



Legislation Details (With Text)

File #: 22-1522 **Version:** 1

Type: Resolution **Status:** Adopted

File created: 11/14/2022 **In control:** Land Use, Transportation & Infrastructure Committee

On agenda: 12/12/2022 **Final action:** 12/12/2022

Title: A resolution approving a proposed Amendatory Agreement between the City and County of Denver and H.W. Stewart, Inc. to continue providing concession services at Pahaska Tepee at Lookout Mountain Park.
Amends a concession license with H.W. Stewart, Inc. by waiving \$30,000 in future capital costs to offset financial hardships resulting from the Covid-19 pandemic and by exercising the two-year extension option for a new end date of 12-31-2024 to continue providing concession services at Pahaska Tepee at Lookout Mountain Park (PARKS-201840617-01 / 202262846-01). The last regularly scheduled Council meeting within the 30-day review period is on 1-3-2023. The Committee approved filing this item at its meeting on 11-29-2022.

Sponsors:

Indexes: Lucas Palmisano

Code sections:

Attachments: 1. RR22-1522_P&R_Pahaska_H.W.Stewart_Amend1_11.01.pdf, 2. 22-1522 Filed Resolution_H.W. Stewart, Inc. 202262846-01, 3. 22-1522 Amendatory Agreement H.W. Stewart Inc. 202262846-01, 4. 22-1522 Filed Resolution_H.W. Stewart, Inc, 5. 22-1522 - signed

Date	Ver.	Action By	Action	Result
12/12/2022	1	Council President	signed	
12/12/2022	1	City Council	adopted	Pass
11/29/2022	1	Land Use, Transportation & Infrastructure Committee	approved by consent	Pass

Contract Request Template (Contracts; IGAs; Leases)

Date Submitted: 11-28-2022

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

Subject Matter Expert Name: Shannon Dennison

Email Address: Shannon.Dennison@denvergov.org

Phone Number:

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 H.W. Stewart, Inc. to continue providing concession services at Pahaska Tepee at Lookout Mountain Park.

Amends a concession license with H.W. Stewart, Inc. by waiving \$30,000 in future capital costs to offset financial hardships resulting from the Covid-19 pandemic and by exercising the two-year extension option for a new end date of 12-31-2024 to continue providing concession services at Pahaska Tepee at Lookout Mountain Park (PARKS-201840617-01 / 202262846-01). The last regularly scheduled Council meeting within the 30-day review period is on 1-3-2023. The Committee approved filing this item at its meeting on 11-29-2022.

Affected Council District(s) or citywide? N/A

Contract Control Number: PARKS-201840617-01 / 202262846-01

Vendor/Contractor Name (including any "DBA"): H.W. Stewart, Inc.

Type and Scope of services to be performed:

The concession license with H.W. Stewart, Inc. for concession services at Pahaska Tepee, Lookout Mountain Park will expire December 31, 2022. The license includes a 2-year extension option, which this amendment will exercise to extend the term to December 31, 2024. DPR also acknowledges the concessionaire tendered \$50,000 for future capital improvements as required by the license; and therefore, is waiving an additional amount of \$30,000 for future capital improvements associated with the extension to offset financial hardship resulting from COVID and other related impacts. Revenue generated from this concession license is based upon GAMP (Guaranteed Annual Minimum Payment) and percentage of sales rather than fixed cost; and therefore, as sales increase or decrease, the City's percentage of revenue will increase or decrease accordingly.

Location (if applicable): Lookout Mountain Park

WBE/MBE/DBE goals that were applied, if applicable (construction, design, Airport concession contracts): N/A

Are WBE/MBE/DBE goals met (if applicable)?

Is the contract new/a renewal/extension or amendment?

Amendment

Was this contractor selected by competitive process or sole source?

Competitive

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)?

Length and cost

If length changing

What was the length of the term of the original contract?

1/1/2018-12/31/2022

What is the length of the extension/renewal?

2 years

What is the revised total term of the contract?

1/1/2018-12/31/2024

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.)