

## 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: 5/16/2017

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 Skyport Development Company, LLC and Wolfgang Puck Express #AR 7A000 - 02

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](mailto: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 A. Maxfield
- **Phone:** (303) 342-2574
- **Email:** [Neil.Maxfield@flydenver.com](mailto:Neil.Maxfield@flydenver.com)

6. **General description of proposed ordinance including contract scope of work if applicable:** This Second Amendment to existing Attornment of a Sublease with Skyport Development Company, LLC and Wolfgang Puck Express changes the Premium Value Concessions ("PVC") Minor Merchandise Category from Casual Dining Bar to Quick Serve with Alcohol. The amendment changes the Holdover Language to allow the Manager, at her sole discretion, to waive additional rent and allow the concessionaire to holdover at 100% the rental rate.

a. **Contract Control Number:** AR 7A000 - 02

b. **Duration:** 20 years

c. **Location:** DEN

d. **Affected Council District:** 11

e. **Benefits:** Amendment allows the PVC Category to be accurately reflected per the terms and provisions of the program rules. Amendment allows the Manager, at her sole discretion, to waive additional rent and allow the concessionaire to holdover at 100% the rental rate.

f. **Costs:**

| <i>Current Contract Amount</i> | <i>Additional Funds</i> | <i>Total Contract Amount</i> |
|--------------------------------|-------------------------|------------------------------|
| <i>(A)</i>                     | <i>(B)</i>              | <i>(A+B)</i>                 |
| \$0/yr.                        | N/A                     | \$0/yr.                      |

| <i>Current Contract Term</i> | <i>Added Time</i> | <i>New Ending Date</i> |
|------------------------------|-------------------|------------------------|
| 8/1/1997 – 10/31/2017        | N/A               | No change              |

g. **Date Goals Assigned:** N/A

h. **Goals:** N/A

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

SIRE Tracking Number: \_\_\_\_\_

Date: \_\_\_\_\_

7. **Is there any controversy surrounding this ordinance?** (*Groups or individuals who may have concerns about it?*) **Please explain.** None are known.

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*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

☐ Grant    ☐ IGA    ☐ Sale of Real Property    ☐ Sale of Personal Property

Vendor/Contractor Name: Skyport Development Company, LLC and Wolfgang Puck Express

Contract control number: AR 7A000 - 02

City's contract manager: Linda Kay Nedved

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

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

Term/Duration of contract/project: 20 years

Is this a new contract? ☐ Yes    ☒ No    Is this an Amendment? ☒ Yes    ☐ No    If yes, how many? 2

Renewal terms: N/A

Purpose: Amendment to the Attornment of a sublease changes the participant's PVC program Minor Merchandise Category to Quick Serve with Alcohol. Amendment changes the Holdover language to allow the Manager to waive additional rent and allow the concessionaire to holdover at 100% the rental rate.

Cost/value: No change in compensation/revenue requirements

Source of funds: Revenue Agreement

Benefit: Amendment allows the PVC Category to be accurately reflected per the terms and provisions of the program rules. Amendment changes the Holdover language to allow the Manager to waive additional rent and allow the concessionaire to holdover at 100% the rental rate.

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

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

Who are the subcontractors to this contract? 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

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