



Contract Number: CTN-IT-CMS141278-02
Effective Date: 8-1-13
Term Date: 7-31-18
Cost: _____
Revenue: 147,905.76
Total: _____ NTE: _____
ACTION:
Renewal By: _____
Term: 5-1-18
Reviewed by: JF 7-31-18

BOARD OF SUPERVISORS AGENDA ITEM SUMMARY

Requested Board Meeting Date: 10/01/2013

ITEM SUMMARY, JUSTIFICATION &/or SPECIAL CONSIDERATIONS:

Action Communications was issued a Rooftop License for use of the Bank of America Rooftop Facilities effective August 1, 2008, with expiration date of July 31, 2013. This Second Amendment extends the term an additional five years, through July 31, 2018, and revises the fee structure accordingly (Exhibit D).

CONTRACT NUMBER (If applicable): CTN-IT-CMS141278

STAFF RECOMMENDATION(S):

The Information Technology Department recommends that the Pima County Board of Supervisors adopt and the Chairman sign the Second Amendment to Rooftop License for Action Communications, Inc.

CORPORATE HEADQUARTERS: Arizona

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Ver. 3
Vendor. 1
Pgs. 4

To: COB. 9-18-13
Agenda 10-1-13
(2)

CLERK OF BOARD USE ONLY: BOS MTG. _____

ITEM NO. _____

PIMA COUNTY COST: _____ **and/or REVENUE TO PIMA COUNTY:\$** 147,905.76

FUNDING SOURCE(S): N/A

(i.e. General Fund, State Grant Fund, Federal Fund, Stadium D. Fund, etc.)

Advertised Public Hearing:

<input type="checkbox"/>	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
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Board of Supervisors District:

1	<input type="checkbox"/>	2	<input type="checkbox"/>	3	<input type="checkbox"/>	4	<input type="checkbox"/>	5	<input checked="" type="checkbox"/>	All	<input type="checkbox"/>
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IMPACT:

IF APPROVED:

Action Communications will continue to use the Rooftop Facilities at Bank of America to service its customers, and the County will receive revenue in the amount of \$147,905.76 over the 5 year term.

IF DENIED:

Action Communications will discontinue use of the Rooftop Facilities at Bank of America and remove all its currently installed antenna and equipment, which will adversely affect its customers, and the County will not receive additional revenue.

DEPARTMENT NAME: Information Technology

CONTACT PERSON: Julie McWilliams **TELEPHONE NO.:** 724-8066



CONTRACT	
NO.	CTN-IT-CMS 141278
AMENDMENT NO.	02
This number must appear on all invoices, correspondence and documents pertaining to this contract.	

PIMA COUNTY
SECOND AMENDMENT TO
ROOFTOP LICENSE FOR
WIRELESS COMMUNICATIONS FACILITIES
CONTRACT No. CTN-IT-CMS141278 (Previous #12-14-A-141278-0808)

THIS SECOND AMENDMENT is entered into by and between Pima County ("County"), a political subdivision of the State of Arizona, and Action Communications, Inc., ("Licensee"), an Arizona Limited Liability Company, and shall be effective August, 2013.

RECITALS

County and Licensee entered into a Rooftop License for Wireless Communications Facilities effective August 1, 2008, with expiration date of July 31, 2013. The Agreement was subsequently amended effective January 1, 2012. With this Second Amendment to License, the parties desire to extend the license and revise the fee structure as stated herein.

AGREEMENT

WHEREFORE, the parties agree as follows:

1. SECTION 11: TERM, RENEWAL AND TERMINATION:

The term of the license is extended through July 31, 2018.

2. Section 12 LICENSE FEE is revised:

From: "Licensee shall pay County \$1,770.00 (One Thousand Seven Hundred Seventy Dollars) per month..."

To: "Licensee shall pay County \$2,230.60 (Two Thousand Two Hundred Thirty and 60/100 Dollars) per month..."

3. Exhibit D LICENSE FEE is added (attachment).
4. All other provisions of the license shall remain in effect and continue to be binding upon the parties.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

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

PIMA COUNTY:

N/A
Procurement Director

Date

LICENSEE:

[Signature]
Signature

WM. BRIAN BAXTER PRETINENT
Print Name and Title

9-4-13
Date

APPROVED AS TO CONTENT:

[Signature]
Lionel H. Bittner, Chief Information Officer

Sept 10, 2013
Date

**PIMA COUNTY
BOARD OF SUPERVISORS**

Chairman

APPROVED AS TO FORM:

[Signature] **TOBIN ROSEN**
Marc Natelsky, Deputy County Attorney

8/17/13
Date

ATTEST:

Clerk of the Board

EXHIBIT D

LICENSE FEE effective August 1, 2013 through July 31, 2018

Site ID	Location	Type	Monthly Fee
BOA Rooftop	33 N Stone Avenue	*Antennas	*\$1,880.60
		Shed Space	\$350.00
TOTAL MONTHLY			\$2,230.60

MONTHLY PAYMENTS DUE

08/01/2013-07/31/2014	\$2,230.60	
08/01/2014-07/31/2015	\$2,342.13	(\$2,230.60 plus 5%)
08/01/2015-07/31/2016	\$2,459.24	(\$2,342.13 plus 5%)
08/01/2016-07/31/2017	\$2,582.20	(\$2,459.24 plus 5%)
08/01/2017-07/31/2018	\$2,711.31	(\$2,582.20 plus 5%)

* Antenna/Equipment monthly charge

(1) Antenna @ \$277.00 @ 99'	=	\$277.00 / month
Antenna Height ≥ 90' @ + 50%	=	<u>\$138.50 / month</u>
Subtotal		\$415.50 / month
 (1) Antenna @ \$277.00 @ 84'	=	\$277.00 / month
Antenna Height 60'-89' + 30%	=	<u>\$83.10 / month</u>
Subtotal		\$360.10 / month
 (5) Repeaters @ 221.00	=	<u>\$1,105.00 / month</u>
Total	=	\$1,880.60 / month