

**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: 4/4/2017**

**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 (DEN) is seeking to enter into a Concession Use Agreement (Contract #201733877) with DIA Retail Fashion, LLC to construct, fit and finish, operate, maintain and manage three (3) retail concessions spaces totaling approximately 3,383 square feet on Concourses B and C at DEN. This concession agreement is for a settlement and release of claims and litigation involving Denver International Airport.

**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:** Patrick Heck
- **Phone:** (303) 342-2206
- **Email:** [Patrick.Heck@flydenver.com](mailto:Patrick.Heck@flydenver.com)

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

Denver International Airport (DEN) is seeking to enter into a Concession Use Agreement (Contract #201733877) with DIA Retail Fashion, LLC to construct, fit and finish, operate, maintain and manage three (3) retail concessions spaces totaling approximately 3,383 square feet on Concourses B and C at DEN. This concession agreement is for a settlement and release of claims and litigation involving Denver International Airport. The travel convenience spaces will feature locally made branded products along with other sundries, books, magazines, newspapers, small electronics and electronic accessories, pre-packaged foods, snacks and bottled beverages. The specialty retail location will feature an upscale convenience offer merchandised alongside specialty retail products that are travel and lifestyle-centric. The goals of the spaces are to provide a first class operation to all passenger and airport users, provide innovative facility designs that complement the design of the terminal, provide business opportunities for Airport Concession Disadvantages Business Enterprise (ACDBE's), and optimize Airport revenues and concession sales.

- a. Contract Control Number:** 201733877
- b. Duration:** 10 years from date of execution
- c. Location:** DEN
- d. Affected Council District:** 11
- e. Benefits:** The goals of the spaces are to provide a first class operation to all passenger and airport users, provide innovative facility designs that complement the design of the terminal, provide business opportunities for Airport Concession Disadvantages Business Enterprise (ACDBE's), and optimize Airport revenues and concession sales. This concession agreement will also satisfy a settlement and release of claims and litigation involving Denver International Airport.
- f. Costs:** \$895,050.00 in anticipated annual revenue to DEN

<i>Current Contract Amount</i>	<i>Additional Funds</i>	<i>Total Contract Amount</i>
<i>(A)</i>	<i>(B)</i>	<i>(A+B)</i>
\$895,050.00 annually		\$895,050.00 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>
10 years from date of execution		10 years from date of execution

- g. Date Goals Assigned:** March 6, 2017
- h. Goals:** 25% ACDBE goal and 25% MWBE goal

**7. Is there any controversy surrounding this ordinance? Please explain.** This concession agreement is for a settlement and release of claims and litigation involving Denver International Airport.

### 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 Retail Fashion LLC

Contract control number: 201733877

City's contract manager: Neil Maxfield

Was this contractor selected by competitive process? N/A

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

Term/Duration of contract/project: 10 years from date of execution

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

Renewal terms: N/A

**Purpose:** Concession Use Agreement (Contract #201733877) with DIA Retail Fashion, LLC to construct, fit and finish, operate, maintain and manage three (3) retail concessions spaces totaling approximately 3,383 square feet on Concourses B and C at DEN. This concession agreement will also satisfy a settlement and release of claims and litigation involving Denver International Airport.

Cost/value: \$895,050.00 in anticipated annual revenue to DEN

Source of funds: Revenue Contract

**Benefit:** The goals of the spaces are to provide a first class operation to all passenger and airport users, provide innovative facility designs that complement the design of the terminal, provide business opportunities for Airport Concession Disadvantaged Business Enterprise (ACDBE's), and optimize Airport revenues and concession sales. This concession agreement will also satisfy a settlement and release of claims and litigation involving Denver International Airport.

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

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

WBE/MBE/DBE commitments (construction, design, Airport concession contracts):

Who are the subcontractors to this contract? JAF Concessions

Location: Denver International Airport

Affected Council District: 11

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

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