

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: 5/17/2017

Please mark one: [ ] Bill Request or [X] Resolution Request

1. Has your agency submitted this request in the last 12 months?

[ ] Yes [X] No

If yes, please explain:

2. Title: Denver International Airport requests a First Amendment to Non-Disturbance, Attornment and Concession Agreement with Skyport Development Company, LLC and DIA Steakhouse, LLC d/b/a Elway's #201208478

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: This First Amendment to the existing Non-Disturbance, Attornment and Concession Agreement ("Attornment") with Skyport Development Company, LLC and DIA Steakhouse, LLC clarifies the Agreement's term expiration of May 6, 2023 for the occupancy and use of a space to support operations of the Companion Concession Agreement, DIA Steakhouse, LLC d/b/a Elway's, contract number 201205662. The sublease is governed by the Amended and Restated Mezzanine Lease Agreement with Skyport Development Company, LLC, contract number AC 69004.

- a. Contract Control Number: 201208478 - 01
b. Duration: 7 years
c. Location: DEN
d. Affected Council District: 11
e. Benefits: Contract approves the First Amendment to the concession subtenants' Support Sublease for occupancy and use of a space at Denver International Airport B Concourse - Mezzanine in support of the Concession Agreement for the Elway's Restaurant.
f. Costs:

Table with 3 columns: Current Contract Amount (A), Additional Funds (B), Total Contract Amount (A+B). Values: \$0/yr., N/A, \$0/yr.

Table with 3 columns: Current Contract Term, Added Time, New Ending Date. Values: 10/1/2012 - 5/31/2019, N/A, No change

- g. Date Goals Assigned: N/A
h. Goals: N/A

7. Is there any controversy surrounding this ordinance? (Groups or individuals who may have concerns about it?) Please explain. None are known.

To be completed by Mayor's Legislative Team:

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

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

## 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 Development Company, LLC and DIA Steakhouse, LLC

Contract control number: 201208478 - 01

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: 7 years

Is this a new contract?  Yes     No    Is this an Amendment?  Yes     No    If yes, how many? 1

Renewal terms: N/A

Purpose: Amendment provides a term clarification.

Cost/value: No change in compensation/revenue requirements

Source of funds: Revenue Agreement

Benefit: Amendment clarifies sublease expiration date

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? 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

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

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

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