



BOARD OF SUPERVISORS AGENDA ITEM REPORT AWARDS / CONTRACTS / GRANTS

☐ Award ☒ Contract ☐ Grant

Requested Board Meeting Date: 06/21/2022

or Procurement Director Award: ☐

* = Mandatory, information must be provided

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

Friends of Tucson Birthplace, Inc.

***Project Title/Description:**

LCP-0108, FOTB-Operation/Maintenance Mission Gardens

***Purpose:**

FOTB will develop, operate and maintain the Mission Garden as a County public park and historic cultural and educational garden pursuant to the approved 2016 Master Plan. The initial agreement began in 2017 for five (5) years. There are two 5 year options, which are at the sole discretion of the Boards of Supervisors.

***Procurement Method:**

Renewal of Agreement. County is authorized, pursuant to A.R.S. § 11-933, to enter into agreements for the operation of County public parks, as defined in A.R.S. § 11-931.

***Program Goals/Predicted Outcomes:**

Continued development, operation, and maintenance of the Mission Garden as a County public park for the ongoing educational and public benefit of residents and visitors and to preserve the archaeological and cultural significance of the site. Located on the original site of the 18th century Mission San Agustin del Tucson at the base of the Sentinel Peak, the Garden features heirloom Sonoran Desert-adapted fruit orchards and vegetable gardens interpreting 4,000 years of agriculture in Tucson.

***Public Benefit:**

FOTB will operate and maintain the Premises as a public park for educational, historical, and cultural purposes and programs for the benefit of the general public. The Garden is a unique living agricultural museum that provides a singular outdoor learning experience for all who enter – students, residents, and tourists from around the world. The Garden is open to the public and offers special tours and education programs to area schools, as well as hosting a number of garden festivals to the public throughout the year.

***Metrics Available to Measure Performance:**

County monitors the activities of the FOTB – education, programming, garden events open to the public and monitors improvements and maintenance. County reimburses FOTB for operating costs in an amount not to exceed \$50,000.00 per year.

***Retroactive:**

No.

TO: COB 6-2-22 (1)
Vers: 3
Pgs: 2

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THE APPLICABLE SECTION(S) BELOW MUST BE COMPLETED

Click or tap the boxes to enter text. If not applicable, indicate "N/A". Make sure to complete mandatory (*) fields

Contract / Award Information

Document Type: _____ Department Code: _____ Contract Number (i.e., 15-123): _____
 Commencement 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: CT Department Code: RPS Contract Number (i.e., 15-123): 22*002
 Amendment No.: 01 AMS Version No.: 3
 Commencement Date: 08/01/2022 New Termination Date: 07/31/2027
 Prior Contract No. (Synergen/CMS): _____

☒ Expense ☐ Revenue ☒ Increase ☐ Decrease Amount This Amendment: \$ 250,000.00

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

***Funding Source(s) required: Office of Sustainability and Conservation General Fund**

Funding from General Fund? ☒ Yes ☐ No If Yes \$ 250,000.00 (\$50,000.00 per year for 5 years) % 100

Grant/Amendment Information (for grants acceptance and awards)

☐ Award ☐ Amendment

Document Type: _____ Department Code: _____ Grant Number (i.e., 15-123): _____
 Commencement 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: Linda Mayro

Department: Office of Sustainability and Conservation

Telephone: 724-6451

Department Director Signature: Linda Mayro

Date: 5/19/2022

Deputy County Administrator Signature: [Signature]

Date: 6/1/2022

County Administrator Signature: [Signature]

Date: 6/1/2022

Pima County Department of Real Property Service

Project: LCP-0108, FOTB – Operation/Maintenance Mission Garden

Contractor: FRIENDS OF TUCSON BIRTHPLACE, INC.

Contract No.: CT-RPS-22*002

Contract Amendment No.: 01

Orig. Contract Term: 08/01/2017 - 07/31/2022	Orig. Amount:	\$250,000.00
Termination Date Prior Amendment: NA	Prior Amendments Amount:	\$ 0.00
Termination Date This Amendment: 07/31/2027	This Amendment Amount:	\$250,000.00
	Revised Total Amount:	\$500,000.00

CONTRACT AMENDMENT

The parties agree to amend the above-referenced Agreement as follows:

1. Background and Purpose.

- 1.1. Background. On August 1, 2017, Pima County ("County") and Friends of Tucson Birthplace, Inc. ("Operator") entered into the above referenced Agreement to provide Development, Operation & Maintenance of Mission Garden.
- 1.2. Purpose. County requires additional and continued development, operations and maintenance of Mission Garden as a County public park and historic cultural and educational garden for the benefit of residents and visitors. Mission Garden is a Spanish Colonial walled garden that was part of Mission San Agustin del Tucson. Located on its original site west of downtown Tucson at the corner of Mission Road and Mission Lane, Mission Garden features heirloom Sonoran Desert-adapted fruit orchards and vegetable gardens interpreting 4,000 years of agriculture in the Tucson area.

2. **Term.** The Parties are exercising the first extension option to renew the Agreement for an additional five years commencing on August 1, 2022 and terminating on July 31, 2027. If the commencement date is before the Effective Date of this Amendment, the Parties will, for all purposes, deem the Amendment to have been in effect as of the commencement date.

3. **Maximum Payment Amount.** The maximum amount County will spend under the Agreement as set forth in Section 8.3 is increased by \$250,000.00. County will reimburse FOTB for operating costs in an amount not to exceed \$50,000.00 per year. County's total payments to Operator under the Agreement, covering the Initial Term and the First Option Period, including any sales taxes, will not exceed \$500,000.00.

4. **Israel Boycott Certification.** Pursuant to A.R.S. § 35-393.01, if Operator engages in for-profit activity and has 10 or more employees, and if this Agreement has a value of \$100,000.00 or more, Operator certifies it is not currently engaged in, and agrees for the duration of this Agreement to not engage in, a boycott of goods or services from Israel. This certification does not apply to a boycott prohibited by 50 U.S.C. § 4842 or a regulation issued pursuant to 50 U.S.C. § 4842.

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

PIMA COUNTY

Chair, Board of Supervisors

Date

ATTEST

Clerk of the Board

Date

APPROVED AS TO FORM



Deputy County Attorney

Kathryn Ore

Print DCA Name


May 18, 2022

Date

Contract No.: CT-RPS-22*002
126823 / 00988523 / v 1

Revised 4/12/21

CONTRACTOR



Authorized Officer Signature
Robert B. Fleming, Co-Chair

Printed Name and Title

May 19, 2022

Date

APPROVED AS TO CONTENT



Director, Office of Sustainability and Conservation

5/19/2022

Date

APPROVED AS TO CONTENT



Director, Real Property Services

5/27/2022

Date