



Legislation Details (With Text)

File #: 21-0771 **Version:** 1

Type: Resolution **Status:** Adopted

File created: 7/6/2021 **In control:** Finance & Governance Committee

On agenda: 7/26/2021 **Final action:** 7/26/2021

Title: A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Qwest Broadband Services, Inc. doing business as CenturyLink, amending the final payment due to the City in consideration for early termination of its cable franchise agreement. Amends a franchise agreement with Lumen, formerly known as CenturyLink, by terminating the agreement as of 3-31-21 and amending the service terms in relation to certain services in exchange for early termination (201521211-00). The last regularly scheduled Council meeting within the 30-day review period is on 8-16-21. The Committee approved filing this item at its meeting on 7-13-21.

Sponsors:

Indexes: Zach Rothmier

Code sections:

Attachments: 1. RR21 0771 TS CenturyLink - Franchise Amendment, 2. _Finance & Governance Committee PRESENTATION_Marketing Services, 3. _Lumen Services Scope of Work_Final, 4. RR21 0771 TS CenturyLink - Franchise Amendment Executive Summary, 5. 21-0771 Filed Resolution_Qwest Broadband, Inc. dba CenturyLink 202158971-01, 6. 21-0771 Amendatory Agreement_Qwest Broadband, Inc. dba CenturyLink 202158971-01, 7. 21-0771 Filed Resolution_Qwest Broadband, Inc. dba CenturyLink, 8. 21-0771 - signed

Date	Ver.	Action By	Action	Result
7/26/2021	1	Council President	signed	
7/26/2021	1	City Council	adopted	Pass
7/13/2021	1	Finance & Governance Committee	approved for filing	

Contract Request Template (Contracts; IGAs; Leases)

Date Submitted: 7-5-21

Requesting Agency: Technology Services
Division:

Subject Matter Expert Name:

Name: Corrine Williams

Email: Corrine.williams@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 Qwest Broadband Services, Inc. doing business as CenturyLink, amending the final payment due to the City in consideration for early termination of its cable franchise agreement.

Amends a franchise agreement with Lumen, formerly known as CenturyLink, by terminating the agreement as of 3-31-21 and amending the service terms in relation to certain services in exchange for early termination (201521211-00). The last regularly scheduled Council meeting within the 30-day review period is on 8-16-21. The Committee approved filing this item at its meeting on 7-13-21.

Affected Council District(s) or citywide? Citywide

Contract Control Number: 201521211-00

Vendor/Contractor Name (including any "DBA"): Lumen (f/k/a CenturyLink)

Type and Scope of services to be performed:

The City entered into a cable franchise agreement with Lumen (f/k/a CenturyLink) on April 21, 2015. The City and Lumen agree it is in their best interests to amend the current agreement to change the term end date and incorporate service terms into a new agreement that specify Lumen investing in digital equity in the Denver community through its business relationship with the City.

The amendment terminates the franchise agreement provision of Prism cable television service nationwide; and in consideration for the City's agreed-upon termination of the Agreement and in acknowledgment of the City's lost revenue, the Grantee shall remit a one-time payment of One Hundred Twelve Thousand Dollars to the City to be used for PEG programming and to support the City's community media access and outreach program. The Grantee shall also enter into a separate agreement with the City to provide four years of gratis community-focused internet services, which will execute in conjunction with the termination of this Agreement.

Please see the Executive Summary for further detail.

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?

4/15/2015 to 4/21/2025

What is the length of the extension/renewal?

What is the revised total term of the contract?

4/15/2015 to 3/31/21

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.)