



Legislation Details (With Text)

**File #:** 19-1307      **Version:** 1

**Type:** Resolution      **Status:** Adopted

**File created:** 11/18/2019      **In control:** Land Use, Transportation & Infrastructure Committee

**On agenda:** 12/16/2019      **Final action:** 12/16/2019

**Title:** A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and Flog, LLC to add and update language to document for food and beverage services at Overland Golf Course.  
Amends a contract with Flog, LLC to add language to document the amount of \$8,600 to replace the requirement to purchase and install a permanent tent with capital improvements of equal value, add minimum wage ordinance language requirements, update the gross revenue definition to clarify that event deposits are a liability and not a revenue, and update the payment provisions so that the Concessionaire will be required to pay revenue percentage payments each month for food and beverage services at Overland Golf Course in Council District 7. No change to contract amount or duration (201738457). The last regularly scheduled Council meeting within the 30-day review period is on 1-6-20. The Committee approved filing this item at its meeting on 12-3-19.

**Sponsors:**

**Indexes:** Zach Rothmier

**Code sections:**

**Attachments:** 1. RR19 1307 P&R Flog Overland Golf, 2. Golf-Flogcontracts-LUTI\_12.03.19, 3. 19-1307 Filed Resolution\_Flog, LLC\_201951193-03, 4. 19-1307 Agreement\_Flog, LLC\_201951193-03, 5. 19-1307 Filed Resolution\_Flog, LLC, 6. 19-1307 - signed

Date	Ver.	Action By	Action	Result
12/17/2019	1	Council President	signed	
12/16/2019	1	City Council	adopted	Pass
12/3/2019	1	Land Use, Transportation & Infrastructure Committee	approved for filing	Pass

**Contract Request Template (Contracts; IGAs; Leases)**

**Date Submitted:** 11-18-19

**Requesting Agency:** Parks and Recreation  
**Division:**

**Subject Matter Expert Name:**

Name: Yolanda Quesada
Email: yolanda.quesada@denvergov.org

**Item Title & Description:**

*(Do not delete the following instructions)  
These appear on the Council meeting agenda. Initially, the requesting agency will enter a 2-3 sentence description. Upon bill filling, the City Attorney's Office should enter the title above the description (the title*

should be in **bold** font).

Both the title and description must be entered between the red "title" and "body" below. Do **not** at any time delete the red "title" or "body" markers from this template.

**A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and Flog, LLC to add and update language to document for food and beverage services at Overland Golf Course.**

Amends a contract with Flog, LLC to add language to document the amount of \$8,600 to replace the requirement to purchase and install a permanent tent with capital improvements of equal value, add minimum wage ordinance language requirements, update the gross revenue definition to clarify that event deposits are a liability and not a revenue, and update the payment provisions so that the Concessionaire will be required to pay revenue percentage payments each month for food and beverage services at Overland Golf Course in Council District 7. No change to contract amount or duration (201738457). The last regularly scheduled Council meeting within the 30-day review period is on 1-6-20. The Committee approved filing this item at its meeting on 12-3-19.

**Affected Council District(s) or citywide?** Council District 7

**Contract Control Number:** 201738457

**Vendor/Contractor Name (including any "DBA"):** Flog, LLC

**Type and Scope of services to be performed:**

This amendment #3 clarifies changes made via prior amendment #2 regarding the tent purchase requirement, in order to add the exact dollar value (\$8600), as well as minimum wage provisions. The version of Amendment #2 approved by Council did not include these provisions. This amendment also updates the gross revenue definition to clarify that event deposits are a liability and not a revenue, and updates the payment provisions so that the Concessionaire will be required to pay revenue percentage payments each month. This will protect the City in case the Concessionaire abandons their duties before the annual minimum payment is due in May.

**Location (if applicable):**

**WBE/MBE/DBE goals that were applied, if applicable (construction, design, Airport concession contracts):**

**Are WBE/MBE/DBE goals met (if applicable)?**

**Is the contract new/a renewal/extension or amendment?**

**Was this contractor selected by competitive process or sole source?**

**For New contracts**

**Term of initial contract:**

**Options for Renewal:**

**How many renewals (i.e. up to 2 renewals)?**

**Term of any renewals (i.e. 1 year each):**

**Cost of initial contract term:**

**Cost of any renewals:**

**Total contract value council is approving if all renewals exercised:**

**For Amendments/Renewals Extensions:**

**Is this a change to cost/pricing; length of term; terms unrelated to time or price (List all that apply)?**

***If length changing***

**What was the length of the term of the original contract?**

**What is the length of the extension/renewal?**

**What is the revised total term of the contract?**

***If cost changing***

**What was the original value of the entire contract prior to this proposed change?**

**What is the value of the proposed change?**

**What is the new/revised total value including change?**

***If terms changing***

**Describe the change and the reason for it (i.e. compliance with state law, different way of doing business etc.)**