

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: 1/31/2017

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 First Amendment to DIA Health & Beauty LLC d/b/a MAC Contract No. 201311043

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](mailto: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 Maxfield
- Phone: (303) 342-2574
- Email: [Neil.Maxfield@flydenver.com](mailto:Neil.Maxfield@flydenver.com)

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

This First Amendment with DIA Health & Beauty LLC d/b/a MAC changes the PVC Category to Specialty Retail. The Concession Agreement amendments change the Premium Value Concessions program provision regarding Merchandise Categories. The categories are being changed due to expanded permitted uses; cessation of category; or to correct error in original categorization. The Merchandise Categories set up peer groups such that competition(s) exist within similar types of businesses.

The Premium Value Concessions (PVC) program is designed to provide an objective method of evaluating Concessions to determine which Concessions are top performers in their merchandise category and therefore eligible to receive the Program benefit. Three criteria categories are delineated in the PVC program: (i) Operations (ii) Financial (iii) Customer Service. The Program Benefit provides the successful concessionaire the opportunity to enter into direct negotiations with the Airport for a new concession agreement.

- a. Contract Control Number: 201311043-01
- b. Duration: 7 years
- c. Location: DEN
- d. Affected Council District: 11
- e. Benefits: Amendment allows the PVC Category to be accurately reflected per the terms and provisions of the program rules
- f. Costs:

| <i>Current Contract Amount</i> | <i>Additional Funds</i> | <i>Total Contract Amount</i> |
|--------------------------------|-------------------------|------------------------------|
| (A)                            | (B)                     | (A+B)                        |
| \$9,491.66/mo.                 |                         | \$9,491.66/mo.               |

| <i>Current Contract Term</i> | <i>Added Time</i> | <i>New Ending Date</i> |
|------------------------------|-------------------|------------------------|
| 8/21/2013-6/6/2021           | N/A               | No Change              |

g. Date Goals Assigned: - 8-21-2013

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

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

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

**h. Goals:** 15 % ACDBE

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

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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: DIA Health & Beauty LLC

Contract control number: 201311043-01

City's contract manager: Laurie McNulty

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: 8 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 allows the PVC Category to be accurately reflected per the terms and provisions of the program rules

Cost/value: No change in compensation/revenue requirements

Source of funds: Revenue Contract

Benefit: Amendment allows the PVC Category to be accurately reflected per the terms and provisions of the program rules

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? 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

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

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