

ORDINANCE/RESOLUTION REQUEST

**All fields must be completed.*
Incomplete request forms will be returned to sender which may cause a delay in processing.*

Date of Request: 5/19/2015

Please mark one: Bill Request or Resolution Request

1. Has your agency submitted this request in the last 12 months?

Yes No

If yes, please explain:

2. Title: *First Amendment of XpresSpa, PLANE- 201415049, between the City and County of Denver and Paradies-Taste 5280, LLC (Tenant) and XpresSpa Denver Airport, LLC (Subtenant) – Services Premium Value Concessions Program Enrollment*

3. Requesting Agency: Department of Aviation

4. Contact Person:

- Name: Amy Raaz
- Phone: (303) 342-2201
- Email: Amy.Raaz@flydenver.com

5. Contact Person:

- Name: Neil Maxfield, Senior Vice President of Concessions
- Phone: (303) 342-2574
- Email: Neil.Maxfield@flydenver.com

6. General description of proposed ordinance including contract scope of work if applicable:

Premium Value Concessions Program is expanding to Service Concessions (SPVC Program), per Rule 46 of the Airport Rules and Regulations. Agreement is amended to add SPVC Program terms.

- a. Contract Control Number: 201415049-01
- b. Duration: 9 years
- c. Location: DIA
- d. Affected Council District: 11
- e. Benefits: DIA worked with its concessionaires to design the Services Premium Value Concession (SPVC) Program. The program is a competitive, merit-based program that rewards excellence resulting in better customer service and higher revenue to DIA. Concessionaires who are in the top of their defined categories obtain the opportunity to execute a new agreement at the end of their current one and are not required to go through an RFP process (the “Benefit”).
- f. Costs: 1% Joint Marketing Fund assessment inclusion covers the SPVC Program costs.

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
\$105,933.24 MAG for the XpresSpa area	\$0.00	\$105,933.24 MAG for the XpresSpa area

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
12/6/2014 to 11/30/2024	None	N/A

- g. Date Goals Assigned: Reviewed on 1/21/2015
- h. Goals: 45% DSBO Goal Overall / 45% Overall Participation

7. Is there any controversy surrounding this ordinance?

None

To be completed by Mayor’s Legislative Team:

SIRE Tracking Number: _____

Date: _____

Key Contract Terms

Type of Contract:

Professional Services > \$500K Lease Design or Construction for airport improvements > \$5M

Revenue IGA Grant Sale of Real Property Sale of Personal Property

Vendor/Contractor Name: Paradies-Taste 5280, LLC dba XpresSpa

Contract control number: PLANE-201415049-01

City's contract manager: Neil Maxfield

Was this contractor selected by competitive process? Was it the low bid? Yes/No

Term/Duration of contract/project: 9 Year Concession Agreement

Is this a new contract? Yes No Is this an Amendment? Yes No, If yes how many? 1st

Renewal terms: None

Purpose: Agreement is amended to add Services Premium Value Concession Program terms. This is a revenue contract.

Scope of services to be provided with performance bench marks: Third Party Administrator dispenses the SPVC Program with scoring procedures per Rule 46 of the Airport Rules and Regulations, given effect October 1, 2014, for Service Concessions at the Airport.

Cost/value: \$105,933.24 MAG for the XpresSpa area

Source of funds: Revenue Agreement

Benefit: Provides better concession services to the traveling public and employees at the Airport.

Termination provision for City and for contractor: Under the SPVC Rules, the Airport's Chief Executive Officer as the Manager has the discretion to terminate the SPVC Program with thirty-day written notice to Concessionaire.

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

WBE/MBE/DBE commitments (construction, design, Airport concession contracts): 45% DSBO Overall Goal
Who are the subcontractors to this contract? XpresSpa Denver Airport, LLC; Overall Goal Participation is 45%

Location: DIA

Affected Council District: 11

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date: _____