

STATE OF TEXAS

§

KNOW ALL BY THESE PRESENTS:

COUNTY OF FORT BEND

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FIRST AMENDMENT TO AGREEMENT FOR VENDING MACHINE SERVICES
PURSUANT TO RFP 11-068 (FY 2021-2022)

THIS FIRST AMENDMENT to the Agreement for Vending Machine Services is made and entered into by and between FORT BEND COUNTY ("County"), a body corporate and politic under the laws of the State of Texas, acting by and through the Fort Bend County Commissioners Court and FIVE STAR FOOD SERVICES, INC., ("Contractor"), authorized to conduct business in the State of Texas, hereinafter collectively referred to as "Parties."

WITNESSETH:

WHEREAS, County and Contractor entered an agreement for Vending Machine Services pursuant to RFP 11-068, dated July 11, 2011, which has been subsequently amended and renewed each year thereafter, and was last amended on or about June 24, 2021, (collectively referred to as "Agreement"), incorporated by reference as if set forth herein verbatim. County and Contractor desire to amend said Agreement as set forth below:

1. **Scope of Services.** Contractor shall render vending machine services to various county buildings and facilities at the prices as set forth in the attached Exhibit "1," which is incorporated fully by reference.
2. Except as modified herein, the Agreement remains in full force and effect and has not been modified or amended.
3. Except as modified herein, the Agreement remains in full force and effect and has not been modified or amended.
4. If there is a conflict among documents, the most recently executed document will prevail.
5. **Agreement to Not Boycott Israel Chapter 2270 Texas Government Code.** By signature below, Contractor verifies that Contractor does not boycott Israel and will not boycott Israel during the term of this Agreement.
6. **Texas Government Code Section 2251.152 Acknowledgement.** By signature below, Contractor represents pursuant to Section 2252.152 of the Texas Government Code, that Contractor is not listed on the website of the Comptroller of the State of Texas concerning the listing of companies that are identified under Section 806.051, Section 807.051 or Section 2253.153.
7. **Human Trafficking.** BY ACCEPTANCE OF CONTRACT, CONTRACTOR ACKNOWLEDGES THAT THE COUNTY IS OPPOSED TO HUMAN TRAFFICKING AND THAT NO COUNTY FUNDS WILL BE USED IN SUPPORT OF SERVICES OR ACTIVITIES THAT VIOLATE HUMAN TRAFFICKING LAWS.

{EXECUTION PAGE FOLLOWS}

IN WITNESS WHEREOF, this Amendment is signed, accepted, and agreed to by all parties by and through the parties or their agents or authorized representatives. All parties hereby acknowledge that they have read and understood this Amendment and the attachments and exhibits hereto. All parties further acknowledge that they have executed this legal document voluntarily and of their own free will.

This Amendment shall become effective upon execution of County.

FORT BEND COUNTY:

By: _____
KP George, County Judge

ATTEST:

Laura Richard, County Clerk

Date

FIVE STAR FOOD SERVICES, INC.:

Authorized Agent - Signature

COSMO P. PARESI
Authorized Agent- Printed Name

V.P.
Title

2/22/2022
Date

Exhibit 1: Vending Price Increases Letter (2.16.2022)

EXHIBIT 1
Vending Price Increases Letter
February 16, 2022



Five Star Food Services, Inc.

10135 Stafford Centre Dr. • Stafford, Texas 77477
(281) 261-FOOD

Fort Bend County Purchasing

301 Jackson Street, Suite 201

Richmond, Texas 77469

February 16, 2022

Attn: **Ms. Cheryl Krejci**

Re: **Vending Price Increases**

Dear Ms. Krejci:

Five Star finds it necessary to increase some of the current prices at the vending machines. We always try to hold our prices as low as possible. We have not raised our prices for the ten plus years we have serviced Fort Bend County. There have been price increases from all our vendors over these ten years. Our overhead (insurance, gas, labor...etc) has also increased substantially over the past ten years. Please be aware that Sales Tax is included in the prices at the machines.

We request increasing the prices by 25%. I have attached drink invoices showing increases of 28% and 33%. Coke cans have increases 62%. Candy prices have increased 29%. Chips have increased 26%.

<u>PRODUCT</u>	<u>CURRENT PRICE</u>	<u>NEW PRICE</u>
CAN DRINKS	\$0.75	\$0.90
BOTTLE DRINKS	\$1.25	\$1.50
CANDY	\$1.25	\$1.50
CHIPS	\$1.00	\$1.25

I tried to arrange the backup so it could easily be followed. Please call with any questions or clarifications needed.

Sincerely and thanks for our partnership with Fort Bend County,

Cosmo Parisi VP

Five Star Food Services, Inc