

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: 6/30/2015

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: Denver International Airport requests a First Amendment to concession agreement, Avila Retail Development & Management, LLC d/b/a Out West, 201311250(1)

3. Requesting Agency: Department of Aviation

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

- Name: Amy Raaz
- Phone: (303) 342-2201
- Email: Amy.Raaz@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 First Amendment to existing Concession Agreement with Avila Retail Development & Management, LLC d/b/a Out West, consents to the Conditional Assignment which is assists with their financial situation with their lender/bank.

- a. Contract Control Number: PLANE 201311250 (1)
- b. Duration: 6 years, 2 months
- c. Location: DIA
- d. Affected Council District: 11
- e. Benefits: This agreement will allow for the continued financial relationship between the concessionaire and its lender/bank so that it can comply with the contractual surety requirements.
- f. Costs:

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
\$13,614.33/month	0	\$13,614.33/month

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
12/4/2013 – 8/31/2021	0	8/31/2021

- g. Date Goals Assigned: The Amendment does not affect any change in participation.
- h. Goals: 25%

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: Avila Retail Development & Management, LLC d/b/a Out West

Contract control number: 2013112450(1)

City's contract manager: Neil Maxfield

Was this contractor selected by competitive process? Was it the low bid? N/A – amendment to existing agreement

Term/Duration of contract/project: 6 years, 2 months

Renewal terms: No renewal

Purpose: This First Amendment to existing Concession Agreement with Avila Retail Development & Management, LLC d/b/a Out West, consents to the Conditional Assignment which assists with their financial situation with their lender/bank.

Scope of services to be provided with performance bench marks: N/A

Cost/value: \$13,614.33/month

Source of funds: Revenue Agreement

Benefit: This agreement will allow for continued surety financing through the concessionaire's lender/bank.

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):

This amendment does not require any construction to be performed on City Property. The DIA Tenant Project Manager will work with DSBO to ensure that no construction is performed on this space.

Location: DIA, B Concourse

Affected Council District: 11

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date: _____