



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

March 12, 2024

Commissioners Court  
Harris County, Texas

**RE: Job No. 220410**

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:** Pilot or Expand Early Childhood Programs through the Early Childhood Impact Fund for Harris County

**Vendor(s):** Kids' Meals, Inc.

**Amount:** \$1,255,430 previously approved funds for the term 06/06/2023 - 06/05/2025  
0 additional funds for the extended term 06/06/2025 - 12/05/2025  
\$1,255,430

**Reviewed By:** • Harris County Purchasing • Economic Equity and Opportunity

The Second Amendment extending term to the Agreement(s) with no increase in the total contract amount.

Sincerely,

DeWight Dopslauf  
Purchasing Agent

GGZ  
Attachment(s)  
cc: Vendor(s)

**FOR INCLUSION ON COMMISSIONERS COURT AGENDA MARCH 26, 2024**



**SECOND AMENDMENT TO THE AGREEMENT BETWEEN HARRIS COUNTY AND  
KIDS' MEALS, INC.**

THE STATE OF TEXAS     §  
  §  
COUNTY OF HARRIS     §

This Second 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 Department of Economic Equity and Opportunity (the “Department”), and Kids’ Meals, Inc. (the “Subrecipient”), a Texas corporation. County and Subrecipient are known individually as “Party” and collectively as “Parties.”

***Recitals***

On June 6, 2023, the County entered into an agreement with Subrecipient to address food insecurity worsened or created by the COVID-19 pandemic by delivering free, healthy meals to young children ages five (5) and under, and by providing their families with resources to help end the cycle of poverty to the COVID-19 pandemic under the Early Childhood Impact Fund Round 2 Program (the “Master Agreement”).

On December 19, 2023, the Parties amended the Master Agreement for the first time (the “First Amendment”) to rename the Department from the Office of County Administration to the Department of Economic Equity and Opportunity, to reflect the County’s internal reorganization, such that “Department” references the Department of Economic Equity and Opportunity.

The County and Subrecipient now desire to amend the Master Agreement for the second time (“Second Amendment”) for the purpose of extending the term of the Master Agreement.

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

***Terms***

**1) CONTRACT CONSTRUCTION**

This Second Amendment shall be governed by the Master Agreement and First Amendment, which are incorporated by reference as though fully set forth word for word.

**2) TERM**

The term of the Master Agreement is hereby amended to extend the term by an additional six (6) months to allow Subrecipient enough time to fulfill all requirements of the Master Agreement.

**3) ORDER OF PRECEDENCE**

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 Master Agreement and the First Amendment, this Second Amendment shall control.

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

**4) 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.

KIDS' MEALS, INC.

By: Beth Harp  
Name: Beth Harp  
Title: CEO  
Date: 1-25-24

HARRIS COUNTY

By: \_\_\_\_\_  
LINA HIDALGO  
COUNTY JUDGE

APPROVED AS TO FORM:  
Christian D. Menefee  
COUNTY ATTORNEY

By: Manasi Tahiliani  
Manasi Tahiliani  
Assistant County Attorney  
C.A.O. File 24GEN0166

**ORDER OF COMMISSIONERS COURT**  
Authorizing execution of an amendment to an agreement

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 the \_\_\_\_ day of \_\_\_\_\_, 2024 with all members present except \_\_\_\_\_.

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

**ORDER AUTHORIZING EXECUTION OF A SECOND AMENDMENT TO AGREEMENT WITH KIDS' MEALS, INC.**

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 be, and she is hereby authorized to execute, for and on behalf of Harris County, the Second Amendment to the Agreement between Harris County and Kids' Meals, Inc. to extend the term of the Master Agreement. The Second Amendment is incorporated herein 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 purposes of this order.