



Contract # CTCD-12*344-03
 Effective Date 2.28.13
 Term Date 2.28.14
 Cost
 Revenue
 Total NTE: _____
 Action
 Renewal By _____
 Term 2.28.14
 Reviewed by [Signature]

BOARD OF SUPERVISORS AGENDA ITEM SUMMARY

Requested Board Meeting Date: April 2, 2013

ITEM SUMMARY, JUSTIFICATION &/or SPECIAL CONSIDERATIONS:



Authorization of Contract # CTCD*12000000000000000344 , amendment #03 between The Primavera Foundation and Pima County Community Development and Neighborhood Conservation Department to Extend the termination date by 1 year from 02/28/13 to 02/28/14 to continue activities which help to prevent further decline of neighborhoods.

CONTRACT NUMBER (If applicable): 02 -70 -P -142837 -0410 Amendment #03

STAFF RECOMMENDATION(S):

Staff recommends approval by the Board of Supervisors.

CORPORATE HEADQUARTERS: Tucson, Arizona

Procure Dept 03/05/13 PM 10:09

To: CoB - 3.20.13
 Agenda 4.2.13
 (2)

CLERK OF BOARD USE ONLY: BOS MTG. _____

ITEM NO. _____

PIMA COUNTY COST: \$.00 and/or REVENUE TO PIMA COUNTY: \$

FUNDING SOURCE(S): FEDERAL HUD NPS2 ARRA.

(i.e. General Fund, State Grant Fund, Federal Fund, Stadium D. Fund, etc.)

Advertised Public Hearing:

YES

NO

Board of Supervisors District:

1

2

3

4

5

All

IMPACT:

IF APPROVED:

Authorization of Contract # CTCD*12000000000000000344 , amendment #03 between The Primavera Foundation and Pima County Community Development and Neighborhood Conservation Department to extend the termination date by 1 year from 02/28/13 to 02/28/14 to continue activities which help to prevent further decline of neighborhoods.

IF DENIED:

Shall not Authorize Contract # CTCD*12000000000000000344 , amendment #03 between The Primavera Foundation and Pima County Community Development and Neighborhood Conservation Department and not extend the termination date by 1 year from 02/28/13 to 02/28/14 and will not continue activities which help to prevent further decline of neighborhoods.

DEPARTMENT NAME: Community Development and Neighborhood Conservation

CONTACT PERSON: DEWEY COOPER TELEPHONE NO.: 243-6779

**PIMA COUNTY COMMUNITY DEVELOPMENT AND
NEIGHBORHOOD CONSERVATION DEPARTMENT**

PROJECT: NSP2 Consortium Funding Agreement

CONTRACTOR: The Primavera Foundation, Inc

CONTRACT NO: 02-70-P-142837-0410/12*344

CONTRACT AMENDMENT NO: Three (3)

CONTRACT

NOCT.CD-12000000000000000000344

AMENDMENT NO. 03

This number must appear on all
invoices, correspondence and
documents pertaining to this
contract.

ORIG CONTRACT TERM: 4/2/2010 to 2/28/2013
TERMINATION DATE PRIOR AMENDS: N/A
TERMINATION THIS AGREEMENT: 2/28/2014

ORIG CONTRACT AMOUNT: \$1,798,500.00
AMOUNT PRIOR AMENDS: \$ 300,000.00
AMOUNT THIS AMENDMENT: \$ -0-
REV. CONT. AMOUNT: \$ 2,098,500.00

NSP2 CONSORTIUM FUNDING AGREEMENT AMENDMENT

WHEREAS, pursuant to a Consortium Agreement executed by a consortium of nine members, Pima County ("County") as lead member of the consortium, was awarded \$22,165,000.00 in Neighborhood Stabilization 2 ("NSP2") grant funds for the U.S. Department of Housing and Urban Development ("HUD"); and

WHEREAS, the NSP2 funds are to be used in Pima County for activities that assist in the redevelopment of abandoned and foreclosed homes to provide affordable housing and to prevent further decline of neighborhoods due to housing crisis in targeted geographic areas of Pima County; and

WHEREAS, the original termination date contemplated that grant activities would be completed on or before February 28, 2013; and

WHEREAS, guidance regarding NSP2 requirements continues to be provided by HUD; and

WHEREAS, based on this guidance, it has been determined that both County and The Primavera Foundation, Inc. ("Subgrantee") will have responsibilities that extend beyond the current termination; and

WHEREAS, Article IV, Paragraph B requires the extension of the Agreement "to cover any additional time period during which Subgrantee remains in control of NSP2 funds or other NSP2 assets, including program income"; and

WHEREAS, Subgrantee remains in control of NSP2 funds and/or assets; and

WHEREAS, County finds it prudent to continue to control the distribution and use of program income generated by NSP2 projects to further the goals of NSP2 in Pima County.

NOW, THEREFORE, the parties agree as follows:

A. **Article III – Expenditure Deadlines and Program Income**, Subparagraph D(3) is deleted in its entirety and replaced with the following:

3. Notwithstanding the foregoing, unless set forth otherwise in Exhibit A, all program income shall be returned to County within ten (10) calendar days from the end of the month in which the program income is received.

B. **Article IV- Term, Extension and Amendments**, Paragraph A is amended, pursuant to Paragraph IV(B), to extend the termination date for all but land banking activities as follows:

FROM: February 28, 2013

TO: February 28, 2014

C. **Article XI – Access to Records and Records Retention**, is amended to add Paragraph F to read:

- F. This Article shall survive the termination, cancellation, expiration or revocation, whether in whole or in part, of this Agreement.

The effective date of this Amendment shall be **February 28, 2013**.

All other provisions of the Contract, not specifically changed by this Amendment, shall remain in effect and be binding upon the parties.

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

PIMA COUNTY:

Lorain Valades APR 02 2013
Chairman, Board of Supervisors Date

SUBGRANTEE:

Peggy Hutchison 2/14/13
Authorized Office Signature Date

ATTEST:

Robin Brigode
Clerk of the Board

Peggy Hutchison, CEO
Name and Title (Please Print)

APPROVED AS TO CONTENT:

Margaret M. Kue 02/13/2013
Department Head Date

APPROVED AS TO FORM:

Karen S. Friar
Karen S. Friar, County Attorney