

## ORDINANCE/RESOLUTION REQUEST

All Fields must be completed

Incomplete request forms will be returned to sender which may cause a delay in processing.

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Please mark one:       Bill Request                      or                       Resolution Request                      Date of Request:                     04/19/2018

**1. Type of Request:**

- Contract/Grant Agreement     Intergovernmental Agreement (IGA)     Rezoning/Text Amendment
- Dedication/Vacation                       Appropriation/Supplemental                       DRMC Change
- Other:

**2. Title:**

Approves PVC Panda Express and Freshens Food Studio A Concourse Snack (Contract No. 201737101)

**3. Requesting Agency:** Denver International Airport (DEN)

**4. Contact Person:**

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Rachel Marion	Name: Pamela Dechant
Email: <a href="mailto:Rachel.Marion@flydenver.com">Rachel.Marion@flydenver.com</a>	Email: <a href="mailto:Pamela.Dechant@flydenver.com">Pamela.Dechant@flydenver.com</a>

**5. General description or background of proposed request. Attach executive summary if more space needed:**

CI / CP, LLC., (formerly known as Concessions International – Panda Express JV, LLC.) has earned the PVC Program Benefit for two spaces, Panda Express and Freshens Food Studio (Formerly known as Hope’s Cookies) on A Concourse. After negotiations with CI / CP, LLC., the Concessionaire has agreed to re-concept Hope’s Cookies to the new Freshens Food Studio snack concept in the current concession location on A Concourse and provide the new design of a new Panda Express as well on A Concourse. CI / CP, LLC., have agreed to invest a minimum of \$666,383.00 into the new concession concepts. In return, the Concessionaire will receive a new agreement for a term of five (5) years for Freshens Food Studio and seven (7) years for the Panda Express. CI / CP, LLC., will pay the Airport a Minimum Annual Privilege Fee of \$876,339.72.

- a. **Contract Control Number:** 201737101
- b. **Duration:** Freshens DOE 5 years; Panda Express DOE 7 years
- c. **Location:** DEN
- d. **Affected Council District:** 11
- e. **Benefits:** The benefits of the Concession program are to provide a continuous innovative, first class retail and dining services at a fair price to all passengers and airport users that meet the needs of the customer and complement the design of the terminal, provide business opportunities for Airport Concession Disadvantaged Business Enterprises (ACDBE's), and optimize Airport revenues and concession sales.
- f. **Costs:** \$876,339.72 minimum annual percentage fee in estimated annual revenue to DEN

**6. City Attorney assigned to this request (if applicable):** George Hypolite

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*To be completed by Mayor’s Legislative Team:*

Resolution/Bill Number: RR8 0432

Date Entered: \_\_\_\_\_

7. **City Council District:**

Council District 11

8. **\*\*For all contracts, fill out and submit accompanying Key Contract Terms worksheet\*\***

**Key Contract Terms**

**Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):**

Revenue

**Vendor/Contractor Name:** CI / CP, LLC.

**Contract control number:** 201737101

**Location:** Denver International Airport (DEN)

**Is this a new contract?**  Yes  No **Is this an Amendment?**  Yes  No **If yes, how many?** \_\_\_\_\_

**Contract Term/Duration (for amended contracts, include existing term dates and amended dates):**

DOE + 5 years Freshens, 5 years

DOE + 7 years Panda, 7 years

**Contract Amount (indicate existing amount, amended amount and new contract total):**

<i>Current Contract Amount</i>	<i>Additional Funds</i>	<i>Total Contract Amount</i>
<i>(A)</i>	<i>(B)</i>	<i>(A+B)</i>
N/A	\$0	\$876,339.72

  

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
N/A	0	Freshens DOE 5years; Panda Express DOE 7 years

**Scope of work:** Denver International Airport (DEN) collaborated with its concessionaire partners to develop and implement the Premium Value Concessions program (PVC). The program established an internal competition to recognize the top performing concessions. These top performers are awarded the program benefit which is the opportunity to bypass the competitive request for proposal (RFP) process and begin a new lease negotiation with the airport. For those concessions not earning the Program Benefit, DEN will issue a RFP and competitively bid out those concession locations.

**Was this contractor selected by competitive process?** No **If not, why not?** Denver International Airport (DEN) collaborated with its concessionaire partners to develop and implement the Premium Value Concessions program (PVC). The program established an internal competition to recognize the top performing concessions. These top performers are awarded the program benefit which is the opportunity to bypass the competitive request for proposal (RFP) process and begin a new lease negotiation with the airport. For those concessions not earning the Program Benefit, DEN will issue a RFP and competitively procure those concession locations.

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Has this contractor provided these services to the City before?  Yes  No

Source of funds: Revenue/Concession Agreement

Is this contract subject to:  W/MBE  DBE  SBE  XO101  ACDBE  N/A

**WBE/MBE/DBE commitments (construction, design, Airport concession contracts):**

WBE/MBE/DBE commitments (construction, design, Airport concession contracts): This contract requires construction to be performed on City Property. The DEN Tenant Project Manager will present the construction contract to DSBO Goals Committee when the scope of work for the build-out/remodel of the space has been established.

Division of Small Business Opportunity established an ACDBE goal of 33% and a 25% MWBE goal on July 5, 2017 and July 21, 2017. CI / CP, LLC., is a joint venture between Concessions International Inc., (67%) and City Park Foods Services, LLC., (33%).

**Who are the subcontractors to this contract?**

The DEN Tenant Project Manager will work with DSBO to ensure that any construction performed meets with DSBO commitments. Who are the subcontractors to this contract? Currently unknown but CI / CP, LLC., will ensure that they meet the 25% ACDBE goal.

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