



## Legislation Details (With Text)

|                       |  |                      |  |
|-----------------------|--|----------------------|--|
| <b>File #:</b>        | 20-1375  | <b>Version:</b>      | 1  |
| <b>Type:</b>          | Resolution   | <b>Status:</b>       | Adopted  |
| <b>File created:</b>  | 11/16/2020   | <b>In control:</b>   | Business, Arts, Workforce, Climate & Aviation Services Committee |
| <b>On agenda:</b>     | 12/7/2020  | <b>Final action:</b> | 12/7/2020  |
| <b>Title:</b>         | <p>A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Service America Corporation d/b/a Centerplate to address business interruptions due to COVID-19, control expenses prior to resumption of normal activity levels, and extend the term of the Agreement.</p> <p>Amends a contract with Service America Corporation, doing business as Centerplate, by adding one year for a new end date of 6-30-30 and adding language to the contract to address compensation from the vendor to the City until resumption of normal levels of concessionaire activity resumes, addressing activity levels impacted by the COVID-19 pandemic, addressing restrictions on contractor expenses, and address timing related to certain required contractor improvements to City facilities for being the City's primary food and beverage provider for the Convention Center and the Denver Performing Arts Center venues. No change to contract amount (THTRS-201950097). The last regularly scheduled Council meeting within the 30-day review period is on 12-21-20. The Committee approved filing this item at its meeting on 11-25-20.</p> |                      |  |
| <b>Sponsors:</b>      |  |                      |  |
| <b>Indexes:</b>       | John Mahoney   |                      |  |
| <b>Code sections:</b> |  |                      |  |
| <b>Attachments:</b>   | 1. RR20 1375 AVD Service America Corp, 2. RR20 1375 AVD Service America Corp Exec Summary, 3. 20-1375 Filed Resolution_Service America Corporation dba Centerplate 202056838-01, 4. 20-1375 Agreement_Service America Corp dba Centerplate Amend 202056838-01, 5. 20-1375 Filed Resolution_Service America Corporation dba Centerplate, 6. 20-1375 - signed  |                      |  |

| Date       | Ver. | Action By  | Action              | Result |
|------------|------|--|---------------------|--------|
| 12/7/2020  | 1    | Council President  | signed              |        |
| 12/7/2020  | 1    | City Council   | adopted             | Pass   |
| 11/25/2020 | 1    | Business, Arts, Workforce, Climate & Aviation Services Committee | approved by consent |        |

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

**Date Submitted:** 11-16-20

**Requesting Agency:** Arts and Venues  
**Division:**

**Subject Matter Expert Name:**

Name: Ginger White

Email: Ginger.White@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 Amendatory Agreement between the City and County of Denver and Service America Corporation d/b/a Centerplate to address business interruptions due to COVID-19, control expenses prior to resumption of normal activity levels, and extend the term of the Agreement.**

Amends a contract with Service America Corporation, doing business as Centerplate, by adding one year for a new end date of 6-30-30 and adding language to the contract to address compensation from the vendor to the City until resumption of normal levels of concessionaire activity resumes, addressing activity levels impacted by the COVID-19 pandemic, addressing restrictions on contractor expenses, and address timing related to certain required contractor improvements to City facilities for being the City's primary food and beverage provider for the Convention Center and the Denver Performing Arts Center venues. No change to contract amount (THTRS-201950097). The last regularly scheduled Council meeting within the 30-day review period is on 12-21-20. The Committee approved filing this item at its meeting on 11-25-20.

**Affected Council District(s) or citywide?** Council District 9

**Contract Control Number:** THTRS-201950097

**Vendor/Contractor Name (including any "DBA"):** Service America Corporation, d/b/a Centerplate

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

To address current activity levels and in consideration of future adverse business impacts to Contractor directly due to the COVID 19 pandemic, this amendment seeks to:

1. Provide minimum payment relief in 2020 and until resumption of sustained business activities;
2. Provide minimum payment proration in 2021 until resumption of sustained business activities in the properties;
3. Relieve both the Concessionaire and the City of contributions of mutually agreed upon Marketing Fund amounts during the COVID-19 pandemic;
4. Extend the contract for one year beyond the current expiration date;
5. Add new language to authorize limited activities during the "Health and Safety Restrictions Period;"
6. Memorialize agreement that Concessionaire shall not terminate the agreement in connection with the Health and Safety Restrictions Period (defined in the amendment) or COVID -19;

7. Provide for notification by City prior to normal resumption of activities pursuant to the Agreement; and
  8. Reach agreement re: timing of renovations of certain concession locations within the CCC.
- 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?**

7/1/2019-6/30/2029

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

One year

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

7/1/2019-6/30/2030

***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.)**