



MEMORANDUM

Date: August 20, 2020

To: The Honorable Chairman and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator 

Re: **August 18, 2020 Memorandum from the Procurement Director Regarding Master Agreement No. MA-PO-18-098 Associated with Flood Control Services**

During the August 17, 2020 Board of Supervisors Meeting, a number of questions were raised regarding the renewals available for this contract and the amount of the award increases.

Additional information on this subject is provided in the attached August 18, 2020 memorandum from the Procurement Director. The approval and renewal of the amendments have met all County Procurement requirements and standards.

CHH/anc

Attachment

c: Jan Leshar, Chief Deputy County Administrator
Mary Jo Furphy, Director, Procurement Department

Date: August 18, 2020

To: C. H. Huckelberry, County Administrator

From: Mary Jo Furphy, Procurement Director *Mary Jo Furphy*

Thru: Jan Leshar, Chief Deputy County Administrator *Jan Leshar*

Re: Board of Supervisors August 17, 2020 Agenda Item 8 Contract Ratification, Master Agreement No. MA-PO-18-098, Job Order Contract for Flood Control Services, Contract Award Summary and Authorization

At the August 17, 2020 Board of Supervisors Meeting, the authority of the Procurement Director to approve renewal amendments that extend as required contracts for another annual period and add the Board approved annual award amount was questioned. The fact of two remaining potential renewal periods was also questioned. The renewal periods are noted below. Following is a summary of the contract award actions approved by the Board of Supervisors (Board) and the Procurement Director (PD).

Item	Renewal Period	Term	Award Approval	Award Action	Contract Not-To-Exceed Total
Original 10/17/17		10/17/17- 10/16/18	Board	\$5,000,000 Annual Award with four annual renewal periods	\$5,000,000
AM01 10/08/18	1	10/17/18- 10/16/19	PD	Annual Renewal – Add \$5,000,000 annual award amount	\$10,000,000
AM02 09/30/19	2	10/17/19- 10/16/20	PD	Annual Renewal – Add \$5,000,000 annual award amount	\$15,000,000
AM03 01/21/20		10/17/19- 10/16/20	PD	Increase job order limit from \$1M to \$2M per BOS-approved revisions to Policy D29.1(IV)(F) on 12/03/19	\$15,000,000
AM04 04/07/20		10/17/19- 10/16/20	Board	Add \$5,000,000 for additional planned projects and maintenance requirements	\$20,000,000
AM05 07/15/20		10/17/19- 10/16/20	Board Ratification 08/17/20	<ul style="list-style-type: none"> • Add additional \$5M for emergency flood response work • Increase annual award amount from \$5M to \$10M for the remaining two renewal periods • Shorten contract expiration date from 10/16/21 to 06/30/21 to align with fiscal year at Department's request 	\$25,000,000

C.H. Huckelberry, County Administrator

Re: Board of Supervisors August 17, 2020 Agenda Item 8 Contract Ratification, Master Agreement No. MA-PO-18-098, Job Order Contract for Flood Control Services, Contract Award Summary and Authorization

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Following is a summary of the potential future amendments allowed under the contract pursuant to previous Board action and Board of Supervisors Policy.

Potential Future Amendments:					
Item	Renewal Period	Term	Award Approval	Award Action	Contract Not-To-Exceed Total
AM06 10/17/20	3	10/17/20- 06/30/21	PD	Annual Renewal – Add \$10,000,000 annual award amount	\$35,000,000
AM06 07/01/21	4	07/01/21- 06/30/22	PD	Annual Renewal – Add \$10,000,000 annual award amount	\$45,000,000

Amendments approved by the Procurement Director are within the Procurement Director's authority pursuant to Board of Supervisors Policy D29.4 (XIV), specifically as noted below:

With the exception of Intergovernmental Agreements, grant awards made to County, and Funding Agreements, the Procurement Director may execute an amendment to any contract approved by the Board of Supervisors provided the amendment does not alter the scope of the contract or the monetary commitment of the initial or amended Board of Supervisors award, is limited to term extensions resulting in a maximum contract term of five years as permitted in the original contract, or is for administrative changes such as, but not limited to, an assignment, allowance for non-competed charges such as taxes and freight, and changes to the name, location or contact information of the Contractor.

The Board initially approved a monetary commitment of \$5,000,000 annually and the allowance of four annual renewal periods. Amendments #1 and #2 exercised two of those renewal periods, including adding the approved annual award. Amendment #3 was administrative to align the contract with the revised Board Policy D29.1. Amendment #4 and #5 required the Board's approval to increase the monetary commitment. With the Board's approval to increase the monetary commitment to \$10,000,000 annually, this gives the Procurement Director the authority to add \$10,000,000 with the two remaining renewal amendments.