

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: 3/7/2018

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: Denver International Airport requests a Tenth Amendment to Skyport Development Company, LLC (AC 69004-11.)

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 Tenth Amendment to the Agreement with Skyport Development Company, LLC implements an agreed upon Amended Development Plan, as required in the Eighth Amendment, as it concerned a sublease with DFASS Partnership Group.

- a. **Contract Control Number:** AC 69004 - 11
- b. **Duration:** 21 years, 11 months
- c. **Location:** DEN
- d. **Affected Council District:** 11
- e. **Benefits:** This amendment implements an agreed upon Amended Development Plan obligated the Tenant to buyout of subleases, relocation of support areas, and to re-concept specific Concession Locations on DEN Concourse B Mezzanine Level. It provides clarifications and modifications to specific obligations and terms in the Eighth and Ninth Amendments.
- f. **Costs:**

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
\$1,035,580.00	\$0	\$0

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
6/17/1997 – 5/31/2019	N/A	No change

- g. **Date Goals Assigned:** DOE
- h. **Goals:** ACDBE 33%; MWBE goals to be set as part of redevelopment process

7. Is there any controversy surrounding this ordinance?

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 Revenue

Vendor/Contractor Name: Skyport Development Company, LLC

Contract control number: AC 69004 - 11

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: 21 years & 11 months

Is this a new contract? Yes No Is this an Amendment? Yes No If yes, how many? 10

Renewal terms: N/A

Purpose: This Tenth Amendment to the Agreement with Skyport Development Company, LLC implements an agreed upon Amended Development Plan, as required in the Eighth Amendment, as it concerned a sublease with DFASS Partnership Group.

Cost/value: No change in compensation/revenue requirements

Source of funds: Revenue/Concession Agreement

Benefit: Tenth Amendment to the Agreement with Skyport Development Company, LLC revises the Eighth Amendment as it concerned a sublease with the DFASS Partnership Group. The Tenth Amendment implements an agreed upon Amended Development Plan, as required in the Eighth Amendment, and obligated Tenant to buyout of subleases, relocate support areas, and re-concept specific Concession Locations on Concourse B Mezzanine Level of DEN. The Agreement amendment provides clarifications and modifications to specific obligations and terms in both the Eighth and Ninth Amendments, including to the Tenant Incentive Payments, the CEO approval rights, and increase the ACDBE goals. The Tenth Amendment also provides for a rent credit of \$1,342,036.00 to the Tenant based upon issues arising during implementation of the Eighth and Ninth Amendments. Lastly, the Tenth Amendment lays out a transition for new concessions procured in accordance with the Amended Development Plan, from subleases under the AC 69004 to direct concession agreement with the City, after the concession locations are open for business.

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?

Location: DEN

Affected Council District: 11

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date: _____