED DATE OF ORIGINAL CONTRACT:  
  
May 29, 2012

ORIGINAL CONTRACT TERM DATES: June 27, 2012 – June 26, 2013      CURRENT CONTRACT TERM DATES: June 27, 2014 – June 26, 2015

FOR TRAVIS COUNTY INTERNAL USE ONLY: Original Contract Amount: N/A      Current Modified Amount N/A

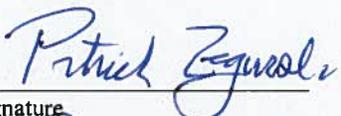
**DESCRIPTION OF CHANGES:** Except as provided herein, all terms, conditions, and provisions of the document referenced above as heretofore modified, remain unchanged and in full force and effect.

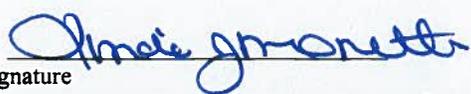
The above referenced contract is hereby modified to reflect the following changes effective January 1, 2014:

1) The Contractor's name on Contract No. 4400000946 is changed as follows:

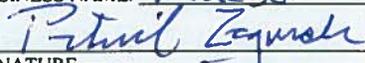
From: Move Solutions – Austin, Ltd.  
4101 Smith School Road  
Building 2, Suite 500  
Austin, Texas 78744  
EIN# 20-0474644

To: Total Office Solutions, LLP  
d/b/a Move Solutions, Ltd.  
1473 Terre Colony Court  
Dallas, Texas, 75207  
EIN # 75-2185268

  
Signature  
Patrolck Zagurski  
Printed Name

  
Signature  
Linda J. Monette  
Printed Name

**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: Move Solutions - Austin, Ltd.  
BY:   
SIGNATURE  
BY: Patrolck Zagurski  
PRINT NAME  
TITLE: President  
ITS DULY AUTHORIZED AGENT

DBA  
 CORPORATION  
 OTHER

DATE:  
6/2/14

TRAVIS COUNTY, TEXAS  
BY: \_\_\_\_\_  
CYD V. GRIMES, C.P.M., 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 Move Solutions – Austin, Ltd. a corporation duly authorized and operating under the laws of the State of Texas ("Assignor"), and Total Office Solutions, LLP a corporation duly authorized and operating under the laws of the State of Texas ("Assignee").

RECITALS:

- A. Travis County and Move Solutions – Austin, Ltd. entered into a written Contract for the provision of Commercial Moving and Storage Services (Contract No. 4400000946, 12T00231NB) on June 27, 2012, which is hereby incorporated by reference herein 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 December 31, 2013 (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 4400000946, 12T00231NB.

MOVE SOLUTIONS – AUSTIN, LTD.

TOTAL OFFICE SOLUTIONS, LLP

By: Patrick Zagurski

By: Linda J. Monette

Printed Name: Patrick Zagurski

Printed Name: Linda J. Monette

Title & Date: President 6/2/14

Title & Date: General Partner 6/2/14

Attest: Jazzy Smith

Attest: Jazzy Smith

Date: 6/2/14

Date: 6/2/14

By its signature below, Travis County signifies its consent to and approval of this Assignment from Move Solutions – Austin, Ltd. to Total Office Solutions, LLP.

TRAVIS COUNTY, TEXAS

By: \_\_\_\_\_

Samuel T. Biscoe  
Travis County Judge

Date: \_\_\_\_\_

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**Business Moving Services**

05/15/14

Travis Co. Purchasing Dept.  
700 Lavaca St., 8<sup>th</sup> Floor  
Austin, TX 78701  
(512) 854-9853  
Rachel.Fishback@co.travis.tx.us

RE: MOVE SOLUTIONS – AUSTIN, LTD

Ms. Fishback:

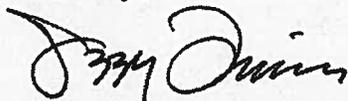
Per our conversation yesterday, this letter will explain our current company structure and the events that have occurred over the past year regarding our consolidations.

On January 1, 2013, Move Solutions – Austin, LTD(20-0474644) was consolidated into Move Solutions, LTD(75-2912841). Move Solutions – Austin, LTD is now considered a division/dba of Move Solutions, LTD.

If payment is made to Move Solutions – Austin, LTD using their EIN #, it will still be recognized and recorded as normal since nothing at our bank has changed. As part of the ownership structure, Total Office Solutions, LLP is the parent company of Move Solutions, LTD and all of its divisions.

Please feel free and contact me directly at (214) 630-3607 if I can be of further assistance.

Sincerely,



Izzy Trevino  
Controller  
214-630-3607

## 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) <b>TOTAL OFFICE SOLUTIONS, LLP</b>	
Business name/disregarded entity name, if different from above <b>MOVE SOLUTIONS, LTD dba MOVE SOLUTIONS - AUSTIN, LTD</b>	
Check appropriate box for federal tax classification: <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input checked="" type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate  <input checked="" type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ <u>  P  </u>  <input type="checkbox"/> Other (see instructions) ▶	Exemptions (see instructions):  Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____
Address (number, street, and apt. or suite no.) <b>1473 TERRE COLONY CT</b>	Requester's name and address (optional)
City, state, and ZIP code <b>DALLAS, TX 75207</b>	
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.

**Note.** If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number									
Employer identification number									
7	5	-	2	1	8	5	2	6	8

### Part II Certification

Under penalties of perjury, I certify that:

1. 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
2. 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
3. I am a U.S. citizen or other U.S. person (defined below), and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**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 3.

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶ <u>5/15/14</u>
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### General Instructions

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

**Future developments.** The IRS has created a page on [IRS.gov](http://IRS.gov) for information about Form W-9, at [www.irs.gov/w9](http://www.irs.gov/w9). Information about any future developments affecting Form W-9 (such as legislation enacted after we release it) will be posted on that page.

#### 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, payments made to you in settlement of payment card and third party network transactions, 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:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. 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, and

4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct.

**Note.** If you are a U.S. person and 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 under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 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 section 1446 withholding on your share of partnership income.