

City Contract

Version 4.6 released on 8/3/21



EN01194116

CITY COUNCIL USE ONLY		CITY CLERK USE ONLY	
Date Received: _____	Tracking #: _____	<input type="checkbox"/> Scanned	Date: 10.26.2022
Committee Date: _____	Committee: _____	<input type="checkbox"/> Posted	Item#: 2210.02457
1 st Agenda Date: _____	Hearing Date: _____		
	2 nd Agenda Date: _____		

All department items requiring Council approval must be submitted through the Mayor's Office.

Contract Phase
 New Contract Renewal Amendment Statutory Change Order Supplemental Documentation Quantity Adjustment Final Payment Permission to Continue Terminate/Cancel

Board Approval	Other Board Name	City Council Approval <input checked="" type="radio"/> Yes <input type="radio"/> No	Contract Number 135271
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Department Engineering Services	Contact Name Paul Zachary	Email pzachary@cityoftulsa.org	Phone 918-596-9565
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Vendor Name(s) The Helmerich Trust	Vendor Number	Description (Subject) Gilcrease Museum Donation Agreement
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Contract Type Misc. Agreements	Contract Subtype Misc Revenue Agmt	Bid/Project Number 170030	Contract Amount \$7,000,000.00
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Contract Funding Type
 No Payment Involved
 Revenue Contract
 Expense Contract

Funding Source(s)

Department: _____
Legal: _____
Board: _____
Mayor: _____
Other: _____

TOTAL:
Date: 10.26.22
Date: 10-26-22
Date: _____
Date: OCT 26 2022
Date: _____

Background Information
Agreement between The Helmerich Trust and the City of Tulsa - Helmerich to donate a total of \$7,000,000.00 in annual installments of \$1,000,000.00 commencing on June 30, 2023 and ending on June 30, 2029. Helmerich reserves the right, in its sole discretion, to increase the scheduled payment amounts in order to fully pay Donated Funds prior to June 30, 2029. Helmerich also agrees to provide written notice to the City of any such change in payment amounts as soon as practicable and at least thirty (30) days in advance of the payment due date. City shall utilize Donated Funds in order to proceed with awarding bids to approved contractors and for construction of the Project.

Summation of the Requested Action
Request the Mayor to approve this agreement with The Helmerich Trust and the City Council to approve and accept this donation.

Other Pertinent Details

Post Execution Processing
 Mail vendor copy (add'l signature copies attached)
 Must be filed with other governmental entity
 Add'l governmental entity approval(s) required

Additional Routing and Processing Details
Please return 2 executed copies to Engineering Services, 2317 S. Jackson Avenue, Tulsa OK 74107

GILCREASE MUSEUM DONATION AGREEMENT

THIS GILCREASE MUSEUM DONATION AGREEMENT (“Agreement”) is made this 25th day of, October, 2022, by and between The Helmerich Trust (“Helmerich”) and the City of Tulsa, Oklahoma, a municipal corporation (“City”) (collectively, the “Parties”).

WHEREAS, City owns the Thomas Gilcrease Institute of American History and Art (“Gilcrease Museum”) and operates Gilcrease Museum under a Management Agreement with the University of Tulsa (“University”);

WHEREAS, the City and University have jointly planned the construction of Gilcrease Museum improvements (the “Project”);

WHEREAS, City has appropriated public funds for construction of the Project and is accepting additional private donations of funds to enhance and expand the scope of the Project; and

WHEREAS, Helmerich desires to donate funds to City for the Project on certain terms and conditions acceptable to Helmerich and City.

THEREFORE, in consideration of the covenants and conditions hereinafter contained, the Parties hereto agree as follows:

1. Helmerich agrees to donate funds to the City for the Project (“Donated Funds”) in the total amount of Seven Million Dollars (\$7,000,000.00), which Helmerich agrees to pay in annual installments of One Million Dollars (\$1,000,000.00) commencing on June 30, 2023 and ending on June 30, 2029. Helmerich reserves the right, in its sole discretion, to increase the scheduled payment amounts in order to fully pay Donated Funds prior to June 30, 2029. Helmerich agrees to provide written notice to City of any such change in payment amounts as soon as practicable and at least thirty (30) days in advance of the payment due date.
2. City shall utilize Donated Funds in order to proceed with awarding bids to approved contractors and for construction of the Project. At least ten (10) days prior to each payment due date, City shall invoice Helmerich for an annual installment payment of Donated Funds. City invoices to Helmerich will be directed to: Jonathan D. Helmerich, The Helmerich Trust, 1437 S. Boulder Ave., Suite 520, Tulsa, Oklahoma 74119.
3. This Agreement may be executed in counterparts, each of which shall be deemed an original upon execution and delivery thereof by each party hereto to the other.
4. Notices: All notices under this Agreement shall be in writing and sent to the address listed below for each party, which notice addresses may be changed by written notice to the other party:

The Helmerich Trust
Attention: Hans Helmerich
1437 S. Boulder Ave., Suite 520
Tulsa, Oklahoma 74119

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The City of Tulsa
Attention: Mayor
175 E 2nd Street
Tulsa, OK 74103

And copied to:

The City of Tulsa
Attention: City Engineer
2317 South Jackson, Room S209
Tulsa, OK 74107

5. Entire Agreement and Modification: This instrument contains the entire Agreement of the Parties. This Agreement may only be amended by written agreement, signed by the Parties; a letter or electronic mail is insufficient to amend this Agreement. Oral changes to this Agreement will have no effect.

SPACE INTENTIONALLY LEFT BLANK

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IN WITNESS WHEREOF, the Parties have executed this Agreement on the dates set forth below. The effective date of this Agreement is the date signed by the Mayor of the City of Tulsa.

ATTEST:


CITY CLERK




CITY OF TULSA


G.T. BYNUM, MAYOR

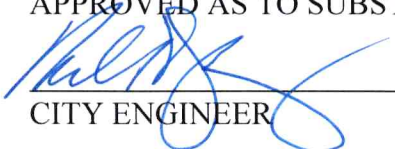
OCT 26 2022

DATE

APPROVED AS TO FORM:


ASSISTANT CITY ATTORNEY

APPROVED AS TO SUBSTANCE:


CITY ENGINEER

DONATION ACCEPTED BY TULSA CITY COUNCIL:

By _____
CHAIRPERSON

Dated: _____

THE HELMERICH TRUST

By: 
HANS HELMERICH, TRUSTEE

October 25, 2022
DATE