

STATE OF TEXAS

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COUNTY OF HIDALGO

**1<sup>st</sup> AMENDMENT TO SERVICE CONTRACT  
C-24-0021-04-16**

This **AMENDMENT** to the service contract for “**Funeral & Burial Services for HC Qualified Indigent Families**” for Hidalgo County in connection to original contract **C-24-0021-04-16**, dated **April 16, 2024**, by and between **HIDALGO COUNTY, TEXAS** (“County”) and **Ric Brown Family Funeral Home, Inc.** (“Company”) is entered into between the parties effective **November 26, 2024**.

**WHEREAS**, Company and County entered into a Contract dated **April 16, 2024**, in which Company agreed to provide certain services for the purpose of “**Funeral & Burial Services for HC Qualified Indigent Families**” for Hidalgo County (the “Contract”);

**WHEREAS**, Section j, titled “Entire Agreement” allows for **C-24-0021-04-16** to be modified or amended “only by an agreement in writing executed by County and Company, and not otherwise”;

**WHEREAS**, the parties desire to amend the Contract to clarify requirements and specifications in “Exhibit A – Procurement Packet” of the initial contract;

**WHEREAS**, the parties also desire to amend the Contract to clarify and include the rates for removal (pick-up), cancellation, and refrigeration storage, which is referenced in “Exhibit B” of the initial contract.

**WHEREAS**, parties wish to update the requirements and specifications, which is attached as “Exhibit C” and include the clarification of fees, which is attached as “Exhibit B-1”.

**NOW, THEREFORE**, for and in consideration of the terms and provisions set forth herein, for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, County and Company hereby agree to the following amendment to the Contract:

1. The Exhibit A – Requirements and Specifications page of the initial contract is replaced by the updated Requirements and Specifications included herein for all purposes as “Exhibit C”.
2. The Exhibit B of the initial contract will adopt the continuation fees included herein for all purposes as “Exhibit B-1”.

Except as modified herein, all terms and conditions of the Contract, as amended, remain in full force and effect and Company and County ratify and confirm the terms, and provisions of the Contract as amended.

SIGNATURE PAGE TO FOLLOW

**EXECUTED** as of the day and year first written above.

**APPROVED BY COMMISSIONERS' COURT ON November XX, 20XX**

**Agenda Item No.: XXXX**

**Executive Office: \_\_\_\_\_**

**VENDOR:**

Ric Brown Family Funeral Home, Inc.

**COUNTY:**

COUNTY OF HIDALGO, Texas

\_\_\_\_\_  
Tim Brown, Owner

\_\_\_\_\_  
Hon. Richard F. Cortez, County Judge

**APPROVED AS TO FORM**

Office of the Criminal District Attorney,  
Toribio "Terry" Palacios

**ATTEST:**

\_\_\_\_\_  
Name, ADA

\_\_\_\_\_  
Arturo Guajardo, Jr., County Clerk

**ATTACHMENTS:**

Exhibit B-1

Exhibit C

**SUPPLEMENTAL SIGNATURES:**

(If Applicable)

*Amendment No. 1*  
*“Funeral & Burial Services for HC Qualified Indigent Families”*  
*C-24-0021-04-16*

**Exhibit B-1**

**TRADITIONAL FUNERAL & BURIAL SERVICES - CREMATION:**

All Services will be on an “AS NEEDED BASIS ONLY”. There is no guarantee of any annual volume. The figures provided in Appendix “A”, paragraph three (3) -page one (1) volume, are merely historical quantities. This does not in any way obligate the County of Hidalgo to any fixed quantities for each.

<b>Item #</b>	<b><u>TRADITIONAL FUNERAL &amp; BURIAL SERVICES</u></b>	<b>Unit</b>	Unit Price must include the cost of transportation for the pick-up/removal and to storage decedents bodies within Hidalgo County and transportation to a cemetery contractor within Hidalgo County
<b>9</b>	Removal (Pick up) transporting fee for decedent human bodies and remains from locations <b>within</b> or <b>outside</b> Hidalgo County	each	\$ 150.00
<b>10</b>	Cancellation fee – within or outside Hidalgo County	each	\$ 75.00
<b>11</b>	Refrigeration fee to storage decedents bodies within Hidalgo County	assessed daily after 10 <sup>th</sup> day of storage	\$ 30.00

*Exhibit C*  
*Requirements/Specifications*  
*Hidalgo County*  
*“Funeral & Burial Services for HC Qualified Indigent Families”*

**Scope of Project:**

The County of Hidalgo is seeking to solicit interested parties who can bid on the **entire process** of providing the needed services for a simple, yet dignified interment of indigent county residents on a unit basis. The Hidalgo County Health and Human Services Department is the County’s agency designated to coordinate “Funeral and Burial Services” for qualified indigent families. Before payment will be made by Hidalgo County, the contractor shall refer families and/or representatives of the deceased to the **Hidalgo County Health and Human Services Offices, Attn: Dairen Sarmiento, 1304 S. 25<sup>th</sup> Avenue, Edinburg, Texas 78540**, and/or to the locations listed in Attachment “A” for the application screening process Monday through Friday 8:00 a.m. – 5: 00 p.m. The Health and Human Services Department Director or designated agent shall give a voucher to the contractor to claim the body and prepare it for burial. When burial occurs, the unit pricing includes a casket, funeral service, and graveside services.

**LICENSE(S)/CERTIFICATION:**

Bidder must provide copies of the following licenses as per Texas Occupations Code, Sec. 651-253 General License Requirements.

- A) Funeral Director License
- B) Establishment Licenses
- C) Any certifications required by law to conduct such services with the bid in order to be considered for the award.

**VOLUME:**

The annual estimated quantities contained as part of this bid packet are based on Hidalgo County Health and Human Services Department records for the **year 2023**. These figures are merely historical quantities. All services will be on an “**AS NEEDED BASIS ONLY**”. There is no guarantee of annual volume. This does not in any way obligate the County of Hidalgo to any fixed quantities for each.

<b>Annual Estimated Quantities for the Year 2023</b>		
<b>Description: Traditional Funeral Services</b>	<b>Description: Traditional Burial Services with Burial Plot Marker (Single burial plot)</b>	<b>Description: Cremations &amp; Internment of Cremated Remains</b>
Adults up to 250 lbs. <b>6</b> Child (4-11 Years) <b>0</b> Infant (0-3 years) <b>0</b>	Adult/Child <b>2</b> (4 years and over) Infant (0-3) <b>0</b> Unidentified <b>1</b>	Adults (12 Years and over) <b>28</b> Infants (0-11 Years) <b>0</b> Internment of Cremated Remains <b>28</b>

\*Please note **three** of the funerals had no interment.

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**CREMATION OR TRADITIONAL FUNERAL SERVICES**

**SPECIFICATIONS:**

The following Schedule provides specifications to be followed for Funeral Services:

- a) **REMOVAL OF THE BODY:** The Contractor will provide transportation for the pickup/removal of the Decedent’s body from the place of death within Hidalgo County by the awarded vendor. Contractor shall be available and have adequate transport vehicles and staff. Contractor shall have available transportation for pickup/removal 24/7, including holidays, within no more than one (1) hour of notification. Contractor shall have adequate transport vehicles, minimum of two (2), and adequate staff.
- b) **STORAGE OF THE BODY:** The Contractor will provide refrigerated storage for holding the decedents body at licensed funeral establishment in accordance with laws of the State of Texas (Tx.Occ.Code 651.631).Contractor’s refrigeration storage shall have the capacity to receive and hold minimum of 15 decedent bodies currently held by the County of Hidalgo , including but not limited to bodies that may be designated as ID Only, Storage Only, Next of Kin, Unclaimed, upon execution of the Contract pending final disposition.
- c) **FUNERAL DIRECTOR:** The decedent, at all times, shall be held, attended by, and interred, or buried, in the presence of a Funeral Director licensed under the laws of the State of Texas (Tx.Occ.Code 651.351). A copy of the Funeral Director’s license must be submitted.
- d) **NEXT OF KIN:** At the request of “Next of Kin”, any other licensed Funeral Director may claim a body from the awarded Contractor. A family member must sign a release, allowing the Contractor to relinquish the body to the preferred funeral home. The family will then be liable for any and all expenses incurred by the Contractor.
- e) **ABSENCE OF NEXT OF KIN OR FAMILY:** In this event, the Contractor must obtain a statement from a law enforcement agency or Justice of the Peace on autopsy cases with the assistance of the County contracted pathologist and/or staff, Hospital/Healthcare facility, or the Hidalgo County Health and Human Services, that attempts were made to contact the family to no avail and that the deceased appears to be indigent. A minimum of seventy-two (72) hours (up to 10 days in accordance with state law) for a response from the next of kin is required. An affidavit of fact properly made out and sworn to by the Funeral Director will be attached to the invoice for services. In cases of unclaimed bodies, the Contractor will be directed to provide a traditional burial as the method of disposition, or cremation, if ordered by a Justice of the Peace. The cremation remains will be kept with the Contractor.
- f) **PREPARATION OF DECEDENT:** The body of the deceased shall be clean, groomed and placed in the casket and shall be dressed in a new burial robe and new hose made for the sex of the deceased.
- g) **EMBALMING:** It is understood that embalming is not specifically required by law or applicable industry standards in every case prior to burial; however, any body held for more than 24 hours after death must either be maintained at a specified temperature, as required by law or applicable industry standards, or embalmed by a licensed embalmer. If embalming occurs other than as required herein, it is at the discretion of the Contractor and with the approval of the legal Next of Kin (If applicable). Consent must be acquired by the Funeral Home, as required by local, state and federal law. Refrigeration costs are included in the contracted price and no additional reimbursements to the Contractor for the embalming will be made by the County.
- h) **VIEWING TIME:** A minimum of two (2) hours of viewing time must be given to the family or representatives of the deceased in a designated chapel of the Contractor.

*Exhibit C*  
*Requirements/Specifications*  
*Hidalgo County*  
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- i) **VIEWING SERVICE:** During the two (2) hours of viewing time, and at the request of the family of the decedent, religious services may be held. The religious service may be conducted by a religious organization free of charge to the family or representatives of the deceased. Any religious services held shall be at no additional cost to the County.
- j) **CASKET:** The body shall be interred, or buried, in a new casket of the same general appearance and size as standard caskets, made from good quality wood or metal, thickness of materials to be one inch before surfacing, padded on inside and covered completely on all surfaces with cloth and shall have two handles attached to each side for a minimum of four handles.
- k) **FUNERAL PROCEDURE:** The entire funeral procedure, from the time the body is retrieved by the Contractor until the body is transported to a cemetery or in the case of cremation taken to a crematory, shall be subject to inspection at any or/all of the time by the County. The Contractor must notify Hidalgo County Health and Human Services Department, Attn: Dairen Sarmiento, Director, with the proper time and place of burial. The Director or any of his/her personnel may conduct inspection(s) of said services.
- l) **TRANSPORTATION TO THE CEMETERY:** The body shall be transported from the establishment of the Contractor to the grave site in a conventional type hearse. The burial shall be performed and attended by at least one licensed funeral director and one Contractor employee, and the casket shall be transported by no fewer than two (2) of the Contractor employees with the same dignity, decorum and solemnity to the grave as is conventional at other funerals.
- m) **VEHICLE/HEARSE** must include the cost to pick up bodies within Hidalgo County and transport to a cemetery contractor within Hidalgo County. **Bidder must include a list of vehicles to be used to provide this service along with vehicle insurance documentation (vehicle schedule).**
- n) **CREMATIONS (preferably Contractor should own a Crematory):** If the family has no reservations concerning cremation, Hidalgo County may suggest cremation as a cost reduction measure. However, cremation will not be required if the family objects. The Contractor is responsible for providing the cremation tray and crematory services. In the case of cremation, a direct cremation will be provided. There will be no viewing or services. The Contractor must notify the next of kin or representative when cremation remains are available for retrieval or interment. Cremated remains shall be given to the next of kin or representative not later than the 30<sup>th</sup> day after the date of cremation. The cremation remains will be placed in a standard box container provided by the Crematory. The Contractor is **not** responsible for providing an urn. In the event of Absence of Next of Kin or Family cremation remains will be kept with the Contractor.
- o) **DEATH CERTIFICATES:** Reports of death shall be obtained from the proper authorities as prescribed by the Texas Health and Safety Code Section 191.002 et. seq. These instruments, properly approved, must be available at the time of the interment or cremation. A CERTIFICATE OF BIRTH AND A CERTIFICATE OF DEATH SHALL NOT BE REQUIRED FOR A CHILD THAT HAS NOT ADVANCED TO THE 40<sup>TH</sup> WEEK OF INTRA-UTERINE GESTATION.
- p) **SUBSTITUTION AND/OR ADDITIONAL SERVICES:** The County contract must be strictly adhered to if the body is to be processed, and services paid by the County. Hidalgo County Health and Human Services Department **shall not** be liable for additional services not called for in the contract; both the funeral and burial services would

*Exhibit C*  
*Requirements/Specifications*  
*Hidalgo County*  
*“Funeral & Burial Services for HC Qualified Indigent Families”*

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then be treated as private service and the County would not be involved nor would it be liable for any costs. In this case, Hidalgo County must be notified by the Contractor in writing within 24 hours of decision for private service

- q) **PAYMENT:** Before Hidalgo County Health and Human Services makes payment to the contractor, the contractor shall furnish an itemized invoice for services, and an affidavit, properly sworn to, stating that these specifications have been strictly adhered to and that the contractor has not received, and will not receive, any money or another type of compensation from any party for the services for which Hidalgo County Health and Human Services Department is paying.
- r) **RELIGIOUS EXCEPTIONS:** Any additional costs for additional services that may be required in order to comply with the deceased’s religious beliefs and practices shall become the responsibility of the deceased next of kin.

**BURIAL SERVICES**

**SPECIFICATIONS:**

The following Schedule provides specifications to be followed for Burial Services:

1. **BURIAL SCHEDULE:** Burial shall take place between Monday through Friday between 8:00 a.m. and 5:00 p.m.
2. **GRAVE:** Burial shall be in a grave provided in a cemetery. The contractor is required to open and close the grave as appropriate.
3. **BURIAL PROCEDURE:** The entire burial procedure, from the time the contractor takes possession of the body until the grave is covered and completed, the Contractor shall be subject to inspection at any or all times by the County.
4. **GRAVESIDE SERVICE:** Religious services shall be held at the request of the family of the deceased, or where there is no family, the religious service may be conducted by a minister. Any religious services held shall be at no additional cost to the County.
5. **FUNERAL DIRECTOR:** The funeral director must be present at all times during the burial. A copy of Funeral Director License must be included. The contractor must be a licensed funeral home establishment according to Texas Statute 651.351.
6. **BURIAL PLOTS:** All adults, children, and infants will be buried in single burial plots. If cemetery regulations allow, adults may be placed in multiple burial plots of three (3) to a plot. The top of the coffin shall be not less than eighteen (18) inches (or to conform to current Texas Law) below the natural surface of the ground after burial. The mound shall be properly and systematically smoothed off with the surface of the ground (no mounding) with a plot marker. **Perpetual care is not required.**
7. **SUBSTITUTIONS AND/OR ADDITIONAL SERVICES:** The County contract must be strictly adhered to if the body is to be processed and services paid for by the County. If the next of kin or

*Exhibit C*  
*Requirements/Specifications*  
*Hidalgo County*  
*“Funeral & Burial Services for HC Qualified Indigent Families”*

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representative desires a different coffin or additional services not called for by the contract, both the funeral and burial services would then be treated as private services and the County would not be involved nor would it be liable for any costs. In this case, the contractor must notify Hidalgo County in writing within 24 hours of decision for private services.

**Attachment “A”**  
**“APPLICATION LOCATION LIST”**  
**HIDALGO COUNTY HEALTH AND HUMAN SERVICES**  
**COUNTY INDIGENT HEALTH CARE PROGRAM**

1304 S. 25<sup>TH</sup> Avenue  
Edinburg, TX 78539

Tel: (956) 318-2011 Fax Office: (956) 318-2019 Billing Fax: (956) 318-2018

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**Edinburg Health Clinic**  
3105 East Richardson (Schunior) Rd  
Edinburg, TX 78539  
(956) 318-2087  
(956) 383-3478 Fax

**Mission Health Clinic**  
211 North Schuerbach Rd  
Mission, TX 78572  
(956) 581-8596  
(956)581-9459 Fax

**Weslaco Health Clinic**  
1901 North Bridge  
Weslaco, TX 78596  
(956) 969-4700  
(956) 973-7816 Fax

**Pharr Health Clinic**  
300 West Hall Acres  
Pharr, TX. 78577  
(956) 784-3580  
(956) 787-1254 Fax