



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

Award Contract Grant

Requested Board Meeting Date: 05/21/2024
or Procurement Director Award:

**=Mandatory, information must be provided*

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

DE LA WARR INVESTMENT CORP

***Project Title/Description:**

Amendment 10 to extend Lease Term for 33 N. Stone, Suite 850.

***Purpose:**

The purpose of this 10th amendment is to extend the Lease Term, by mutual agreement, for one additional year beginning June 1, 2024 and terminating May 31, 2025.

***Procurement Method:**

Exempt Per Section 11.04.020.

***Program Goals/Predicted Outcomes:**

The goal of this extension is to extend the Lease Term for one year. Tenant wishes to exercise its option to extend this Lease for one additional year. If approved by the Board of Supervisors, Tenant will continue to occupy the office space for the next year, which they have leased for approximately twenty years, and County will continue to receive Lease payments and Tenant's proportional share of operating expenses during the Extension Period.

***Public Benefit:**

County receives Lease payments and Tenant's proportional share of building maintenance expenses which help to offset costs to the public for building upkeep and maintenance. Tenant employs people downtown and those employees contribute to the economy of downtown Tucson.

***Metrics Available to Measure Performance:**

Full and timely payment of rent during Extension Term of ease.

***Retroactive:**

No

TO: COB, 4-9-2024 (1)
Vers.: 10
pgs.: 4

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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: _____

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 partly funded with Federal Funds? Yes No
If Yes, Is the Contract to 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: FM Contract Number (i.e., 15-123): CMS139839

Amendment No.: 10 AMS Version No.: 10

Commencement Date: 06/01/2024 New Termination Date: 05/31/2025
Prior Contract No.(Synergen/CMS): N/A

Expense Revenue Increase Decrease Amount This Amendment: \$ 29,007.07

Is there revenue included? Yes No If Yes \$: 29,007.07

Funding Source(s) required: Rent payments from Tenant

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:

*Matching Funding from General Fund? Yes No If Yes, \$ _____ % _____

*Matching 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: Kevin Button Telephone: 520-724-8230
Department: Facilities Management

Department Director Signature: _____ Date: 6-4-2024

Deputy County Administrator Signature: _____ Date: 4-5-2024

County Administrator Signature: _____ Date: 4/16/24

Pima County Department of Facilities Management

Project: Amendment 10 to extend Lease Term for 33 N. Stone, Suite 850.

Contractor: DE LA WARR INVESTMENT CORP

Contract No.: CTN-FM-CMS139839

Contract Amendment No.:10

Orig. Contract Term: 06/01/2003 - 05/31/2006	Orig. Amount:	\$ 60,235.44
Termination Date Prior Amendment: 05/31/2024	Prior Amendments Amount:	\$ 472,971.72
Termination Date This Amendment: 05/31/2025	This Amendment Amount:	\$ 29,007.07
	Revised Total Amount:	\$ 562,214.23

AMENDMENT 10

1. **DEFINED TERMS.** For purposes of this Amendment, the following terms have the meanings set forth below:
 - 1.1. Landlord. Pima County, a political subdivision of the State of Arizona.
 - 1.2. Tenant. De La Warr Investment Corporation, a Delaware corporation.
 - 1.3. Leased Premises. Suite 850 in Landlord's building located at 33 N. Stone Ave., Tucson, Arizona 85701, commonly known as the Bank of America Building, consisting of approximately 1,255 rentable square feet.
 - 1.4. Lease. The Lease for the Leased Premises naming Tenant as tenant, dated April 21, 2003 and all amendments thereto.
 - 1.5. Effective Date: June 1, 2024.
2. **BACKGROUND.**
 - 2.1. Tenant and Landlord entered into the Lease, which has been amended nine times. The Ninth Amendment to the Lease extended the Term to May 31, 2024 and provided Tenant additional options to extend upon mutual agreement. Tenant now wishes to exercise its option to extend the Term.
3. **MODIFICATION OF LEASE.** Landlord and Tenant hereby modify the terms of the Lease as follows:
 - 3.1. Extension of Lease. The Term of the Lease is hereby extended for the Extension Period of one (1) additional year, which will begin on June 1, 2024, and terminate on May 31, 2025.
 - 3.2. Options to Extend. During Extension Period, County and Tenant may, by mutual agreement, further extend the Term with additional Option Periods and may increase Base Rent up to, but not to exceed 3%.

3.3. Rent. Base Rent for the Extension Period will be \$29,007.07.

4. **REMAINING LEASE TERMS UNCHANGED.** Except as modified by this Lease Amendment nine all terms and conditions of the Lease, as previously amended, remain in full force and effect.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment on the day, month and year written below.

TENANT: De La Warr Investment Corporation, a Delaware Corporation:



Geoffrey P. Shepard
President and Director



Date

LANDLORD: Pima County, a political subdivision of the State of Arizona:

Adelita S. Grijalva, Chair, Board of Supervisors


Date

ATTEST:

Melissa Manriquez
Clerk of the Board

Date

APPROVED AS TO CONTENT:



Tony Cisneros
Director, Facilities Management



Date

APPROVED AS TO FORM:

Kyle Johnson
Deputy County Attorney

Date

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APPROVED AS TO CONTENT:

Tony Cisneros
Director, Facilities Management

Date

APPROVED AS TO FORM:



Kyle Johnson
Deputy County Attorney

Date

3/18/2024