

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor’s Legislative Team

at MileHighOrdinance@DenverGov.org by **3:00pm on Monday**. Contact the Mayor’s Legislative team with questions

Date of Request: 10/09/2021

Please mark one: Bill Request or Resolution Request

1. Type of Request:

- Contract/Grant Agreement Intergovernmental Agreement (IGA) Rezoning/Text Amendment
- Dedication/Vacation Appropriation/Supplemental DRMC Change
- Other:

2. Title: (Start with *approves, amends, dedicates*, etc., include name of company or contractor and indicate the type of request: grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.)

Grants approval for the THIRD AMENDMENT TO ROOF ANTENNA AGREEMENT with Elevate One, LLC as Landlord through 1/31/2037.

3. Requesting Agency: Department of Finance/Division of Real Estate

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Lisa Lumley	Name: Lisa Lumley
Email: lisa.lumley@denvergov.org	Email: lisa.lumley@denvergov.org

5. General description or background of proposed request. Attach executive summary if more space needed:

City executed Roof Antenna Agreement and two amendments with the predecessor landlords to Elevate One, LLC (Mountain Towers Properties, LLC and DV Colorado LLC) beginning in 2007 which allow placement of City communication antenna and equipment at 4100 E Mississippi Avenue in Glendale, CO through 1/31/2022. This THIRD AMENDMENT extends the term for 15 additional years, through 1/31/2037.

6. City Attorney assigned to this request (if applicable):

Jen Welborn

7. City Council District:

NA, this is in Glendale

8. **For all contracts, fill out and submit accompanying Key Contract Terms worksheet**

To be completed by Mayor’s Legislative Team:

Resolution/Bill Number: RR21 1216

Date Entered: _____

Key Contract Terms

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):
 Roof Antenna Agreement

Vendor/Contractor Name: *Elevate One, LLC*

Contract control number: *FINAN-202158969-03 / ALF FINAN-GE75003-03*

Location: *4100 E Mississippi Avenue, Glendale CO*

Is this a new contract? Yes No **Is this an Amendment?** Yes No **If yes, how many?** 3

Contract Term/Duration (for amended contracts, include existing term dates and amended dates):
Existing term 2/1/2007 – 1/31/2022; amended dates 2/1/2022 – 1/31/2037

Contract Amount (indicate existing amount, amended amount and new contract total):

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
\$268,773.60	\$426,203.52	\$694,977.12

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
2/1/2007 – 1/31/2022	15 years	1/31/2037

Scope of work:

Provide a portion of landlord’s building rooftop and upper floor equipment space to operate, maintain and equipment for receiving and transmitting communications.

Was this contractor selected by competitive process? No **If not, why not?** Existing landlord

Has this contractor provided these services to the City before? Yes No

Source of funds: *Safety*

Is this contract subject to: W/MBE DBE SBE XO101 ACDBE N/A

WBE/MBE/DBE commitments (construction, design, Airport concession contracts): *N/A*

Who are the subcontractors to this contract? *None*

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EXECUTIVE SUMMARY

ELEVATE ONE, LLC ROOF ANTENNA

Approval is requested to extend the lease with Elevate One, LLC for roof space, equipment space, and generator space.

The Third Amendment to Roof Antenna Agreement extends the term of the agreement for 15 years, from 2/1/2022 through 1/31/2037.

The rental rate is a market rate for roof and antenna space and the terms were approved by the City's radio frequency expert in Technology Services. The original lease started 2/2007 at \$900.00 per month; the new term starts 2/2022 at a rental rate of \$1,909.62 per month. Total rent for the first 15 years was \$268,773.60, and for the coming 15 years is \$426,503.52.

Reasons for the increase in dollar value are as follows:

1. Rent escalates yearly, and as it compounds the dollar amounts grow
 - a. For the first 15 years from 2007 to 2022, the annual growth rate is equivalent to 4.94% per year as equipment space was added during the term
 - b. For the new lease from 2022 to 2037, the annual growth rate is 3% per year
2. The new rental rate is a market rental rate for roof and antenna space
 - a. Rental rate reflects the amount of space leased in the building (equipment space in addition to just the antenna)
 - b. Negotiated by Real Estate

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Date Entered: _____

Revised 03/02/18