



BOARD OF SUPERVISORS AGENDA ITEM REPORT AWARDS / CONTRACTS / GRANTS

☐ Award ☒ Contract ☐ Grant

Requested Board Meeting Date: June 4, 2024

* = Mandatory, information must be provided

or Procurement Director Award: ☐

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

Federal Bureau of Investigation

***Project Title/Description:**

Rooftop License Agreement for Wireless Communications Facilities

***Purpose:**

This amendment exercises the first extension option to renew the License Agreement for five additional years, allowing the FBI to continue to operate and maintain communications equipment within Shelter A on the rooftop of 33 N. Stone Avenue through April 15, 2029.

***Procurement Method:**

This Revenue Contract is a non-Procurement contract and not subject to Procurement rules.

***Program Goals/Predicted Outcomes:**

The License Agreement amendment allows the FBI to continue to operate and maintain communications equipment on the rooftop at 33 N. Stone Avenue.

***Public Benefit:**

This License Agreement provides monthly revenue payments to Pima County.

***Metrics Available to Measure Performance:**

Timely payment of license fees and electrical usage assigned to the FBI for use of the 33 N. Stone rooftop shelter space.

***Retroactive:**

Yes. This agreement is retroactive. The current License Agreement expired April 15, 2024. The Information Technology Department (ITD) began working on this renewal in January. Negotiations regarding the renewal term length resulted in a final draft not being agreed upon until March 28, 2024. ITD routinely requested updates from the FBI throughout the process. The FBI concluded their signature and review process April 23, 2024 and mailed the documents back to us May 1, 2024. ITD received the signed copy of the amendment on May 15, 2024.

TO: COB-5-16-24 (5)
Vers.: 2
pgs.: 4

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THE APPLICABLE SECTION(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 (i.e., 15-123): _____
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 partially funded with Federal Funds? ☐ Yes ☐ No

If Yes, is the Contract to a 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: IT Contract Number (i.e., 15-123): 19-177
Amendment No.: 1 AMS Version No.: 2
Commencement Date: 4/16/2024 New Termination Date: 4/15/2029
Prior Contract No. (Synergen/CMS): _____

☐ Expense ☒ Revenue ☐ Increase ☐ Decrease

Amount This Amendment: \$ 5344.08

Is there revenue included? ☒ Yes ☐ No If Yes \$ 5344.08

***Funding Source(s) required:** N/A – This is a Revenue Contract.

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:** _____

***Match funding from General Fund?** ☐ Yes ☐ No If Yes \$ _____ % _____

***Match 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: Jay Hogan / Michelle Mitchell

Department: Information Technology Department

Telephone: 520-724-2316 / 520-724-9590

Department Director Signature: _____ Date: 5/16/2024
Deputy County Administrator Signature: _____ Date: 5-16-2024
County Administrator Signature: _____ Date: 5/16/2024

Pima County Department of Information Technology

Project: Rooftop License Agreement for Wireless Communications Facilities

Contractor: Federal Bureau of Investigation

Contract No.: CTN-IT-19-177

Contract Amendment No.: 01

Orig. Contract Term: 04/16/2019 – 04/15/2024	Orig. Amount:	\$ 4,442.61
Termination Date Prior Amendment: N/A	Prior Amendments Amount:	\$ 0.00
Termination Date This Amendment: 04/15/2029	This Amendment Amount:	\$ 5,344.08
	Revised Total Amount:	\$ 9,786.69

LICENSE AMENDMENT

The parties agree to amend the above-referenced contract as follows:

1. Background and Purpose.

1.1. Background. On April 16, 2019, Pima County ("County") and the Federal Bureau of Investigation ("Licensee") entered into the above referenced Rooftop License Agreement for Wireless Communications Facilities ("License"). Section 11 of the License states that the License is renewable for three additional five-year periods upon written agreement of both parties.

1.2. Purpose. County would like to renew the License for the first additional five-year period to allow Licensee to continue to operate and maintain radio equipment within Shelter A, at 33 North Stone Avenue.

2. **Term**. Parties are exercising the first extension option to renew the License for five additional years commencing on April 16, 2024, and terminating on April 15, 2029. 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. License Fee Schedule.

Exhibit E is replaced in its entirety with the attached **Exhibit E, 33 N. Stone Avenue Rooftop License Fee Schedule** (1 page).

4. **Notice**. Section 30 of the original license is hereby replaced with the following:

Any notice required or permitted to be given under this Contract must be in writing and be served by personal delivery or by certified mail upon the other party as follows:

PIMA COUNTY:
Information Technology Department
Attn: Contract Administrator
33 N Stone; 14th Floor
Tucson, Arizona 85701
(520)724-8113
ITD_Purchasing@pima.gov

LICENSEE:
Federal Bureau of Investigation
Attn: OTD RCU TOSS
935 Pennsylvania Avenue NW
Washington, DC 20535
(703) 985-6252
sbingham@fbi.gov

5. Non-Appropriation. The following section is hereby added to the license agreement.

Non-Appropriation. Notwithstanding any other provision in this License, Licensee may terminate this License if for any reason there are not sufficient appropriated and available monies for the purpose of maintaining Licensee or other public entity obligations under this License. In the event of such termination, Licensee will have no further obligation to Licensor, other than to pay for its use up to termination and removal of equipment in accordance with Clause 17.

All other provisions of the Contract not specifically changed by this Amendment remain in effect and are binding upon the parties.

Remainder of page left intentionally blank.

Exhibit E (1 page)
33 N. Stone Rooftop License Fee Schedule
Commencement Date: April 16, 2024

Site ID	Location	Type	Monthly Fee
33 N Stone Rooftop	33 N. Stone Avenue Tucson, AZ 85701	Antennas	*\$67.00

TOTAL MONTHLY \$67.00

MONTHLY PAYMENTS DUE

Sixth Year	\$1,006.56	(\$977.17 plus 3%)
Seventh Year	\$1,036.80	(\$1,006.56 plus 3%)
Eighth Year	\$1,067.88	(\$1,036.80 plus 3%)
Nineth Year	\$1,099.92	(\$1,067.88 plus 3%)
Tenth Year	\$1,132.92	(\$1,099.92 plus 3%)

* Rooftop Antenna Fee Monthly Charge:

(1) Radiowaves HP2-7.7 2' Dish = \$67.00 / Month

FIVE-YEAR TERM TOTAL = \$5,344.08

PIMA COUNTY

Chair, Board of Supervisors

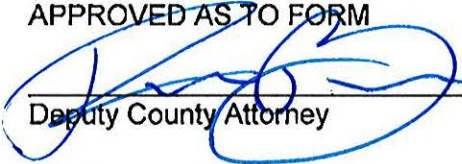
Date

ATTEST


Clerk of the Board

Date

APPROVED AS TO FORM



Deputy County Attorney



Print DCA Name

05-16-2024
Date

LICENSEE




Authorized Officer Signature

Nancy J. Beck, Contracting

Printed Name and Title

4/20/24
Date

APPROVED AS TO CONTENT



Javier Baca, Director
Information Technology Department

5/16/2024
Date