

## ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team

at [MileHighOrdinance@DenverGov.org](mailto:MileHighOrdinance@DenverGov.org) by **3:00pm on Monday**. Contact the Mayor's Legislative team with questions

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Please mark one:       **Bill Request**                      or                       **Resolution Request**                      Date of Request: 6-27-2022

**1. Type of Request:**

- Contract//IGA/Grant Agreement**       **Rezoning/Map Amendment**                       **Appointment**  
 **Dedication/Vacation**                       **OHR Classification**                       **Other:**

**2. Title:** *(Include a concise, one sentence description – please include name of company or contractor and contract control number - that clearly indicates the type of request: **grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.**)*

Amends a revenue contract with the Colorado Department of Public Health & Environment by adding \$203,686.70 for a new total of \$532,167.68 in state funds and one year for a new end date of 5-29-23 for city enforcement of the Tobacco Retail Compliance Check Inspection program that targets youth access to tobacco products, citywide (ENVHL-202056536-02).

**3. Requesting Agency:** Department of Public Health & Environment/Community & Behavioral Health Division

**4. Contact Person:**

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Will Fenton	Name: Will Fenton & Natalee Salcedo
Email: William.Fenton@denvergov.org	Email: Natalee.Salcedo@denvergov.org

**5. General description or background of proposed request; include attached executive summary if more space needed:**

This project serves to improve the health, well-being, and equity of all Coloradans through health promotion and prevention during the federal funding period by enforcing provisions of the Family Smoking Prevention and Tobacco Control Act of 2009 (Tobacco Control Act) through the statewide Tobacco Retail Compliance Check Inspection Program that targets youth access to tobacco products.

The Tobacco Retail Compliance Check Program has been under DDPHE's purview for over a decade. CDPHE has contracted DDPHE on behalf of the FDA to conduct compliance checks of tobacco retailers in the City and County of Denver. Over the past decade, DDPHE has renewed this revenue contract on an annual basis, totaling <\$200,000. CDPHE has moved to using "Option Letters" in which they contract DDPHE for a three-year cycle, increasing the total amount to >\$500,000. At this time, CDPHE pays DDPHE \$204.66 per inspection, but it costs DDPHE ~\$130 to conduct each inspection, leaving a revenue of ~\$75 per inspection conducted. This revenue has been held in the Tobacco Special Revenue Fund 14804 and is used for all tobacco-related efforts, including retailer outreach/education materials, signage, postcard campaigns, etc.

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

**7. \*\*For all contracts, fill out and submit accompanying Key Contract Terms worksheet\*\* (highlight this line somehow)**

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*To be completed by Mayor's Legislative Team:*

Resolution/Bill Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_

## Key Contract Terms

**Type of Contract:** Renewal Contract agreement from CDPHE

**Vendor/Contractor Name:** Colorado Dept of Public Health & Environment

**Contract control number:** ENVHL-202056536-00 FDA Tobacco Compliance (Current Grant expired on 5/29/2022)  
New Grant Number: ENVHL-202056536-02

**Location:** City and County of Denver

**Is this a new contract?**  Yes  No **Is this an Amendment?**  Yes  No **If yes, how many?** Option Letter #2

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

This is a recurring/renewal contract from CDPHE. The current contract ended on 5.29.2022. The new funding will extend the work another year through 5.29.2023.

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

Given this is Option Letter #2, the cumulative total of this contract will exceed the \$500,000 allowable threshold.

Original contract total: \$195,351.98

Option Letter #01/Amendment 01 contract total: added 133,129.00 for a new contract total of: \$328,480.98.

Option Letter #02/Amendment 02—this renewal contract will be adding \$203,686.70 for a new cumulative total of \$532,167.68.

<i>Current Contract Amount</i>	<i>Additional Funds</i>	<i>Total Contract Amount</i>
(A)	(B)	(A+B)
<b>\$328,480.98</b>	<b>\$203,686.70</b>	<b>532,167.68</b>

  

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
<b>9.30.2021 to 5.29.2022</b>	<b>12 mos.</b>	<b>5.29.2023</b>

**Scope of work:**

**Goal #1:** Improve the health, well-being, and equity of all Coloradans through health promotion and prevention.

**Objective #1:** No later than the expiration date of this contract, improve the health, well-being, and equity of all Coloradans through health promotion and prevention by enforcing provisions of the Family Smoking Protection and Tobacco Control Act of 2009 related to the sale, distribution, and use of tobacco products to youth.

**Primary Activity #1:** The Contractor shall hire FDA-commissioned staff to conduct tobacco retail compliance check inspections as assigned by FDA/CDPHE.

**Primary Activity #2:** The Contractor shall conduct tobacco retail compliance check inspections.

**Primary Activity #3:** The Contractor shall maintain proper handling/storage/shipment of evidence.

**Primary Activity #4:** The Contractor shall complete Monthly Program Reports in a CDPHE-provided template.

**Primary Activity #5:** The Contractor shall perform non-inspection program functions as identified in the *FDA Program Manual* to maintain capacity to conduct inspections.

**Was this contractor selected by competitive process?** No **If not, why not?** CDPHE funded on behalf of the FDA

**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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