

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: 11/7/2022

Please mark one: Bill Request or Resolution Request

1. Type of Request:

- Contract/Grant Agreement Intergovernmental Agreement (IGA) Rezoning/Text Amendment
- Dedication/Vacation Appropriation/Supplemental DRMC Change
- Other:

2. Title: Approves a first amendment to Mission Yogurt, LLC snack kiosk concessions agreement.

3. Requesting Agency: Department of Aviation

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Pamela Dechant	Name: Carolina Flores
Email: Pamela.Dechant@flydenver.com	Email: Carolina.Flores@flydenver.com

5. General description or background of proposed request. Attach executive summary if more space needed:

This request is for an amendment to the agreement between Mission Yogurt, LLC., dba Einstein Bros Bagels and Denver International Airport (DEN) due to significant hardships, such as construction costs, supply chain delays, and aftershocks of the COVID-19 pandemic. As an example, the buildout cost is approximately three (3) times more than the initial proposed cost from back in 2019. Each agreement will be extended by two (2) years from the agreement expiration date.

6. City Attorney assigned to this request (if applicable): Brent Larson

7. City Council District: District 11

8. **For all contracts, fill out and submit accompanying Key Contract Terms worksheet**

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Key Contract Terms

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property): Revenue

Vendor/Contractor Name: Mission Yogurt, LLC. doing business as Einstein Brothers Bagels

Contract control number: 201952055/ 202264190

Location: Denver International Airport

Is this a new contract? Yes No **Is this an Amendment?** Yes No **If yes, how many?** 01

Contract Term/Duration (for amended contracts, include existing term dates and amended dates): **Current Term:** 10/03/2021 – 08/01/2027; **Amended Term:** 08/01/2027 – 08/01/2029 (7-years)

Contract Amount (indicate existing amount, amended amount and new contract total):

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
\$127,500 / Annually	N/A	\$637,500.00

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
10/03/2021 – 08/01/2027	(2)-years	08/01/2029

Scope of work:

This request is for an amendment to the agreement between Mission Yogurt, LLC., dba Einstein Bros Bagels and Denver International Airport (DEN) due to significant hardships, such as construction costs, supply chain delays, and aftershocks of the COVID-19 pandemic. As an example, the buildout cost is approximately three (3) times more than the initial proposed cost from back in 2019. Each agreement will be extended by two (2) years from the agreement expiration date.

Was this contractor selected by competitive process? No. **If not, why not?** Non-Competitive Amendment. This procurement qualifies for the continuity of service exception under Memorandum No. 8B and will not be competitively procured.

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

Source of funds: Revenue

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

WBE/MBE/DBE commitments (construction, design, Airport concession contracts): 33% ACDBE / 25% M/WBE

Who are the subcontractors to this contract? The AVE Group, LLC., 33% ACDBE Partner; M/WBE not identified until construction

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Date Entered: _____