

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: 3/7/2018

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: Standard Airport Concession Agreement with Skyport Group, LLC., d/b/a Qdoba, Shake Shack, & Jamba Juice on B Mezzanine (Contract No. 201840468)

3. Requesting Agency: Department of Aviation

4. Contact Person:

- **Name:** Rachel Marion
- **Phone:** (303) 342-2772
- **Email:** Rachel.Marion@flydenver.com

5. Contact Person:

- **Name:** Pamela Dechant
- **Phone:** (303) 342-2557
- **Email:** Pamela.Dechant@flydenver.com

6. General description of proposed ordinance including contract scope of work if applicable: This is a new Concession Agreement contemplated by the Amended Development Plan under the proposed Tenth Amendment to the Skyport Development Company, LLC., Agreement, referenced as City contract number #AC 69004-11. This Agreement is designed to transition the concession concepts proposed in the Amended Development Plan from a sub-lease agreement with Skyport Development Company, LLC., into a direct Concession Agreement with the City once the Concession Location is open for business. Concessionaire will be required to develop, construct, and maintain a Qdoba Mexican Eats, Shake Shack, and Jamba Juice concession concepts on the B Concourse Mezzanine. The space and operations are expected to be in first-class conditions for the entire term, providing quality customer service.

a. Contract Control Number: 201840468

b. Duration: 10 years

c. Location: DEN

d. Affected Council District: 11

e. Benefits: The benefits of the Concession are to provide first class dining services at a fair price to all passengers and airport users, provide innovative facility designs that complement the design of the terminal, provide business opportunities for Airport Concession Disadvantaged Business Enterprises (ACDBE's), and optimize Airport revenues and concession sales.

f. Costs: \$1,503,862.50 minimum annual percentage fee in estimated annual revenue to DEN
Qdoba MAPF \$583,312.50 / Shake Shack MAPF \$750,975.00 / Jamba Juice MAPF \$169,575.00

<i>Current Contract Amount</i>	<i>Additional Funds</i>	<i>Total Contract Amount</i>
<i>(A)</i>	<i>(B)</i>	<i>(A+B)</i>
\$1,503,862.50	\$0	\$1,503,862.50

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
DOE + 10 years	N/A	DOE + 10 years

g. Date Goals Assigned: February 23, 2018

h. Goals: ACDBE 33%; MWBE 25%

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.**

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 Revenue

Vendor/Contractor Name: Skyport Group, LLC

Contract control number: 201840468

City's contract manager: Linda Kay Nedved

Was this contractor selected by competitive process? No, Non-Competitive Agreement pursuant to Skyport Development Company, LLC #AC 69004 – 11.

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

Term/Duration of contract/project: DOE + 10 years

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

Renewal terms: N/A

Purpose: This is a new Concession Agreement contemplated by the Amended Development Plan under the proposed Tenth Amendment to the Skyport Development Company, LLC., Agreement, referenced as City contract number #AC 69004-11. This Agreement is designed to transition the concession concepts proposed in the Amended Development Plan from a sub-lease agreement with Skyport Development Company, LLC., into a direct Concession Agreement with the City once the Concession Location is open for business.

Source of funds: Revenue/Concession Agreement

Benefit: The benefits of the Concession are to provide first class dining services at a fair price to all passengers and airport users, provide innovative facility designs that complement the design of the terminal, provide business opportunities for Airport Concession Disadvantaged Business Enterprises (ACDBE's), and optimize Airport revenues and concession sales.

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

WBE/MBE/DBE commitments (construction, design, Airport concession contracts): The DEN Tenant Project Manager will work with DSBO to ensure that any construction performed meets with DSBO commitments.
Who are the subcontractors to this contract? Skyport Group, LLC proposes to exceed the ACBDE participation goal through the inclusion of ACDBE-certified owners, such as: Concessions of a Gladman (45%), and JAF Concessions (10%).

Location: DEN

Affected Council District: 11

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date: _____