



Legislation Details (With Text)

File #: 21-0978 **Version:** 1

Type: Resolution **Status:** Adopted

File created: 8/23/2021 **In control:** Land Use, Transportation & Infrastructure Committee

On agenda: 9/13/2021 **Final action:** 9/13/2021

Title: 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 due dates for capital improvements, the concessionaire payment terms, and the contract language to current standardized language at the Kennedy golf course clubhouse in Council District 4 (201738451; 202054222). 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.

Sponsors:

Indexes: Zach Rothmier

Code sections:

Attachments: 1. RR21 0978 P&R FLOG Kennedy, 2. 21-0978 Filed Resolution_Flog LLC 202054222-02, 3. 21-0978 Concession License_Flog LLC 202054222-02, 4. 21-0978 Filed Resolution_Flog LLC, 5. 21-0978 - signed

Date	Ver.	Action By	Action	Result
9/13/2021	1	Council President	signed	
9/13/2021	1	City Council	adopted	Pass
8/31/2021	1	Land Use, Transportation & Infrastructure Committee	approved by consent	

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 filing, 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 due dates for capital improvements, the concessionaire payment terms, and the contract language to current standardized language at the Kennedy golf course clubhouse in Council District 4 (201738451; 202054222). 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 4

Contract Control Number: 201738451 / 202054222

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 Kennedy golf course clubhouse. The amendment will update contract language to current standardized language, modify the due dates for capital improvements, 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 thru 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.)