

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: 6/28/2017

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 Ninth Amendment to Skyport Holdings, LLC d/b/a Pour La France – Holdover Amendment 9 (B-Concourse) AC39022-09

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

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

6. General description of proposed ordinance including contract scope of work if applicable: Ninth amendment to revise existing Holdover language to allow CEO, Department of Aviation, at her sole discretion, to waive additional rent equal to 150% of month rent provided for in Section 4.03 of the Agreement and allow Concessionaire to holdover at 100% the rental rate. This is an amendment to an agreement that does not extend the term. The original agreement was a result of a competitive solicitation. In this case, this amendment updates the holdover provision to change the rent structure to 100% of final rent when holding over with permission of the CEO, Department of Aviation. This agreement is on holdover status until we have completed a competitive solicitation process and a new award has been made to a successful proposer.

- a. **Contract Control Number:** AC39022-09
- b. **Duration:** 24 years
- c. **Location:** DEN
- d. **Affected Council District:** 11
- e. **Benefits:** Amendment allows the CEO (Department of Aviation), at her sole discretion, to waive additional rent equal to 150% of month 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>
\$378,762/yr.	N/A	\$378,762/yr.

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
11/30/1993 to 1/31/2017 (contract on holdover)	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.**

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 Holdings, LLC d/b/a Pour La France

Contract control number: AC39022-09

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: 24 years

Is this a new contract? Yes No Is this an Amendment? Yes No If yes, how many? 9

Renewal terms: N/A

Purpose: Amendment which changes the holdover language to allow the CEO (Dept of Aviation) 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 which 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? N/A, This amendment continues the same construction obligations set forth in the Concession Agreement revising the minimum obligation requirement as to its scope of work. 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

To be completed by Mayor's Legislative Team:

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