

STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

FILED
AT 9:00 O'CLOCK AM
MAY 12 2016
ARTURO GUAJARDO, JR., COUNTY CLERK
HIDALGO COUNTY, TEXAS
BY _____ DEPUTY

**FIRST AMENDMENT TO CONTRACT
#C-15-281-10-27**

This **AMENDMENT** to the **CONTRACT** is made this **26th day of April of 2016** by and between **HIDALGO COUNTY, TEXAS** (the "COUNTY") and **CATALINA LOPEZ, DBA, ELITE TRANSPORTATION** (the "CONSULTANT").

WHEREAS, County and Company entered into a Contract on October 27, 2015 (the "CONTRACT") in which the Company agreed to provide the dead body pickup and transport services as described in the Contract; and

WHEREAS, the County due to certain circumstances requires further clarification of the services to be provided by the Company and hereby requires the amendment of the Contract; and

WHEREAS, the parties have agreed to amend the Contract as hereinafter provided.

NOW THEREFORE, for and in consideration of the terms and provisions of this First Amendment to Service Contract, both parties hereby agree to the following amendment to the Contract.

1. Exhibit "A1"-Specifications/Requirements to be substituted with the Contract as attached hereto;
2. Exhibit "B1"-Bid Page to now include fees for additional services, on an as needed basis and as attached hereto.
3. Except as modified herein, all terms and conditions of the Contract, as amended, remain in full force and effect. County and Company ratify and confirm the terms and provisions of the Contract as amended.

EXECUTED IN DUPLICATE ORIGINALS and effective as of the day and year first written above.

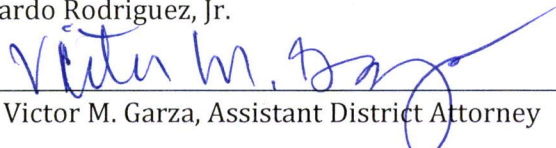
ATTEST: 
Arturo Guajardo, Jr. County Clerk

 HIDALGO COUNTY

Ramon Garcia, County Judge

COMPANY: Elite Transportation

Catalina Lopez, Owner

APPROVED AS TO FORM:
Office of Criminal District Attorney
Ricardo Rodriguez, Jr.
By: 
Victor M. Garza, Assistant District Attorney

APPROVED BY
COMMISSIONERS' COURT
ON: 4/26/16

AMENDED EXHIBIT "A1"
Specifications/Requirements
Hidalgo County
"Dead Body Pickup and Transport Services"
RFB No. 2015-281-10-07-SMA

SCOPE OF SERVICES:

Pursuant to Chapter 49 of the Code of Criminal Procedures and Chapter 691 of the Health and Safety Code, Hidalgo County requires the transportation of dead human bodies from various locations within the County **and in certain circumstances outside of the County** to the Hidalgo County Morgue Facility at which autopsies and other necessary services are performed. **The services are on an "As Needed Basis".**

SPECIFICATIONS:

- 1) Transportation vehicle(s) used must be fully enclosed (i.e., hearse or van suitable for the transport of dead human bodies) in accordance with applicable laws and regulations. Open bed pick-up trucks are **not acceptable**. All drivers must possess a current valid Texas driver's license and be properly covered under bidder's insurance.
- 2) A listing of all drivers will be required to be submitted upon award of contract. Drivers will also be required to read and write the English language. Background Check on all personnel to include driving history utilizing the Texas Department of State Health Service criteria for criminal background checks on EMT/Paramedic personnel require fingerprints through the Fingerprint Applicant Service of Texas (FAST) for Texas/FBI criminal history check **at cost to awarded vendor with report to be provided to Hidalgo County upon request**. If a driver is found to have a criminal history, an evaluation and determination will be made as to whether or not the County will allow the individual to participate.
- 3) Transportation of decedent from place of death to the Hidalgo County morgue facility. This includes bodies for autopsy, toxicology only, inquest only and holds only cases. All are to be transported directly to the morgue facility with all paper work **including but not limited to the following:**
 - a. Any decedent to be transported to morgue facility requires all paper work to be signed by the Justice of the Peace "JP" and Investigating Agency;
 - b. Any cancellation case requires all paper work to be signed by the Justice of the Peace "JP" and Investigation Agency for consideration of payment of services;
 - c. Extra travel to different locations, or outside of the County on an as needed basis, for pickup of decedent applicable for consideration of payment of services pursuant to all paper work required in place.
- 4) From 6:00 PM to 8:00 AM M-F, on weekends and government holidays, the transport service will log the decedent into the facility, place the decedent in cooler and fax the investigative information sheet, other paperwork and the Justice of the Peace order for autopsy to the contracted forensic pathology service. An investigative information sheet will be filled out by the investigating officer at the scene and transported with the body to the morgue facility.

- 5) Vendor must furnish all equipment and materials required for transporting dead human bodies, i.e., body bag, plastic rip lock seal for bag, gurney, flat white sheet, body identification tag or bracelet and any other materials required in transporting of a body by the vendor. Vendor must provide a listing of available funeral homes in the area to any family member (if available) of decedent.
- 6) The successful vendor will be on call twenty-four (24) hours daily, seven (7) days a week, three hundred sixty-five (365) days a year, and will be available to respond within thirty (30) minutes of telephone notification. Decedents are to be directly transported to the morgue facility.
- 7) The vendor shall provide telephone and pager service and numbers to the appropriate County officials. Any change in telephone numbers, Vendor should immediately notify **the following departments; District Attorney's Office, Purchasing Department, All Law Enforcement Agencies, Hospitals, County Morgue Facility and Contract Forensic Pathologist.**
- 8) Vendor must provide and maintain a Surety Bond in the amount of \$10,000, which will remain in effect for the duration of the contract period. Proof of the Surety bond must be provided to the County Purchasing Agent within ten (10) days of contract award. Failure to provide said bond will result in cancellation of the bid award.
- 9) Vendor cannot in any manner whatsoever have contact with or offer any information related to the procedures ordered by the appropriate County officials with any of the decedent's family, friends, acquaintances. All communications for services requested of the Vendor will be through the appropriate County official to ensure compliance with Title I of the Health Insurance Portability and Accountability Act of 1996; HIPAA Standards for Privacy of Individually Identifiable Health Information (the Privacy Rule).
- 10) Vendor must also provide the list of vehicles to be used in the transportation of bodies. Proof of ownership must be provided in the form of a notarized title. (Notarized copy is acceptable).
- 11) The awarded vendor will be required to be prepared if a "**Mass Casualty**" incident occurs. Vendor must immediately contact Hidalgo County Emergency Management at **956-289-6549, upon a mass casualty incident. Vendor is required to have appropriate personnel and vehicles to respond to mass casualty events and/or occurrences.**
- 12) Hidalgo County will not pay for any services found to be unacceptable and or if paperwork for transport of decedent is not signed off by Justice of the Peace "JP" and Investigating Agency.

TERMS AND CONDITIONS:

- 1) Term of this Contract is for a period of two (2) years with the County's option to extend for an additional one (1) period under the same rates, terms of condition.
- 2) Hidalgo County reserves the right to extend this bid for an additional sixty (60) day Grace Period due to unforeseen delays in the procurement process and in order to avoid any lapse in service.
- 3) Hidalgo County reserves the right to hold bids for a period of ninety (90) days without taking any action.

- 4) Hidalgo County has the right to terminate this contract upon giving sixty (60) days written notice of cancellation.
- 5) Contractor must comply with all applicable insurance requirements as detailed in Exhibit "C" contained herein.

ADDITIONAL INFORMATION:

- 1) All costs and expenses associated with the preparation and submission of all (bids, proposals, statements of qualifications (RFQ) and quotes) shall be the responsibility of the vendor and no reimbursements for such charges or expenses shall be passed on to Hidalgo County.
- 2) Hidalgo County is requesting that any and all questions, inquires and clarifications regarding bids, proposals or statements of qualifications be addressed to Martha L. Salazar, CPPB, Purchasing Agent, Attn: Sandra Montalvo, 2812 South Business Hwy. 281, Edinburg, Tx 78539. TELEPHONE INQUIRIES WILL NOT BE ACCEPTED.
- 3) ALL WRITTEN INQUIRIES WILL BE ACCEPTED VIA e-mail to sandra.montalvo@co.hidalgo.tx.us by no later than **Wednesday, September 23, 2015 5:00 p.m.**, Responses to said inquiries will be sent to all applicants via facsimile **and or email** no later than **5:00 p.m., Friday, September 25, 2015.**

AMENDED EXHIBIT “B1”

BID PAGE

Hidalgo County

“Dead Body Pickup and Transport Services”

RFB No. 2015-281-10-07-SMA

Vendor must furnish all equipment and materials required for transporting dead human bodies, i.e., body bag, plastic rip lock seal for bag, gurney, flat white sheet, body identification tag or bracelet and any other materials required in transporting of a body by the vendor. **Additional services and fees subject to all required paperwork signed by Justice of the Peace “JP” and Investigating Agency.**

DESCRIPTION	PRICE
Transporting fee for decedent from location outside Hidalgo County to the Hidalgo County Morgue Facility.	\$150.00 per decedent
Cancellation fee for pickup of decedent within Hidalgo County to the Hidalgo County Morgue Facility.	\$75.00 per decedent
Pickup fee per decedent for extra travel to different locations.	\$75.00 per decedent per location

Zimbra

evangelina.garcia@co.hidalgo.tx.us

Re: Draft Amendment-Elite Transporation-C-15-281-10-27

From : Victor Garza <victor.garza@da.co.hidalgo.tx.us>

Mon, Apr 04, 2016 04:50 PM

Subject : Re: Draft Amendment-Elite Transporation-C-15-281-10-27

3 attachments

To : Evangelina Garcia

<evangelina.garcia@co.hidalgo.tx.us>, Martha Salazar
<martha.salazar@co.hidalgo.tx.us>, Josephine Ramirez
<josephine.ramirez@da.co.hidalgo.tx.us>

Ms. Vangie,

attached please find revised amendment, and exhibits (no changes recommended for exhibit B). Please let me know if you have any additional questions.

respectfully,

Victor M. Garza

Assistant District Attorney

Civil Division

Office of the Criminal District Attorney

Hidalgo County, Texas

100 N. Closner RM 303

Edinburg, Texas 78539

(956) 292-7609 EXT. 8185

(956) 318-2079 FAX

victor.garza@da.co.hidalgo.tx.us

The information contained in this e-mail may be 1.SUBJECT TO THE ATTORNEY-CLIENT PRIVILEGE; 2.ATTORNEY WORK PRODUCT; and/or 3.CONFIDENTIAL. It is intended only for the individual or entity designated above. Any distribution, copying, or use of or reliance upon the information contained in this e-mail by or to anyone other than the recipient designated above by the sender is unauthorized and strictly prohibited. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE ADVISE THE SENDER BY REPLY E-MAIL TO victor.garza@da.co.hidalgo.tx.us AND DELETE THE COMMUNICATION.

On Tue, Mar 1, 2016 at 1:41 PM, Evangelina Garcia <evangelina.garcia@co.hidalgo.tx.us> wrote:

Honorable Victor M. Garza;

My apologies; please disregard the prior draft amendment document as I had to do a correction (please see attachment). I had a date there that was incorrect.....sorry.

Respectfully;

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
 Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

**OFFICE USE ONLY
 CERTIFICATION OF FILING**

Certificate Number:
 2016-13066

Date Filed:
 02/12/2016

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Elite Transportation
 McAllen, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

County of Hidalgo

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the goods or services to be provided under the contract.

2015-281-10-07-SMA
 Transportation of human remains to local morgue

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.

6 AFFIDAVIT I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



(Handwritten Signature)

 Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Notary Public, this the 12 day of February, 2016, to certify which, witness my hand and seal of office.

(Handwritten Signature)
 Signature of officer administering oath

Laura Lianna Rodriguez
 Printed name of officer administering oath

Personal Banker
 Title of officer administering oath

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
 Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Elite Transportation
 McAllen, TX United States

Certificate Number:
 2016-13066

Date Filed:
 02/12/2016

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

County of Hidalgo

Date Acknowledged:
 02/17/2016

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the goods or services to be provided under the contract.

2015-281-10-07-SMA
 Transportation of human remains to local morgue

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.

6 AFFIDAVIT I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

 Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said _____, this the _____ day of _____, 20_____, to certify which, witness my hand and seal of office.

 Signature of officer administering oath Printed name of officer administering oath Title of officer administering oath

SPECIAL MEETING - April 26, 2016

BE IT REMEMBERED, that on this 26 day of April A.D., 2016, there was begun and held a **SPECIAL MEETING** of the Honorable Commissioners' Court of Hidalgo County, Texas, wherein the following members thereof were present, to-wit:

HONORABLE RAMON GARCIA	HIDALGO COUNTY JUDGE
HONORABLE A.C. CUELLAR, JR.	COMMISSIONER, PRECINCT NO. 1
HONORABLE EDUARDO "EDDIE" CANTU	COMMISSIONER, PRECINCT NO. 2
HONORABLE JOE M. FLORES	COMMISSIONER, PRECINCT NO. 3
HONORABLE JOSEPH PALACIOS	COMMISSIONER, PRECINCT NO. 4

and **ARTURO GUAJARDO, JR.**, COUNTY CLERK & EX-OFFICIO CLERK OF THE **COMMISSIONERS' COURT** of Hidalgo County, Texas, wherein the following proceedings were had, to-wit:

Evaluator 5			
Scores			
Ranking			

B. Requesting authority for the Purchasing Dept. [along w/Hon. David D. Peden if so directed or other party] to commence negotiations with the number one ranked firm of: _____ for a professional engineering contract in connection with the Off-Site Services for the Roadway and Drainage Improvements associated with the Business 281/SH 107 Intersection affecting the construction of the New Hidalgo County Courthouse Project

- 3. AI-53580 Approval of "First Amendment" to Service Contract #C-15-281-10-27 with Elite Transportation the inclusion of "Amended Exhibits "A1-Specifications/Requirements and B1-Bid Page" to the contract for the provision of the "Dead Body Pickup and Transport Services" whereas such revisions were imperative due to certain decedent circumstances as detailed in supporting documentation.

B. Pct. 1

- 1. AI-54317 A. Acceptance and approval of the proposed Professional Engineering Contract #C-16-164-04-26 with Aranda & Associates, Inc. for "Roadway Reconstruction Projects-Mile 11 from FM 1015 to Mile 1W and Mile 14 ½ from Mile 4 to Mile 6" for Hidalgo County Precinct One, as approved by CC for negotiations on 04/05/16; and

B. Acceptance and approval of the following Work Authorizations No. 1 and 2 amid proposed Contract #C-16-164-04-26 and as pursuant to action to the aforementioned line item with Aranda & Associates, Inc. for the provision of professional engineering services for the "Roadway Reconstruction Projects-Mile 11 from FM 1015 to Mile 1W and Mile 14½ from Mile 4 to Mile 6" and as funding is being determined.

Work Authorization No. 1-Mile 11 from FM 1015 to Mile 1W: \$161,155.00

Work Authorization No. 2-Mile 14½ from Mile 4 to Mile 6: \$149,300.00

C. Pct. 2

- 1. AI-54316 Pursuant to an existing Sole Source Declaration [current and unrevoked by CC] approval and authority to execute an AEP Texas Central Company Contribution-Aid-of-Construction Agreement for Electrical Distribution Service as requested by Pct. #2 at the Field Operations Facility located at 4011 S. Veterans Blvd., San Juan, Tx so as to extend electric service behind the facility to power up an oil tank that will be delivered and installed in the next few weeks and subject to compliance with HBs 23 & 1295 if and when applicable.

APPROVED

AI-53580

Purchasing Department
19. A. 3.

CC - REGULAR

Meeting
Date: 04/26/2016

Submitted
For: Marty Salazar, PURCHASING DEPT.

Submitted
By: Vangie Garcia, PURCHASING DEPT.

Department: PURCHASING DEPT.

Information

CAPTION

Approval of "First Amendment" to Service Contract #C-15-281-10-27 with Elite Transportation the inclusion of "Amended Exhibits "A1-Specifications/Requirements and B1-Bid Page" to the contract for the provision of the "Dead Body Pickup and Transport Services" whereas such revisions were imperative due to certain decedent circumstances as detailed in supporting documentation.

BACKGROUND

Contract was awarded on 10/27/15 pursuant to RFB No: 2015-281-10-07-SMA.

NOTE: Due to confidential information on decendent(s), not able to attach concerns submitted by the engaged vendor on the details surrounding additional services and cost.

Fiscal Impact

FISCAL YEAR:	2016	ACCT. #:	6-1100-421-00-080-003-0-340
FUNDS AVAILABLE Y/N?:	y	MATCHING FUNDS Y/N?:	N

BUDGETARY IMPACT:

Funds available through PO#736601

Attachments

1295 FORM

AMENDMENT INFORMATION

Form Review

Inbox	Reviewed By	Date
-------	-------------	------

Purchasing Department	Marty Salazar	04/20/2016 03:49 PM
Budget & Management	Veronica Ortiz	04/20/2016 04:06 PM
Glinda Pacheco	Glinda Pacheco	04/21/2016 10:07 AM
Final Approval	Monica Badillo	04/22/2016 05:16 PM
Form Started By: Vangie Garcia		Started On: 03/01/2016 11:53 AM
Final Approval Date: 04/22/2016		