



Legislation Details (With Text)

File #: 22-0350 **Version:** 1

Type: Resolution **Status:** Adopted

File created: 3/20/2022 **In control:** Business, Arts, Workforce, Climate & Aviation Services Committee

On agenda: 4/18/2022 **Final action:** 4/18/2022

Title: A resolution approving a proposed Amendment between the City and County of Denver and Hertz Corporation concerning rental car facilities at Denver International Airport. Amends a ground lease with the Hertz Corporation to add \$98,860,290 for a new contract total of \$118,632,348 and 5 years for a new end date of 12-31-27 and terminates the Rental Car Concession Agreement, moving relevant clauses into this lease to consolidate all terms under one agreement, for rental car facilities at Denver International Airport in Council District 11 (PLANE-202159851 [201314180]). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-22. The Committee approved filing this item at its meeting on 3-30-22. Pursuant to Council Rule 3.7, Councilmember Flynn called this item out at the 4-11-22 meeting for a postponement to 4-18-22.

Sponsors:

Indexes: Lucas Palmisano

Code sections:

Attachments: 1. RR22 0350 DEN Hertz Amendment 202159851, 2. RR22 0348 thru 0351 DEN City Council Summary - Rental Car Agreements, 3. 22-0350 Filed Resolution Hertz Corporation (202159851), 4. 22-0350 Filed Resolution_Hertz Corporation (202159851), 5. 22-0350 Contract_Hertz Corporation

Date	Ver.	Action By	Action	Result
4/18/2022	1	Council President	signed	
4/18/2022	1	City Council	adopted	Pass
4/11/2022	1	City Council	postponed	
3/30/2022	1	Business, Arts, Workforce, Climate & Aviation Services Committee	approved by consent	

Contract Request Template (Contracts; IGAs; Leases)

Date Submitted: 3/21/22

Requesting Agency: DEN
Division:

Subject Matter Expert Name: Carolina Flores
Email Address: Carolina.flores@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 Amendment between the City and County of Denver and Hertz Corporation concerning rental car facilities at Denver International Airport.

Amends a ground lease with the Hertz Corporation to add \$98,860,290 for a new contract total of \$118,632,348 and 5 years for a new end date of 12-31-27 and terminates the Rental Car Concession Agreement, moving relevant clauses into this lease to consolidate all terms under one agreement, for rental car facilities at Denver International Airport in Council District 11 (PLANE-202159851 [201314180]). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-22. The Committee approved filing this item at its meeting on 3-30-22. Pursuant to Council Rule 3.7, Councilmember Flynn called this item out at the 4-11-22 meeting for a postponement to 4-18-22.

Affected Council District(s) or citywide? District 11

Contract Control Number: PLANE-202159851 [201314180]

Vendor/Contractor Name (including any "DBA"): Hertz Corporation

Type and Scope of services to be performed:

This second amendment restates and amends the rental car ground leases described below to extend the terms for five years, to December 31, 2027, and stabilize the industry operations at the Denver airport which were impacted by the last two years of reduced travel under the pandemic. This Restate and Amend also terminates the rental car Concession Agreements and moves the concession requirements to the Ground Lease.

The Hertz Corporation, five years with no further option to extend. Rent is set at ground rent \$1.432 per square foot per year plus facility rent at \$26.50 per building square foot per year, plus 10% of gross revenues privilege fee with Minimum Guarantee \$11,416,875 annually.

Location (if applicable): DEN

WBE/MBE/DBE goals that were applied, if applicable (construction, design, Airport concession contracts): 2%

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

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

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

For New contracts

Term of initial contract:

Options for Renewal:

How many renewals (i.e. up to 2 renewals)?
Term of any renewals (i.e. 1 year each):

Cost of initial contract term:

Cost of any renewals:

Total contract value council is approving if all renewals exercised:

For Amendments/Renewals Extensions:

Is this a change to cost/pricing; length of term; terms unrelated to time or price (List all that apply)? Added term and revenue

If length changing

What was the length of the term of the original contract?

What is the length of the extension/renewal?

What is the revised total term of the contract?

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
6 years	5 years	12/31/2027

If cost changing

What was the original value of the entire contract prior to this proposed change?

What is the value of the proposed change?

What is the new/revised total value including change?

<i>Current Contract Amount (A)</i>	<i>Additional Funds (B)</i>	<i>Total Contract Amount (A+B)</i>
19,772,058	98,860,290	118,632,348

If terms changing

Describe the change and the reason for it (i.e. compliance with state law, different way of doing business etc.)

This Restate and Amend also terminates the rental car Concession Agreements and moves the concession requirements to the Ground Lease.