



Legislation Details (With Text)

File #: 20-1338 **Version:** 1

Type: Resolution **Status:** Approval Review

File created: 11/9/2020 **In control:** Business, Arts, Workforce, Climate & Aviation Services Committee

On agenda: 11/25/2020 **Final action:**

Title: Amends a contract with AXS Group, LLC by adding language addressing the "Health and Safety Restrictions Period" due to the COVID-19 pandemic, memorializing the parties' mutual agreement not to terminate the contract due to the "Health and Safety Restrictions Period," adding language addressing the process for issuance of refunds, and modifying ticket requirements, minimum, guaranteed and other negotiated payments and credits for ticketing services, box office operation, information and call center functions, and marketing support for City venues. No changes to contract amount and duration (THTRS-201952501).

Sponsors:

Indexes: John Mahoney

Code sections:

Attachments: 1. RR20 1338 AVD AXS Group, 2. RR20 1338 AVD AXS Group Executive Summary

Date	Ver.	Action By	Action	Result
11/25/2020	1	Business, Arts, Workforce, Climate & Aviation Services Committee	approved by consent	

Contract Request Template (Contracts; IGAs; Leases)

Date Submitted: 11-09-20

Requesting Agency: Arts and Venues
Division:

Subject Matter Expert Name:

Name:	Brian Kitts
Email:	Brian.Kitts@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.*

Amends a contract with AXS Group, LLC by adding language addressing the "Health and Safety Restrictions Period" due to the COVID-19 pandemic, memorializing the parties' mutual agreement not to terminate the contract

due to the "Health and Safety Restrictions Period," adding language addressing the process for issuance of refunds, and modifying ticket requirements, minimum, guaranteed and other negotiated payments and credits for ticketing services, box office operation, information and call center functions, and marketing support for City venues. No changes to contract amount and duration (THTRS-201952501).

Affected Council District(s) or citywide? Council District 9 and Mountain Parks

Contract Control Number: THTRS-201952501

Vendor/Contractor Name (including any "DBA"): AXS Group, LLC

Type and Scope of services to be performed:

AXS Group, LLC was contracted in 2019 to provide ticketing and customer services at Denver Arts & Venues facilities. Due to the COVID-19 pandemic and State and local public health orders, neither the agency nor Contractor are able to engage in normal ticketing activity during 2020. This amendment seeks to modify the contract by modifying ticketing requirements, and guaranteed and other negotiated payments for the 2020 calendar year. The amendment additionally adds Force Majeure language ensuring the Contractor shall not seek to terminate the contract due to the "Health and Safety Restriction Period," and clarifies the process re: the issuance of advance ticketing refunds.

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?

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.)