

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: 3/14/2018

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 DIA Tech Services, LLC., on B. Mezzanine (Contract No.201840470).

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 10-year 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. The Concession Agreement permits the continuation of the installation, operation, and support of video walls, monitors, and related equipment used for promoting the offerings by the B Mezzanine concession locations. Other, additional permitted operations include delivery of food and beverages to the common area, and the exclusive rights to sell alcohol in the common area. Both elements are required to make the overall B mezzanine development a success, and the operator will be required to transition to a common ordering system with seat delivery should the airport move that direction for the entire concessions program. To make the B mezzanine a success, an entity is required to look after the common areas in the space after the development agreement with Skyport has expired. DIA Tech Services will assume that role and will be responsible for generating sales from the common area by providing table service to that seating. In addition, this entity will make the investment in the new digital signage required to let customers know about the new concepts (Shake Shack, Snooze, Hacienda Colorado, Osteria Marco, etc.) that are being built on the mezzanine as part of the redevelopment.

- a. **Contract Control Number:** 201840470
- 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 and retail 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:** \$510,000.00 minimum annual percentage fee in estimated annual revenue to DEN

<i>Current Contract Amount</i>	<i>Additional Funds</i>	<i>Total Contract Amount</i>
(A)	(B)	(A+B)
\$510,000.00	\$0	\$510,000.00

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

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date: _____

g. **Date Goals Assigned:** February 23, 2018

h. **Goals:** ACDBE 33%; MWBE 25%

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: DIA Tech Services, LLC

Contract control number: 201840470

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: The Concession Agreement permits the continuation of the installation, operation, and support of video walls, monitors, and related equipment used for promoting the offerings by the B Mezzanine concession locations. Other, additional permitted operations include delivery of food & beverages to the common area, and the exclusive rights to sell alcohol in the common area.

Benefit: The benefits of the Concession are to provide first class dining and retail 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? DIA Tech Services, LLC., commits to meeting the 33% ACDBE goal.

Location: DEN

Affected Council District: 11

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date: _____