



## **BOARD OF SUPERVISORS AGENDA ITEM REPORT**

### **CONTRACTS / AWARDS / GRANTS**

☐ Award ☐ Contract ☒ Grant

Requested Board Meeting Date: 04/02/2019 Addendum

\* = Mandatory, information must be provided

or Procurement Director Award ☐

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

Tucson Electric Power Company (TEP)

**\*Project Title/Description:**

TEP Low Income Weatherization Program Implementation

**\*Purpose:**

The purpose of this funding agreement amendment is to allow TEP to increase funding to Pima County by \$40,000 for the Low Income Weatherization Program increasing grant revenue up to \$85,000. Specifically, the amendment provides provide additional utility funding that directly leverages and supports the Pima County Home Repair & Weatherization Program administered by Community Development & Neighborhood Conservation Department. The term of contract will remain January 1, 2019 to December 31, 2019.

**\*Procurement Method:**

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

**\*Program Goals/Predicted Outcomes:**

Installation of energy efficient measures for homes of income eligible Households that are TEP customers including elderly, persons with disabilities, and families with children in unincorporated Pima County and Towns of Marana, Oro Valley and Sahuarita.

**\*Public Benefit:**

Improved housing stock by providing eligible persons with energy efficient home repair and weatherization services.

**\*Metrics Available to Measure Performance:**

Number of completed jobs and funds expended as required by funder.

**\*Retroactive:**

Yes, contract amendment will be retroactive to January 1, 2019, the beginning term of the original contract, at the request of the funder. Contract amendment was received from funder 03/01/19, reviewed by staff and signed by Deputy County Attorney 03/12/19.

**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 22-73.***Amendment / Revised Award Information**

Document Type: \_\_\_\_\_ Department Code: \_\_\_\_\_ Contract Number (i.e., 15-123): \_\_\_\_\_

Amendment No.: \_\_\_\_\_ AMS Version No.: \_\_\_\_\_

Effective Date: \_\_\_\_\_ New Termination Date: \_\_\_\_\_

Prior Contract No. (Synergen/CMS): \_\_\_\_\_

☐ Expense or ☐ Revenue ☐ Increase ☐ Decrease Amount This Amendment: \$ \_\_\_\_\_Is there revenue included? ☐ Yes ☐ No If Yes \$ \_\_\_\_\_**\*Funding Source(s) required:**Funding from General Fund? ☐ Yes ☐ No If Yes \$ \_\_\_\_\_ % \_\_\_\_\_**Grant/Amendment Information** (for grants acceptance and awards)☐ Award ☒ AmendmentDocument Type: GTAM Department Code: CD Grant Number (i.e., 15-123): 19\*44Effective Date: 03/01/19 Termination Date: 12/31/19 Amendment Number: 3☐ Match Amount: \$ \_\_\_\_\_ ☒ Revenue Amount: \$ \$40,000**\*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: Jesus O. Duran; Housing Rehabilitation SupervisorDepartment: CDNC Telephone: 724-6787Department Director Signature/Date: Daniel G. [Signature] 3-13-19Deputy County Administrator Signature/Date: [Signature] 3-14-2019County Administrator Signature/Date: [Signature] 3/15/19*(Required for Board Agenda/Addendum Items)*



## AMENDMENT NO. 3

### **Agreement for Low Income Weatherization Program Implementation Between Pima County through its Community Development and Neighborhood Conservation Department and Tucson Electric Power Company**

Amendment Number 3 to the Low Income Weatherization Program Implementation Agreement (the "**Amendment**") is made as of March 1, 2019 ( the "**Effective Date**") under this Agreement effective by and between Tucson Electric Power Company, ("TEP") and Pima County through its Community Development and Neighborhood Conservation Department, ("CDNC" or "County"). For the purposes of this Amendment, TEP and CDNC are sometimes referred to individually as "Party" and collectively as "Parties." Capitalized terms shall have the meaning ascribed to them in the Agreement unless otherwise defined herein.

#### **RECITALS**

TEP and CDNC entered into an Agreement for Low Income Weatherization Program Implementation effective as of February 1, 2018.

The Parties desire to modify the Agreement as set forth in this Amendment.

#### **AGREEMENT**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

- Section 1.4.5: Replace existing verbiage in its entirety with the following:  
  
"The maximum TEP reimbursement for any Eligible Customer must not exceed **\$6,000.00** per residence; and"
- Section 1.5.2: Replace existing verbiage in its entirety with the following:  
  
"The 25% allocation for health and safety repairs must be part of and not in addition to the **\$6,000.00** maximum reimbursement for each home."
- Section 2.1.1: Add the following subparagraph:  
  
"2.1.1.4 CDNC will provide final inspection assessments to include supporting documentation on completed TEP funded jobs (by request only)."

- Section 2.2.1.4.2: Add the following subparagraph:

"2.2.1.4.2.1.5 Labor and materials breakdown with supporting documentation."

- Section 5.1: Replace in its entirety with the following:

"For budget year 2019, TEP will reimburse County up to \$85,000.00 for weatherization services provided under this Agreement. County may use this allocation for all jobs completed between January 1 and December 31 of 2019."

- Section 5.2.1.: Replace the first sentence in its entirety with the following:

"Administration costs may not exceed 10% of the total amount invoiced up to a maximum total of \$8,500.00"

If for any reason, this Amendment is suspended or terminated, all provisions of the Agreement shall remain in full force and effect. The Agreement is not amended or modified in any manner whatsoever except as expressly and specifically provided herein. All rights, duties and obligations of TEP and County set forth in the Agreement shall remain in full force and effect unless amended or modified herein.

IN WITNESS WHEREOF, the authorized representatives of both Parties have executed this Amendment No. 3, effective as of the date first above written:

**PIMA COUNTY:**

**TUCSON ELECTRIC POWER COMPANY:**

\_\_\_\_\_  
Chairman, Board of Supervisors Date

\_\_\_\_\_  
Ted Burhans, Director Date  
Emerging Technologies and Innovations

ATTEST:

\_\_\_\_\_  
Clerk, Board of Supervisors Date

APPROVED AS TO CONTENT:

 3.13.19  
Director, Community Development Date  
and Neighborhood Conservation

APPROVED AS TO FORM:

 3/12/19  
Kell Olson, Deputy County Attorney Date