



DeWight Dopslauf, C.P.M., CPPO
Harris County Purchasing Agent

April 10, 2024

Commissioners Court
Harris County, Texas

RE: Job No. 220278

Members of Commissioners Court:

Please approve the attached Order(s) authorizing the County Judge to execute the attached First Amendment to the Agreement(s) for the following:

Description: Fixed Route, Paratransit, On-Demand and Non-Emergency Medical and Related Transit Services for the Harris County Community Services Department

Vendor(s): WHC HTX, LLC dba zTrip

Amount: \$4,200,000 previously approved funds for the term 10/16/2022 - 10/15/2025
0 additional funds for the term 10/16/2022 - 10/15/2025
\$4,200,000

Reviewed By: • Harris County Purchasing • Housing and Community Development Department

The First Amendment modifies certain service requirement terms of the Agreement with no increase in the total contract amount.

Sincerely,

DeWight Dopslauf
Purchasing Agent

JW
Attachment(s)
cc: Vendor(s)

FOR INCLUSION ON COMMISSIONERS COURT AGENDA APRIL 23, 2024



**FIRST AMENDMENT TO THE AGREEMENT BETWEEN
HARRIS COUNTY AND WHC HTX LLC DBA ZTRIP**

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This Amendment to the Agreement is made and entered into by and between Harris County (the “County”), a body corporate and politic under the laws of the State of Texas and acting by and through the Community Service Department and WHC HTX LLC dba zTrip (“Contractor”). County and Contractor are known individually as “Party” and collectively as “Parties.”

Recitals

On or about August 23, 2022, the Parties entered into an agreement (the “Agreement”) for the provision of non-emergency medical transportation services for the County.

The Parties now desire to amend the Agreement for the first time for the purpose of removing ADA paratransit services and modifying terms related to RIDES and Non-Emergency Medical Transportation (HCMP) Service Requirements.

Contractor warrants and represents that it is willing and capable of providing the services.

Terms

I.

This First Amendment shall be governed by the Agreement which is incorporated herein by reference.

II.

The Agreement is hereby amended to delete Section 1(C) and replace it with the following:

“Contractor will provide RIDES and Non-Emergency Medical Transportation (HCMP) services as follows in accordance with the requirements provided in Exhibit G (Updated January 31, 2023).

Additionally, the Agreement is hereby amended to remove the original Exhibit G in its entirety and replace it with Exhibit G (Updated January 31, 2023), which is attached hereto.

III.

Contractor understands and agrees, said understanding and agreement also being of the absolute

essence of this Amendment, that County has not appropriated any additional funds through this Amendment. In the event funds are insufficient, Contractor's sole and exclusive remedy is termination.

IV.

In the event of any conflict between the terms and provisions of this Amendment, or any portion thereof, and the terms and provisions of any other part or portion of the Agreement, this Amendment shall control.


VI.

All other terms and provisions of the Agreement shall remain in full force and effect as originally written and subsequently amended.

VII.

Execution, Multiple Counterparts: This Amendment may be executed in several counterparts. Each counterpart is deemed an original. All counterparts together constitute one and the same instrument. Each Party warrants that the undersigned is a duly authorized representative with the power to execute this Amendment.

WHC HTX LLC DBA ZTRIP

By: 
Name: William M. George
Title: CEO
Date: 01/17/2023

HARRIS COUNTY

By: _____
LINA HIDALGO
COUNTY JUDGE

APPROVED AS TO FORM:
CHRISTIAN D. MENELEE
COUNTY ATTORNEY


By: 
Cherelle Sims
Assistant County Attorney
C.A. File 23GEN0029

EXHIBIT G
(Updated January 31, 2023)

RIDES and Non Emergency Medical Transportation (HCMP) Service Requirements

Contractor shall provide RIDES and Non-Emergency Medical Transportation (HCMP) services as follows:

- A)** Contractor shall provide RIDES and Non-Emergency Medical Transportation (HCMP) services as designated by Harris County RIDES in Harris County at a metered rate only as specified in the Best and Final Offer (BAFO) with the exceptions of the following areas zip codes: La Porte (77571), Baytown (77520 & 77521), McNair (77562), Highlands (77652), Barrett Station (77532) and Crosby (77532).
- B)** Contractor shall provide RIDES and Non-Emergency Medical Transportation (HCMP) as designated by Harris County RIDES two drivers at an specified hourly rate (see **L** below) plus a metered rate (see **M** below) in the following areas/zip codes: La Porte (77571), Baytown (77520 & 77521), McNair (77562), Highlands (77562), Barrett Station (77532) and Crosby (77532).
- C)** Contractor shall provide services on a “full turnkey” basis using two independent contractor drivers. Hours of operations are as follows:
 - Driver 1 - 6:00 AM to 5:00 PM
 - Driver 2 - 9:00 AM to 7:00 PM
- D)** During the term of this agreement, Contractor must provide a drug and alcohol-free workplace for its employees. Contractor must have drug/alcohol policies and procedures and must provide Harris County RIDES with records of compliance upon request.
- E)** Contractor must follow maintenance practices outlined in the City of Houston City Ordinance Chapter 46 -37 vehicles for hire.
- F)** Contractor shall call Harris County RIDES immediately following a report of an accident or serious incident which occurs during service hours. In addition, Contractor shall send a written report from the Safety/Risk Manager to RIDES within 48 hours of the next business day that the clients are onboard a vehicle that is involved in an accident, or when there is an incident in which a client is injured while boarding, debarking or riding in a vehicle.
- G)** Contractor shall follow all federal, state, and local laws, rules, orders, codes, ordinances and regulations applicable to Contractor’s Services, including but not limited to: Chapter 215 of the Texas Local Government Code; Title VI of the Civil Rights Act of

1964, as amended, 42 U.S.C. & 2000d et seq.; 49 CFR Part 655; Americans with Disabilities Act, 42 U.S.C. & 12132, and the regulations promulgated there under.

- H)** A valid RIDES card is required to be scanned from each passenger upon boarding the vehicle. Contractor shall ensure that all drivers and driver trainees fully understand all fare collection procedures and media.
- I)** During the course of the services, Contractor shall provide Harris County RIDES with a monthly report generated from the RIDES EZTransport. Reports are provided on the 10th of each month for prior month service.
- J)** Wheelchair Accessibility System: Vehicles meeting all applicable ADA requirements are required for this agreement on an as needed by trip basis. Non wheelchair compliant vehicles can be used for ambulatory passengers.
- K)** Wheelchair Securement Training – Shall be provided by a certified Passenger Assistance Training/Passenger Service and Safety Training instructor on proper passenger securement and vehicle-alighting and boarding procedures.
- L)** Contractor shall provide RIDES and Non-Emergency Medical Transportation (HCMP) as designated by Harris County RIDES at an specified hourly rate of \$35.00 per hour plus a metered rate for two drivers (see **M** below) in the following areas/zip codes: La Porte (77571), Baytown (77520 & 77521), McNair (77562), Highlands (77562), Barrett Station (77532) and Crosby (77532).
- M)** Two Drivers will be scheduled to service the designated zip codes as outlined above. In the event there are no service requests within the designated zip codes, at the discretion of WHC HTX, LLC, drivers may be sent to additional zip codes within Harris County to service Harris County RIDES or Non-Emergency Medical Transportation (HCMP) clients as needed. Should this occur, pricing will remain \$35.00 per hour plus meter fare pricing as set by the City of Houston Chapter 46 Code of Ordinances.

ORDER OF COMMISSIONERS COURT
Authorizing Execution of an Amendment to an Agreement

The Commissioners Court of Harris County, Texas, met in regular session at its regular term at the Harris County Administration Building in the City of Houston, Texas, on _____, with all members present except _____.

A quorum was present. Among other business, the following was transacted:

**ORDER AUTHORIZING EXECUTION OF AN AMENDMENT TO AN AGREEMENT
BETWEEN HARRIS COUNTY AND WHC HTX LLC DBA ZTRIP**

Commissioner _____ introduced an order and moved that Commissioners Court adopt the order. Commissioner _____ seconded the motion for adoption of the order. The motion, carrying with it the adoption of the order, prevailed by the following vote:

	Yes	No	Abstain
Judge Lina Hidalgo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Rodney Ellis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Adrian Garcia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Tom S. Ramsey, P.E.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Lesley Briones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The County Judge thereupon announced that the motion had duly and lawfully carried and that the order had been duly and lawfully adopted. The order adopted follows:

IT IS ORDERED that:

1. County Judge Hidalgo be and is hereby authorized to execute, for and on behalf of Harris County, an Amendment to an Agreement with WHC HTX LLC dba zTrip for non-emergency medical transportation as part of the RIDES Program for the purpose of modifying certain service requirement terms, at no additional cost to the County. The Amendment is incorporated by reference and made a part of this order for all intents and purposes as though set out in full, word for word.
2. The Harris County Community Services Department and all other Harris County officials and employees are authorized to do any and all things necessary or convenient to accomplish the purpose of this Order.