



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: Co8. 5-6-20
Ver. - 4
pgs. - 3 (1)

Revised 9/2019

Page 1 of 2

Procure Dept 05/05/20 PM0487

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: \$ 28,162.20

Is there revenue included? Yes No If Yes \$ 28,162.20

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

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:** _____

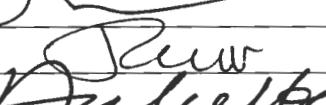
***If Federal funds are received, is funding coming directly from the Federal government or passed through other organization(s)?** _____

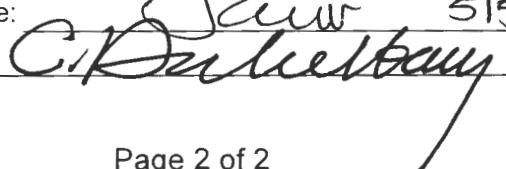
Contact: Kevin Button

Department: Facilities Management

Telephone: 520-724-8230

Department Director Signature/Date:  15/2020

Deputy County Administrator Signature/Date:  5/5/2020

County Administrator Signature/Date:  C. Darleebay 5/5/2020
(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
TERMINATION DATE PRIOR AMENDMENT: 5/31/20
TERMINATION THIS AMENDMENT: 5/31/21

ORIG. LEASE AMOUNT:	\$ 60,235.44
PRIOR AMENDMENTS:	\$ 360,326.91
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

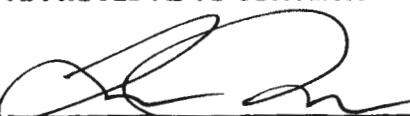
Date

ATTEST:

Julie Castañeda
Clerk of the Board

Date

APPROVED AS TO CONTENT:

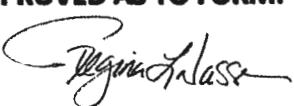

Lisa Josker

Director, Facilities Management

5/5/2020

Date

APPROVED AS TO FORM:


Regina Nassen

Deputy County Attorney

4/22/2020

Date