



Legislation Text

File #: 21-0976, Version: 1

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

**Date Submitted:** 8-23-21

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

**Subject Matter Expert Name:**

Name: Jesús Orrantia
Email: Jesus.orrantia@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 Amendatory Agreement between the City and County of Denver and Flog, LLC to extend the term, modify concessionaire payment terms, and update contract language to current standardized language.**

Amends a contract with Flog, LLC for food and beverage services by adding one year for a new end date of 1-1-29 and modifies the contract language to current standardized language and the concessionaire payment terms at the Willis Case golf course clubhouse in Council District 1 (201738458; 202054225). The last regularly scheduled Council meeting within the 30-day review period is on 10-4-21. The Committee approved filing this item at its meeting on 8-31-21.

**Affected Council District(s) or citywide?** Council District 1

**Contract Control Number:** 201738458 / 202054225

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

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

Flog, LLC provides food and beverage services to golfers and the public at the Willis Case golf course clubhouse. The amendment will update contract language to current standardized language, modify the concessionaire payment terms and extend the term an additional year. The amendment will modify the concessionaire payment terms to the following due to COVID impacts:

- GAMP due May 1, 2020 and May 1, 2021 shall be waived.
- Percentage of revenue payments will be waived from May 2020 through April 2021 if the year-to-date monthly gross revenue is less than 95% of the year-to-date monthly gross revenue for 2019. If the year-to-date monthly gross revenue is 95% or greater than the 2019 year-to-date monthly gross revenue, then the percentage of gross revenue payment for that month will be due according to the requirements in the current agreement. The amendment will also extend the term one year as a result of waiving 2020 GAMP due to COVID.

**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?**

Competitive process

**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?**

1/1/2018 - 1/1/2028

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

1 year

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

1/1/2018 - 1/1/2029

***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.)**