

## ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team  
at [MileHighOrdinance@DenverGov.org](mailto:MileHighOrdinance@DenverGov.org) by **3:00pm on Monday**.

***\*All fields must be completed.\****

*Incomplete request forms will be returned to sender which may cause a delay in processing.*

Date of Request: 10/23/2013

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:** *InMotion DEN-B, LLC d/b/a InMotion Entertainment (PLANE-201311264) – New Concession Agreement*

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](mailto: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:** John Ackerman
- **Phone:** (303) 342-2568
- **Email:** [John.Ackerman@flydenver.com](mailto:John.Ackerman@flydenver.com)

6. **General description of proposed ordinance including contract scope of work if applicable:** This Concession Agreement comes within the special circumstances described in Executive Order 8B. Contracts that require a concessionaire to make significant capital investment to meet the City's needs, like some concession agreements. The agreement contains an annual MAG of \$118,965.00 or a percentage of compensation of Yrs 1-2, 10%; Yrs 3-5, 14%, whichever is greater. It will require a \$114,750.00 capital investment. The term is 5 years in order for the concessionaire to amortize the investment. InMotion DEN-B, LLC d/b/a InMotion Entertainment is a joint venture partnership between InMotion Entertainment Group, LLC and Stellar Partners (a certified ACDBE company with 25% interest in the joint venture).

DIA collaborated with many of 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 lease negotiations with the airport. For those concessions not earning the Program Benefit, DIA will RFP and competitively bid those concession locations.

***\*\*Please complete the following fields:*** *(Incomplete fields may result in a delay in processing. If a field is not applicable, please enter N/A for that field.)*

- a. **Contract Control Number:** PLANE-201311264
- b. **Duration:** 5 Years
- c. **Location:** DIA
- d. **Affected Council District:** 11
- e. **Benefits:** DIA worked with its concessionaires to design the Premium Value Concession Program (PVCP). The program is a competitive, merit-based program that rewards excellence resulting in better customer service and higher revenue to DIA. Concessionaires who are in the top third of their defined categories obtain the opportunity to execute a new agreement at the end of their current one and are not required to go through an RFP process (the "Benefit"). InMotion DEN-B, LLC has been determined to receive the Benefit of a new concession agreement during Phase 1 of PVCP.

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

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

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

**f. Costs:**

<i>Current Contract Amount (A)</i>	<i>Additional Funds (B)</i>	<i>Total Contract Amount (A+B)</i>
\$118,965.00 Annual MAG		\$118,965.00 Annual MAG
<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
5 Years		5 Years

**g. Date Goals Assigned:** 11/28/2012

**h. Goals:** 25% ACDBE / 25% Participation

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

None

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

Key Contract Terms

Vendor/Contractor Name: InMotion DEN-B, LLC d/b/a InMotion

Contract control number: PLANE-201311264

City's contract manager: John Ackerman

Was this contractor selected by competitive process? Was it the low bid? Yes / No

Term/Duration of contract/project: 5Year Concession Agreement

Renewal terms: None

Purpose: This concession agreement grants concessionaire the right to use the facilities at DIA to provide the traveling public and employees of the airport with food, retail, or services. This is a revenue contract.

Scope of services to be provided with performance bench marks: None

Cost/value: \$118,965.00 Annual MAG or percentage compensation, whichever is greater

Source of funds: Revenue Agreement

Benefit: Provides concession services to the traveling public and employees at DIA.

Termination provision for City and for contractor: No

WBE/MBE/DBE commitments (construction, design, Airport concession contracts): 25% ACDBE Goal  
Who are the subcontractors to this contract? InMotion DEN-B, LLC's minority participation is 25% (joint venture with Stellar Partners (a certified ACDBE company).

Location: DIA

Affected Council District: District 11

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