

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: 8/18/2021

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 contract amendment to extend the term one year, and to modify concessionaire payment terms for Flog, LLC (Kennedy Golf Course) #201738451 as well as update contract language to current standardized language.

3. **Requesting Agency:** Parks & Recreation

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Scott Rethlake	Name: Jesús Orrantia
Email: Scott.Rethlake@denvergov.org	Email: Jesus.orrantia@denvergov.org

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

Flog, LLC provides food and beverage services to golfers and the public at the Kennedy golf course clubhouse. The amendment will update contract language to current standardized language, modify the due dates for capital improvements, modify the concessionaire payment terms and extend the term an additional year. The amendment will modify the concessionaire payment terms to the following due to COVID impacts:

- GAMP due May 1, 2020 and May 1, 2021 shall be waived.
- Percentage of revenue payments will be waived from May 2020 thru April 2021 if the year-to-date monthly gross revenue is less than 95% of the year-to-date monthly gross revenue for 2019. If the year-to-date monthly gross revenue is 95% or greater than the 2019 year-to-date monthly gross revenue, then the percentage of gross revenue payment for that month will be due according to the requirements in the current agreement. The amendment will also extend the term one year as a result of waiving 2020 GAMP due to COVID.

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

7. **City Council District:** District 4

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

Key Contract Terms

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: RR21 0978

Date Entered: _____

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

Vendor/Contractor Name: Flog, LLC

Contract control number: 201738451 / 202054222

Location: Kennedy Golf Course, 10500 E Hampden Ave, Denver, Colorado 80014

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

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

Start Date: 1/1/2018

Termination Date: 1/1/2028

Amended Termination Date: 1/1/2029

Contract Amount (indicate existing amount, amended amount and new contract total): N/A

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
N/A	N/A	N/A

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
1/1/2018 – 1/1/2028	1 year	1/1/2029

Scope of work:

Flog, LLC provides food and beverage services to golfers and the public at the Kennedy golf course clubhouse.

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: N/A

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? N/A

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: RR21 0978

Date Entered: _____