

ORDINANCE/RESOLUTION REQUEST

****All fields must be completed.****

Incomplete request forms will be returned to sender which may cause a delay in processing.

Date of Request: 9/13/2017

Please mark one: ☐ Bill Request or ☒ Resolution Request

1. Has your agency submitted this request in the last 12 months?

☐ Yes ☒ No

If yes, please explain:

2. **Title:** Nossaman LLP Second Amendment to Agreement (Contract No. 201629808-02)

3. **Requesting Agency:** Department of Aviation

4. **Contact Person:** (With actual knowledge of proposed ordinance/resolution.)

- **Name:** Aaron Barraza
- **Phone:** (303) 342-2261
- **Email:** Aaron.Barraza@flydenver.com

5. **Contact Person:** (With actual knowledge of proposed ordinance/resolution who will present the item at Mayor Council and who will be available for first and second reading, if necessary.)

- **Name:** Dan Reimer
- **Phone:** (303) 342-2565
- **Email:** dan.reimer@flydenver.com

6. **General description of proposed ordinance including contract scope of work if applicable:**

This second amendment increased the contract amount by an additional Six Hundred Thousand Dollars (\$600,000.00) for a maximum contract amount of One Million Eight Hundred Thousand Dollars (\$1,800,000.00) and will extend the term to June 30, 2018. Their continued support is needed as DEN enters the Commercial and Financial Close phases of the Project.

-Advise the City on all aspects of the Development Agreement and Financial Close Process and Documents.

-Assist the City in negotiations with the private developer, which will include participation in face-to-face meetings with the private developer and its counsel.

-Assume primary drafting and review responsibility for the Financial Close documents.

*****Please complete the following fields: (Incomplete fields may result in a delay in processing. If a field is not applicable, please enter N/A for that field.)***

a. **Contract Control Number:** 201629808-02

b. **Duration:** 1 year, 9 months

c. **Location:** DEN

d. **Affected Council District:** 11

e. **Benefits:** Allows continued counsel from Nossaman through the Financial Close phase of the Great Hall Project. Nossaman has served as P3 counsel throughout the entire PDA phase and was largely responsible for drafting and negotiating the Development Agreement.

f. **Costs:**

<i>Current Contract Amount</i>	<i>Additional Funds</i>	<i>Total Contract Amount</i>
<i>(A)</i>	<i>(B)</i>	<i>(A+B)</i>
\$1,200,000.00	\$600,000.00	\$1,800,000.00

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
9/6/2016 to 12/31/2017	7 months	6/30/2018

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date: _____

g. **Date Goals Assigned:** N/A

h. **Goals:** N/A

7. **Is there any controversy surrounding this ordinance?** (*Groups or individuals who may have concerns about it?*) **Please explain.** No.

Key Contract Terms

Type of Contract:

☒ Professional Services > \$500K ☐ Lease ☐ Design or Construction for airport improvements > \$5M
☐ Grant ☐ IGA ☐ Sale of Real Property ☐ Sale of Personal Property

Vendor/Contractor Name: Nossaman LLP

Contract control number: 201629808-02

City's contract manager: Dan Reimer

Was this contractor selected by competitive process? Yes, when the original agreement was executed

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

Term/Duration of contract/project: 1 year, 9 months

Is this a new contract? ☐ Yes ☒ No Is this an Amendment? ☒ Yes ☐ No If yes, how many? 2

Renewal terms: N/A

Purpose: Allow continued counsel from Nossaman through the Financial Close phase of the Great Hall Project

Cost/value: \$1,800,000.00

Source of funds: DEN Operations & Maintenance Fund

Benefit: Allows continued counsel from Nossaman through the Financial Close phase of the Great Hall Project. Nossaman has served as P3 counsel throughout the entire PDA phase and was largely responsible for drafting and negotiating the Development Agreement.

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

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

Who are the subcontractors to this contract? N/A

Location: DEN

Affected Council District: 11

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date: _____