

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team

at MileHighOrdinance@DenverGov.org by **9 a.m. Friday**. Contact the Mayor's Legislative team with questions

Date of Request: October 6, 2023

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: Option Agreement

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.)

Approves an Option Agreement by and between the City and County of Denver as the Grantee and 4040 Quebec LLC as the Grantor for 4040 Quebec Street.

3. Requesting Agency: Department of Finance/Real Estate

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution (e.g., subject matter expert)	Contact person for council members or mayor-council
Name: Lisa Lumley	Name: Lisa Lumley
Email: Lisa.Lumley@denvergov.org	Email: Lisa.Lumley@denvergov.org

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

In conjunction with the Lease Agreement with 4040 Quebec LLC, and as a companion to that request whereby the City and County of Denver would lease 4040 Quebec Street, an ~174,556 square foot hotel containing 300 rooms situated on approximately 4.91 acres of land located off of Quebec Street, CCD is requesting to enter into an Option Agreement with the LLC so that CCD may potentially purchase the property during the term of the Lease.

4040 Quebec LLC consists of Rocky Mountain Communities and Urban Land Conservancy who are both partnering on the acquisition of this hotel to help meet the goals of the House 1000 Homelessness Initiative. In addition to 300 rooms, including 7 accessible rooms, the hotel consists of a restaurant and two ballrooms, the latter of which can be used for congregate cold weather sheltering.

The purchase price of the Option Agreement is \$10,000 which will grant CCD the option to purchase the property for \$39,000,000 plus associated costs, including closing costs, acquisition fees, holding costs, and agreed upon cost of limited improvements to the hotel but less the rent paid by CCD to the LLC per the terms and conditions of the Lease. However, in no event will the purchase price of the property exceed \$43,000,000 and any fees and costs associated with the LLC's purchase of the property will be prorated based on the date of closing.

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

7. City Council District: 8

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

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Key Contract Terms

Type of Contract: Option Agreement

Vendor/Contractor Name (including any dba's): 4040 Quebec LLC

Contract control number (legacy and new): FINAN-202370701

Location: 4040 Quebec Street, CO 80216

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

Contract Term/Duration (for amended contracts, include existing term dates and amended dates): 15 months

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>
\$43,000,000		\$43,000,000

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
Approx. Nov 1, 2023 – January 31, 2025		Approx. Nov 1, 2023 – January 31, 2025

Scope of work: Option Agreement by and between the City and County of Denver as the Grantee and 4040 Quebec LLC as the Grantor for 4040 Quebec Street.

Was this contractor selected by competitive process? No **If not, why not?**
Hotel was selected based upon availability and specific features including number of rooms, conference rooms, limit improvements required and site layout.

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

Source of funds: ARPA funds and application to the State ARPA funds grant

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?

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____