

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team
at MileHighOrdinance@DenverGov.org by **9 a.m. Friday**. Contact the Mayor's Legislative team with questions

Date of Request: 10/5/2023

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 the Third Amendment to the Hertz Corporation (Hertz) Ground Lease to reflect an updated lease line exhibit.

3. **Requesting Agency:** Department of Aviation

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution (e.g., subject matter expert)	Contact person for council members or mayor-council
Name: Amy Edinger, SVP, Commercial Business	Name: Rita Aguilar Barry Burch Jr. Rachel Gruber
Email: Amy.Edinger@flydenver.com	Email: Rita.Aguilar@flydenver.com Barry.Burch@flydenver.com Rachel.Gruber@flydenver.com

5. **General description or background of proposed request:** Five rental car companies operate on the Denver International Airport campus, primarily along rental car row (East 78th Avenue), operating 11 brands under the airport's Rental Car Master Program. The Program exists to serve the needs of travelers arriving at DEN, approximately 11% of which use rental cars to access the Rocky Mountain region. Each company has a Ground Lease with DEN. Most of these companies have operated at the airport since opening day in 1995. DEN's growth over time means the rental car companies need to grow to meet passenger demand.

DEN has created several projects to add additional space to the rental car program and thereby meet the growing traveler need for vehicle inventory. One of those projects is paving the corner of Jackson Gap and 78th to cover a drainage area taking up space in the Hertz leasehold, creating an operational area that was less than optimal. The former Hertz lease line was forced to work around the large drainage ditch, which created unusable areas where Hertz was required to pay ground rent for space the company could not use. On completion of the Jackson Gap project this fall, DEN will be able to straighten Hertz' lease line to allow for more efficient use of space.

This Third Amendment between DEN and Hertz is an administrative action to update the current boundary of Hertz' leased premises and document the lease line with a new space exhibit. The new Hertz lease line contains the same amount of space as before while smoothing out the former jagged angles, which will help Hertz and the operators on the East side of the new lease line operate more efficiently. All terms, provisions and conditions of the existing lease shall remain in effect.

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

7. **City Council District:** District 11

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

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Key Contract Terms

Type of Contract: Amendment of Lease of Real Property

Vendor/Contractor Name (including any dba's): The Hertz Corporation (Hertz)

Contract control number (legacy and new): PLANE-202368867 / Legacy Contract No. PLANE-201314180

Location: Denver International Airport

Is this a new contract? Yes No **Is this an Amendment?** Yes No **If yes, how many?** 03

Contract Term/Duration (for amended contracts, include existing term dates and amended dates): 5 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)
\$118,632,348.00	N/A	\$118,632,348.00

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
5 Years	N/A	12/31/2027

Scope of work: This Third Amendment to the Hertz Ground Lease is an administrative measure to document by way of a new lease line exhibit (images provided below) certain changes to the boundary area for the Hertz leasehold along East 78th Avenue on the DEN Campus. The Hertz leasehold size will not change, and Hertz will continue to pay the same ground rent. All other terms and provisions of the Existing Lease Agreement shall remain in effect.

Was this contractor selected by competitive process? No **If not, why not?** This procurement qualifies for the continuity of service exception under Memorandum No. 8B and will not be competitively procured.

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

Source of funds: Revenue

Is this contract subject to: W/MBE DBE SBE XO101 ACDBE N/A
There are no Division of Small Business Opportunity (DSBO) goals on amendments.

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

Who are the subcontractors to this contract? N/A

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

