

Blanca Mayorga

From: Martha Salazar [martha.salazar@co.hidalgo.tx.us]
Sent: Thursday, April 26, 2012 3:43 PM
To: josephine.ramirez@da.co.hidalgo.tx.us
Cc: 'Blanca Mayorga'; 'Matilde Faz'; 'Tanya.Delira'; 'Darlene Betancourt'
Subject: FW: Agenda Item #AI-32098
Attachments: LettersOfConcerns2.pdf; agreement.pdf; Email.pdf; LetterOfConcerns1.pdf; Terms and Conditions (1.20 MB)

Importance: High

Ms. Josephine:

Need your help to clarify an issue raised by Auditor on a contract for the Auditors Office. They submitted this item on CC agenda of 1-17-2012. The concern letter requests NO ACTION due to several issues. CC agreed to take no action. The issues cited were addressed to vendor. Vendor responds to concerns via e-mail. Please keep in mind that agreement in question was not sent to legal counsel for review and comment as to form due to cited issues. However, now that vendor has responded via e-mail (attached), the Auditor says that the e-mail suffices to comply with "concerns" and no further modification by vendor is necessary. I asked Ms. Fong, that although it appears she (Auditor's Office) are satisfied with response by vendor, shouldn't the e-mail be referenced in the contract as an attachment. In addition, vendor says the 30 days issues can be resolved by using the PO (terms and conditions printed on back) as the "controlling document". But the PO terms and conditions do not address the 30 day issue. So how do we resolve this? Let me know. By the way, I did ask Ms. Fong that (given the same circumstances for another department with IKON) would they (Auditor) agree to the this situation as complete compliance with "concerns" as they are? She did not think they would find it acceptable. I reminder her that I stated (given the exact same circumstances). Ms. Fong was very hesitant to agree. I only bring up the point because week after week we are asking vendors to modify their documents.

Marty

In

From: Blanca Mayorga [mailto:blanca.mayorga@co.hidalgo.tx.us]
Sent: Thursday, April 26, 2012 2:59 PM
To: 'Martha Salazar'
Subject: Agenda Item #AI-32098

is

Ms. Marty,

Please forward for legal review.

Thanks,

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