

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: 1/20/2021

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.)

Amends contract THTRS-201952501 with AXS Group, LLC to: add language addressing the "Health and Safety Restrictions Period" due to the COVID-19 pandemic; memorialize the parties' mutual agreement not to terminate the contract due to the "Health and Safety Restrictions Period;" add language addressing the process for issuance of refunds; and modify ticket requirements, minimum, guaranteed and other negotiated payments and credits.

3. Requesting Agency: Arts & Venues

4. Contact Person:

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

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

AXS Group, LLC was contracted in 2019 to provide ticketing and customer services at Denver Arts & Venues facilities. Due to the COVID-19 pandemic and State and local public health orders, neither the agency nor Contractor are able to engage in normal ticketing activity during 2020. This amendment seeks to modify the contract by modifying ticketing requirements, and guaranteed and other negotiated payments for the 2020 calendar year. The amendment additionally adds Force Majeure language ensuring the Contractor shall not seek to terminate the contract due to the "Health and Safety Restriction Period," and clarifies the process re: the issuance of advance ticketing refunds.

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

Franklin Romines

7. City Council District:

District 9, Mountain Parks

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

Key Contract Terms

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: RR21 0188

Date Entered: _____

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

Vendor/Contractor Name: AXS Group, LLC

Contract control number: THTRS-201952501

Location: Red Rocks Amphitheatre and auxiliary buildings, the Denver Coliseum, the Ellie Caulkins Opera House, Buell Theater, Boettcher Concert Hall and the McNichols Civic Center Building

Is this a new contract? Yes No **Is this an Amendment?** Yes No **If yes, how many?** 1

Contract Term/Duration (for amended contracts, include existing term dates and amended dates):

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

<i>Current Contract Amount (A)</i>	<i>Additional Funds (B)</i>	<i>Total Contract Amount (A+B)</i>
\$5,010,613	\$0	\$5,010,613

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
1/1/2020 – 12/31/2024	N/A	N/A

Scope of work: Provision of ticketing and other customer services at Denver Arts & Venues facilities.

Was this contractor selected by competitive process? Yes, RFP

If not, why not?

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

Source of funds: Arts & Venues annual operating funds.

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? N/A

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