

Contract Number: CTN	-PW-13 * 365-	0
Effective Date :	8-19-13	
Term Date :		
Cost :		
Revenue :	·1·	
Total :	NTE:	
Action		
Renewal By :	4-1-18	
Term : 0	1-2-18	
Reviewed by: WK		

BOARD OF SUPERVISORS AGENDA ITEM SUMMARY

Requested Board Meeting Date: August 19, 2013

ITEM SUMMARY, JUSTIFICATION &/or SPECIAL CONSIDERATIONS:

On July 2, 2013, the Board of Supervisors approved two Agreements between the County and Community Healthcare Benefit Foundation of Pima County (CHBFPC) related to the Julian Wash section of the Urban Loop, the Agreement for the Development of the Julian Wash Multi-Use Path (CTN 13*365) and the Escrow Agreement (CTN 13*364). While finalizing the Julian Wash Agreements, County staff identified the amount of \$3,590,000 shown in the Agreements overstated the cost of the project by \$265,000. The management fee of \$265,000 was written in the Julian Wash Agreements as an addition to the project cost when in fact the amount was already included in the initial cost of the project.

This amendment will revise the amount written in the Agreements downward from \$3,590,000 to \$3,325,000 to reflect the actual costs of the project, inclusive of the management fee.

CONTRACT NUMBER (If applicable): CTN 13*365

STAFF RECOMMENDATION(S):

The Project Management Office recommends approving the Amendment to the Development Agreement.

CORPORATE HEADQUARTERS: Tucson, AZ

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To: CHH. 8.8.13 By Dept CoB- 8.14-13 Agenda 8.19-13 Addendum

Procure Jept 08/08/13 PM 03:35

•		CLERK O	F BOA	RD USE (ONLY: BOS MT	「G
					ITEM N	O
PIMA COUN	TY COST:	\$0 and/d	or REV	ENUE TO	PIMA COUNTY	′:\$ <u>0</u>
(i.e. General Fu	FUNDI nd, State Gra	NG SOURCE ant Fund, Federa	(S): I Fund, S	Stadium D. F	Fund, etc.)	<u></u>
Advertised l	Public Hea	ring:				
		YES	X	NO		
Board of Su	pervisors	District:				
1	2	3		4	5	All X
IMPACT:						
IF APPROVE The Develop		ement will refle	ect the	actual cos	t of the project.	

IF DENIED:

The Development Agreement will reflect an overstated cost.

DEPARTMENT NAME: Public Works Administration

CONTACT PERSON: Nancy Cole / Lisa Matthews TELEPHONE NO.: (520) 724-6312 or 724-8396

PIMA COUNTY DEPARTMENT OF PUBLIC WORKS ADMINISTRATION

PROJECT: Julian Wash Projects

CONTRACTOR: Community Healthcare Benefit Foundation

of Pima County

CONTRACT NO.: CTN 13*365

CONTRACT AMENDMENT NO.: One (#1)

CONTRACT

NO.CIN. Pw. 13 00000000000000003

AMENDMENT NO. 01

This number must appear on all invoices, correspondence and documents pertaining to this

ORIG. CONTRACT TERM: 07/02/2013 - 07/02/2018 TERMINATION DATE PRIOR AMENDMENT: N/A TERMINATION THIS AMENDMENT: 07/02/2018

ORIG. CONTRACT AMOUNT: \$0.00
PRIOR AMENDMENTS: N/A
AMOUNT THIS AMENDMENT: \$0.00
REVISED CONTRACT AMOUNT: \$0.00

contract.

CONTRACT AMENDMENT

WHEREAS, COUNTY and CONTRACTOR entered into a Contract as referenced above; and WHEREAS, through a clerical error, the wrong funding amount was included in the Contract; NOW, THEREFORE, it is agreed as follows:

CHANGE: ARTICLE 4.1 – Escrow:

From: "... CHBF will cause Three Million Three Hundred Twenty-Five Thousand Dollars (\$3,325,000) to be deposited into an escrow account with Landmark Title Assurance Agency of Arizona, LLC (the "Escrow Agent") for disbursement by the Escrow Agent to pay for the construction of the Project as provided in this Agreement plus the sum of Two Hundred Sixty-Five Thousand Dollars (\$265,000) for the management services set forth under section 4.3."

To: "... CHBF will cause Three Million Three Hundred Twenty-Five Thousand Dollars (\$3,325,000) to be deposited into an escrow account with Landmark Title Assurance Agency of Arizona, LLC (the "Escrow Agent") for disbursement by the Escrow Agent to pay for the construction of the Project as provided in this Agreement. This amount includes the sum of Two Hundred Sixty-Five Thousand Dollars (\$265,000) for the management services set forth under section 4.3."

The effective date of this Amendment shall be August 19, 2013.

(THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK)

All other provisions of the Contract, not specifically changed by this Amendment, shall remain in effect and be binding upon the parties. IN WITNESS THEREOF, the parties have affixed their signatures to this Amendment on the dates written below.						
Ramon Valadez, Chair Pima County Board of Supervisors	Signature Signature Signature					
Date	Name and Title (Please Print)					
PIMA COUNTY FLOOD CONTROL DISTRICT	Date					
Ramon Valadez, Chair PCFCD Board of Directors Date:						
ATTEST:						
Clerk of Board						
Date						
APPROVED AS TO FORM:	·					
REGINA NASSEN Deputy County Attorney						
Date						
APPROVED AS TO CONTENT:						
Nanette Slusser						
Date						