# ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team
at MileHighOrdinance@DenverGov.org by **11 a.m. Monday.** Contact the Mayor's Legislative team with questions

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**Date of Request:** 09/2/22

**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.)

Approves a ECCL 4:12 dba NextGen Parking LLC contract amendment to extend the time and increase contract amount for the Parking Revenue Control System as requested by Denver International Airport.

**3. Requesting Agency:** DEN, Department of Aviation

**4. Contact Person:**

| Contact person with knowledge of proposed ordinance/resolution | Contact person to present item at Mayor-Council and Council |
|---|---|
| Name: Mark Nagel | Name: Carolina Flores |
| Email: mark.nagel@flydenver.com | Email: Carolina.flores@flydenver.com |

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

The purpose of this contract amendment is to extend the current ECCL 4:12 dba NextGen Parking LLC contract until August 31, 2024, to provide support, maintenance, and professional services of the DEN Parking Revenue Control System, provide continued processing of the Parking credit card transactions and finalize the installation of equipment and customer-facing software offerings.

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

**7. City Council District: #11**

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

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

Resolution/Bill Number: _____ Date Entered: _____

# Key Contract Terms

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

Expenditure Contract – Support Services and Maintenance

**Vendor/Contractor Name:**

ECCL 4:12 dba NextGen Parking LLC

**Contract control number:** 202264622/202157406

**Location:** Denver International Airport

**Is this a new contract?** ☐ **Yes** ☒ **No** **Is this an Amendment?** ☒ **Yes** ☐ **No** **If yes, how many? ___1st__**

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

May 2021 – August 31, 2023, existing

October 1, 2022 – August 31, 2024

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

| *Current Contract Amount (A)* | *Additional Funds (B)* | *Total Contract Amount (A+B)* |
|---|---|---|
| $442,000.00 | $9,670,000.00 | $10,112,000.00 |

| *Current Contract Term* | *Added Time* | *New Ending Date* |
|---|---|---|
| 5/31//2021-8/31/2022 | 12 months | 8/31/2024 |

**Scope of work:**

This request is for an amendment to the Parking and Ground Transportation Parking and Revenue Control System (PRCS) Maintenance and Support Services Agreement between ECCL 4:12 LLC dba NextGen Parking, LLC (NextGen) and Denver International Airport (DEN). In 2017, NextGen) was selected, through a competitive request for proposal (RFP) process, as the awarded vendor for the DEN PRCS replacement project. This project included providing hardware and software at parking entries and exits at DEN public and employee parking facilities. This new PRCS, which is currently going through the final installation, will allow DEN to track revenue and transaction processing. Additionally, the new system will enable DEN to remain compliant with Payment Card Industry Data Security Standard regulations via its Point-to Point Encryption (P2PE) credit card payment processing capability.

This amendment allows for on-site staffing coverage, preventive and remedial maintenance, software maintenance, system administration and technical support services for research and analysis for the PRCS as well as first response and best-efforts remedial maintenance for Parking Commercial Transportation Revenue Control System (PCTRCS), Level Count and Sign Control equipment and other services. Additionally, this amendment will incorporate P2PE payment services for credit card processing, spare equipment, software enhancements and/or system upgrades.

As an attachment to this amendment, additional scope will be added to the contract to facilitate the completion of various construction items de-scoped from Contract 201733794 which is also expiring on 09/01/2022 but has no provisions for a contract extension.

Fees for this amendment and the attachments were negotiated in good faith between all parties. Monthly support and maintenance staffing fees are $250,000 monthly, P2PE processing fees are $30,000 monthly, and additional services (replacement of broken items

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not covered under warranty) are $75,000. It is requested that this amendment be processed quickly to ensure continued parking systems support and parking revenue credit card processing.

**Was this contractor selected by competitive process? No** **If not, why not?** In 2017, ECCL 4:12 dba NextGen Parking LLC was selected, through a competitive request for proposal (RFP) process, as the awarded vendor for the DEN PRCS replacement project. In May of 2021 DEN entered into a supplemental support agreement to maintain the Parking Signs and Commercial Transportation entries into the public parking areas. For continuity of service until all hardware is installed and the continuation of DEN's ability to process credit card payments and maintain the new system, DEN is electing to amend the support agreement, during which time DEN will complete a thorough procurement process with specific outreach to industry partners to secure a new contract in 2024.

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

**Source of funds:** O&M

**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?**

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