



Legislation Text

File #: TMP-1843, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Requesting Authorization to Amend the Albany County/SMG User License Agreement with Ticketmaster L.L.C.

Date: 8/18/2020
Submitted By: Robert Belber
Department: Times Union Center
Title: General Manager
Phone: 518-487-2008
Department Rep.
Attending Meeting: Robert Belber

Purpose of Request:

- ☐ Adopting of Local Law
- ☐ Amendment of Prior Legislation
- ☐ Approval/Adoption of Plan/Procedure
- ☐ Bond Approval
- ☐ Budget Amendment
- ☒ Contract Authorization
- ☐ Countywide Services
- ☐ Environmental Impact/SEQR
- ☐ Home Rule Request
- ☐ Property Conveyance
- ☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

- ☐ Contractual
- ☐ Equipment
- ☐ Fringe
- ☐ Personnel

- ☐ Personnel Non-Individual
☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.
Source of Funds: Click or tap here to enter text.
Title Change: Click or tap here to enter text.

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

- ☒ Change Order/Contract Amendment
☐ Purchase (Equipment/Supplies)
☐ Lease (Equipment/Supplies)
☐ Requirements
☐ Professional Services
☐ Education/Training
☐ Grant

Choose an item.

Submission Date Deadline Click or tap to enter a date.

- ☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):

Ticketmaster L.L.C., a Delaware Limited Liability Company
550 W. Van Buren, 13th Floor
Chicago, IL 60607

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: Click or tap here to enter text.

Scope of Services: Second Amendment to the User License Agreement between Ticketmaster L.L.C. and Albany County & SMG, which will extend the current contract term for the period 9/23/2020 thru 12/31/2020. The current agreement expires on 9/22/2020. All terms and conditions of current contract shall remain in force.

Bond Res. No.: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒

If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes ☐ No ☒

Anticipated in Current Budget: Yes ☐ No ☐

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.

Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: Click or tap here to enter text.

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: 100

Local: Click or tap here to enter text.

Term

Term: (Start and end date) 9/23/2020 - 12/31/2020

Length of Contract: ~3 Months

Impact on Pending Litigation Yes ☐ No ☒

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Reso 215 for 2015

Date of Adoption: 6/8/2015

Justification: (state briefly why legislative action is requested)

The Agreement as authorized pursuant to Resolution No. 243 for 2010 by and between the County of Albany and Ticketmaster L.L.C. commencing on September 23, 2010 and ending on September 23, 2015. And, pursuant to Resolution No. 215 for 2015 by and between the same parties, which extended the Agreement from September 23, 2015 thru September 22, 2020; In early 2020 SMG/ASM Global recommended to the Albany County Executive's office that the ticketing service agreement with Ticketmaster following the term of the current agreement should be combined within a much bigger company-wide negotiated deal with Ticketmaster with negotiations leveraged by SMG/ASM Global using its size and number of accounts worldwide (over 325 on five continents) in order to improve the financial arrangements such that Albany County will be able to receive an enhancement and improvement to the bottom line. In early 2020 the County Executive's office asked the Albany County Attorney's office for an opinion on the issue and it was deemed by the County Attorney to be within the scope of SMG/ASM Global's management agreement and permission was granted to include Albany - Times Union Center in the overall negotiations for a master agreement between all SMG/ASM Global and Ticketmaster, which would improve the net funds being distributed back to the Times Union Center while continuing to receive the best quality of ticketing services.

However, due to the delays caused by COVID19, which prevented meetings and travel from taking place the bigger TM

contract negotiations were not able to get completed and while the negotiations are continuing now, it is unlikely that an agreement will be in place by September 22, 2020, which is the expiration of the current contract with Ticketmaster for Albany. On August 17, 2020, a representative from Ticketmaster sent us a proposed simple amendment that will extend the current contract term to December 31, 2020. All current terms and conditions within the TM agreement will remain in effect thru this extended date.

SMG/ASM Global is hereby recommending to Albany County to approve and execute this proposed amendment to the TM contract, which will extend the current Agreement with Ticketmaster L.L.C. from September 22, 2020 thru December 31, 2020. This ticketing company has done a good job of handling all ticketing for events at the arena for the last ten years. By extending the expiration date thin the end of this year, it will enable our company to finalize the best possible terms with Ticketmaster that will keep the quality of services while increasing revenue to Albany County's bottom line.

Given that this is time sensitive, please add this to the agenda for the next available Public Works Committee or Finance Committee meeting.