



BOARD OF SUPERVISORS AGENDA ITEM REPORT
CONTRACTS / AWARDS / GRANTS

☐ Award ☒ Contract ☐ Grant

Requested Board Meeting Date: 5/19/2020

* = Mandatory, information must be provided

or Procurement Director Award ☐

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

De La Warr Investment Corporation, a Delaware corporation

***Project Title/Description:**

Sixth Amendment to extend/renew Lease term for De La Warr for 33. N. Stone, #850, Tucson AZ

***Purpose:**

Renewal of lease for (1) year, with option to renew for one (1) additional year.

***Procurement Method:**

Exempt per Section 11.04.020.

***Program Goals/Predicted Outcomes:**

Generation of revenue for County by keeping suite occupied by private tenant.

***Public Benefit:**

Receipt of approximately \$28,162.00 rent revenue for the 1 year renewal.

***Metrics Available to Measure Performance:**

Full and timely payment of rent during the lease period.

***Retroactive:**

No.

10: C08-5-6-20
Ver. - 6
pgs. 3 (1)

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 22-10.***Amendment / Revised Award Information**

Document Type: CTN Department Code: FM Contract Number (i.e., 15-123): CMS139839

Amendment No.: 6 AMS Version No.: 6

Effective Date: 5/31/20 New Termination Date: 5/31/2021

Prior Contract No. (Synergen/CMS): _____

☐ Expense or ☒ Revenue ☒ Increase ☐ Decrease Amount This Amendment: \$ 28,162.20Is there revenue included? ☒ Yes ☐ No If Yes \$ 28,162.20***Funding Source(s) required:** Revenue ContractFunding 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: Kevin Button

Department: Facilities Management

Telephone: 520-724-8230

Department Director Signature/Date: _____

Deputy County Administrator Signature/Date: _____

County Administrator Signature/Date: _____

(Required for Board Agenda/Addendum Items)

**PIMA COUNTY
FACILITIES MANAGEMENT DEPARTMENT**

PROJECT: Sixth Amendment to extend De La Warr Lease for 33 N. Stone, #850, Tucson, AZ

LANDLORD: PIMA COUNTY

TENANT: DE LA WARR INVESTMENT CORPORATION

PROPERTY: 33 N. Stone, #850, Tucson, AZ

CONTRACT NO.: CTN-FM-CMS 139839

ORIGINAL LEASE TERM: 06/01/03 – 05/31/06	ORIG. LEASE AMOUNT:	\$ 60,235.44
TERMINATION DATE PRIOR AMENDMENT: 5/31/20	PRIOR AMENDMENTS:	\$ 360,326.91
TERMINATION THIS AMENDMENT: 5/31/21	AMOUNT THIS AMENDMENT:	\$ 28,162.20
	REVISED LEASE AMOUNT:	\$ 448,724.55

LEASE AMENDMENT Six (6)

1. **DEFINED TERMS.** For purposes of this Amendment, the following terms have the meanings set forth below:

- 1.1. Landlord. Pima County, a political subdivision of the State of Arizona.
- 1.2. Tenant. De La Warr Investment Corporation, a Delaware corporation.
- 1.3. Leased Premises. Suite 850 in Landlord's building located at 33 North Stone Ave., Tucson, Arizona 85701, commonly known as the Bank of America Building, consisting of approximately 1,255 rentable square feet.
- 1.4. Lease. The Lease for the Leased Premises naming Tenant as tenant, dated April 21, 2003 and all amendments thereto.
- 1.5. Effective Date. May 31, 2020.

2. **BACKGROUND.**

- 2.1. Tenant and Landlord entered into an original lease agreement, which has been amended five times. The fifth amendment to the Lease (the "**Fifth Amendment**") extended the Term to May 31, 2020, and provided the Tenant an option to further extend the Term from June 1, 2020 through May 31, 2021. The Tenant wishes to exercise this option to extend and remain in the Premises.

3. **MODIFICATION OF LEASE.** Landlord and Tenant hereby modify the terms of the Lease as follows:

3.1. Extension of Lease. the Term of the Lease is hereby extended for an additional one (1) year period (the "**Extension Period**"), which will begin on June 1, 2020 and terminate on May 31, 2021.

3.2. Option to Extend. Provided Tenant is not in default and subject to Landlord's written approval, Landlord grants Tenant one (1) option to further extend the Lease for one (1) additional year (the "**Option Period**") which, if exercised, will begin on June 1, 2021 and terminate on May 31, 2022. The Option Period is exercisable by Tenant giving Landlord written notice of Tenant's election to extend the Lease before March 1, 2021.

3.3. Basic Rent Schedule. The Basic Rent during the Extension and Option Periods is:


Lease Year	Gross Sq Ft.	\$/SF/YR	Rent Increase %	Monthly Rent	Annual Rent
6/1/2020-5/31/2021	1255	\$22.44	2%	\$2,346.85	\$28,162.20
Option Period: 6/1/2021-5/31/2022	1255	22.89	2%	\$2,393.91	\$28,726.95

4. **REMAINING LEASE TERMS UNCHANGED.** Except as modified by this Lease Amendment Six (6), all terms and conditions of the Lease, as previously amended, remain in full force and effect.

The remainder of this page is intentionally left blank.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment on the day, month and year written below.

TENANT: De La Warr Investment Corporation, a Delaware Corporation:



Geoffrey P. Shepard
President and Director

22 Apr 2020

Date

LANDLORD: Pima County, a political subdivision of the State of Arizona:

Chair, Board of Supervisors

Date

ATTEST:

Julie Castañeda
Clerk of the Board

Date

APPROVED AS TO CONTENT:




Lisa Josker
Director, Facilities Management

5/5/2020

Date

APPROVED AS TO FORM:



Regina Nassen
Deputy County Attorney

4/22/2020

Date