

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 a "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
KP George, County Judge

ATTEST:

Laura Richard
Laura Richard, County Clerk

3-22-22
Date

FIVE STAR FOOD SERVICES, INC.:

Cosmo P. Paresi
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	\$.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

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

**OFFICE USE ONLY
CERTIFICATION OF FILING**

Certificate Number:
2022-856420

Date Filed:
03/02/2022

Date Acknowledged:
03/22/2022

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Five Star Food Services, Inc.
Stafford, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

Fort Bend County

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

R11-068
Vending Machine Services

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.

6 UNSWORN DECLARATION

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of _____, on the _____ day of _____, 20____.
(month) (year)

Signature of authorized agent of contracting business entity
(Declarant)