



BOARD OF SUPERVISORS AGENDA ITEM REPORT
CONTRACTS / AWARDS / GRANTS

☐ Award ☒ Contract ☐ Grant

Requested Board Meeting Date: July 7, 2020

* = Mandatory, information must be provided

or Procurement Director Award ☐

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

Wildcat Golf Partners, LLC

***Project Title/Description:**

Cooperative Management Agreement for operation of golf course. The contract can be found in OnBase by searching Contracts 12*107 in Doc_ID_AMS

***Purpose:**

Following RFP process, the County was unable to reach a long-term agreement for operation of the golf course. Following negotiations County was able to reach a shorter term agreement with the operator. The course will remain open for 11 months as a longer term approach is pursued.

***Procurement Method:**

Cooperative Management Agreement as a non-procurement contract and is not subject to the procurement rules.

***Program Goals/Predicted Outcomes:**

To manage and maintain golf course for public use

***Public Benefit:**

Public will continue to have use of a professional grade golf course

***Metrics Available to Measure Performance:**

Monthly reviews by County staff as outlined in prior contract.

***Retroactive:**

Yes

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Addendum

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

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 22-73.

Amendment / Revised Award Information

Document Type: CTN Department Code: ED Contract Number (i.e., 15-123): 12*107
Amendment No.: Four (4) AMS Version No.: Seven (7)
Effective Date: 07/01/2020 New Termination Date: 05/31/2021
Prior Contract No. (Synergen/CMS): _____

☐ Expense or ☒ Revenue ☐ Increase ☒ Decrease Amount This Amendment: \$ -37,461.00

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

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

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: Florina Lopez

Department: Attractions & Tourism Telephone: 520-724-7350

Department Director Signature/Date: Diane E. [Signature] 6/30/2020

Deputy County Administrator Signature/Date: [Signature] 30 June 2020

County Administrator Signature/Date: C. [Signature] 6/30/20
(Required for Board Agenda/Addendum Items)

Pima County Department of Attractions and Tourism

Project: COOPERATIVE MANAGEMENT AGREEMENT

Contractor: WILDCAT GOLF PARTNERS, LLC

Contract No.: CTN ED 1200000 00000 0000107

Contract Amendment No.: FOUR (4)

Orig. Contract Term: 07/01/2004 - 06/30/2014	Orig. Amount:	\$122,987.00
Termination Date Prior Amendment: 06/30/20	Prior Amendments Amount:	\$431,000.00
Termination Date This Amendment: 05/31/21	This Amendment Est. Amount:	\$- 37,461.00
	Revised Total Amount:	\$516,526.00

CONTRACT AMENDMENT

1. Background. The parties acknowledge that the following information is accurate:

- 1.1. On July 1, 2004, County and Wildcat Golf Partners, LLC ("**Manager**") entered into the above referenced Cooperative Management Agreement (the "**Agreement**") to provide management, operation, and maintenance of the Crooked Tree Golf Course.
- 1.2. The original Agreement term was ten years commencing on July 1, 2004, and ending on June 30, 2014. Amendment 1 extended the term of the Agreement to June 30, 2019, and Amendment 3 extended the term to June 30, 2020.
- 1.3. The parties want to extend the Term of the Agreement for an additional 11-month period and amend certain other provisions. Capitalized terms not otherwise defined in this Amendment have the meanings assigned in the Agreement as previously amended.

2. Term. The Agreement's Term is hereby extended for an 11-month period (the "**Extension Term**") commencing July 1, 2020 and ending May 31, 2021. If the commencement date of the Extension Term is before the signature date of the last party to execute this amendment, the parties will nevertheless, for all purposes, deem the amendment to have been in effect as of the end of the prior term so that the Agreement has continued without lapse.

3. Operating Fees. Manager is not required to pay any Operating Fees under Section 3 of the Agreement, as previously amended by Amendment 3, during the Extension Term. Manager is also relieved of its obligation to pay previously deferred Operating Fees for April through June 2020 totaling \$1,500.

4. Reclaimed Water. Manager will continue to pay for the utility costs necessary to pump reclaimed water to the Golf Course as provided in Section 19.2 of the Agreement, as amended by Amendment 2. Manager is not, however, required to pay the per-acre-foot charge for the reclaimed water during the Extension Term.

5. Owed Reclaimed Water Fees. County agrees to waive the amounts owed for reclaimed water by the Operator for the second, third and fourth quarters of Fiscal Year 2019/20 estimated to be \$35,961.00.

6. Repairs and Maintenance. Section 6 of the Agreement is amended to add the following to the end of Section 6.1:

Pima County agrees to be responsible for necessary repairs to the irrigation pumps during the term of the extension period of this Agreement.

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

PIMA COUNTY

Chairman, Board of Supervisors

Date

MANAGER

Authorized Officer Signature

RICHARD MUELLER, VICE PRESIDENT
Printed Name and Title

6/29/20
Date

ATTEST

Clerk of the Board

Date

APPROVED AS TO FORM

Regina L. Nassen

Deputy County Attorney

Regina L. Nassen

Print DCA Name

June 30, 2020

Date

APPROVED AS TO CONTENT

Department Head

6/30/2020
Date