



Legislation Details (With Text)

File #: 19-0777 **Version:** 1

Type: Resolution **Status:** Adopted

File created: 7/29/2019 **In control:** Finance & Governance Committee

On agenda: 8/12/2019 **Final action:** 8/12/2019

Title: A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Banc of America Public Capital Corp., for a replacement helicopter for the Denver Police Department.
Amends a capital equipment lease agreement with Banc of America Public Capital Corp. to remove all references to "title" in Section VI of the lease, at the request of the Federal Aviation Administration solely in order for the FAA to register the helicopter. No change to contract amount or duration (FINAN-201842877-01/ FINAN-201951240-01). The last regularly scheduled Council meeting within the 30-day review period is on 8-26-19. The Committee approved filing this item at its meeting on 8-6-19.

Sponsors:

Indexes: Jonathan Griffin

Code sections:

Attachments: 1. RR19 0777 CAO Helicopter Amendment, 2. 19-0777 Filed Resolution_Banc of America Public Capital Corp., 201941240-01 Alfresco 201842877-01, 3. 19-0777 Amendatory Agreement_Banc of America Public Capital Corp. 201951240-01 Alfresco 201842877-01, 4. 19-0777_Filed Resolution_Banc of America Public Capital Corp.pdf, 5. 19-0777 - signed.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------------------------|---------------------|--------|
| 8/13/2019 | 1 | Council President | signed | |
| 8/12/2019 | 1 | City Council | adopted | Pass |
| 8/6/2019 | 1 | Finance & Governance Committee | approved by consent | Pass |

Contract Request Template (Contracts; IGAs; Leases)

Date Submitted: 7-29-19

Requesting Agency: Finance
Division:

Subject Matter Expert Name:

| |
|---|
| Name: Beth Strauss & Laurie Heydman |
| Email: beth.strauss@denvergov.org laurie.heydman@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 Amendatory Agreement between the City and County of Denver and Banc of America Public Capital Corp., for a replacement helicopter for the Denver Police Department.

Amends a capital equipment lease agreement with Banc of America Public Capital Corp. to remove all references to "title" in Section VI of the lease, at the request of the Federal Aviation Administration solely in order for the FAA to register the helicopter. No change to contract amount or duration (FINAN-201842877-01/ FINAN-201951240-01). The last regularly scheduled Council meeting within the 30-day review period is on 8-26-19. The Committee approved filing this item at its meeting on 8-6-19.

Affected Council District(s) or citywide? Citywide

Contract Control Number: FINAN-201842877-01

Vendor/Contractor Name (including any "DBA"): Banc of America Public Capital Corp.

Type and Scope of services to be performed:

The City and the Lessor (Banc of America Public Capital Corp.) previously entered into an Equipment Lease Purchase Agreement dated September 17, 2018, relating to the Lease Purchase of a helicopter for the benefit of the City's Department of Safety. The helicopter has been manufactured and is now ready to be picked up by Denver Police Department pilots. However, the Federal Aviation Administration ("FAA") requires a language change to the Lease Purchase Agreement, to remove all reference to "title" in Section VI of the lease, in order to register the helicopter. The new aircraft cannot be registered with the FAA until this approved amendment, to the financing contract, is provided to the FAA. The need for the Amendment will delay the first payment for the helicopter so the payment schedule will also have to be amended (although there will not be a change to the total contract amount). There is no change to the contract duration.

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.)