



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

Requested Board Meeting Date: August 1, 2017

Award  Contract  Grant

or Procurement Director Award

\* = Mandatory, information must be provided

**\*Contractor/Vendor Name/Grantor (DBA):**  
Pima County Community Land Trust (PCCLT)

**\*Project Title/Description:**  
PCCLT Ontario Rental Housing Project  
The original contract may be found as Number CT-CD-16\*431 in eContracts.

**\*Purpose:**  
Construct six new affordable rental housing units. Amend contract to extend contract termination date by one year to accommodate delays caused by HUD mandated Environmental Assessments.

**\*Procurement Method:**  
Procurement Exempt D29.6

**\*Program Goals/Predicted Outcomes:**  
Provide and preserve affordable rental housing for low income households.

**\*Public Benefit:**  
Affordable rental housing.

**\*Metrics Available to Measure Performance:**  
Six (6) new rental housing units including one fully accessible to disabled persons.

**\*Retroactive:**  
Yes. CDNC Department initiated the HUD required Environmental Assessment process immediately after contract was executed in July 2016. The contractor quickly hired environmental consultants to conduct assessments. City of Tucson as Lead Entity of the HOME Program (Grant) completed HUD mandated additional Environmental Assessments and determined there were no significant impacts on the quality of the environment and no mitigation or conditions were required. In accordance with HUD requirements, the Environmental Assessments were published for public comment. Upon completion of that comment period, the City of Tucson submitted a Request for Release of Funds to HUD. On March 24, 2017 HUD issued an Authority to Use Grant Funds. City of Tucson notified PCCLT they may start construction. This process delayed construction that was scheduled to begin in July 2016 and finish in January 2017. Due to the delay caused by the Environmental Assessments, PCCLT is hereby given an extension of time to complete the construction of the project. The amended termination date is July 4, 2018.

TO: COB 7-24-17  
vers.: 6  
PSS.: 3

APPENDUM

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KFS

**Contract / Award Information**

Document Type: \_\_\_\_\_ Department Code: \_\_\_\_\_ Contract Number (i.e., 15-123): \_\_\_\_\_

Effective 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

**\*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 22-73.*

**Amendment / Revised Award Information**

Document Type: CT Department Code: CD Contract Number (i.e., 15-123): 16\*431

Amendment No.: 01 AMS Version No.: 06

Effective Date: July 5, 2017 New Termination Date: July 4, 2018

Prior Contract No. (Synergen/CMS): 16\*431

Expense or  Revenue  Increase  Decrease Amount This Amendment: \$ \_\_\_\_\_

Is there revenue included?  Yes  No If Yes \$ \_\_\_\_\_

**\*Funding Source(s) required:** U.S. DEPT. OF HOUSING AND URBAN DEVELOPMENT - HOME INVESTMENT PARTNERSHIP PROGRAM.

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): \_\_\_\_\_

Effective 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: MARCOS YSMAEL

Department: CDNC Telephone: 724-2462

Department Director Signature/Date: Margaret... 07/21/2017

Deputy County Administrator Signature/Date: [Signature] 7/21/2017

County Administrator Signature/Date: C. Deibel... 7/21/17  
*(Required for Board Agenda/Addendum Items)*

**PIMA COUNTY COMMUNITY DEVELOPMENT  
AND NEIGHBORHOOD DEVELOPMENT**

**PROJECT:** *PCCLT Ontario Rental Housing Project*

**DEVELOPER:** Pima County Community Land Trust  
801 W. Congress St.  
Tucson, AZ 85745

**PIMA COUNTY CONTRACT NO:** CT-CD-16\*0431

**CONTRACT AMENDMENT NO. ONE (1)**

<b>CONTRACT</b>	
NO. <u>CT-CD-16-431</u>	
AMENDMENT NO. <u>01</u>	
This number must appear on all invoices, correspondence and documents pertaining to this contract.	

Original Contract Term:	07/05/2016 – 07/04/2017	Amount:	\$410,000.00
Termination Date Prior Amend:	N/A	Amount Prior Amend:	N/A
Termination Date this Amend:	07/04/2018	Amount this Amend:	-0-
		Revised Amount:	\$410,000.00

Pima County (“County”) and Pima County Community Land Trust (“PCCLT”), a non-profit corporation doing business in the State of Arizona (“Developer”) entered into the above referenced Agreement for the construction, rental and maintenance of a multi-family, low-income housing complex.

**CONTRACT AMENDMENT NO. 1**

**RECITALS**

- A. Under this Agreement, County allocated HOME program funds received from the U.S. Department of Housing and Urban Development (“HUD”) to Developer for the construction of the *PCCLT Ontario Rental Housing Project* (“the Project”).
- B. The Project, when completed, will be a 6-unit multi-family housing development for low-income families. Four (4) of the six units will be attributed to the County HOME Program and reserved of individual or families with household incomes at or below 60% Area Median Income (“AMI”). The project will remain affordable for a period of 20 years.
- C. Immediately following the execution of this contract on July 5, 2016, PCCLT proceeded to comply with the HUD environmental assessment required under to 24 CFR Part 92.
- D. On August 31, 2016, PCCLT provided a Phase I Environmental Assessment followed by a Cultural Resource Inventory completed on November 2, 2016 and a Field Inspection completed on November 14, 2016.
- E. City of Tucson as Lead Entity of the City of Tucson-Pima County HOME Consortium prepared the Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects as required by 24 CFR Part 58.
- F. The project was determined to result in no significant impact on the quality of the environment and no mitigation and conditions were required.

- G. City of Tucson beginning on February 8, 2017 published the Assessments for public comment for a period of thirty days as required by HUD.
- H. City of Tucson closed the public comment period and submitted a Request for Release of Federal Funds to the HUD.
- I. HUD approved the Request for Release of Federal Funds on March 24, 2017 and the City of Tucson notified PCCLT that construction could begin
- J. The initial construction schedule July 2016 -- January 2017 was significantly delayed by this mandatory environmental review process.
- K. A one year extension of the Agreement will allow PCCLT to construct and operate the project.

**NOW, THEREFORE,** the parties agree to amend the Agreement as follows:

- 1. **1.0 TERM AND EXTENSIONS** – Paragraph 1.1 is amended as follows:
  - 1.1. The termination date is changed:
    - FROM: July 4, 2017
    - TO: July 4, 2018
  - 1.2. The second sentence is deleted in its entirety. No further extensions will be allowed.

**REMAINDER OF PAGE INTENTIONALLY LEFT BLANK**

2. **Paragraph 33.0 -- ISRAEL BOYCOTT CERTIFICATION** is added to read:

Developer hereby certifies that it is not currently engaged in, and will not for the duration of this Contract engage in, a boycott of Israel as defined by A.R.S. § 35-393.01. Violation of this certification by Developer may result in action by County up to and including termination of this Contract.

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

IN WITNESS WHEREOF, the parties do hereby affix their signatures and do hereby agree to carry out the terms of this Amendment and of the original Contract cited herein.

**PIMA COUNTY:**

**DEVELOPER:**

\_\_\_\_\_  
Chair, Board of Supervisors

MMAJ  
Authorized Officer Signature

\_\_\_\_\_  
Date

Maggie Amado-Tellerz  
Printed name and title Exec. Director

ATTEST:

July 18, 2017  
Date

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Date

APPROVED AS TO CONTENT:

Margaret M. Kane <sup>mb</sup>  
Director, Community Development & Neighborhood Conservation  
Date 07/21/2017

APPROVED AS TO FORM:

Tobin Rosen  
**TOBIN ROSEN**  
for Karen S. Friar, Deputy County Attorney