



## **BOARD OF SUPERVISORS AGENDA ITEM REPORT** **CONTRACTS / AWARDS / GRANTS**

Requested Board Meeting Date: 05/19/2015

or Procurement Director Award ☐

**Contractor/Vendor Name (DBA):** Sprint Spectrum, L.P.

**Project Title/Description:**

Fifth Amendment to Non-Exclusive Right-of-Way (ROW) Use License

**Purpose:**

The Fifth Amendment allows Sprint to continue operating cell sites at Sheridan Road and Calle Castellon while the County and Sprint negotiate a new Master Agreement that will consolidate these two cell sites and three other locations under one License, effective June 7, 2015. The License fee has been pro-rated for the short-term extension.

**Procurement Method:**

N/A

**Program Goals/Predicted Outcomes:**

To allow Sprint to continue operating/maintaining ROW cell sites at Sheridan Road and Calle Castellon pending execution of a new consolidated Master Agreement effective June 7, 2015.

**Public Benefit:**

To provide cell service to Sprint customers in unincorporated Pima County.

**Metrics Available to Measure Performance:**

Sprint to operate and maintain its ROW cell sites at Sheridan Road and Calle Castellon and make payment as stipulated in Amendment #5

**Retroactive:**

N/A

MAY 08 15 PM 02:09 PC CLK OF PD  
AFB

To: COB 5.8.15 (3)

Addendum

Ver. 2 Vendor-1 Pgs-4

Procure Dept 05/06/15 PM 04:08

**Original 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): \_\_\_\_\_

Cost to Pima County General Fund: \_\_\_\_\_

Contract is fully or partially funded with Federal Funds? ☐ Yes ☐ No ☐ Not Applicable to Grant Awards  
Were insurance or indemnity clauses modified? ☐ Yes ☐ No ☐ Not Applicable to Grant Awards  
Vendor is using a Social Security Number? ☐ Yes ☐ No ☐ Not Applicable to Grant Awards  
If Yes, attach the required form per Administrative Procedure 22-73.

**Amendment Information**

Document Type: CTN Department Code: IT Contract Number (i.e.,15-123): CMS142320  
Amendment No.: 5 AMS Version No.: 2  
Effective Date: 05/26/2015 New Termination Date: 06/06/2015  
☐ Expense ☒ Revenue ☒ Increase ☐ Decrease Amount This Amendment: \$690.41  
Funding Source(s): Sprint Spectrum, L.P.

Cost to Pima County General Fund: N/A

Contact: Julie K McWilliams  
Department: Information Technology Telephone: 724-8066  
Department Director Signature/Date: [Signature] 5/4/15  
Deputy County Administrator Signature/Date: [Signature] 5-6-15  
County Administrator Signature/Date: [Signature] 5/6/15  
(Required for Board Agenda/Addendum Items)



CONTRACT	
NO	CTN-IT-CMS 142320
AMENDMENT NO.	05
This number must appear on all invoices, correspondence and documents pertaining to this contract.	

**PIMA COUNTY  
FIFTH AMENDMENT  
TO LICENSE**

**Contract #CTN-IT-CMS142320  
(formerly #12-14-S-142320-0500)**

THIS AMENDMENT is entered into by and between Pima County ("Licensor"), a political subdivision of the State of Arizona, and Sprint Spectrum, L.P., ("Licensee"), a Delaware Limited Partnership, and shall be effective May 26, 2015.

RECITALS

Licensor and Sprint Spectrum, L.P., a Delaware Limited Partnership, entered into a Non-Exclusive Right-of-Way Use License dated May 26, 2000, with expiration date of May 25, 2005, and recorded on June 08, 2000, in Docket 11315, Page 307, in the office of the Pima County, Arizona, Recorder.

The License was subsequently amended on two separate occasions. The First Amendment to License added location PH54XC607D, effective May 6, 2003 through May 25, 2005, and recorded on May 7, 2003 in Docket 12045, Page 1015, in the office of the Pima County, Arizona, Recorder. The License was amended a second time to adjust the fee schedule and extend the contract, effective May 26, 2005 through May 25, 2010, and recorded on July 3, 2006 in Docket 12838, Page 34, in the office of the Pima County, Arizona, Recorder.

Licensor formally ratified Licensee's right-of-way use license, as amended and as described above, on August 17, 2009, Resolution 2009-211. The license has been assigned Contract No. 12-14-S-142320-0500. A Third Amendment to License, effective May 26, 2009, revised Exhibit A to delete site PH04XC251-A, Sunrise/Wilmot. A Fourth Amendment extended the term through May 25, 2015.

With this Fifth Amendment to License, the parties desire to amend the License to extend the term through June 6, 2015 and revise the fee schedule accordingly.

AGREEMENT

WHEREFORE, the parties agree as follows:

1. The effective date of this Fifth Amendment to License shall be May 26, 2015, with termination June 6, 2015.
2. Exhibit A is revised as attached hereto as "Revised Exhibit A".
3. All other provisions of the License, as previously amended, 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 Fifth Amendment to License on the dates written below.

**PIMA COUNTY:**

\_\_\_\_\_  
Chair, Board of Supervisors

\_\_\_\_\_  
Date

**LICENSEE:**

Michael Mizzell  
Authorized Agent

Sprint Spectrum, L.P.

Michael Mizzell

Manager - Vendor Management  
Name and Title (Please Print)

4/28/2015  
Date

**ATTEST:**

\_\_\_\_\_  
Clerk of the Board of Supervisors

\_\_\_\_\_  
Date

**APPROVED AS TO CONTENT:**

Jesse Rodriguez  
Jesse Rodriguez, Chief Information Officer

5/4/15  
Date

**APPROVED AS TO FORM:**

Tobin Rosen  
Tobin Rosen, Deputy County Attorney

4/21/15  
Date

## **REVISED EXHIBIT A**

### **License Fee Schedule**

<b>Site ID</b>	<b>Location</b>	<b>Type</b>	<b>Annual Use Fee</b>
PH33XC046-A	4005 S Sheridan Road Tucson, Arizona	Co-Location	\$ 10,500.00
PH54XC607D	3184 N Calle Castellon Tucson, Arizona	Co-Location	\$ 10,500.00

### **PAYMENT DUE**

May 26, 2015      \$690.41 (Prorated)