

**CITY AND COUNTY OF DENVER  
DEPARTMENT OF PARKS AND  
RECREATION**

\* \* \* \* \*

**FOURTH AMENDMENT TO CONCESSION LICENSE**

The City and County of Denver, hereinafter referred to as the “City”, acting by and through its Manager of Parks and Recreation, hereinafter referred to as the “Manager,” pursuant to the authority granted in Section 2.4.4(C) of the Charter of the City and County of Denver, and pursuant to the manner, terms and conditions fixed by the Mayor’s Cabinet, hereby amends the April 5, 2013, Concession License (Contract Control Number PARKS-201309937-00) with Concessionaire **BC Evergreen LLC**, for the concession services at **Evergreen Golf Course** (“Concession License”). Concessionaire, by execution of this Fourth Amendment to Concession License, has accepted all of the terms and conditions thereof and agrees to comply with the same.

1. Except as set forth herein, the provisions of the First Amendment to Concession License, Contract Control #201309937-01, executed May 19, 2014; the Second Amendment to Concession License, Contract Control #201309937-02, executed July 21, 2017; and the Third Amendment to Concession License, Contract Control #201309937-03, executed October 24, 2018, shall remain in effect.

2. Article VI of the Concession License shall be amended to read as follows:

VI. TERM: EFFECTIVE DATE:                      EXPIRATION DATE:  
Date Concession License                      January 15, 2025  
is executed by City

3. Article VII of the First Amendment to Concession License shall be amended to read as follows:

VII. COMPENSATION TO BE PAID TO CITY: \* \* \* \* \*  
\* \* \* \* \*

A. Guaranteed Annual Minimum Payment (“GAMP”) of Twenty-Five Thousand Dollars (\$25,000.00), to be paid on or before April 1<sup>st</sup> each year during Term of Concession License, except as otherwise provided in this Section VII. GAMP due April 1, 2020 is waived, and GAMP due April 1, 2021 is also waived.

\* \* \* \* \*

G. Notwithstanding the compensation requirements of this Article VII, for Percentage Payments beginning with May 2020 Gross Revenues through April 2021 Gross Revenues, the Percentage Payment is waived if the year-to-date Gross Revenues for the current month are less than 95% of the 2019 year-to-date Gross Revenues for that same month. If the current year-to-date Gross Revenues are equal to or greater than 95% of 2019 year- to-date Gross Revenues for that same month, then the Percentage Payment is due in accordance with this Article VII. The projected 95% of monthly 2019 year-to-date Gross Revenues are set forth in **Attachment 1**, attached hereto.

**Contract Control Number:** PARKS-201309937-04 / 202056447  
**Contractor Name:** BC Evergreen LLC

IN WITNESS WHEREOF, the parties have set their hands and affixed their seals at Denver, Colorado as of:

**SEAL**

**CITY AND COUNTY OF DENVER:**

**ATTEST:**

By:

\_\_\_\_\_

\_\_\_\_\_

**APPROVED AS TO FORM:**

**REGISTERED AND COUNTERSIGNED:**

Attorney for the City and County of Denver

By:

By:

\_\_\_\_\_


\_\_\_\_\_

By:

\_\_\_\_\_

**Contract Control Number:**  
**Contractor Name:**

PARKS-201309937-04 / 202056447  
BC Evergreen LLC

By:  \_\_\_\_\_  
13556ED1EE01418

Name: Ronald Gonzales  
(please print)

Title: General Manager  
(please print)

ATTEST: [if required]

By: \_\_\_\_\_

Name: \_\_\_\_\_  
(please print)

Title: \_\_\_\_\_  
(please print)

**Attachment 1****Evergreen Golf Course**

<b>Months</b>	<b>95% of 2019 YTD Gross Revenue</b>
January	79,845
February	145,685
March	234,032
April	329,933
May	471,279
June	667,154
July	901,628
August	1,136,765
September	1,342,955
October	1,460,276
November	1,555,211
December	1,663,258
<b>Total</b>	<b>1,663,257.50</b>