



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

Award Contract Grant

Requested Board Meeting Date: July 11, 2017

or Procurement Director Award

* = Mandatory, information must be provided

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

Zayo Group, LLC, a Delaware Limited Liability Company

***Project Title/Description:**

Contract Amendment No. 4 to Non-Exclusive Right of Way Use License for a Communications System. Lic-0151

***Purpose:**

This Amendment extends the term of the License for an additional five (5) years, pursuant to the mutual agreement of the parties under Section 2 of the License. All other terms of the original License and any prior Amendments thereto shall remain in effect and be binding upon the parties thereto.

***Procurement Method:**

D 29.4.XI.H "Other Procurement Method"

***Program Goals/Predicted Outcomes:**

To extend the term of Licensee's License for a term of five (5) years with a new termination date of August 19, 2022.

***Public Benefit:**

To enhance cell service to Licensee's customers in Pima County.

***Metrics Available to Measure Performance:**

Licensee is required to obtain all applicable permits prior to commencing any work in the right-of-way. Licensee shall indemnify County from all claims resulting from activities in connection with the License, and shall obtain and maintain, at its own expense, the required levels of insurance during the entire term of the Contract, and shall provide County with current certificates of insurance. Licensee shall pay the \$1,980 fee required for the "application renewal fee" pursuant to Pima County Ordinance No. 2004-19, Section 1(j) within thirty (30) days of the date of this Amendment No. 4.

***Retroactive:**

No.

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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: CTN Department Code: IT Contract Number (i.e.,15-123): 13-008

Amendment No.: 4 AMS Version No.: 6

Effective Date: 8/20/2017 New Termination Date: 8/19/2022

Prior Contract No. (Synergen/CMS): _____

Expense or Revenue Increase Decrease Amount This Amendment: \$ 1,980.00

Is there revenue included? Yes No If Yes \$ 1,980.00

***Funding Source(s) required:** _____

Funding from General Fund? Yes No If Yes \$ _____ % _____

Grant Information (for grants acceptance and awards)

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

Effective Date: _____ Termination Date: _____ Prior Contract Number (Synergen/CMS): _____

Match Amount: \$ _____ Revenue Amount: \$ _____

***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: Michael D. Stofko

Department: Real Property Services Telephone: 520-724-6667

Department Director Signature/Date: [Signature] 6/16/17

Deputy County Administrator Signature/Date: [Signature] 6/20/17

County Administrator Signature/Date: [Signature] 6/20/17
(Required for Board Agenda/Addendum Items)

<p>PIMA COUNTY DEPARTMENT OF INFORMATION TECHNOLOGY</p> <p>PROJECT: Nonexclusive Right-of-Way Use License for a Communications System</p> <p>LICENSEE: Zayo Group, LLC</p> <p>CONTRACT NO.: CTN-IT-13-008</p> <p>CONTRACT AMENDMENT NO.: Four (#04)</p>	<p>CONTRACT</p> <hr/> <p>NO. <u>CTN-IT-13-008</u></p> <hr/> <p>AMENDMENT NO. <u>04</u></p> <hr/> <p><small>This number must appear on all invoices, correspondence and documents pertaining to this contract.</small></p>
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ORIG. CONTRACT TERM: 08/20/2012 – 08/19/2017	ORIG. CONTRACT AMOUNT:	\$3,000.00
TERMINATION DATE PRIOR AMENDMENT: 8/19/2017	PRIOR AMENDMENTS:	\$3,000.00
TERMINATION THIS AMENDMENT: 08/19/2022	AMOUNT THIS AMENDMENT:	\$1,980.00
	REVISED CONTRACT AMOUNT:	\$7,980.00

FOURTH AMENDMENT TO NONEXCLUSIVE RIGHT-OF-WAY USE LICENSE FOR A COMMUNICATIONS SYSTEM

WHEREAS, COUNTY granted LICENSEE a Nonexclusive Right-of-Way Use License for a Communications System (the "License"); and

WHEREAS, the term of the License expires on August 19, 2017; and

WHEREAS, Section 2 of the License provides that the License is renewable upon mutual agreement of the parties and in accordance with applicable law; and

WHEREAS, LICENSEE and COUNTY, pursuant to Section 2 of the License, have agreed to extend the term of the License for an additional five (5) years.

NOW, THEREFORE, the parties agree as follows:

The term of the License is hereby extended for an additional five (5) years, terminating on August 19, 2022.

Within thirty (30) days of the effective date of this Amendment No. 4, Licensee shall pay to County its application for renewal fee in the amount of \$1,980.00, pursuant to Pima County Ordinance 2004-19, Section 1(j).

The effective date of this Amendment shall be the date it is executed by the Pima County Board of Supervisors.

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

IN WITNESS WHEREOF, the parties have affixed their signatures to this License Amendment on the dates written below.

PIMA COUNTY:

Chair, Board of Supervisors

Date

ZAYO GROUP, LLC:

Signature

Name and Title (Please Print)

Date

ATTEST:

Clerk of the Board of Supervisors

Date

APPROVED AS TO CONTENT:

Jesse Rodriguez, Chief Information Officer

Date

APPROVED AS TO FORM:

Tobin Rosen, Deputy County Attorney

Date