



Legislation Details (With Text)

File #: 18-1202 **Version:** 1

Type: Resolution **Status:** Adopted

File created: 10/16/2018 **In control:** Land Use, Transportation & Infrastructure Committee

On agenda: 11/5/2018 **Final action:** 11/5/2018

Title: A resolution approving a proposed Second Amendment to Revocable and Nonexclusive License Agreement between the City and County of Denver and Confluence Apartments, LLC for improvements on city-owned property in conformance with the site development plan and agreement to benefit the public in the open space parcel at the confluence of Cherry Creek and south Platte River.

Amends a contract with Confluence Apartments LLC., doing business as Confluence Park Apartments LLC., by adding three months for a new end date of 8-31-19 to account for substantial completion and the maintenance period, to modify the project schedule, and to modify the improvements plan for improvements on city-owned property in conformance with the site development plan and agreement to benefit the public in the open space parcel at the confluence of Cherry Creek and South Platte River, also known as Confluence East, in Council District 9. No change to this \$0 contract (201626654). The last regularly scheduled Council meeting within the 30-day review period is on 11-26-18. The Committee approved filing this item at its meeting on 10-23-18.

Sponsors:

Indexes: Zach Rothmier

Code sections:

Attachments: 1. RR18 1202 P&R Confluence, 2. 18-1202 Filed Resolution_Confluence Apartments LLC 201626654-02.pdf, 3. 18-1202 Filed Second Amendment to Revocable and Nonexclusive License)_201626654-02_11012018_NJL.pdf, 4. 18-1202 Filed Resolution_Confluence Apartments LLC 201626654-02.pdf

Date	Ver.	Action By	Action	Result
11/29/2018	1	Council President	signed	
11/5/2018	1	City Council	adopted	Pass
10/23/2018	1	Land Use, Transportation & Infrastructure Committee	approved by consent	

Contract Request Template (Contracts; IGAs; Leases)

Date Submitted: 10-16-18

Requesting Agency: Parks and Recreation
Division:

Subject Matter Expert:

Name: Laura Morales
Email: Laura.Morales@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 Second Amendment to Revocable and Nonexclusive License Agreement between the City and County of Denver and Confluence Apartments, LLC for improvements on city-owned property in conformance with the site development plan and agreement to benefit the public in the open space parcel at the confluence of Cherry Creek and south Platte River.

Amends a contract with Confluence Apartments LLC., doing business as Confluence Park Apartments LLC., by adding three months for a new end date of 8-31-19 to account for substantial completion and the maintenance period, to modify the project schedule, and to modify the improvements plan for improvements on city-owned property in conformance with the site development plan and agreement to benefit the public in the open space parcel at the confluence of Cherry Creek and South Platte River, also known as Confluence East, in Council District 9. No change to this \$0 contract (201626654). The last regularly scheduled Council meeting within the 30-day review period is on 11-26-18. The Committee approved filing this item at its meeting on 10-23-18.

Affected Council District(s) or citywide? CD 9

Contract Control Number: 201626654

Vendor/Contractor Name (including any "DBA"):

Confluence Apartments LLC., doing business as Confluence Park Apartments LLC

Type and Scope of services to be performed:

This temporary license agreement permits Confluence Apartments, LLC to construct improvements as defined by the development agreement on city-owned property, Confluence East, to benefit the public in the open space parcel at the confluence of Cherry Creek and South Platte River. An amendment is needed to extend the term to account for substantial completion and the maintenance period, to modify the project schedule, and to modify the improvements plan.

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?

Twenty-three months

What is the length of the extension/renewal?

Three months

What is the revised total term of the contract?

Twenty-six months

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.)

At no cost to the City, Confluence Apartments, LLC shall design and construct the Confluence East improvements in conformance with the site development plan and development agreement to benefit the public in the open space at the confluence of Cherry Creek and South Platte River. This amendment extends the end date to 8/31/2019 (plus a warranty/guarantee period of two years), updates the Construction Specifications and Timeframes, and updates the Confluence East Improvements plan.