

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: 11/13/20

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-201950097 to extend the term by one year and adds language to: address compensation from the vendor to the City of Denver until resumption of normal levels of concessionaire activity resumes; activity levels impacted by the COVID-19 pandemic; restrictions on contractor expenses; and address timing related to certain required contractor improvements to City facilities.

3. Requesting Agency: Arts and Venues

4. Contact Person:

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

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

To address current activity levels and in consideration of future adverse business impacts to Contractor directly due to the COVID 19 pandemic, this amendment seeks to:

1. Provide minimum payment relief in 2020 and until resumption of sustained business activities;
2. Provide minimum payment proration in 2021 until resumption of sustained business activities in the properties;
3. Relieve both the Concessionaire and the City of contributions of mutually agreed upon Marketing Fund amounts during the COVID-19 pandemic;
4. Extend the contract for one year beyond the current expiration date;
5. Add new language to authorize limited activities during the "Health and Safety Restrictions Period;"
6. Memorialize agreement that Concessionaire shall not terminate the agreement in connection with the Health and Safety Restrictions Period (defined in the amendment) or COVID-19;
7. Provide for notification by City prior to normal resumption of activities pursuant to the Agreement; and
8. Reach agreement re: timing of renovations of certain concession locations within the CCC.

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

Franklin Romines

7. City Council District:

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: RR20 1375

Date Entered: _____

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

Key Contract Terms

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

Revenue Agreement

Vendor/Contractor Name: SERVICE AMERICA CORPORATION d/b/a Centerplate

Contract control number: THTRS-201950097

Location: District 9, Colorado Convention Center and Denver Performing Arts Complex

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</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
\$90,000,000	\$0	\$90,000,000

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
7/1/2019-6/30/2029	1 year	6/30/2030

Scope of work: Provision of food, beverage and catering services at the Colorado Convention Center, the Ellie Caulkins Opera House, Buell Theater, Boettcher Concert Hall and additional retail locations at the Denver Performing Arts Complex.

Was this contractor selected by competitive process? Yes **If not, why not?**

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

Source of funds: Vendor pays both a flat fee and percentage of sales to the City as well as one time payments for service, cooking and holding and marketing equipment, material and supplies.

Is this contract subject to: W/MBE DBE SBE XO101 ACDBE N/A (Mike, I tried to uncheck this but not sure if it worked)

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

Who are the subcontractors to this contract?

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: RR20 1375

Date Entered: _____