

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: 7/22/2014

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:** Paradies-Taste 5280, LLC is the company selected pursuant to a competitive RFQ process, to develop, operate, and manage the food and beverage and retail concession locations in the Concourse C West Expansion project at Denver International Airport.

3. **Requesting Agency:** Department of Aviation

4. **Contact Person:** (With actual knowledge of proposed ordinance/resolution.)

- **Name:** Amy Raaz
- **Phone:** (303) 342-2201
- **Email:** Amy.Raaz@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 Maxfield, Acting Manager of Operations & Analysis, Concessions
- **Phone:** 303-342-2574
- **Email:** Neil.Maxfield@flydenver.com

6. **General description of proposed ordinance including contract scope of work if applicable:**

Paradies-Taste 5280, LLC will be offering 13 different food & beverage and retail/service concepts to the traveling public and DIA employees in the new Concourse C West expansion. Food & beverage concepts include Say Si Bon Marketplace selling grab & go market items, retail sale of media items (newspapers, periodicals, books), convenience sundries, gifts, sport memorabilia, and souvenirs, Auntie Anne's pretzels, quick serve concepts Big Bowl and Magic Pan, quick service restaurant ModMarket, Coors Silver Bullet Sports Bar, Tapas Sky Bar, Happy Cakes & Ink Coffee, and Coffee Bean & Tea Leaf. Retail concepts include CNBC newsstand & convenience store, ESAVVY electronics, specialty retail No Boundaries including an array of apparel, shoes, jewelry, luggage & accessories such as sunglasses and watches from various manufacturers, and XpresSpa massage services. Additionally, Paradies-Taste 5280, LLC will provide central seating areas along the center space of the expansion. (The airline gatehold areas will also contain seating.)

****Please complete the following fields:** (Incomplete fields may result in a delay in processing. If a field is not applicable, please enter N/A for that field.)

- a. **Contract Control Number:** PLANE-201415049-00
- b. **Duration:** DOE – +270 days from DOE + 10 years
- c. **Location:** DIA, Concourse C West Expansion
- d. **Affected Council District:** 11
- e. **Benefits:** A wide variety of new food & beverage choices as well as a variety of retail concepts will be available to the passengers of Southwest Airlines and DIA employees, creating new revenue for the airport. Additionally, creative seating areas, (in addition to airline gate holdroom seating), will also be provided by the Paradies-5280, LLC company along the central length of the Concourse C West expansion area.
- f. **Costs:**

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
Approximately \$2.4 M Annually	N/A	Approximately \$2.4 M Annually

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date: _____

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
DOE	0	+270 days & 10 Years from DOE

g. Date Goals Assigned: ACDBE Participation Goal of 30% assigned 4/12/2013.

Participation Goal is 45%: Taste 5280, LLC

Established Goal is 45%:

h. Goals: M/WBE Goal of 30% for Design and Construction has been assigned to all concession agreements.

i.

DSBO assigned a goal of 30% ACDBE Participation

Paradies-Taste 5280 LLC: Paradies - Gregg Paradies; Tastes on the Fly – Michael Levine

**ACDBE Partners: D1 Solutions (Keith Montoya) 22.5% participation
IRG, LLC (Huy Pham and Rosie Pham) 22.5% participation for a 45% participation**

7. Is there any controversy surrounding this ordinance? (Groups or individuals who may have concerns about it?) Please explain.

No.

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date: _____

Key Contract Terms

Vendor/Contractor Name: Paradies-Taste 5280, LLC

Contract control number: PLANE-201415049

City's contract manager: Neil Maxfield

Was this contractor selected by competitive process? Was it the low bid? The contractor was selected through a competitive process – RFQ followed by interviews and recommendation by the panel.

Term/Duration of contract/project: 10 years from date of opening. (DOE +270 days for design & construction and 10 years to end of month from date of opening.)

Renewal terms: None

Purpose: To develop, operate, and manage concession locations in the Concourse C West expansion area, providing food and beverage, retail and service to the traveling public and employees at Denver International Airport.

Scope of services to be provided with performance bench marks:

Cost/value: Approximately \$2.4 million yearly

Source of funds: Revenue agreement

Benefit: Providing new concession services to the travelling public and employees on Concourse C.

Termination provision for City and for contractor: Yes. Section 4.02 – DELIVERY OF CONCESSION SPACE.

City: If for any reason the City fails to deliver possession of the Concession Space to Concessionaire within 6 months after the Target Possession Date, then the City, in the sole and absolute discretion of the Manager, shall have the option at any time thereafter to notify Concessionaire in writing of the City's intent to terminate the Agreement. In such event, the Agreement shall terminate on the date as stated in said notice and both the City and Concessionaire shall be released from any liability or obligation under the Agreement.

Concessionaire: If for any reason the City has not terminated the agreement or delivered possession of the Concession Space within 9 months after the Target Possession Date, then Concessionaire, at any time thereafter may notify the City in writing of Concessionaire's intent to terminate the Agreement 60 days after the City receives written notice. The Agreement, however, shall remain in full force and effect if the City delivers possession of the Concession Space within that 60-day period. If the City has not delivered possession of the Concession Space to Concessionaire within the 60-day notice period, the Agreement shall terminate at the close of business on the sixtieth day, and both the City and Concessionaire shall be released from any liability or obligation under the Agreement.

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WBE/MBE/DBE commitments (construction, design, Airport concession contracts):
Who are the subcontractors to this contract?

An MBE/WBE/DBE goal of 30% has been assigned for Design and Construction to all concession agreements.
Subcontractors are

The ACDBE goal assigned to this Agreement is 30%.

Taste 5280, LLC has committed to a 45% participation goal.

The ACDBE partners are: **D1 Solutions (Keith Montoya) 22.5% participation**
 IRG, LLC (Huy Pham and Rosie Pham) 22.5% participation for a 45%
 participation

Location: Concourse C West expansion

Affected Council District: 11

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