



Legislation Details (With Text)

File #: 23-0108 **Version:** 1

Type: Resolution **Status:** Adopted

File created: 1/30/2023 **In control:** Business, Arts, Workforce, Climate & Aviation Services Committee

On agenda: 2/21/2023 **Final action:** 2/22/2023

Title: A resolution approving a proposed First Amendment between the City and County of Denver and Oak Leaf Solar 56, LLC, to correct a typographical error in the original agreement’s annual license fee to construct a solar array at Denver International Airport.
Amends a ground lease agreement with Oak Leaf Solar 56, LLC to correct a typographical error in the original agreement’s annual license fee for use of approximately 64 acres to construct a solar array at Denver International Airport in Council District 11. No change to agreement amount or duration (202262383/ 202265794-01). The last regularly scheduled Council meeting within the 30-day review period is on 3-13-2023. The Committee approved filing this item at its meeting on 2-8-2023.

Sponsors:

Indexes: Anne Wallace

Code sections:

Attachments: 1. RR23-0108_DEN City Council Summary Memo_Solar IX Ground Lease Agreement 1st Amendment, 2. RR23-0108_DEN Resolution Request - Solar IX Ground Lease Agreement 1st Amendment, 3. 23-0108 Contract, 4. 23-0108 - signed

Date	Ver.	Action By	Action	Result
2/22/2023	1	Council President	signed	
2/21/2023	1	City Council	adopted	Pass
2/8/2023	1	Business, Arts, Workforce, Climate & Aviation Services Committee	approved by consent	

[Contract Request Template \(Contracts; IGAs; Leases\)](#)

Date Submitted: 2-6-2023

Requesting Agency: Denver International Airport
Division:

Subject Matter Expert Name: Scott Morrissey
Email Address: Scott.Morrissey@flydenver.com
Phone Number:

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 First Amendment between the City

and County of Denver and Oak Leaf Solar 56, LLC, to correct a typographical error in the original agreement's annual license fee to construct a solar array at Denver International Airport.

Amends a ground lease agreement with Oak Leaf Solar 56, LLC to correct a typographical error in the original agreement's annual license fee for use of approximately 64 acres to construct a solar array at Denver International Airport in Council District 11. No change to agreement amount or duration (202262383/ 202265794-01). The last regularly scheduled Council meeting within the 30-day review period is on 3-13-2023. The Committee approved filing this item at its meeting on 2-8-2023.

Affected Council District(s) or citywide? 11

Contract Control Number: 202262383/ 202265794-01

Vendor/Contractor Name (including any "DBA"): Oak Leaf Solar 56 LLC

Type and Scope of services to be performed:

This request is for an amendment between Oak Leaf Solar 56 LLC (Oak Leaf) and Denver International Airport (DEN) to correct typographical error in the calculation of the annual License Fee that was contained in the original agreement. The License Fee for non-exclusive access to the Land used for the Operator's Facilities should be Twenty-Five Hundred Dollars (\$2,500.00) per year, with a Two Percent (2%) annual escalation each January 1 of the Term. The contract budget was based upon the correct fee and will not be changed.

Location (if applicable): DEN

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

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

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

Amendment

Was this contractor selected by competitive process or sole source?

This procurement qualifies for the continuity of service exception under Memorandum No. 8B

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)?

Terms- see above.

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.)