

SIXTH AMENDATORY AGREEMENT

THIS SIXTH AMENDATORY AGREEMENT is made and entered into by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”), and **SMG**, a Pennsylvania general partnership, whose local address is 700 14th Street, Denver, Colorado 80202 (hereinafter referred to as “SMG”) (together, the “Parties”).

WITNESSETH:

WHEREAS, the City and SMG entered into an Agreement dated November 18, 2008, as amended by an Amendatory Agreement dated January 11, 2012, a Second Amendatory Agreement dated April 27, 2013, a Third Amendatory Agreement dated May 23, 2014, a Fourth Amendatory Agreement dated November 19, 2014, and a Fifth Amendatory Agreement dated April 29, 2016, pursuant to which SMG provides the City stagehand staffing and payroll services as needed to various City venues and facilities (collectively, the “Agreement”); and

WHEREAS, the City and SMG wish to amend the pension and HW benefits set forth in Exhibit B-3 (SMG Stagehand Payroll Administrative Markup) to this Agreement as follows; and

NOW, THEREFORE, in consideration of the premises and the mutual covenants and obligations herein set forth, the Parties agree as follows:

1. Exhibit B-3 to the Agreement is hereby deleted in its entirety and replaced with Exhibit B-4, attached hereto and incorporated herein. All references to “Exhibit B-3” in the Agreement are hereby amended to read “Exhibit B-4”.

2. As herein amended, the Agreement is affirmed and ratified in each and every particular.

[Remainder of Page Intentionally Blank.]

Contract Control Number:

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:

By _____

By _____

By _____



Contract Control Number: THTRS-CE93004-06

Contractor Name: SMG

By: John F. Burns

Name: JOHN F. BURNS
(please print)

Title: CFO
(please print)

ATTEST: [if required]

By: Anna Giacomucci

Name: Anna Giacomucci
(please print)

Title: Executive Administrative
(please print)



EXHIBIT B
SMG STAGEHAND PAYROLL ADMINISTRATIVE MARKUP

Assumed Annual Stagehand Payroll \$ 3,500,000

Statutory Payroll Taxes & Other	AMOUNT	% TOTAL PAYROLL
FICA - SS Portion	217,000	6.200%
FICA - Medicare/OASDI	50,750	1.450%
SUI (SUTA)	115,150	3.290%
FUI (FUTA)	23,800	0.680%
Workers Compensation	175,000	5.000%
Total Markup for Statutory Payroll Taxes & Other	581,700	16.620%
Total Mark-up for All Other Payroll Related Costs		
Stagehand Pension and HW Benefits & House Head 401(k)	654,993	18.7%
Administrative Salaries and Related Expense	268,822	7.7%
Other General & Administrative Expense	87,620	2.5%
Profit	105,000	3.0%
Total % Markup for All Other Costs	\$ 1,116,435	31.9%
Total Administrative Cost	\$ 1,698,135	48.5%

ASSUMPTIONS:

Stagehand Pension & HW Benefits	AMOUNT	% TOTAL PAYROLL
IATSE Membership Pension & HW	15.5% \$ 446,500	12.8%
House Head Benefits	190,493	5.4%
401k-House Heads	18,000	0.5%
Total Stagehand Pension & HW Benefits	\$ 654,993	18.7%

Administrative Salaries & Related Expense	Salary	Benefits & Related	AMOUNT	% TOTAL PAYROLL
Production Manager	68,291	29,576	97,866	
Production Payroll	50,225	14,617	64,842	
Production Operations	56,497	14,617	71,114	
Production Assistant	35,000		35,000	
Total Administrative Salaries & Related Expense			\$ 268,822	7.7%

General & Administrative Expense	AMOUNT	% TOTAL PAYROLL
Time & Attendance	\$ 355.00	5
Processing Fees	21,300	0.6%
Insurance	29,250	0.8%
Audit	9,000	0.3%
Letter of Credit Fee	5,000	0.1%
Bonding	5,000	0.1%
W-2 Reporting	300,000	8,000
Other Reports and Expense	2,100	0.2%
Shipping & Handling	\$ 2.80	750
Office Supplies	2,100	0.1%
Telephone/Fax	2,000	0.1%
Unemployment Processing	1,820	0.1%
New Hire Reporting	1,500	0.0%
Computer/Microsoft	1,000	0.0%
Badges	600	0.0%
Total General & Administrative Expense	\$ 2.00	250
	500	0.0%
	300	0.0%
	250	0.0%
	\$ 87,620	2.5%