



## BOARD OF SUPERVISORS AGENDA ITEM REPORT

### CONTRACTS / AWARDS / GRANTS

☐ Award ☒ Contract ☐ Grant

Requested Board Meeting Date: 10/20/2020

\* = Mandatory, information must be provided

or Procurement Director Award ☐

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

Avra Valley Fire District, Drexel Heights Fire District, Golder Ranch Fire District, Green Valley Fire District, Northwest Fire District, Rincon Valley Fire District, City of Tucson Fire Department and Pima County Office of Emergency Management ("Parties").

**\*Project Title/Description:**

Hazardous Materials Response Program

**\*Purpose:**

With the exception of the Picture Rocks Fire District, it is the desire of the "Parties" to jointly exercise their powers pursuant to A.R.S. § §11-951 through 11-954 to continue to participate in a hazardous materials response program for the provision of fire, hazardous materials and emergency medical services in the event of a major incident, natural or human caused disaster or other significant event that affects the safety and welfare of the general public. The purpose for this amendment is to exercise the extension option and renew the Hazardous Materials Response Program IGA for an additional (5) years. There is no expense or revenue in this agreement.

**\*Procurement Method:**

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

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

Each Fire District and the City of Tucson has Firefighters, hazardous materials technicians, emergency medical technicians, and related apparatus and equipment, and will provide fire, hazardous materials response and emergency medical services cooperatively in the event of major incident(s), natural or human caused disaster(s), or other significant event(s) which may occur within Pima County for another (5) years under this agreement.

**\*Public Benefit:**

Residents of Pima County will not be at risk in the event of a major hazardous materials incident, natural or human caused disaster or other significant event that effects the safety and welfare of the general public with a hazardous materials response team in place that will provide resources to efficiently and effectively safeguard the lives and property within Pima County for an additional (5) years.

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

Required participation in the annual review of the participating fire departments Hazardous Materials Technician rosters, verification of certifications and proficiency trainings, and completion of a medical examination meeting the National Fire Protection Association (NFPA) standard for Hazardous Materials personnel. Attendance and participation at the monthly Regional Hazardous Materials Team meetings. Provide briefings at the quarterly Pima County Local Emergency Planning Committee (LEPC) meetings on significant incidents, training, and specialized equipment. Participate in annual Regional Hazardous Materials Team exercise.

**\*Retroactive:**

Extended time was necessitated due to coordination of all parties and obtaining each Fire Department and District's governing board approval in the midst of COVID-19 and Bighorn Fire activities. Additionally, the commencement date is different because this amendment had been forwarded to each Fire Department or District for review and approval prior to the May 28, 2020 Effective Date and Commencement Date verbiage change. The difficulty of starting this lengthy process over again during unprecedented times and during two declared emergencies where all parties were heavily involved, was too challenging.

*To: COB- 10-8-20  
Ver. - 2  
Pgs - 14 addendum*

**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: OEM Contract Number (i.e., 15-123): 15\*240  
Amendment No.: 1 AMS Version No.: 2  
Commencement Date: 01/06/2020 New Termination Date: 01/05/2025

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

☐ Expense or ☐ Revenue ☐ Increase ☐ Decrease Amount This Amendment: \$ 0.00

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 ☐ 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: Paige Knott

Department: Office of Emergency Management (OEM) Telephone: 724-9314

Department Director Signature/Date: [Signature] 10/7/2020

Deputy County Administrator Signature/Date: [Signature] 10/7/2020

County Administrator Signature/Date: [Signature] 10/8/2020  
(Required for Board Agenda/Addendum Items)

**Pima County Department Office Of Emergency Management ("County")**

**Project: Hazardous Materials Response Program**

**Avra Valley Fire District, Drexel Heights Fire District, Golder Ranch Fire District, Green Valley Fire District, Northwest Fire District, Rincon Valley Fire District, City of Tucson Fire Department and Pima County, on behalf of the Pima County Office of Emergency Management ("Parties")**

**Contract No.: CT-OEM 15\*240**

**Contract Amendment No.: One (01)**

<b>Orig. Contract Term:</b> 01/06/2015 – 01/05/2020	<b>Orig. Amount:</b>	<b>\$00.00</b>
<b>Termination Date Prior Amendment:</b> 01/05/2020	<b>Prior Amendments Amount:</b>	<b>\$00.00</b>
<b>Termination Date This Amendment:</b> 01/05/2025	<b>This Amendment Amount:</b>	<b>\$00.00</b>
	<b>Revised Total Amount:</b>	<b>\$00.00</b>

**INTERGOVERNMENTAL AGREEMENT (IGA) AMENDMENT**

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

**1. Background and Purpose.**

1.1. Background. On January 06, 2015, the Parties entered into the above referenced Agreement to allow for emergency response by a hazardous materials team in Pima County, Arizona.

1.2. Purpose. With the exception of Picture Rocks Fire District, it is the continued desire of the Parties to jointly exercise their powers pursuant to A.R.S. § §11-951 through 11-954 to participate in a hazardous materials response program for the provision of fire, hazardous materials and emergency medical services in the event of a major incident, natural or human caused disaster or other significant event that affects the safety and welfare of the general public.

**2. Term.**

2.1 The Agreement terminates on January 05, 2025, and may be renewed for one (1) additional five (5) year period.

2.2. Picture Rocks Fire District has submitted written notice to the other Parties canceling its participation and is no longer a Party to the Agreement.

**3. Insurance.**

Section IX, Insurance, is deleted and replaced with the following:

**Contract No.: CT-OEM-15\*240**

Each District Party and the City shall make available evidence of insurance with limits of liability not less than those stated below:

- A. Commercial General Liability (CGL) – Occurrence Form with limits of \$2,000,000 Each Occurrence and \$2,000,000 General Aggregate. Policy shall include bodily injury, property damage, broad form contractual liability coverage, personal and advertising injury and products – completed operations. Pima County is to be named as an additional insured for all operations performed within the scope of the Agreement.
- B. Business Automobile Liability – Bodily Injury and Property Damage for any owned, hired, and/or non-owned automobiles used in the performance of this Agreement with a Combined Single Limit (CSL) of \$1,000,000 each accident.
- C. If this Agreement involves professional services, evidence of professional liability insurance in the amount of \$1,000,000.00 must be provided.
- D. Workers' Compensation (WC) and Employers' Liability - Statutory requirements and benefits for Workers' Compensation. In Arizona, WC coverage is compulsory for employers of one or more employees. Employer's Liability coverage- \$1,000,000 each accident and each person - disease.
- E. Upon request, a Party shall provide any other Party with satisfactory proof of insurance. The Parties will provide thirty (30) days written notice of cancellation, non-renewal or ten (10) days written notice in the event of non-payment of premium. Any modifying language in the insurance certificate must be deleted.
- F. The Parties to this Intergovernmental Agreement acknowledge that a Party may be self-insured pursuant to Arizona Revised Statutes, Title 11. Such self-insurance shall satisfy the insurance requirements of this Agreement.

#### **4. Party Addresses for Providing Notice.**

Exhibit B is deleted and replaced with Exhibit B.1.

The effective date of this Amendment is January 6, 2020.

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

**IN WITNESS WHEREOF**, the parties hereto each sign this Amendment on a separate signature page. Each signor warrants that he or she has been duly authorized to commit the jurisdiction to continue to participate in the Agreement by formal approval of the jurisdiction's governing body.

Contract No.: CT-OEM-15\*240

**PIMA COUNTY**

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

\_\_\_\_\_  
Date

**ATTEST**

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

\_\_\_\_\_  
Date

**APPROVED AS TO CONTENT**

  
\_\_\_\_\_  
Director  
Pima County Office of Emergency Management

2-10-2020  
Date

Pursuant to A.R.S. § 11-952, the attorney for Pima County has determined that the foregoing Amendment is in proper form and is within the powers and authority of the entity as granted under the laws of the State.

**APPROVED AS TO FORM**

  
\_\_\_\_\_  
Deputy County Attorney

\_\_\_\_\_  
Jonathan Pinkney

10/7/2020  
Date

**Contract No.: CT-OEM-15\*240**

AVRA VALLEY FIRE DISTRICT



Board Chair, Avra Valley Fire District

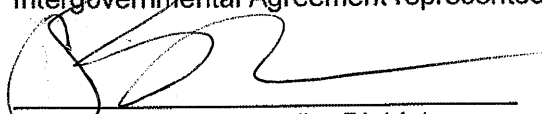
2-28-2020  
Date

ATTEST:

  
Board Clerk

2/28/20  
Date

The foregoing Intergovernmental Agreement has been reviewed pursuant to A.R.S. § 11-952 by the undersigned, who have determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona to those parties to the Intergovernmental Agreement represented by the undersigned.

  
Attorney, Avra Valley Fire District

2/19/2020  
Date

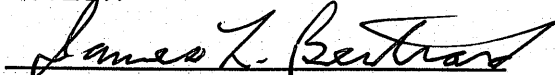
Contract No.: CT-OEM-15\*240

**DREXEL HEIGHTS FIRE DISTRICT**

  
Board Chair, Drexel Heights Fire District

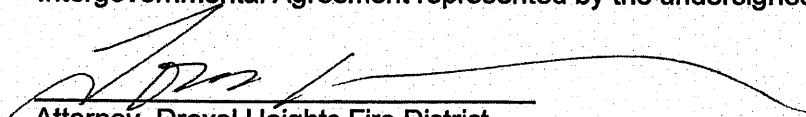
02/28/2020  
Date

ATTEST:

  
Board Clerk

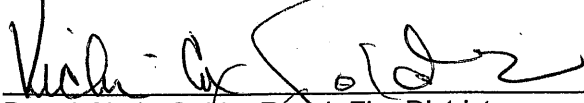
02/28/2020  
Date

The foregoing Intergovernmental Agreement has been reviewed pursuant to A.R.S. § 11-952 by the undersigned, who have determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona to those parties to the Intergovernmental Agreement represented by the undersigned.

  
Attorney, Drexel Heights Fire District

2-7-20  
Date

**GOLDER RANCH FIRE DISTRICT**



Board Chair, Golder Ranch Fire District

3/10/2020

Date

ATTEST:

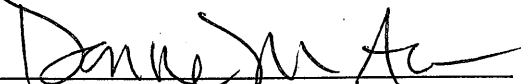


Board Clerk

3/10/2020

Date

The foregoing Intergovernmental Agreement has been reviewed pursuant to A.R.S. § 11-952 by the undersigned, who have determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona to those parties to the Intergovernmental Agreement represented by the undersigned.



Attorney, Golder Ranch Fire District

3/10/2020

Date

Contract No.: CT-OEM-15\*240

6



**GREEN VALLEY FIRE DISTRICT**




Board Chair, Green Valley Fire District

2/26/20

Date

ATTEST:




Board Clerk

02/26/2020

Date

The foregoing Intergovernmental Agreement has been reviewed pursuant to A.R.S. § 11-952 by the undersigned, who have determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona to those parties to the Intergovernmental Agreement represented by the undersigned.



Attorney, Green Valley Fire District

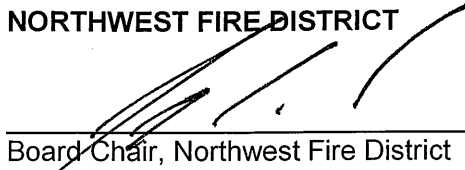
3/6/2020

Date

Contract No.: CT-OEM-15\*240

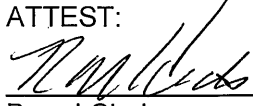
7

**NORTHWEST FIRE DISTRICT**

  
\_\_\_\_\_  
Board Chair, Northwest Fire District

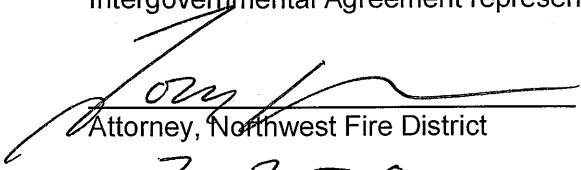
02/25/20  
Date

ATTEST:

  
\_\_\_\_\_  
Board Clerk

02/25/20  
Date

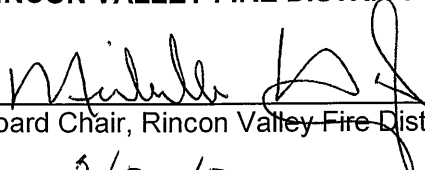
The foregoing Intergovernmental Agreement has been reviewed pursuant to A.R.S. § 11-952 by the undersigned, who have determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona to those parties to the Intergovernmental Agreement represented by the undersigned.

  
\_\_\_\_\_  
Attorney, Northwest Fire District

2-25-20  
Date


Contract No.: CT-OEM-15\*240

**RINCON VALLEY FIRE DISTRICT**

  
\_\_\_\_\_  
Board Chair, Rincon Valley Fire District


2/20/20  
Date

ATTEST:

  
\_\_\_\_\_  
Board Clerk

2/20/20  
Date

The foregoing Intergovernmental Agreement has been reviewed pursuant to A.R.S. § 11-952 by the undersigned, who have determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona to those parties to the Intergovernmental Agreement represented by the undersigned.

  
\_\_\_\_\_  
Attorney, Rincon Valley Fire District

2/20/20  
Date


Contract No.: CT-OEM-15\*240

CITY OF TUCSON

  
\_\_\_\_\_  
Mayor, City of Tucson, Regina Romero

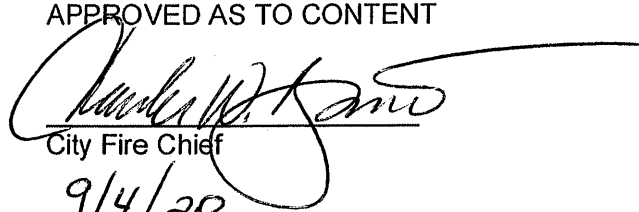
September 9, 2020  
Date

ATTEST:

  
\_\_\_\_\_  
City Clerk, Roger W. Randolph

September 9, 2020  
Date

APPROVED AS TO CONTENT

  
\_\_\_\_\_  
City Fire Chief

9/4/20  
Date

The foregoing Intergovernmental Agreement has been reviewed pursuant to A.R.S. § 11-952 by the undersigned, who have determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona to those parties to the Intergovernmental Agreement represented by the undersigned.

  
\_\_\_\_\_  
Attorney, City of Tucson

September 4, 2020  
Date

Contract No.: CT-OEM-15\*240

10

**Exhibit B – 1**  
**Party Addresses for Providing Notice**

Pima County Office of Emergency Management and Homeland Security  
3434 E. 22nd Street  
Tucson, AZ 85713

Avra Valley Fire District  
15790 W. Silverbell Road  
Marana, AZ 85653

City of Tucson Fire Department  
300 S. Fire Central Place  
Tucson, AZ 85701

Drexel Heights Fire District  
5030 S. Camino Verde  
Tucson, AZ 85735

Golder Ranch Fire District  
3885 E. Golder Ranch Drive  
Tucson, Arizona 85739

Green Valley Fire District  
1285 W. Camino Encanto  
Green Valley, AZ 85622

Northwest Fire District  
5225 W. Massingale Road  
Tucson, AZ 85743

Rincon Valley Fire District  
14550 E. Sands Ranch Road  
Vail, AZ 85641

Contract No.: CT-OEM-15\*240

11

ADOPTED BY THE  
MAYOR AND COUNCIL

September 9, 2020

RESOLUTION NO. 23233

RELATING TO THE TUCSON FIRE DEPARTMENT; APPROVING AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT FOR HAZARDOUS MATERIAL (HAZMAT) EMERGENCY RESPONSE BETWEEN THE CITY OF TUCSON, ACTING THROUGH THE TUCSON FIRE DEPARTMENT; PIMA COUNTY, ACTING THROUGH THE PIMA COUNTY OFFICE OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY; AND SIX OTHER REGIONAL FIRE DISTRICTS FOR COOPERATIVE PROVISION OF EMERGENCY RESPONSE TO HAZMAT INCIDENTS WITHIN PIMA COUNTY; AND DECLARING AN EMERGENCY.

WHEREAS, on September 7, 2004, by Resolution No. 19930, the Mayor and Council approved an Intergovernmental Agreement (IGA) under which the City of Tucson (City), acting through the Tucson Fire Department (TFD), cooperatively participated with Pima County, and the Northwest, Green Valley, Golder Ranch, and Drexel Heights Fire Districts in a countywide HazMat response program to provide emergency response to hazardous materials incidents within Pima County; and

WHEREAS, on January 6, 2015, by Resolution No. 22339, the Mayor and Council approved the most recent version of the County HazMat IGA between the City, acting through TFD; Pima County, acting through the Pima County Office of Emergency Management and Homeland Security; and the Drexel Heights, Golder Ranch, Green Valley, Northwest, Picture Rocks, Avra Valley and Rincon Valley Fire Districts; and

WHEREAS, the Mayor and Council now wish to approve an Amendment to the 2015 County HazMat IGA that renews that IGA for an additional five (5) year period (to January 5, 2025) between all participating parties except the Picture Rocks Fire District, which has submitted written notice to the other parties canceling its participation and is no longer a party to the IGA.

NOW, THEREFORE, BE RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA AS FOLLOWS:

SECTION 1. The Amendment to the County HazMat IGA attached hereto as Exhibit 1, renewing that IGA for an additional five (5) year period (to January 5, 2025), is approved.

SECTION 2. The Mayor is authorized and directed to execute the Amendment to the County HazMat IGA for and on behalf of the City of Tucson and the City Clerk is authorized and directed to attest to the same.

SECTION 3. The various City officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this Resolution.

SECTION 4. WHEREAS, it is necessary for the preservation of the peace, health and safety of the City of Tucson that this Resolution become immediately effective, an

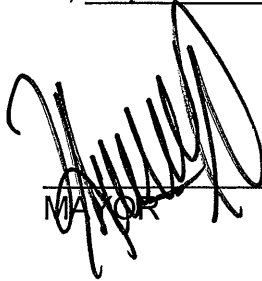
...

...

...

emergency is hereby declared to exist, and this Resolution shall be effective immediately upon its passage and adoption.

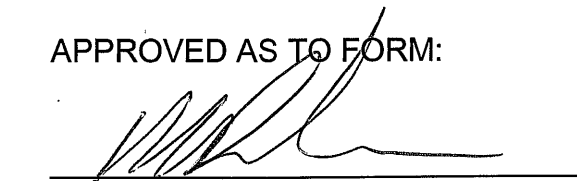
PASSED, ADOPTED AND APPROVED BY THE MAYOR AND COUNCIL OF  
THE CITY OF TUCSON, ARIZONA, September 9, 2020

  
\_\_\_\_\_  
MAYOR

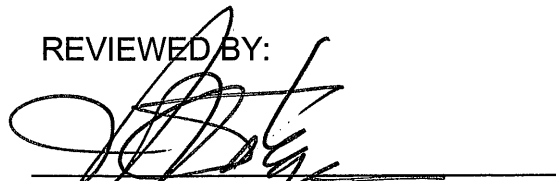
ATTEST:

  
\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
CITY ATTORNEY  
DPM/dg  
8/26/20

REVIEWED BY:

  
\_\_\_\_\_  
CITY MANAGER