

EXECUTIVE SUMMARY

Background:

In January 2022, Denver Arts & Venues (DAV) entered into a one-year agreement (THTRS-202261868) with Mile High Festivals, LLC, for \$400,000 to produce the annual Five Points Jazz Festival. The festival honors Denver's legacy as an important Jazz hub, with Five Points once being known as the "Harlem of the West," while acknowledging the discriminatory practices that led to this condition. Mile High Festivals was responsible for all aspects of planning, operating and producing the festival including but not limited to:

- Lease or rental of equipment and materials necessary including audio, mobile/trailer staging, lighting, furniture, musical equipment (backline equipment), fencing, tents, portable restrooms, water stations, recycling, compost and refuse containers and collection, and any other accessory or accessories as necessary,
- Ensuring the festival has a professional presence – staging, tables and chairs, and tents are uniform in look and in excellent working order,
- The hiring of subcontractors to provide equipment and support services for the day of the event,
- The hiring of a security company and off-duty police officers to ensure festival safety
- Recruiting vendors,
- Road closure permits and barricades,
- The recruitment, training, and scheduling of volunteers,
- Arranging for all necessary permits,
- Coordinating with RTD for rail closures and other public transit interruptions,
- Coordinating with and completing all requirements for the City of Denver, Office of Special Events,
- Providing or contracting for event security including setup, event day and strike,
- Day of event scheduling,
- Music licensing and reporting for artist set lists,
- Securing a non-profit partner capable of securing a liquor license and selling alcoholic beverages during the event

Due to high demand for festival materials as the state emerged from the Covid-19 pandemic, supply chain shortages, and increasing prices, the contract was amended to \$495,000 in June of 2022.

Current Request:

A&V is seeking City Council approval of a second amendment to contract THTRS-202261868 for an additional \$27,092.50 to issue final payment to Mile High Festivals. The new contract total will be \$522,092.50. This is due to late changes in response to health, safety and environmental considerations:

- Expenses related to sustainability goals: Close to the festival, organizers realized the weather would be extremely hot. Additional water sources were needed to ensure festival attendees

stayed hydrated. Specialized water stations with tanks were rented to allow attendees to refill reusable water bottles for free, eliminating single use plastic bottles from the festival footprint.

- Security Costs: Additional Security staffing and resources were needed beyond the initial quote. Additional security was hired to assist with gates, parking lots, and magnetometer staffing.
- DPD recommended that DAV use meridian barricades around the festival to ensure cars could not access the footprint. DPD was able to assist in securing barricades.

Timing Considerations:

DAV makes every effort to bring forth amendment requests in advance of the current end date.

However, in extenuating circumstances, such as is the case with this contract, that was not possible.

Background information is below:

- The Five Points Jazz Festival originally occurred the first weekend in June. It had been expected that by the end of July all final activities and payments would be concluded.
- No additional services that were not already obligated under the original agreement have been provided since the original contract ended.
- During the course of planning and producing the festival some subcontractors that provided early work elected to not continue to provide services. This led to several billing disputes and a number of meetings to settle on the final amount that would be paid to the contractor for festival expenses. These discussions lasted into August.
- It was important that a final contractual amount be determined prior to bringing this request to council. For example, it would have been improper to request a \$600,000 contract to avoid a contract revival since we would not have been able to accurately describe what the actual expenses were or the true amount of money being spent. As a result, the amendment process was initiated once all parties reached agreement on the final amount.