



Legislation Details (With Text)

File #: 23-0329 **Version:** 1

Type: Resolution **Status:** Adopted

File created: 3/20/2023 **In control:** Business, Arts, Workforce, Climate & Aviation Services Committee

On agenda: 4/10/2023 **Final action:** 4/10/2023

Title: A resolution approving a proposed Agreement between the City and County of Denver and Denver Film Society to continue producing summer movie screenings as part of the Film of the Rocks series at Red Rocks Amphitheatre.
Approves a revenue sharing agreement with Denver Film Society for a \$200 per show programming fee and 15% of net ticket sales in compensation annually, not to exceed \$250,000 for the contract term, and through 12-31-2024 to produce summer movie screenings as part of the Film of the Rocks series at Red Rocks Amphitheatre (THTRS-202265571). The last regularly scheduled Council meeting within the 30-day review period is on 5-1-2023. The Committee approved filing this item at its meeting on 3-29-2023.

Sponsors:

Indexes: Anne Wallace

Code sections:

Attachments: 1. RR23_0329_AVD_Denver Film Society 2.27.23 rev (002), 2. RR23_0329_AVD_Exec Summary - Denver Film Society, Film on the Rocks, 3.10.pdf, 3. 23-0329 Filed Resolution_Denver Film Society_202265571-00_04032023_BLM_Final, 4. 23-0329 Filed Agreement_DenverFilmSociety_202265571-00_BLM_04042023, 5. 23-0329 Filed Resolution_Denver Film Society, 6. 23-0329 - signed

Date	Ver.	Action By	Action	Result
4/10/2023	1	Council President	signed	
4/10/2023	1	City Council	adopted	Pass
3/29/2023	1	Business, Arts, Workforce, Climate & Aviation Services Committee	approved by consent	Pass

Contract Request Template (Contracts; IGAs; Leases)

Date Submitted: 3/20/23

Requesting Agency: Arts & Venues
Division:

Subject Matter Expert Name: Tad Bowman
Email Address: tad.bowman@denvergov.org
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 Agreement between the City and County of Denver and Denver Film Society to continue producing summer movie screenings as part of the Film of the Rocks series at Red Rocks Amphitheatre.

Approves a revenue sharing agreement with Denver Film Society for a \$200 per show programming fee and 15% of net ticket sales in compensation annually, not to exceed \$250,000 for the contract term, and through 12-31-2024 to produce summer movie screenings as part of the Film of the Rocks series at Red Rocks Amphitheatre (THTRS-202265571). The last regularly scheduled Council meeting within the 30-day review period is on 5-1-2023. The Committee approved filing this item at its meeting on 3-29-2023.

Affected Council District(s) or citywide? Mountain parks

Contract Control Number: THTRS-202265571

Vendor/Contractor Name (including any "DBA"): Denver Film Society

Type and Scope of services to be performed:

Background:

Beginning in 2000, Denver Arts & Venues (DAV) and the Denver Film Society (DFS) have contracted to produce a series of film screenings at Red Rocks Amphitheatre during spring and summer months. This series, now known as Film on the Rocks, promotes film as an art and connects the community with the arts and entertainment sector while offering the Denver community an affordable Red Rocks experience. Tickets for 2022 retailed for approximately \$20 dollars.

In the original contract, the DFS was paid a per ticket fee, e.g., \$2 per ticket, which was remitted to them by the city's ticketing partner from total ticket sales. This agreement was amended at times to incrementally increase the per ticket fee that DFS retained until 2020 when a percentage basis of 20% was agreed upon.

Current Request:

DAV is seeking City Council approval of contract THTRS-202265571 with the DFS to produce Film on the Rocks in 2023 and 2024.

Section 3.2.6(E) - Leases and contracts of the Denver Revised Municipal Code requires that contracts, "in which a provider of services to the City will receive a percentage of generated revenues, shall require the approval of the City Council acting by ordinance or resolution, prior to their execution by City officials."

The \$250,000 contract value is a "not to exceed" amount. Under this agreement, DAV will pay DFS a flat programming fee of \$200 per show, and 15% of ticket sales.

The ability to provide equitable access to Red Rocks events at an affordable price is a special circumstance that

would be impeded without the collaboration of DFS. DFS is a well-established Denver non-profit dedicated to the promotion and preservation of film as an art form whose curatorial expertise provides intangible but significant value. By partnering with DFS, DAV will be able to continue a beloved tradition and continue to provide equitable access to events at an iconic venue for a nominal cost to the public.

The contract value is an estimate of what DFS will be paid based on historical calculations. DAV expects payments to equal approximately \$100,000 per year in 2023 and 2024 out of ticketing.

An extra \$50,000 is included in the unlikely event that expenses such as equipment rental and licensing exceed revenues, and DAV issues payment DFS to cover the difference in cost.

DFS will furnish services and systems as are needed to operate, manage, maintain, and promote FOTR, in accordance with other first class outdoor film venues and facilities. DFS will endeavor to produce at least five (5) FOTR events per year at the City's discretion. This includes procuring films and screening rights, coordinating ticket sales with DAV, provide live talent associated with screening dates, pay operating expenses and providing day-to-day administrative services.

Location (if applicable): Red Rocks Amphitheatre

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? New

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

For New contracts

Term of initial contract: 4/1/23-12/31/24

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: Not to Exceed \$250,000 - revenue sharing agreement

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.)