



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

May 03, 2023

Commissioners Court
Harris County, Texas

RE: Personal Services Exemption - Local Government Code § 262.024 (a)(4)

Members of Commissioners Court:

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

Description: Medical Examiner Services for the Harris County Institute of Forensic Sciences

Vendor(s): Forensic Pathology Labs, PLLC

Amount: \$180,400 previously approved funds for the term 08/02/2022 - 12/31/2023
99,000 additional funds for the term 08/02/2022 - 12/31/2023
\$279,400

Reviewed By: • Harris County Purchasing • Institute of Forensic Sciences

The Amendment increases funding for American Rescue Plan Act 2021 (ARPA). 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 MAY 16, 2023



**SECOND AMENDMENT TO THE AGREEMENT BETWEEN HARRIS COUNTY
AND FORENSIC PATHOLOGY LABS, PLLC**

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This Second Amendment to the Agreement between Harris County and Forensic Pathology Labs, PLLC is entered into by and between Harris County (the “County”), a body corporate and politic under the laws of the State of Texas, acting by and through the Harris County Institute of Forensic Sciences (“Department”), and Forensic Pathology Labs, PLLC, a Texas professional limited liability company (“Contractor”). The County and Contractor are referred to herein collectively as the “Parties” and individually as a “Party.”

WHEREAS, on August 2, 2022, the County and Contractor entered into an agreement (the “Agreement”) for the Contractor to provide medical examiner services for the County, including medicolegal exams of decedents requiring autopsies;

WHEREAS, on February 21, 2023, the Parties amended the Agreement for the first time (the “First Amendment”) to increase available funding and include provisions necessary to qualify the contract for federal funding under the American Rescue Plan Act 2021 (Pub. Law 117-2), herein referred to as the “Act” or “ARPA”

WHEREAS, the Parties wish to amend the Agreement for the second time (“Second Amendment”) for the purpose of adding funds.

THEREFORE, County and Contractor hereby agree to amend the Agreement in the following respects:

Terms

I.

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

II.

Article 6) A) under the heading “Limit of Appropriation” is hereby modified to read as follows:

- A) Having previously certified funds in the amount of One Hundred Eighty Thousand Four Hundred and 00/100 Dollars (\$180,400.00), the County hereby amends the Agreement to certify as available Ninety-Nine Thousand and 00/100 Dollars (\$99,000.00) in additional ARPA funds, bringing the total amount of funds certified as available under the Agreement to Two Hundred

Seventy-Nine Thousand Four Hundred and 00/100 Dollars (\$279,400.00). Contractor understands and agrees, said understanding and agreement also being of the absolute essence of this Agreement, that the total maximum compensation that Contractor may become entitled to hereunder for the Term of the Agreement and the total maximum sum that the County shall become liable to pay to Contractor hereunder shall not under any conditions, circumstances, or interpretations thereof exceed that sum. When all the funds so certified under this Agreement are expended, unless additional funds are certified available as evidenced by a written amendment to the Agreement, Contractor's sole remedy will be to terminate this Agreement in accordance with Article 8) to the extent permitted under Article 8).

III.

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

IV.

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

V.

Execution. Multiple Counterparts: This Second 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 Second Amendment.

[EXECUTION PAGE FOLLOWS]

DATED: April, 20th, 2023.

FORENSIC PATHOLOGY LABS, PLLC

4/19/23

DR. ALEX JOHN
President

Date: 4/20/23

HARRIS COUNTY

By: _____
LINA HIDALGO
County Judge

Date: _____

APPROVED AS TO FORM:
CHRISTIAN D. MENEFE
COUNTY ATTORNEY

By: Manasi Tahiliani

Manasi T. Tahiliani
Assistant County Attorney
CAO No. 23GEN0902

ORDER OF COMMISSIONERS COURT

Authorizing Execution of Second Amendment to the Personal Services Agreement with Forensic Pathology Labs, PLLC for the Harris County Institute of Forensic Sciences

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 A SECOND AMENDMENT TO THE PERSONAL SERVICES AGREEMENT WITH FORENSIC PATHOLOGY LABS, PLLC TO PROVIDE MEDICAL EXAMINER SERVICES FOR THE HARRIS COUNTY INSTITUTE OF FORENSIC SCIENCES

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:

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. 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 County Judge Lina Hidalgo is hereby authorized to execute for and on behalf of Harris County the Second Amendment to the Agreement between Harris County and Forensic Pathology Labs, PLLC for the purpose of adding funding to the Agreement in an amount not to exceed Ninety-Nine Thousand and 00/100 Dollars (\$99,000.00). The Second Amendment is incorporated herein by reference 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.