



**BOARD OF SUPERVISORS AGENDA ITEM REPORT  
AWARDS / CONTRACTS / GRANTS**

Award     Contract     Grant

Requested Board Meeting Date: 11/21/2023  
or Procurement Director Award:

*\*=Mandatory, information must be provided*

**\*Contractor/Vendor Name/Grantor (DBA):**

Five-To-Oh Coffee LLC

**\*Project Title/Description:**

Coffee Shop/Snack Shop Lease in Historic Courthouse -Amendment 2.

**\*Purpose:**

Extend the Lease Term for space in the Historic Courthouse for Five-To-Oh Coffee and corrects a scrivener's error in Amendment 1.

**\*Procurement Method:**

Exempt Per Section 11.04.020.

**\*Program Goals/Predicted Outcomes:**

To extend the Lease Term for Five-To- Oh Coffee, LLC so they can continue to provide coffee, drinks, refreshments and snacks to Building tenants and the general public visiting downtown attractions and contribute to the welcoming community atmosphere of the Historic Courthouse.

**\*Public Benefit:**

Provide refreshments to public visiting Visitor Tucson, the new Visitor's Center, University of Arizona Mineral Museum and other Historic Courthouse attractions. Five-To-Oh focuses its menu of locally sourced goods, highlighting Tucson's culture and history. Shop serves visitors to the January 8th memorial and the general public. County will receive revenue from rent and a portion of sales.

**\*Metrics Available to Measure Performance:**

Increased foot traffic to area.

**\*Retroactive:**

No

TO: COB, 11-1-2023 (P)  
VER: 4  
PGS: 4

THE APPLICABLE SECTIONS(S) BELOW MUST BE COMPLETED

Click or tap the boxes to enter text. If not applicable, indicate "N/A". Make sure to complete mandatory (\*) fields

Contract / Award Information

Document Type: Department Code: Contract Number:
Commencement Date: Termination Date: Prior Contract Number.(Synergen/CMS):
Expense Amount \$: Revenue Amount \$:
Funding Source(s) required:
Funding from General Fund? Yes No If Yes %
Contract is fully or partly funded with Federal Funds? Yes No
If Yes, Is the Contract to vendor or subrecipient?
Were Insurance or Indemnity Clauses modified? Yes No
If Yes attach Risk's approval
Vendor is using a Social Security Number? Yes No
If Yes, attach the required form per Administrative Procedure 22-10.

Amendment / Revised Award Information

Document Type: CTN Department Code: FM Contract Number (i.e., 15-123): 21-027
Amendment No.: 2 AMS Version No.: 4
Commencement Date: 12/01/2023 New Termination Date: 11/30/2024
Prior Contract No.(Synergen/CMS): N/A
Expense Revenue Increase Decrease Amount This Amendment: \$ 3,900.00
Is there revenue included? Yes No If Yes \$: 3,900.00
Funding Source(s) required: Lease payment by Tenant
Funding from General Fund? Yes No If Yes \$: %

Grant / Amendment Information (for grants acceptance and awards) Award Amendment

Document Type: Department Code: Grant Number (i.e., 15-123):
Commencement Date: Termination Date: Amendment Number:
Match Amount \$: Revenue Amount:
\*All Funding Source(s) required:
\*Matching Funding from General Fund? Yes No If Yes, \$ %
\*Matching Funding from Other Sources? Yes No If Yes, \$ %
\*Funding Source:
\*If Federal Funds are received, is funding coming directly from the Federal Government or passed through other organization(s)?

Contact: Kevin Button Telephone: 520-724-8230
Department: Facilities Management
Department Director Signature: Date: 10-30-2023
Deputy County Administrator Signature: Date: 10-30-2023
County Administrator Signature: Date: 10-30-2023

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**Pima County Department of Facilities Management**

**Project: Coffee Shop/Snack Shop Lease in Historic Courthouse -Amendment 2.**

**Contractor: Five-To-Oh Coffee LLC**

**Contract No.: CTN-FM-21-027**

**Contract Amendment No.:02**

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<b>Orig. Contract Term:</b>	12/01/2020 - 11/30/2022	<b>Orig. Amount:</b>	\$ 7,800.00
<b>Termination Date Prior Amendment:</b>	11/30/2023	<b>Prior Amendments Amount:</b>	\$ 3,900.00
<b>Termination Date This Amendment:</b>	11/30/2024	<b>This Amendment Amount:</b>	\$ 3,900.00
		<b>Revised Total Amount:</b>	<b>\$ 15,600.00</b>

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**AMENDMENT TWO**

This second amendment ("**Amendment**") is made by and between Pima County, a political subdivision of the State of Arizona ("**County**" or "**Landlord**") and Five-To-Oh Coffee LLC., an Arizona for-profit limited liability company ("**Tenant**"). Landlord and Tenant are each individually a "Party" and collectively the "Parties."

The parties agree to amend the agreement as follows:

**1. Background and Purpose.**

1.1. Background. On December 1, 2020, Landlord and Tenant entered into Lease agreement ("**Agreement**") for approximately 118 square feet of space within the Historic Courthouse located at 115 N. Church Street, Tucson, AZ 85701 (the "**Premises**"), and described more specifically in the Agreement. The Initial Term of the Agreement expired on November 20, 2022. The Agreement included three 1-year options to extend the Term.

1.2. On November 15, 2022 Tenant exercised its first option to extend the Term of the Agreement. Amendment 1 included a scrivener's error for This Amendment Amount: which should have been \$3,900.00, this Amendment corrects the error.

1.3. Purpose. Tenant wishes to exercise its second option to extend and Landlord approves. Parties also wish to clarify certain terms and conditions of the Agreement.

**2. Term.** The Parties agree to extend the Lease Term for one additional year commencing on December 1, 2023 and terminating on November 30, 2024. If the commencement date is before the Effective Date of this amendment, the Parties will, for all purposes, deem the amendment to have been in effect as of the commencement date.

**3. Building Hours.** Section 5 of the Agreement will be replaced in its entirety with the following:

5. BUILDING HOURS. Historic Courthouse hours, when fully occupied will be as noted in the table below. Coffee Shop will maintain hours to accommodate the functions of the building. However, Coffee Shop hours may be adjusted as mutually agreed upon in writing between Tenant and the Director of Pima County Attractions and Tourism, or their designee.

Historic Courthouse Building Hours

Monday-Friday	7am-5pm
Saturday	9am-5pm
Sunday	9pm-5pm

**4. Counterparts and Copies.** This Agreement may be executed in counterparts, all of which, when taken together, shall constitute one agreement with the same force and effect as if all signatures had been entered on one document. Electronic, scanned, copied, or facsimile images of signatures in lieu of original signatures, transmitted electronically, are acceptable and shall be deemed the equivalent of an original.

**THE REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY**

All other provisions not specifically changed herein remain in effect and are binding upon the parties.

**PIMA COUNTY**

**Five-To-Oh Coffee LLC**

\_\_\_\_\_  
Adelita S. Grijalva, Board of Supervisors

\_\_\_\_\_  
Authorized Officer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name and Title

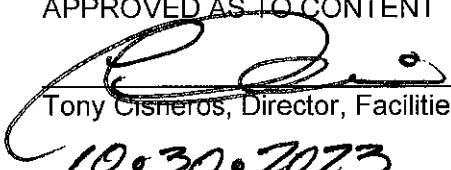
\_\_\_\_\_  
Date

ATTEST

\_\_\_\_\_  
Melissa Manriquez, Clerk of the Board

\_\_\_\_\_  
Date

APPROVED AS TO CONTENT

  
\_\_\_\_\_  
Tony Cisneros, Director, Facilities Management

10.30.2023  
Date

APPROVED AS TO FORM

  
\_\_\_\_\_  
Deputy County Attorney

Kyle Johnson  
\_\_\_\_\_  
Print DCA Name


10/6/2023  
\_\_\_\_\_  
Date

All other provisions not specifically changed herein remain in effect and are binding upon the parties.

**PIMA COUNTY**

**Five-To-Oh Coffee LLC**

\_\_\_\_\_  
Adelita Grijalva, Board of Supervisors

  
\_\_\_\_\_  
Authorized Officer Signature

\_\_\_\_\_  
Date

Eric Harding/Owner  
\_\_\_\_\_  
Printed Name and Title

10/20/23  
\_\_\_\_\_  
Date

ATTEST

\_\_\_\_\_  
Melissa Manriquez, Clerk of the Board

\_\_\_\_\_  
Date

APPROVED AS TO CONTENT

\_\_\_\_\_  
Tony Cisneros, Director, Facilities Management

\_\_\_\_\_  
Date

APPROVED AS TO FORM

\_\_\_\_\_  
Deputy County Attorney

\_\_\_\_\_  
Print DCA Name

\_\_\_\_\_  
Date