



BOARD OF SUPERVISORS AGENDA ITEM REPORT AWARDS / CONTRACTS / GRANTS

☐ Award ☒ Contract ☐ Grant

Requested Board Meeting Date: June 21, 2022

* = Mandatory, information must be provided

or Procurement Director Award: ☐

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

City of Tucson

***Project Title/Description:**

Design and Construction of Improvements to Sunset Road – Silverbell to I-10 Improvement Project, RTA Roadway Improvements Element #8

***Purpose:**

Providing for the City's contribution of funding for the construction of the Project. The original contract can be found under CTN 16*047. The new contract number is CTN 22*131.

***Procurement Method:**

This IGA is a non-Procurement contract and not subject to Procurement rules.

***Program Goals/Predicted Outcomes:**

Full funding is obtained from the City to proceed with construction in order to implement the proposed improvements.

***Public Benefit:**

The project will improve safety, reduce congestion, improve operations, and increase mobility for commuters; as well as provide new connectivity between Silverbell Road and I-10.

***Metrics Available to Measure Performance:**

Standard engineering design performance measures (scope, budget and schedule, quality/stakeholder reviews, etc.)

***Retroactive:**

No

TO: COB 5-31-22 (3)

VERS: 1

Pgs: 5

MAY 27 2022 AM 09:06 PD

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: CTN Department Code: TR Contract Number (i.e., 15-123): 22-131
Amendment No.: 01 AMS Version No.: 01
Commencement Date: 6/21/2022 New Termination Date: 11/10/2025
Prior Contract No. (Synergen/CMS): 16*047 ~~CA~~

☐ Expense ☒ Revenue ☐ Increase ☐ Decrease Amount This Amendment: \$ 2,500,000
Is there revenue included? ☒ Yes ☐ No If Yes \$ 2,500,000

*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): _____
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: Nancy Cole (Administrative Contact Michelle Guardado, 724-2663)

Department: Transportation

Telephone: 724-6312

Department Director Signature: Ana M. Olivares, P.E. Date: 5/24/2022
Deputy County Administrator Signature: [Signature] Date: 5/25/2022
County Administrator Signature: [Signature] Date: 5/26/2022

Digitally signed by Ana M. Olivares, P.E.
DN: cn=Ana M. Olivares, P.E., o=Transportation,
ou=Pima County, email=Ana.Olivares@pima.gov, c=US
Date: 2022.05.24 12:40:09 -0700

Pima County Department of Transportation

**Project: Design and Construction of Improvements to Sunset Road - Silverbell to I-10
Improvement Project, RTA Roadway Improvements Element #8**

Parties: Pima County and City of Tucson

Contract No.:(CTN-TR 16*047) New CTN 22*131

Contract Amendment No.: 01

Orig. Contract Term: 11/10/2015 – 11/10/2020	Orig. Amount:	\$2,500,000
Termination Date Prior Amendment: NA	Prior Amendments:	\$ NA
Termination Date This Amendment: 11/10/2025	This Amendment Amount	\$2,500,000
	Revised Total Amount:	\$5,000,000

INTERGOVERNMENTAL AGREEMENT AMENDMENT NUMBER 1

1. Background and Purpose.

- 1.1. Background. On November 10, 2015, Pima County ("**County**") and the City of Tucson ("**City**") entered into an Intergovernmental Agreement ("**Agreement**"), CTN-TR-16-047, to provide for City's contribution of funding for the construction of roadway improvements to Sunset Road between Silverbell and I-10, **Phase 1** of the project identified as Roadway Improvement Element #8 in the Regional Transportation Authority's Regional Transportation Plan (the "**Project**"). Phase 1 has been completed.
- 1.2. Purpose. The Parties now wish to amend the Agreement to address funding and construction of **Phase 2** of the Project, improvements to Sunset Road between I-10 and River Road. The Parties intend to authorize the Arizona Department of Transportation ("ADOT") to manage construction of Phase 2.

2. New and Amended Terms.

- 2.1. The Title is hereby amended to read as follows: Intergovernmental Agreement between Pima County and the City of Tucson for the Sunset Road, Silverbell to River Improvement Project, RTA Roadway Improvements Element #8.
- 2.2. Recital G is hereby amended by replacing "\$2,500,000" with "\$5,000,000".

- 2.3. Section 2 of the Agreement is hereby deleted in its entirety and replaced with the following:

Project. The Project consists of planning, design, development, and construction activities for a new 3 lane roadway from Silverbell Road to Interstate-10 ("**Phase 1**"), widening Sunset Road west of I-10, and extending Sunset Road to River Road, using bridges over the Union Pacific Railroad and Rillito River, as depicted in **Exhibit A ("Phase 2")**.

- 2.4. Section 3 of the Agreement is hereby deleted in its entirety and replaced with the following:

City Contribution. City shall contribute a total of \$5,000,000.00 ("**City Contribution**") to the Project. For Phase 1 of the Project, City shall contribute \$2,500,000.00 in development impact fees collected under A.R.S. § 9-463.05 ("**Impact Fees**"), in ten (10) equal payments of \$250,000.00. City's payments shall commence on the first month following award of a construction contract by County. City's payments shall be made monthly upon receipt of invoice from County. For Phase 2 of the Project, City shall contribute \$2,500,000 in Impact Fees, in monthly payments equal to and commencing with receipt of invoices from County.

- 2.5. Section 4 of the Agreement is hereby deleted in its entirety and replaced as follows:

Permits. City shall grant County, and its Contractors, and to the extent County exercises its authority to delegate construction management authority to ADOT pursuant to Section 5 of this Agreement, ADOT, and its Contractors, right-of-way permits allowing full accessibility to perform the work as described in the attached **Exhibit A**. These permits shall be granted at no cost to the Project.

- 2.6. Section 5 of the Agreement is hereby deleted in its entirety and replaced with the following:

County Responsibilities; Changes; Disputes. As Lead Agency for the Project, County will have responsibility for Project oversight, including administration of the design and construction contracts. This includes responsibility for verification of quantities, quality of workmanship, contract change orders and Project modifications as necessary. To the extent necessary to accomplish the Project, the Parties agree that County can and will coordinate with ADOT's I-10 Interchange improvements at Sunset Road, up to and including delegating construction management authority to ADOT. County has provided to City, and City has reviewed design plans for each Phase of the Project. For Phase 1 of the Project, County will advertise and start Project construction during FY 2016. For Phase 2 of the Project, County will advertise and start Project construction during FY 2023. For each Phase County will diligently pursue the Project to completion. County

will exercise due diligence to consult with City on items and issues as they arise so that City has ample opportunity to provide input. In the event that there is a disagreement over any Project elements, the issue shall be escalated as appropriate. In the event that the disagreement remains unresolved, County will retain the final decision-making authority.

2.7. Section 21 of the Agreement is hereby added to read as follows:

Counterparts. This Amendment may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. The signature pages from one or more counterparts may be removed from such counterpart and attached to a single instrument.

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

In WITNESS WHEREOF, County has caused this Amendment to be executed by the Chair of its Board of Supervisors, upon resolution of the Board, and attested to by the Clerk of the Board, and City has caused this Amendment to be executed by the Mayor and attested to by the City Clerk.

PIMA COUNTY

CITY OF TUCSON

Chair, Board of Supervisors

Mayor of Tucson

Date

Date

ATTEST

Clerk of the Board

City Clerk

Date

Date

Attorney Certification

The foregoing IGA by and between Pima County and the City of Tucson has been reviewed pursuant to A.R.S. § 11-952(D) by the undersigned, each of whom as determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona to the party they represent.



Deputy County Attorney

Kathryn Ore

Print Name

May 20, 2022

Date

Principal Assistant City Attorney

Print Name

Date

Sunset Road: I-10 to River WEST

ROADWAY WIDENING

Santa Cruz River

Engineering Features:

- Station 1+00 to 1+100
- Station 1+100 to 1+200
- Station 1+200 to 1+300
- Station 1+300 to 1+400
- Station 1+400 to 1+500
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