BOARD OF SUPERVISORS AGENDA ITEM REPORT
CONTRACTS / AWARDS / GRANTS

Requested Board Meeting Date: September 6, 2016

or Procurement Director Award ☐

Contractor/Vendor Name (DBA): Zayo Group, LLC, a Delaware Limited Liability Company

Project Title/Description:
Contract Amendment No. Three (3) to Non-Exclusive Right-of-Way Use License for a Communications System.

Purpose:
This Amendment expands the area of encroachment for Licensee to construct, install, maintain and operate a communications facility in the Right-of-Way. The expanded area of encroachment is depicted in Exhibits B-1 through B-16,which are attached to the subject License Amendment. All other terms of the original Right of Way Use License and any prior Amendments thereto shall remain in effect.

Procurement Method:
D 29.4.XI.H "Other Non-Procurement Method"

Program Goals/Predicted Outcomes:
To expand Licensee's fiber optics communications system within certain aras of unincorporated Pima County to fulfill contractual obligations to Verizon to install a communication system connecting its cellular communications facilities within the County.

Public Benefit:
To enhance cell service to customers in unincorporated Pima County.

Metrics Available to Measure Performance:
Licensee is required to obtain all applicable permits prior to commencing any work in the right-of-way. Licensee shall indemnify County from all claims resulting from activities in connection with the License, and shall obtain and maintain, at its own expense, the required levels of insurance during the entire term of the Contract, and shall provide County with current certificates of insurance. Licensee shall pay the $3,000 fee required to "amend its existing License to increase line distance" pursuant to Pima County Ordinance No. 2004-19, Section 1(J).

Retroactive:
No.

In accordance with applicable Arizona law [ARS Section 40-283(E)], Public Notice was published in the Daily Territorial once per week for 3 consecutive weeks prior to the Board of Supervisors hearing date of September 6, 2016.

To: COB 8-18-16 (2)
Pgs. 18

Procure Dept 08/18/16 PM09:20

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): 13-008

Amendment No.: 3 AMS Version No.: 4

Effective Date: 9-6-2016 New Termination Date: 08/19/2017

☐ Expense ☒ Revenue ☐ Increase ☐ Decrease Amount This Amendment: $3,000.00

Funding Source(s): N/A

Cost to Pima County General Fund: -0-

Contact: Michael D. Stofko

Department: Real Property Telephone: 724-6667

Department Director Signature/Date: 8/11/16

Deputy County Administrator Signature/Date: 8/16/16

County Administrator Signature/Date: 8/16/16
(Required for Board Agenda/Addendum Items)

PIMA COUNTY DEPARTMENT OF INFORMATION TECHNOLOGY **PROJECT:** Nonexclusive Right-of-Way Use License for a Communications System **LICENSEE**: Zayo Group, LLC **CONTRACT NO.:** CTN-IT-13-008 **CONTRACT AMENDMENT NO.:** Three (#03)	CONTRACT NO. CTN-IT-13-008 AMENDMENT NO. 03 This number must appear on all invoices, correspondence and documents pertaining to this contract.

ORIG. CONTRACT TERM: 08/20/2012 – 08/19/2017		**ORIG. CONTRACT AMOUNT:**	$3,000.00
TERMINATION DATE PRIOR AMENDMENT: 8/19/2017		**PRIOR AMENDMENTS:**	N/A
TERMINATION THIS AMENDMENT: 08/19/2017		**AMOUNT THIS AMENDMENT:**	$3,000.00
		REVISED CONTRACT AMOUNT:	$6,000.00

THIRD AMENDMENT TO NONEXCLUSIVE RIGHT-OF-WAY USE LICENSE FOR A COMMUNICATIONS SYSTEM

WHEREAS, COUNTY granted LICENSEE a Nonexclusive Right-of-Way Use License for a Communications System; and

WHEREAS, LICENSEE and COUNTY, pursuant to Article I – Grant of License, have agreed to expand the area of encroachment to construct, install, maintain and operate a communications sustem in additional areas of Right-of-Way as depicted in Exhibits B-1 through B-16.

NOW, THEREFORE, the parties agree as follows:

ADD: EXHIBITS B-1 through B-16

The effective date of this Amendment is upon execution by the Pima County Board of Supervisors.

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

IN WITNESS WHEREOF, the parties have affixed their signatures to this License Amendment on the dates written below.

PIMA COUNTY:

_____
Chair, Board of Supervisors

_____
Date

ZAYO GROUP, LLC:

_____
Signature

Wendy Cassity
Name and Title (Please Print)

8-4-16
Date

ATTEST:

_____
Clerk of the Board of Supervisors

_____
Date

APPROVED AS TO CONTENT:

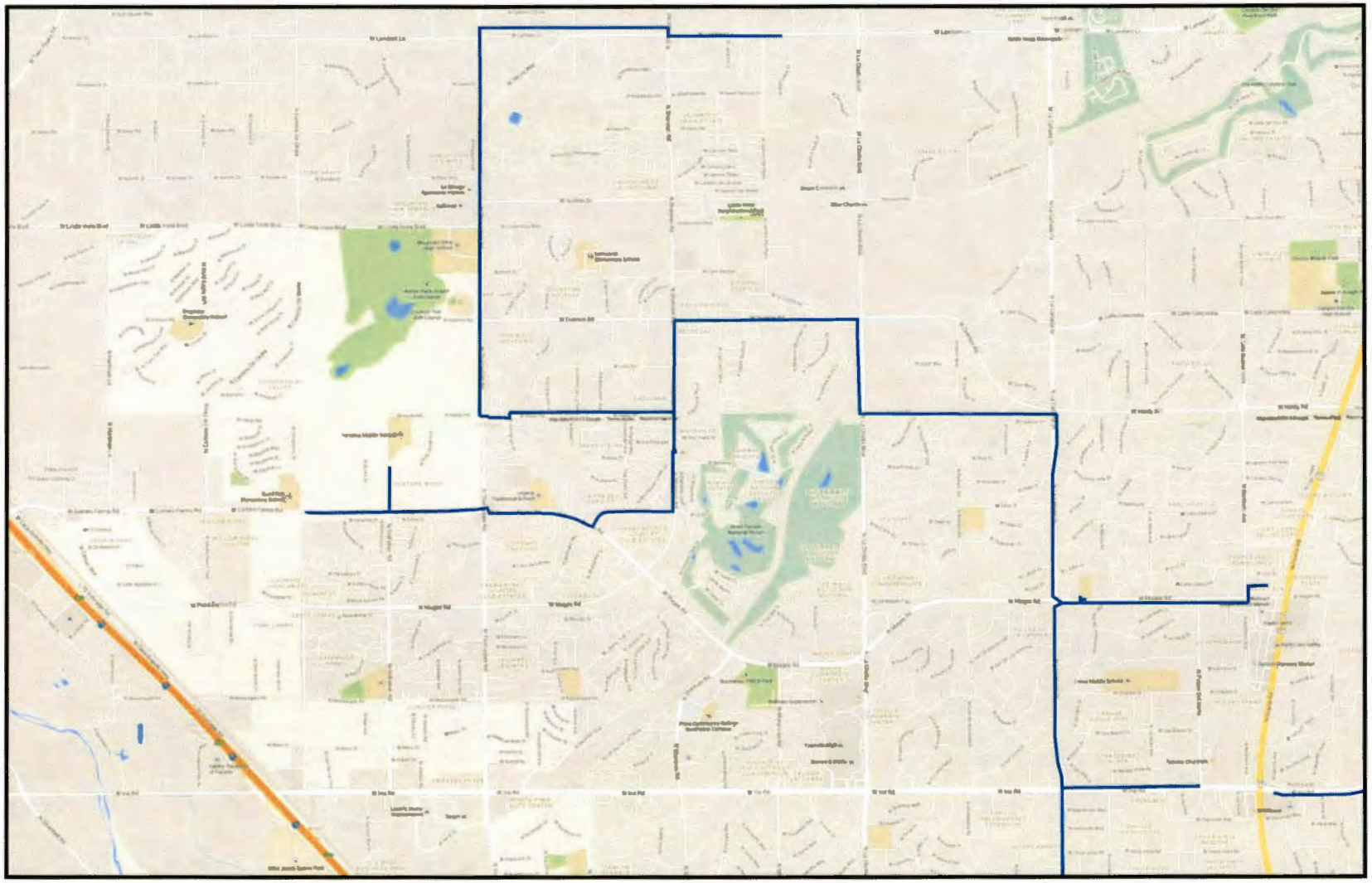
_____
Jesse Rodriguez, Chief Information Officer

7/27/16
Date

APPROVED AS TO FORM:

_____
Tobin Rosen, Deputy County Attorney

7/27/16
Date



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PROPOSED ROUTE

zayo GROUP

Pima Fiber Route

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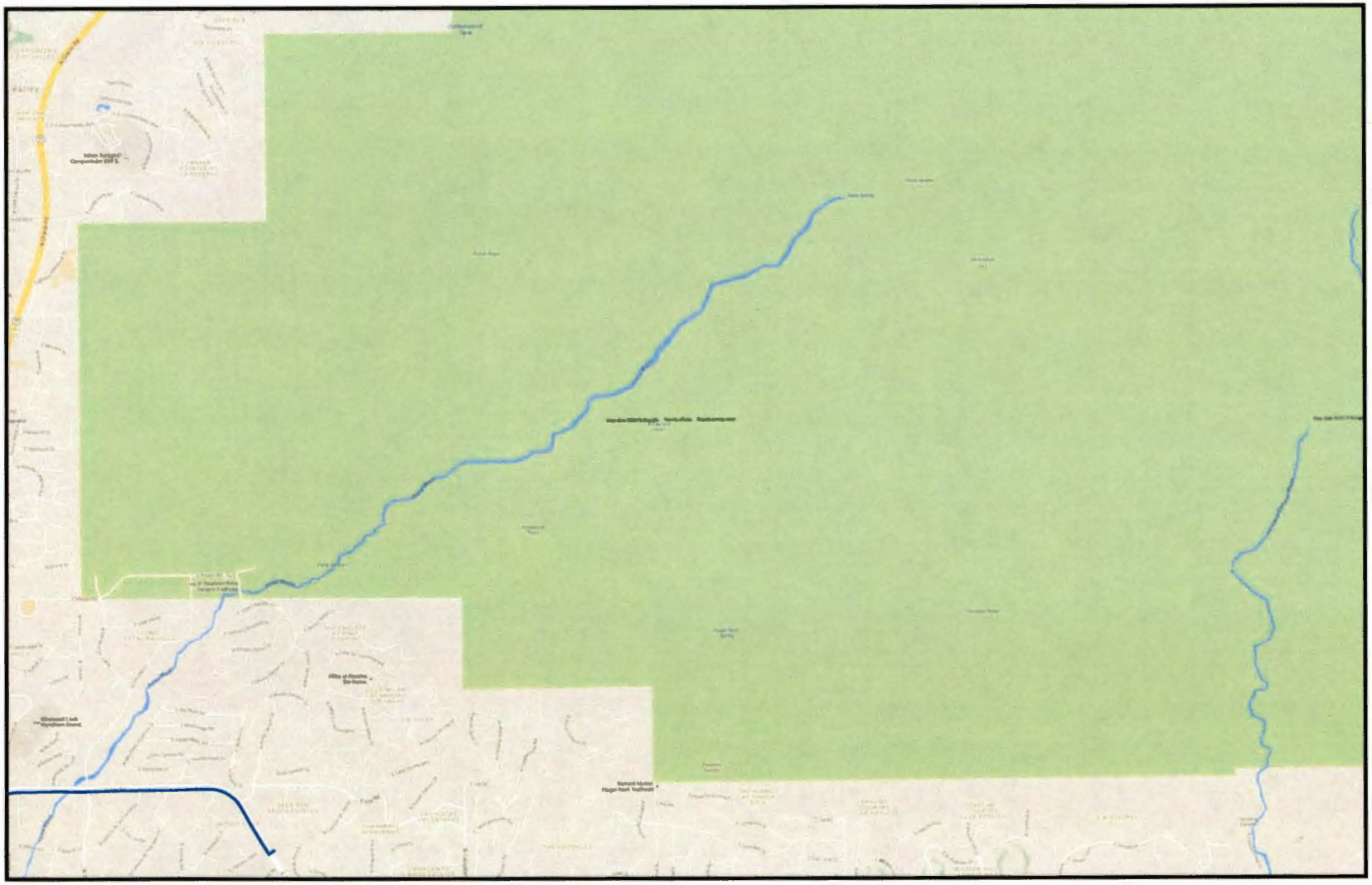
FILE NAME: 12705	SHEET NO.: 1 OF 16

EXHIBIT 8 of 16



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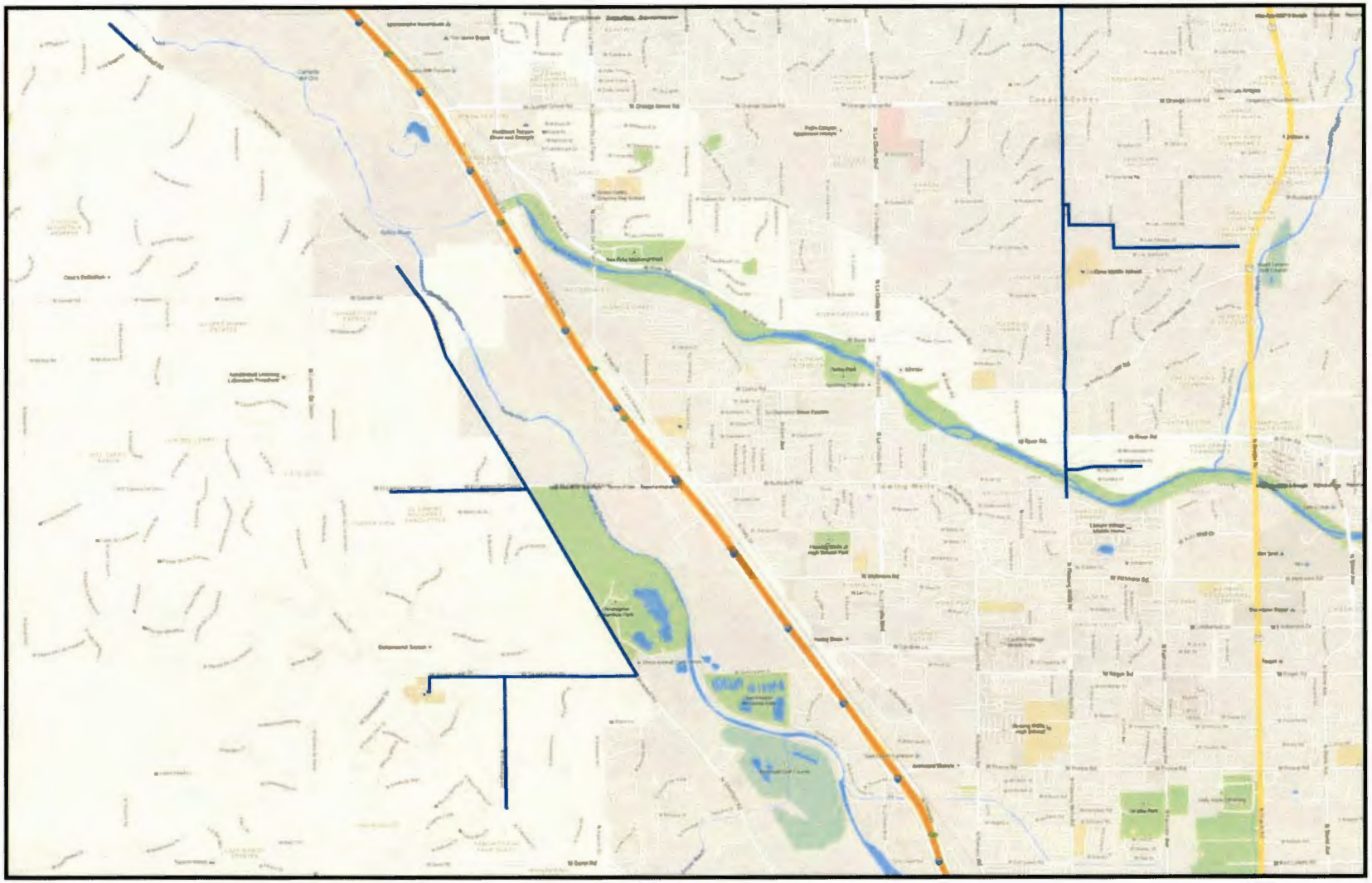

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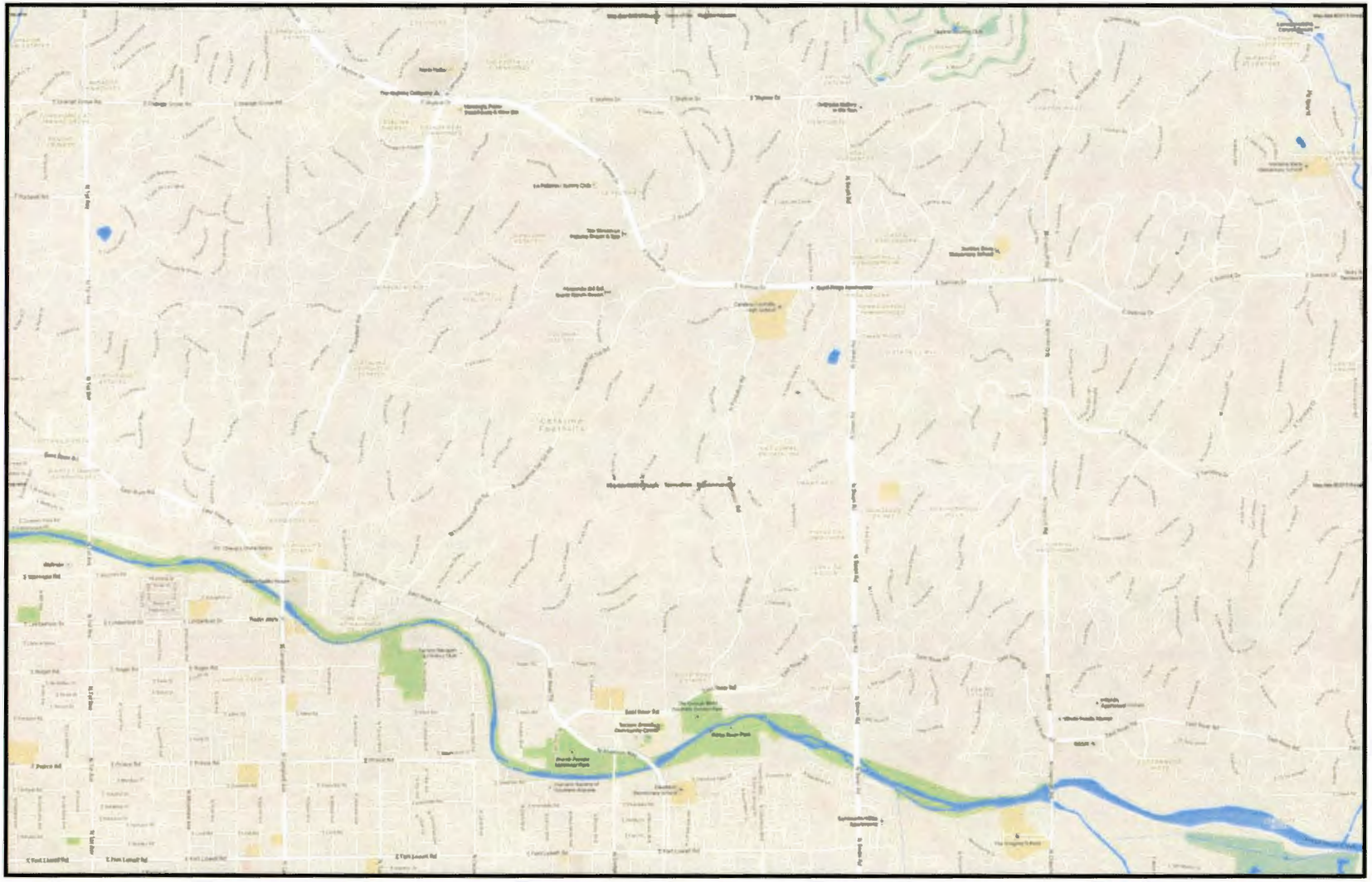

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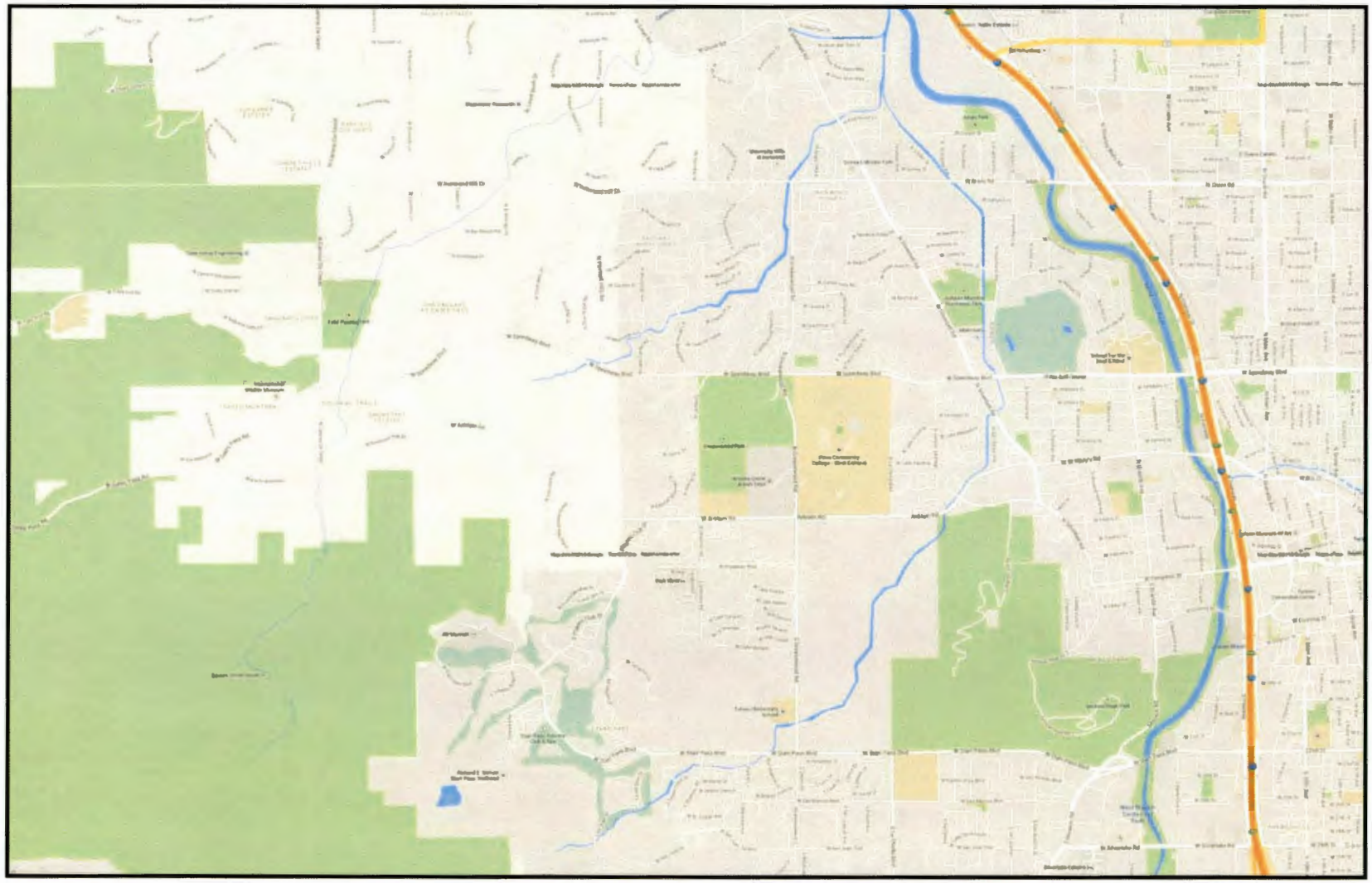

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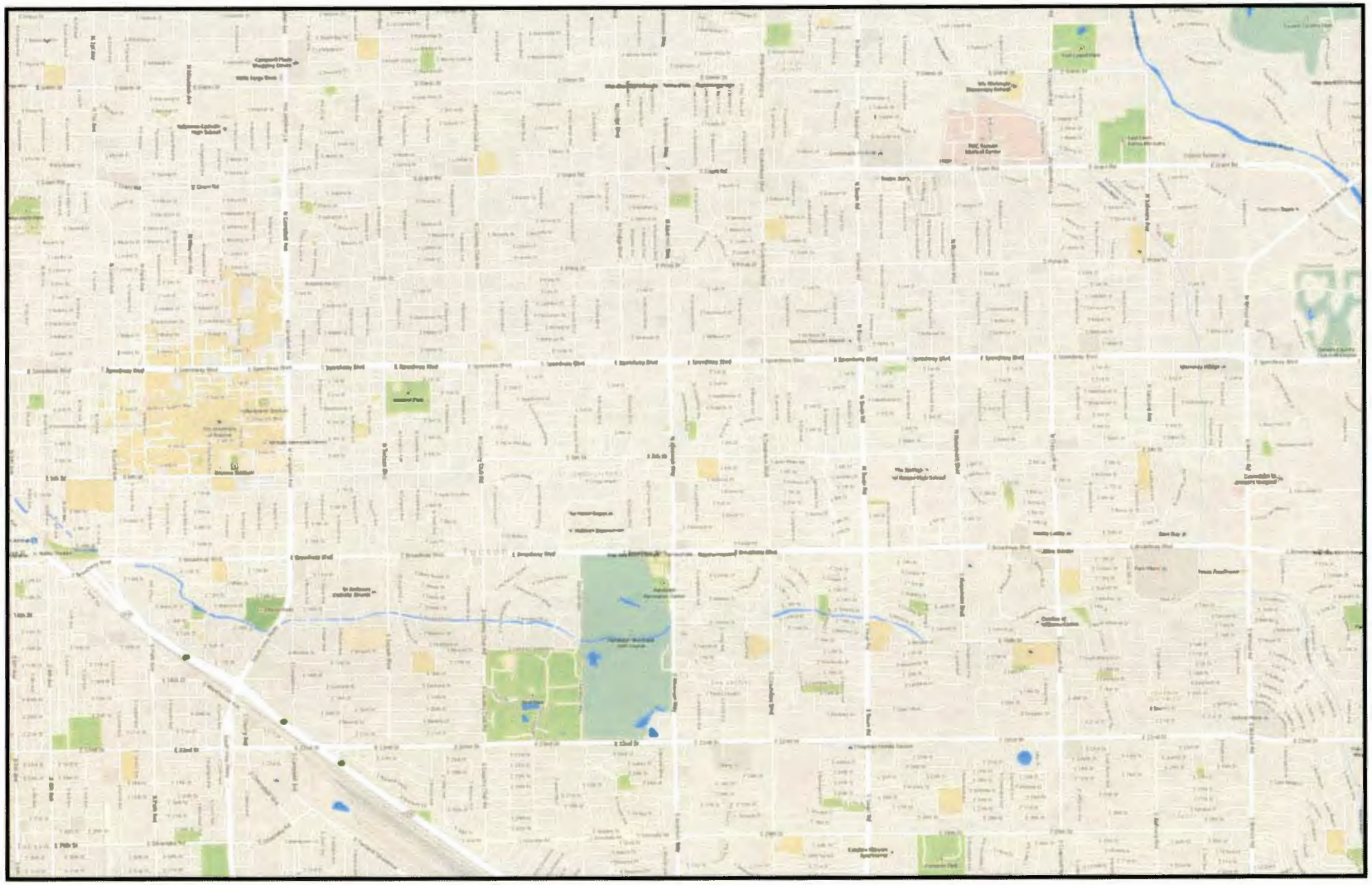

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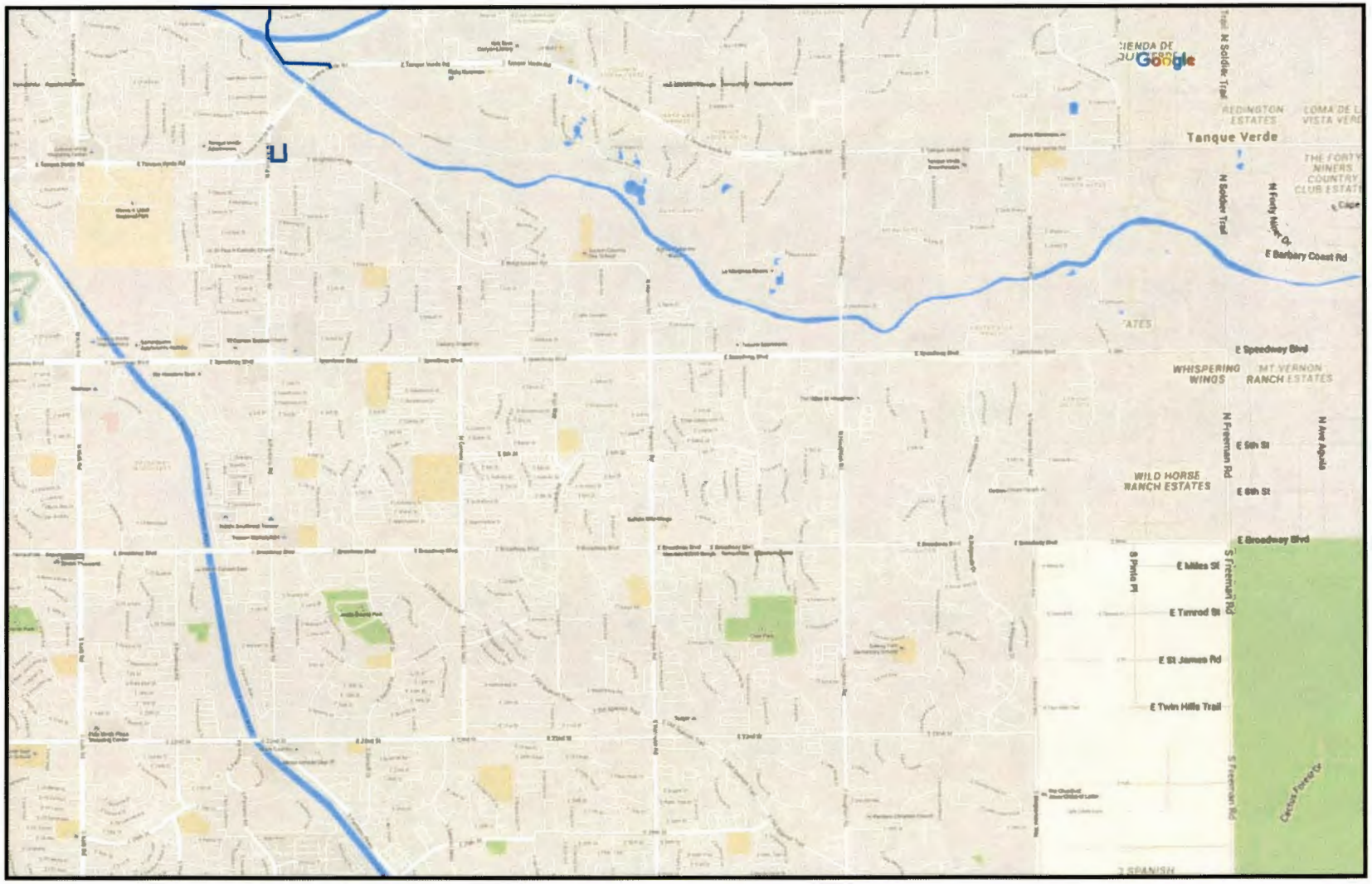

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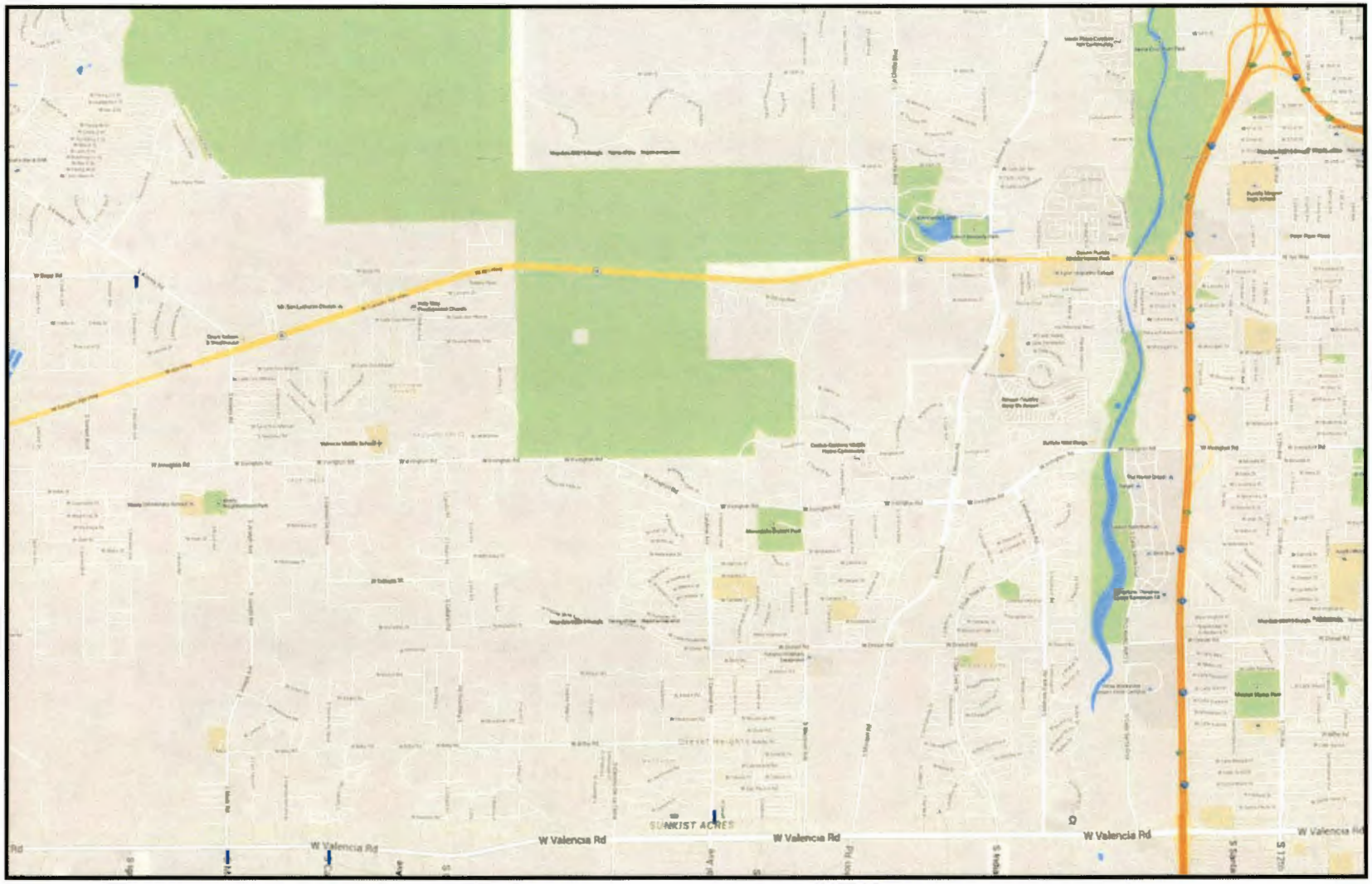

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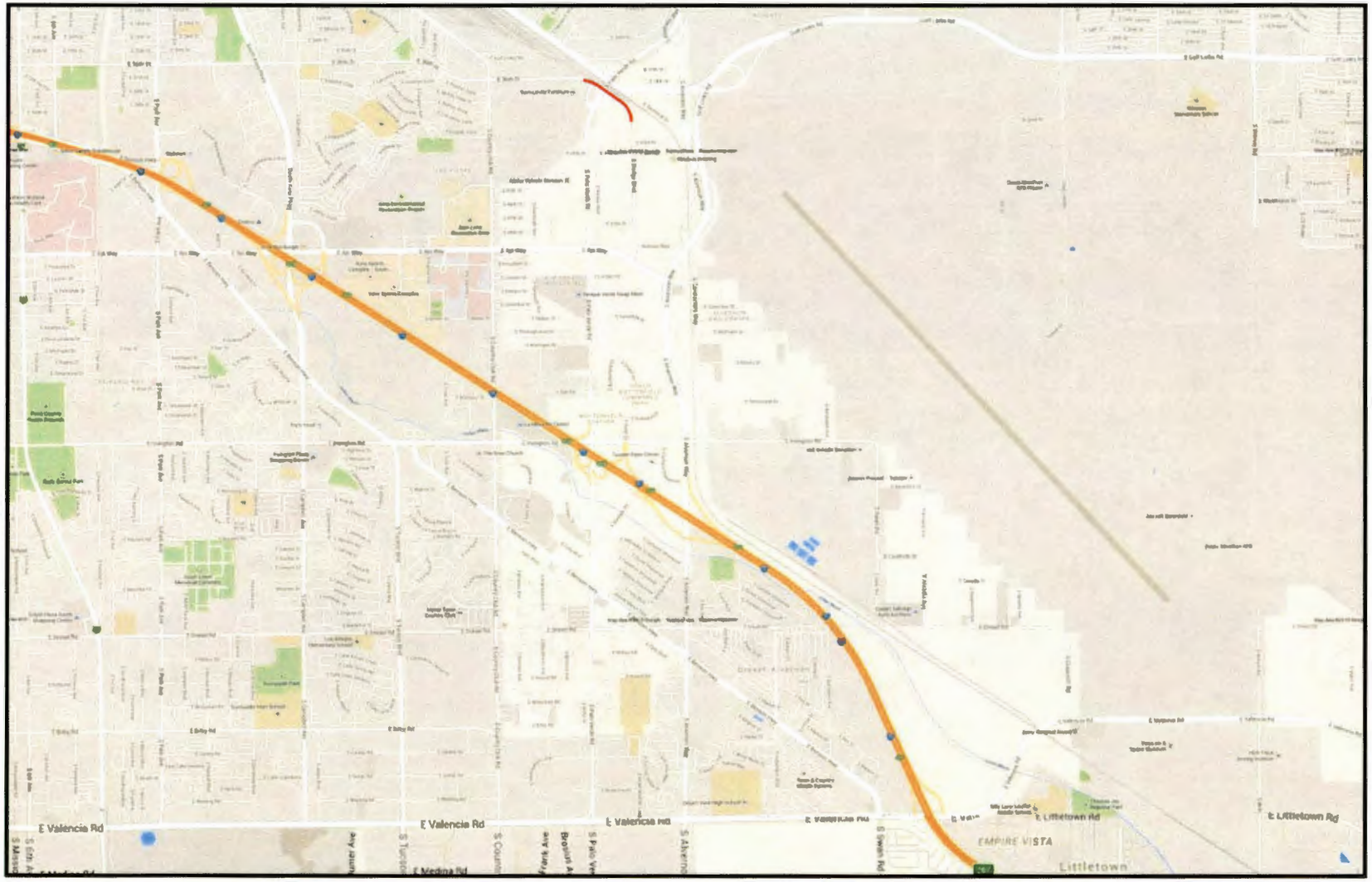

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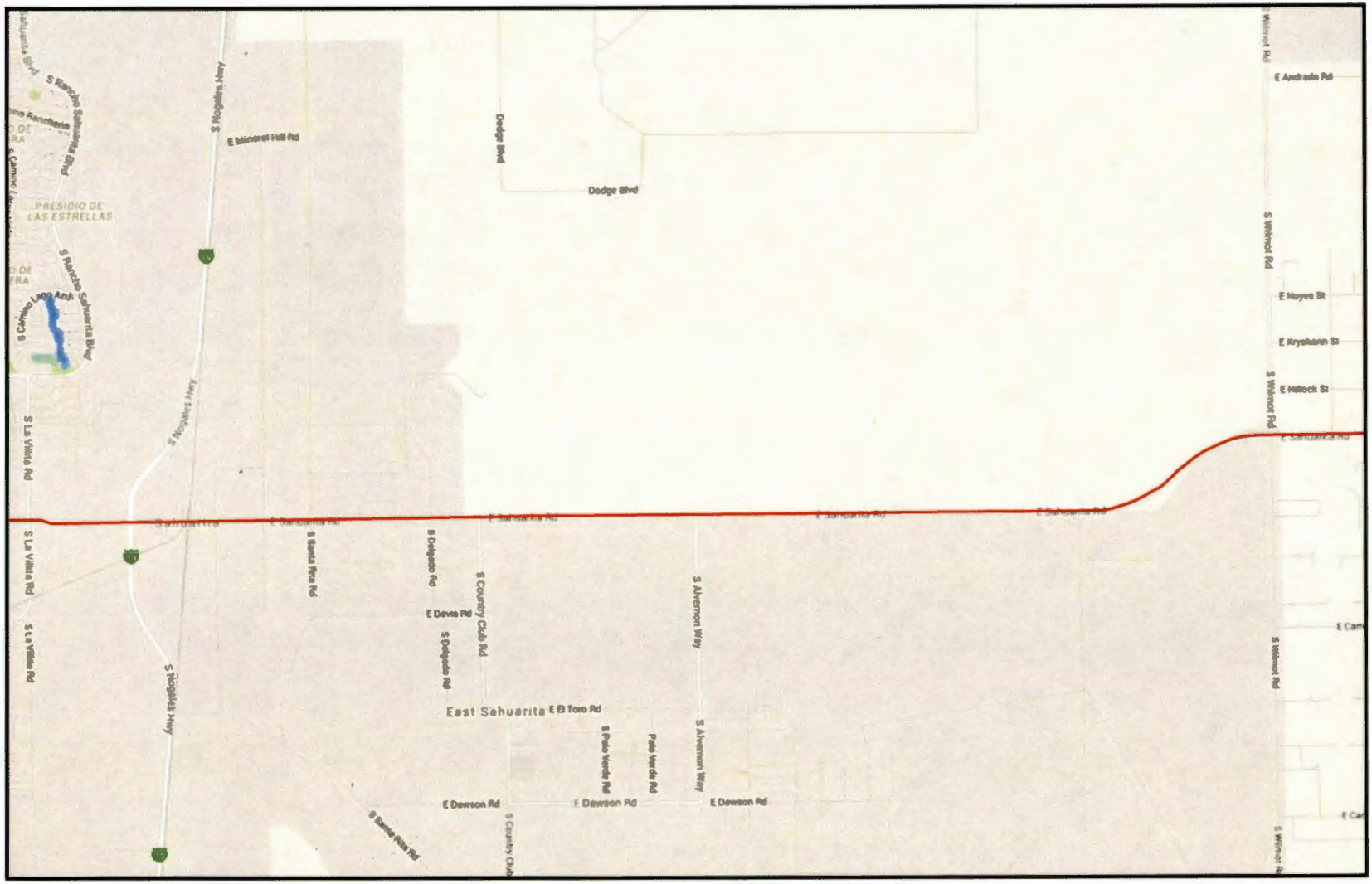

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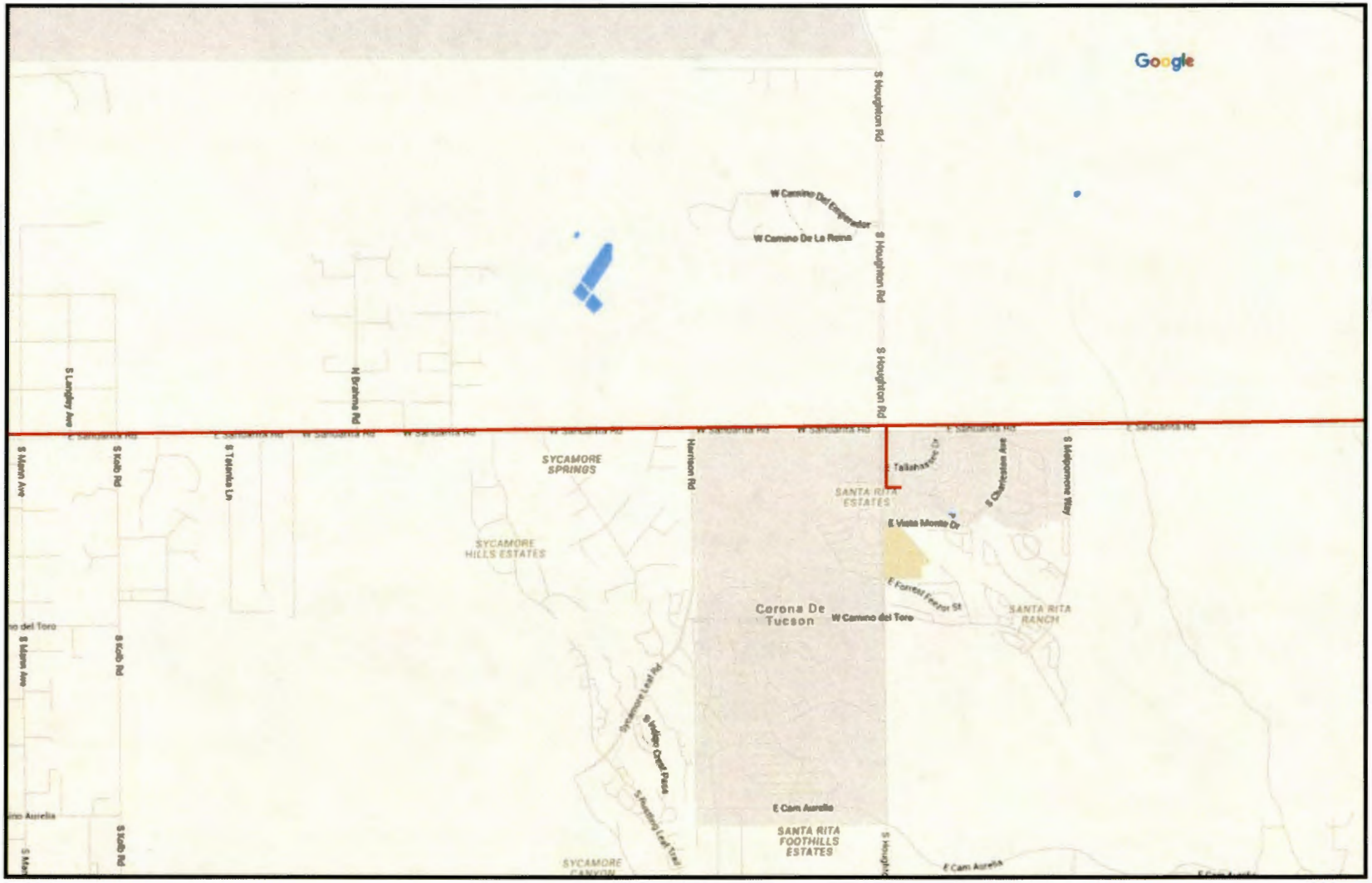

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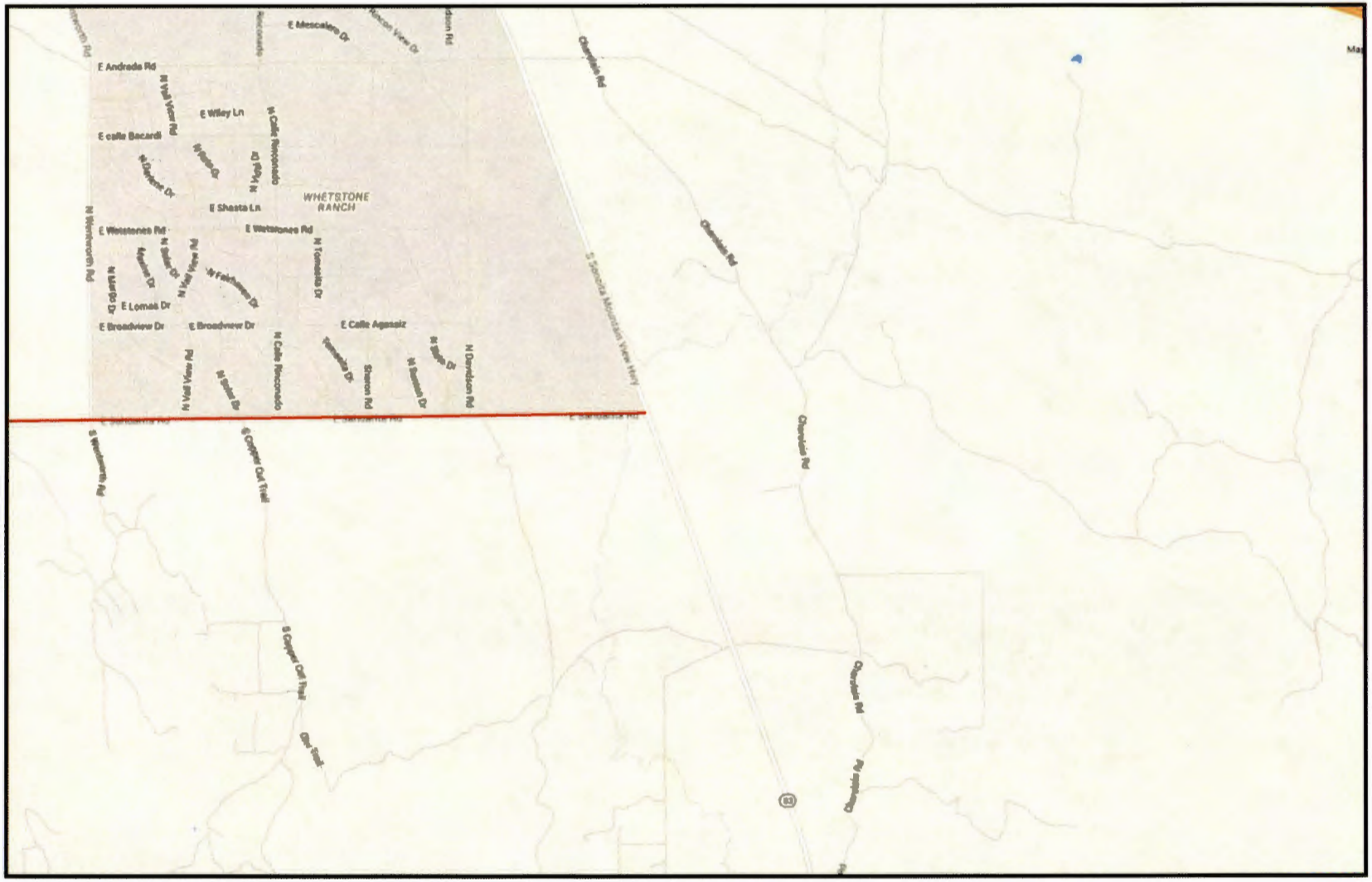

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