



Legislation Details (With Text)

**File #:** 23-1937      **Version:** 1

**Type:** Resolution      **Status:** Adopted

**File created:** 12/8/2023      **In control:** Business, Arts, Workforce, Climate & Aviation Services Committee

**On agenda:** 1/2/2024      **Final action:** 1/2/2024

**Title:** A resolution approving a proposed Agreement between the City and County of Denver and 21 Air LLC concerning a use and lease agreement for rates and charges for air cargo services at Denver International Airport.  
Approves a Use and Lease agreement with 21 Air LLC for rates and charges and through 2-28-2028 for air cargo services at Denver International Airport, in Council District 11. PLANE-202369682. The last regularly scheduled Council meeting within the 30-day review period is on 1-22-2024. The Committee approved filing this item at its meeting on 12-20-2023.

**Sponsors:**

**Indexes:** Melissa Mata

**Code sections:**

**Attachments:** 1. RR23-1937\_DEN\_21AIRLLC\_7Dec23, 2. 23-1937 Contract\_21 Air LLC - 202369682, 3. 23-1937 Filed Resolution\_21 Air LLC, 4. 23-1937 Filed Resolution\_21 Air LLC, 5. 23-1937\_signed

Date	Ver.	Action By	Action	Result
1/2/2024	1	Council President	signed	
1/2/2024	1	City Council	adopted	Pass
12/20/2023	1	Business, Arts, Workforce, Climate & Aviation Services Committee	approved by consent	

**Contract Request Template (Contracts; IGAs; Leases)**

**Date Submitted: 12-18-2023**

**Requesting Agency: DEN**  
**Division:**

**Subject Matter Expert Name: Kevin Forgett**  
**Email Address: Kevin.forgett@flydenver.com**  
**Phone Number:**

**Item Title & Description:**

*(Do not delete the following instructions)  
These appear on the Council meeting agenda. Initially, the requesting agency will enter a 2-3 sentence description. Upon bill filling, the City Attorney's Office should enter the title above the description (the title should be in **bold** font).*

*Both the title and description must be entered between the red "title" and "body" below. Do **not** at any time delete the red "title" or "body" markers from this template.*

**A resolution approving a proposed Agreement between the City and County of Denver and 21 Air LLC concerning a use and lease**

**agreement for rates and charges for air cargo services at Denver International Airport.**

Approves a Use and Lease agreement with 21 Air LLC for rates and charges and through 2-28-2028 for air cargo services at Denver International Airport, in Council District 11. PLANE-202369682. The last regularly scheduled Council meeting within the 30-day review period is on 1-22-2024. The Committee approved filing this item at its meeting on 12-20-2023.

**Affected Council District(s) or citywide?**

**Council District 11**

**Contract Control Number:**

**PLANE-202369682**

**Vendor/Contractor Name (including any "DBA"):**

**21 Air LLC**

**Type and Scope of services to be performed:**

This request is for a non-competitive agreement between 21 Air LLC and Denver International Airport (DEN). 21 Air LLC is operating as an affiliate cargo airline at DEN. They do not lease any space but use the leased space of their host cargo airline. Airline Rates and Charges apply.

Airline rates and charges are established on "cost recovery" concepts whereby the annual cost of operating DEN forms the basis for the rate, fee, or charge assessed to the airlines. The Airport recalculates airline rates and charges each year based on its operating budget, debt service, amortization and projected aviation activity levels and reconciled at year-end based on actuals "true-up." The airline/airport use and lease agreement specifies the types of costs that are used to calculate airline rates and charges. Examples of rates and charges include landing fee (fee for every time a plane lands on the runway), Terminal Complex rental rate (Per square foot rate to lease space in the Terminal (e.g., office, holdroom, ticketing)), concourse ramp, fee to recover the cost of leasing the ramp area associated with a gate, Automatic Guideway Transportation System (Passenger fee to use the train system between the terminal and concourses)."

**Location (if applicable):**

**WBE/MBE/DBE goals that were applied, if applicable (construction, design, Airport concession contracts):**

**N/A**

**Are WBE/MBE/DBE goals met (if applicable)?**

**N/A**

**Is the contract new/a renewal/extension or amendment?**

**New**

**Was this contractor selected by competitive process or sole source?**

**Sole source**

**For New contracts**

<i>Contract Amount (A)</i>
Rates & Charges

<i>Contract Term</i>
09/01/2023-2/28/2028