

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: 1/19/2016

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: Denver International Airport requests a Second Amendment to concession agreement, Delaware North c/o CAC-Hill Partnership dba Schlotzsky's

3. Requesting Agency: Department of Aviation

4. Contact Person: (With actual knowledge of proposed ordinance/resolution.)

- Name: Aaron Barraza
- Phone: (303) 342-2261
- Email: Aaron.Barraza@flydenver.com

5. Contact Person: (With actual knowledge of proposed ordinance/resolution who will present the item at Mayor Council and who will be available for first and second reading, if necessary.)

- Name: Neil Maxfield
- Phone: 303.342.2574
- Email: Neil.Maxfield@flydenver.com

6. General description of proposed ordinance including contract scope of work if applicable: This Second Amendment to existing Concession Agreement with CAC-Hill Partnership d/b/a Schlotzsky's, consents to waive the Minimum Annual Guarantee obligation retroactive to June 1, 2015.

- a. Contract Control Number: AR 78005-02
- b. Duration: 7 years, 9 months, 17 days
- c. Location: DIA
- d. Affected Council District: 11
- e. Benefits: Concession will remain open, providing service to the travelling public, despite drastic traffic decline as of 2013.
- f. Costs:

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
\$195,416.75/yr.	\$0	\$195,416.75/yr.

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
02/13/07-11/30/14	0 year	11/30/2014

- g. Date Goals Assigned: N/A
- h. Goals: Division of Small Business Opportunity established an ACDBE goal of 0% as of February 13, 2007. There will be no change in ACDBE Goals.

7. Is there any controversy surrounding this ordinance? (Groups or individuals who may have concerns about it?) Please explain.

None are known.

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date: _____

Key Contract Terms

Vendor/Contractor Name: Delaware North c/o CAC-HILL PARTNERSHIP JV dba Schlotzsky's

Contract control number: AR 78005

City's contract manager: Neil Maxfield

Was this contractor selected by competitive process? Was it the low bid? Non-Competitive Amendment

Term/Duration of contract/project: 7 years, 9 months, 17 days

Renewal terms: No renewal.

Purpose: This Second Amendment to existing Concession Agreement with CAC-Hill Partnership, consents to waive the Minimum Annual Guarantee obligation as a result of hardship due to declining passenger numbers.

Scope of services to be provided with performance bench marks: Food & Beverage concession with quick serve

Cost/value: \$195,416.75 minimum annual guarantee

Source of funds: Revenue Agreement

Benefit: The concession will remain open, providing services to the travelling public, despite drastic traffic decline as of 2013.

Termination provision for City and for contractor: City retains the right to terminate per existing concession agreement (Section 11.02 Remedies)

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

Who are the subcontractors to this contract? This amendment continues the same construction obligations set forth in the Concession Agreement revising the minimum obligation requirement as to its scope of work. The DEN Tenant Project Manager will work with DSBO to ensure that any construction performed meets with the DSBO commitments.

Location: DEN

Affected Council District: 11

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date: _____