

## 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: 4/20/2018**

Please mark one:       **Bill Request**                      or                       **Resolution Request**

**1. Type of Request:**

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

**2. Title:** Approves DEN DN – BIG C, LLC., dba. Garbanzo Mediterranean Fresh PVC B Concourse Quick Serve Restaurant (Contract No. 201840101)

**3. Requesting Agency:** Revenue Department

**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: Patrick Heck
Email: <a href="mailto:Rachel.Marion@flydenver.com">Rachel.Marion@flydenver.com</a>	Email: <a href="mailto:Patrick.Heck@flydenver.com">Patrick.Heck@flydenver.com</a>

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

DEN DN – BIG C, LLC., (formerly known as CAC – Hill Partnership Joint Venture, Inc., dba Schlotzsky’s) has earned the PVC Program Benefit for the new concept, Garbanzo Mediterranean Fresh on B Concourse. After negotiations with DEN DN – BIG C, LLC., the Concessionaire has agreed to re-concept to the new Garbanzo Mediterranean Fresh concept on B Concourse and have agreed to invest a minimum of \$456,675.00 into the new concession concept. In return, the Concessionaire will receive a new agreement for a term of seven (7) years and will pay the Airport a Minimum Annual Privilege Fee (MAPF) of \$399,730.00 annually.

- a. Contract Control Number:** 201840101
- b. Duration:** 7 years from Package Completion Date
- 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:** \$399,730.00 Minimum Annual Percentage Fee in estimated annual revenue to DEN

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

Hypolite, George - DEN [George.Hypolite@flydenver.com](mailto:George.Hypolite@flydenver.com)

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

Resolution/Bill Number: RR18 0430

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:** DEN DN – BIG C, LLC

**Contract control number:** 201840101

**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):**

Date of Execution (DOE) – 7 years

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

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
N/A	N/A	MAPF \$399,730.00 Annually

  

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
N/A	N/A	DOE - Seven (7) Years

**Scope of work:**

DEN DN – BIG C, LLC., (formerly known as CAC – Hill Partnership Joint Venture, Inc., dba Schlotzsky’s) has earned the PVC Program Benefit for the new concept, Garbanzo Mediterranean Fresh on B Concourse. After negotiations with DEN DN – BIG C, LLC., the Concessionaire has agreed to re-concept to the new Garbanzo Mediterranean Fresh concept on B Concourse and have agreed to invest a minimum of \$456,675.00 into the new concession concept. In return, the Concessionaire will receive a new agreement for a term of seven (7) years and will pay the Airport a Minimum Annual Privilege Fee (MAPF) of \$399,730.00 annually.

**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.

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

**Source of funds:** Revenue/Concession Agreement

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

**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 December 15, 2017. DEN DN – BIG C, LLC., has a joint venture ACDBE partnership with Big Country’s Bar B-Q, Inc., who proposed to meet the 33% ACDBE goal.

**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 DEN DN – BIG C, LLC will ensure that they meet the 25% MWBE goal.

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