



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

September 15, 2022

Commissioners Court
Harris County, Texas

RE: Job No. 170026

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: Job Order Contracting for Small and/or Large Roofing Projects for Harris County

Vendor(s): Royal American Services, Inc.

Amount: \$3,970,250 previously approved funds for the term 09/26/2021 - 09/25/2022
750,000 additional funds for the extended term through 01/31/2023
\$4,720,250

Reviewed By: • Harris County Purchasing • Facilities & Property Maintenance

The Amendment increases funding and extends the term of the Agreement. Purchase order(s) will be issued upon Commissioners Court approval.

Sincerely,

DeWight Dopslauf
Purchasing Agent

MM
Attachment(s)
cc: Vendor(s)

FOR INCLUSION ON COMMISSIONERS COURT AGENDA SEPTEMBER 27, 2022



**FIRST AMENDMENT TO THE AGREEMENT BETWEEN HARRIS COUNTY AND
ROYAL AMERICAN SERVICES**

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This First Amendment to the above referenced 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 Royal American Services, Inc. (“Contractor”) The County and Contractor are referred to herein collectively as “Parties” and individually as “Party.”

Recitals

On or about September 26, 2017, the County entered into an agreement (the “Master Agreement”) with Contractor for small and large roofing projects.

The Agreement has been extended in accordance with the terms of the Agreement.

The Parties now desire to amend the Master Agreement to extend the term of the agreement.

Terms

I.

This First Amendment shall be governed by the Master Agreement, which is incorporated herein by reference as if set forth word for word.

II.

The Master Agreement is hereby amended to extend the term of the Master Agreement to January 31, 2023.

III.

Having previously certified funds in the amount of Three Million Nine Hundred Seventy Thousand Two Hundred Fifty and No/Dollars (\$3,970,250.00), the County hereby amends the Master Agreement to certify as available Seven Hundred Fifty Thousand and No/Dollars (\$750,000.00) in additional funds, bringing the total amount of funds certified as available under the Master Agreement to Four Million Seven Hundred Twenty Thousand Two Hundred Fifty and No/Dollars (\$4,720,250.00). Contractor understands and agrees, said understanding and agreement also being of the absolute essence of this contract, that the total maximum compensation that Contractor may

become entitled to hereunder, and the total maximum sum that the County shall become liable to pay to Contractor under this Amendment, shall not under any conditions, circumstances, or interpretations thereof exceed the sum of Seven Hundred Fifty Thousand and No/Dollars (\$750,000.00). Contractor understands and agrees, said understanding also being of the absolute essence of this contract, that the maximum amount Contractor may become entitled to under the Master Agreement shall be Four Million Seven Hundred Twenty Thousand Two Hundred Fifty and No/Dollars (\$4,720,250.00). Notwithstanding anything to the contrary, or that may be construed to the contrary, the County's liability under the terms and provisions of this First Amendment is limited to said sum; and when all the funds so certified are expended, Contractor's sole and exclusive remedy shall be to terminate this First Amendment.

IV.

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

V.

It is expressly understood and agreed that the Master Agreement is incorporated herein by reference. In the event of any conflict between the terms and provisions of this First Amendment, or any portion thereof, and the terms and provisions of any other part or portion of the Master Agreement, this First Amendment shall control.

VI.

Execution, Multiple Counterparts: This First 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 First Amendment.

[EXECUTION PAGE TO FOLLOW]

ROYAL AMERICAN SERVICES, INC.

By: Steven Goldman
Name: STEVEN GOLDMAN
Title: PRESIDENT
Date: 9/13/2022

HARRIS COUNTY

By: _____
Lina Hidalgo
County Judge

APPROVED AS TO FORM:

CHRISTIAN D. MENEFEE
COUNTY ATTORNEY

By: Sarah Hodges
Sarah Hodges
Assistant County Attorney
C.A.O. File No. 22GEN3210

ORDER OF COMMISSIONERS COURT

Authorizing execution of Amendment

The Commissioners Court of Harris County, Texas, convened at a meeting of said Court at the Harris County Administration Building in the City of Houston, Texas, on _____, 2022 with all members present except _____.

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

ORDER AUTHORIZING EXECUTION OF AN AMENDMENT TO THE AGREEMENT BETWEEN HARRIS COUNTY AND ROYAL AMERICAN SERVICES.

Commissioner _____ introduced an order and made a motion that the same be adopted. Commissioner _____ seconded the motion for adoption of the order. The motion, carrying with it the adoption of the order, prevailed by the following vote:

| Vote of the Court | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|--------------------|--------------------------|--------------------------|--------------------------|
| Judge Hidalgo | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Comm. Ellis | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Comm. Garcia | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Comm. Ramsey, P.E. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Comm. Cagle | <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 law-fully adopted. The order thus adopted follows:

IT IS ORDERED that County Judge Lina Hidalgo be, and she is hereby, authorized to execute for and on behalf of Harris County, an Amendment to the Agreement with Royal American Services, Inc. to extend the term of the Agreement. The Agreement is incorporated herein by reference for all purposes as though fully set forth word for word.

All Harris County officials and employees are authorized to do any and all things necessary or convenient to accomplish the purpose of this Order.