



Staff Summary Report

Council Meeting Date: 10/16/08

Agenda Item Number: _____

SUBJECT: Request approval of Amendment No. 3 to the Intergovernmental Agreement with the Arizona Department of Health Services for the Arizona Nutrition Network Local Incentive Award.

DOCUMENT NAME: 20081016cskb02 **COMMUNITY SERVICE ADM (0701-01)**

SUPPORTING DOCS: Yes.

COMMENTS: The award is in the amount of \$286,805 for the Kid Zone Enrichment Program for the 2008/2009 federal fiscal year (Oct – Sept).

PREPARED BY: Kathy Berzins, Deputy Community Services Manager, Social Services, Ext. 5464

REVIEWED BY: Tom Canasi, Community Services Manager, Ext. 5305

LEGAL REVIEW BY: Judi Morgan, Assistant City Attorney, Ext. 8779

DEPT APPROVAL: Tom Canasi, Community Services Manager, Ext. 5305

FISCAL NOTE: There is no fiscal impact

RECOMMENDATION: Recommend approval of the Amendment No. 3 for the Arizona Nutrition Network Award for federal FY 2008-2009.

ADDITIONAL INFO: The award will provide nutrition and health education services to children in the Kid Zone Enrichment Program. This will be the seventh year that Kid Zone has been awarded the Arizona Nutrition Network Local Incentive Award.



**INTERGOVERNMENTAL AGREEMENT
(IGA) AMENDMENT**

ARIZONA DEPARTMENT OF

HEALTH SERVICES

1740 W. Adams, Room 303

Phoenix, Arizona 85007

(602) 542-1040

(602) 542-1741 Fax

Contract No: **HG661043**

Amendment No. 3

Contracts Management Specialist

Pam Giroux; JA

Local Incentive Award

Amendment Date: September 4, 2008

It is mutually agreed that the Intergovernmental Agreement referenced is amended as follows:

1. Revise numbering of Paragraph Three (3), Special Terms and Conditions, Page Ten (10), "Budget Transfers" to Paragraph Five (5).
2. Add Paragraph Seven (7) to the Special Terms and Conditions, Page Eleven (11):

EFFECTIVE SEPTEMBER 30, 2008 – COMPLIANCE WITH A.R.S. 41-4401

- A. By entering into the Contract, the Contractor warrants compliance with Federal Immigration and Nationality Act (FINA) and all other Federal immigration laws and relations related to the immigration status of its employees. The Contractor shall obtain statements from its subcontractors certifying compliance and shall furnish the statements to the Procurement Officer upon request. These warranties shall remain in effect through the term of the Contract. The Contractor and its subcontractors shall also maintain Employment Eligibility Verification forms (I-9) as required by the U.S. Department of Labor's Immigration and Control Act, for all employees performing work under the Contract. I-9 forms are available for download at USCIS.GOV.
 - B. The State may request verification of compliance for any Contractor or subcontractor performing work under the Contract. Should the State suspect or find that the Contractor or any of its subcontractors are not in compliance, the State may pursue any and all remedies allowed by law, including, but not limited to: suspension of work, termination of the Contract for default, and suspension and/or debarment of the Contractor. All costs necessary to verify compliance are the responsibility of the Contractor.
3. Replace Special Terms and Conditions Paragraph Four (4), Price Adjustment (After 1 Year), Page Eleven (11) with Paragraph Six (6):

NEW BUDGET TERM

If a budget term has been completed in a multi-term Contract, the parties may agree to change the amount and type of funding to accommodate new circumstances in the next budget term. Any increase or decrease in funding at the time of the new budget term shall coincide with a change in the Scope of Work or change in cost of services as approved by the Arizona Department of Health Services (ADHS).

4. Pursuant to Page Eleven (11), Special Terms and Conditions, Paragraph Six (6) "New Budget Term" as added above, the Price Sheet of Amendment Two (2), Page Two (2) is replaced by revised Price Sheet, Amendment Three (3), Page Three (3) for budget term beginning October 1, 2008. The Price Sheet is increased by \$68,073.00 to reflect a change in the cost of services as approved by the ADHS as a result of an increase in Personnel Costs/Salary, Employee Related Expenses, Non-Capital Equipment Supplies, Materials, Travel, Building/Space, and Maintenance to provide for an increase in scheduled programs and sites with a decrease in Contracts/Grants/Agreements costs as a result of the intern stipend being reduced for the new Fiscal Year.

All other provisions of this agreement remain unchanged.



**INTERGOVERNMENTAL
AGREEMENT**

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City of Tempe, Kid Zone Enrichment		
Contractor Name 3500 S. Rural Rd.		Authorized Signature
Address Tempe AZ 85282		Printed Name
City	State	ZIP
<p>Pursuant to A.R.S. § 11-952, the undersigned public agency attorney has determined that this Intergovernmental Agreement is in proper form and is within the powers and authority granted under the laws of the State of Arizona. In accordance with A.R.S. 35-397, the Contractor hereby certifies that the Contractor does not have scrutinized business operations in Iran or Sudan.</p>		<p>This Intergovernmental Agreement Amendment shall be effective the date indicated. The Public Agency is hereby cautioned not to commence any billable work or provide any material, service or construction under this IGA until the IGA has been executed by an authorized ADHS signatory.</p> <p>State of Arizona</p> <p>Signed this _____ day of _____ 2008</p>
Signature	Date	
Printed Name		Procurement Officer
<p>Attorney General Contract No. PIGA2008002730, which is an Agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952 by the undersigned Assistant Attorney General, who has determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona.</p>		RESERVED FOR USE BY THE SECRETARY OF STATE
Signature	Date	
Assistant Attorney General		
Printed Name:		



**INTERGOVERNMENTAL AGREEMENT
PRICE SHEET**

**ARIZONA DEPARTMENT OF
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**PRICE SHEET/FEE SCHEDULE
City of Temp – Kid Zone**

Budget Period: 10/1 – 9/30

LINE ITEM BUDGET	AMOUNT
PERSONNEL COSTS/SALARY	\$132,150.00
FRINGE BENEFITS	\$22,796.00
CONTRACTS/GRANTS/AGREEMENTS	\$16,480.00
NON-CAPITAL EQUIPMENT SUPPLIES	\$66,073.00
MATERIALS	\$43,862.00
TRAVEL	\$1,306.00
BUILDING/SPACE	\$1,950.00
MAINTENANCE	\$2,188.00
EQUIPMENT & OTHER CAPITAL	\$0.00
INDIRECTS COSTS	\$0.00
TOTAL	\$286,805.00

LINE ITEM BUDGET TRANSFERS

Upon receipt of written authorization from the ADHS Program Manager, the Contractor is authorized to transfer up to a maximum of 10% of the Total Budgeted Amount between line items. Transfers of funds are only allowed between funded line items. Transfers exceeding 10% or to a non-funded line item shall require an amendment.

ALLOWED REIMBURSEMENTS

The reimbursement for the approved federal share budget shall not exceed 50% of the actual Local Share expenditures.