



City Council Report

915 I Street, 1st Floor

Sacramento, CA 95814

www.cityofsacramento.org

File ID: 2019-00093

February 5, 2019

Consent Item 07

Title: Contract Amendment: Exclusive Ticketing Services for the Convention Center Complex

Location: District 4

Recommendation: Pass a Motion authorizing the City Manager or the City Manager's designee to execute the attached Seventh Amendment to City Agreement No. 2010-0253 with Tickets.com, LLC extending Tickets.com, LLC's services as the exclusive ticketing provider for the Convention Center Complex through June 30, 2020.

Contact: Matthew Voreyer, General Manager, (916) 808-5503; Steven Sakakihara, Administrative Officer, (916) 808-7146, Convention & Cultural Services Department

Presenter: None.

Attachments:

1-Description/Analysis

2-Seventh Amendment to City Agreement No. 2010-0253

Description/Analysis

Issue Detail: On April 1, 2010, City Council adopted Resolution No. 2010-0164, approving Tickets.com (TDC) as the exclusive ticketing provider for the Convention Center Complex, which consists of the Community Center Theater, Convention Center, and Memorial Auditorium. The City and TDC executed an agreement (the "Agreement") with an effective date of July 1, 2010 (City Agreement No. 2010-0253) establishing the terms and conditions of TDC's exclusive ticketing services. On June 18, 2013, City Council authorized extension of the Agreement with TDC through June 30, 2018. On May 8, 2018, City Council authorized another extension of the Agreement with TDC through June 30, 2019. The Agreement has been amended five other times to add functionality ticketing features and improve services to patrons.

The Convention Center Complex has a continuing business need to have a system available to sell tickets for all ticketed events held at the Convention Center Complex. Staff recommends extending the Ticketing Service Agreement with TDC through June 30, 2020, which will give City staff time to complete the procurement process to obtain a new agreement for ticketing services for the Convention Center Complex.

Policy Considerations: City Council approval is required for contract amendments that exceed the City Manager's delegated approval authority, which includes extending an agreement beyond its original Council approved term.

Economic Impacts: Not applicable.

Environmental Considerations: Under the California Environmental Quality Act (CEQA), continuing administrative activities, such as the recommended action in this report, does not constitute a "project" requiring environmental review. [CEQA Guidelines section 15378(b)(2).]

Sustainability: Not applicable.

Commission/Committee Action: Not applicable.

Rationale for Recommendation: A Request for Proposal (RFP) process was used in 2009 to select an exclusive ticketing provider for the Convention Center Complex. TDC was selected through this competitive process as the best provider of ticketing services and customer support for the Convention Center Complex. Since City staff is currently in the process of going through a new RFP process for ticketing services, extending the existing Agreement with TDC would allow current ticketing operations to continue without interruption and would allow City staff sufficient time to complete the RFP process.

Financial Considerations: The Convention Center Complex operates as a part of the City's Convention and Cultural Services Department and is funded through the Community Center Enterprise Fund (Fund 6010). Revenue from ticketing service convenience fees added to the price of the ticket is shared between TDC and the Convention Center Complex. The Convention Center Complex retains the on-site box office where tickets may be purchased with no service fee to the patron. Extending the Agreement with TDC will not result in any additional cost to the City.

Local Business Enterprise (LBE): TDC is not a LBE vender.



SEVENTH AMENDMENT
TO THE TICKETING SERVICES AGREEMENT #2010-0253

THIS SEVENTH AMENDMENT TO THE TICKETING SERVICES AGREEMENT (City Agreement No. 2010-0253) ("**Amendment**") is made effective as of the date of the last signature hereto (the "**Effective Date**") by and between **Tickets.com, LLC**, a Delaware limited liability company having its place of business at 535 Anton Boulevard, Suite 250, Costa Mesa, California 92626 ("**TDC**"), and **City of Sacramento**, a municipal corporation having its place of business located at 1401 K Street, Sacramento, California 95814 ("**Client**") and is made within the context of the following:

Whereas: TDC and Client entered into that certain Ticketing Services Agreement dated July 1, 2010 and Amendment Numbers 1 through 6, dated June 20, 2013, August, 7, 2013, April 19, 2017, July 27, 2017, May 11, 2018, and June 28, 2018 respectively (collectively, the "**Agreement**"); and,

Whereas: TDC and Client wish to further amend the Agreement as set forth herein.

Now therefore, the parties do hereby mutually agree as follows:

1. Definitions. All capitalized terms not defined in this Amendment will bear the same meaning as set forth in the Agreement.
2. Section 4 ("Term") of the Agreement is amended as follows:
"**TERM:** TDC and Client agree that the Agreement shall be extended for a period of one (1) year, through June 30, 2020. Thereafter, this Agreement may only be further extended or renewed upon mutual written agreement of TDC and the Client, acting through the City Manager or City Manager's designee."
3. Incorporation of Recitals. All facts set forth in the recitals of this Amendment are incorporated into this Amendment and made a part hereof.
4. No further Amendment. With the exception of the foregoing, the terms and conditions of the Agreement will remain unchanged.

<Signature page follows>

The parties hereby indicate their agreement to this Amendment by their signatures hereunder.

CITY OF SACRAMENTO

TICKETS.COM, LLC

Authorized Signature

DocuSigned by:



Authorized Signature

Joe Choti

Printed Name

Printed Name

Printed Title

President & CEO

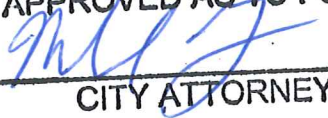
Printed Title

1/9/2019

Date

Date

APPROVED AS TO FORM:



CITY ATTORNEY