



Travis County Commissioners Court Agenda Request

Meeting Date: July 1st, 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. 2, an assignment of Contract No. 4400001546 from Sandy Martinez, dba Vega Septic and Environmental Services, to VSE Septic Services, LLC.

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

This contract provides Septic and Holding Tank Services for Travis County.

This Modification No. 2 will approve Assignment of contract no. 4400001546 from Sandy Martinez, dba Vega Septic and Environmental Services to, to VSE Septic Services LLC. Sandy Martinez is the owner of both entities and VSE Septic Services LLC will assume all rights and responsibilities to contract no. 4400001546.

- **Contract Modification Information:**

Modification Amount: Estimated Requirement

Modification Type: Annual, Unilateral

Modification Period: January 1, 2014 through July 30, 2015

- **Funding Information:**

SAP Shopping Cart #: as needed

Funding Account(s):

Comments:

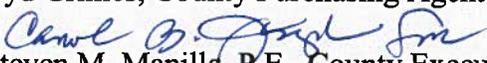


TRANSPORTATION AND NATURAL RESOURCES
STEVEN M. MANILLA, P.E., COUNTY EXECUTIVE

700 Lavaca St 5th Floor
Travis County Administration Building
P. O. Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4697

June 12, 2014

MEMORANDUM

TO: Cyd Grimes, County Purchasing Agent
FROM: 
Steven M. Manilla, P.E., County Executive
SUBJECT: Assignment of Contract **4400001546**
Septic and Holding Tank Services

TNR recommends that Travis County approve the assignment of contract 4400001546 to VSE Septic Services LLC. as requested by the vendor.

The product category for this service is 76121700. The budgeted cost center is 1490220001.

If you need additional information, please contact April Rodriguez at (512) 854-7676.

 AR:SMM:ar
Contract File

VSE Septic Services LLC



June 9, 2014

Travis County Purchasing Office

Attn: Rachel Fishback

700 Lavaca Street, 8th Floor

Austin, Texas 78701

Office: (512) 854-9853

Please note we have had a name and EIN change

Our former name was Sandy Martinez DBA Vega Septic and Environmental. We are now VSE Septic Services LLC.

The owner, Sandy Martinez has not changed. This new EIN and business name was effective as of January 1, 2014.

Mailing address:

PO BOX 342742

Austin TX 78734

512-261-4000

Thank you

Sandy Martinez

Sandy Martinez

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) VSE Sephic Services, LLC	
	Business name/disregarded entity name, if different from above	
	Check appropriate box for federal tax classification: <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input 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) ▶	
	<input type="checkbox"/> Other (see instructions) ▶	
Address (number, street, and apt. or suite no.) P O Box 342742		Requester's name and address (optional)
City, state, and ZIP code Aushn TX 78734		
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 <i>How to get a TIN</i> on page 3.					
	Social security number <table border="1" style="width: 100%; height: 20px; border-collapse: collapse;"> <tr> <td style="width: 25%;"></td> <td style="width: 25%;"></td> <td style="width: 25%;"></td> <td style="width: 25%;"></td> </tr> </table>				
Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.					
Employer identification number <table border="1" style="width: 100%; height: 20px; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">45</td> <td style="width: 25%; text-align: center;">- 43892</td> <td style="width: 25%; text-align: center;">35</td> <td style="width: 25%;"></td> </tr> </table>		45	- 43892	35	
45	- 43892	35			

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).	
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 ▶ Date ▶ 5/21/14

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:

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.

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.

MODIFICATION OF CONTRACT: Septic and Holding Tank Services (4400001546)

ISSUED BY:
PURCHASING OFFICE
700 LAVACA STREET, 8TH FLOOR
AUSTIN, TX 78701

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

DATE PREPARED:
June 12, 2014

ISSUED TO:
Sandy Martinez
d/b/a Vega Septic and Environmental
P.O. Box 342742
Austin, TX 78734

MODIFICATION NO.:
2

EXECUTED DATE OF ORIGINAL CONTRACT:
July 23, 2013

ORIGINAL CONTRACT TERM DATES: July 31, 2013 – July 30, 2014 CURRENT CONTRACT TERM DATES: July 31, 2014 – July 30, 2015

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

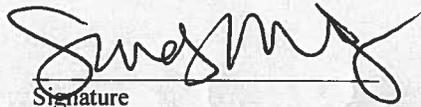
DESCRIPTION OF CHANGES: Except as provided herein, all terms, conditions, and provisions of the document referenced above as heretofore modified, remain unchanged and in full force and effect.

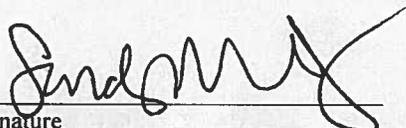
The above referenced contract is hereby modified to reflect the following changes effective January 1, 2014:

- 1) The Contractor's name on Contract No. 4400001546 is changed as follows:

From: Sandy Martinez
d/b/a Vega Septic and Environmental Services
P.O. Box 342742
Austin, Texas 78743
EIN# 65-1297894

To: VSE Septic Services, LLC
P.O. Box 342742
Austin, Texas 78734
EIN # 45-4389235

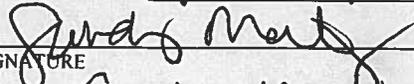

Signature
Sandy Martinez
Printed Name

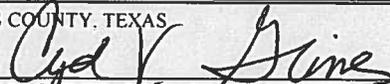

Signature
Sandy Martinez
Printed Name

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: <u>VSE Septic Services, LLC</u>	<input type="checkbox"/> DBA
BY:  SIGNATURE	<input type="checkbox"/> CORPORATION
BY: <u>Sandy Martinez</u> PRINT NAME	<input checked="" type="checkbox"/> OTHER <u>LLC</u>
TITLE: <u>owner</u> ITS DULY AUTHORIZED AGENT	DATE: <u>6-16-14</u>

TRAVIS COUNTY, TEXAS	DATE: <u>6/19/14</u>
BY:  CYD V. GIMES, C.P.M., 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 Sandy Martinez, d/b/a Vega Septic and Environmental Services a corporation duly authorized and operating under the laws of the State of Texas ("Assignor"), and Vega Septic Services, LLC a corporation duly authorized and operating under the laws of the State of Texas ("Assignee").

RECITALS:

- A. Travis County and Sandy Martinez, d/b/a Vega Septic and Environmental Services entered into a written Contract for the provision of Septic and Holding Tank Services (Contract No. 4400001546) on July 31, 2013, 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 4400001546.

SANDY MARTINEZ
d/b/a VEGA SEPTIC AND ENVIRONMENTAL SERVICES

By: [Signature]
Printed Name: Sandy Martinez
Title & Date: owner 6-12-14

Attest: _____
Date: _____

VEGA SEPTIC SERVICES, LLC

By: [Signature]
Printed Name: Sandy Martinez
Title & Date: owner 6-12-14

Attest: _____
Date: _____

By its signature below, Travis County signifies its consent to and approval of this Assignment from Sandy Martinez, d/b/a Vega Septic and Environmental Services to Vega Septic Services, LLC.

TRAVIS COUNTY, TEXAS

By: _____
Samuel T. Biscoe
Travis County Judge

Date: _____

VSE Septic Services LLC



June 9, 2014

Travis County Purchasing Office

Attn: Rachel Fishback

700 Lavaca Street, 8th Floor

Austin, Texas 78701

Office: (512) 854-9853

Please note we have had a name and EIN change

Our former name was Sandy Martinez DBA Vega Septic and Environmental. We are now VSE Septic Services LLC.

The owner, Sandy Martinez has not changed. This new EIN and business name was effective as of January 1, 2014.

Mailing address:

PO BOX 342742

Austin TX 78734

512-261-4000

A handwritten signature in blue ink, appearing to read "Sandy Martinez". The signature is stylized and cursive.

Thank you

Sandy Martinez

Sandy Martinez

**Request for Taxpayer
 Identification Number and Certification**

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

Name (as shown on your income tax return)
VSE Sephc Services, LLC

Business name/disregarded entity name, if different from above

Check appropriate box for federal tax classification:
 Individual/sole proprietor C Corporation S Corporation Partnership Trust/estate
 Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ Exempt payee
 Other (see instructions) ▶ _____

Address (number, street, and apt. or suite no.)
P O Box 342742

City, state, and ZIP code
Austin TX 78734

List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

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Social security number
 [] [] [] - [] [] - [] [] [] []

Employer identification number
45-4389235

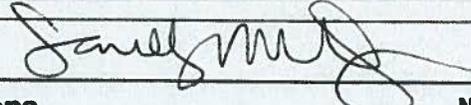
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Sign Here Signature of U.S. person ▶  Date ▶ **5/21/14**

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