



Legislation Details (With Text)

File #: 21-1462 **Version:** 1

Type: Resolution **Status:** Adopted

File created: 11/22/2021 **In control:** Business, Arts, Workforce, Climate & Aviation Services Committee

On agenda: 12/13/2021 **Final action:** 12/13/2021

Title: A resolution approving a proposed revenue agreement between the City and County of Denver and WH Smith DEN, LLC concerning a concession located on Concourse A at Denver International Airport.
Approves a concession agreement with WH Smith DEN, LLC, doing business as Market 5280, for rental revenue based on a minimum annual guarantee of \$663,000 or percentage compensation of gross revenues at a location on Concourse A at Denver International Airport (202055583). The last regularly scheduled Council meeting within the 30-day review period is on 1-3-22. The Committee approved filing this item at its meeting on 12-1-21.

Sponsors:

Indexes: Zach Rothmier

Code sections:

Attachments: 1. RR21 1462 DIA WH Smith Market 5280, 2. Concessions Master Plan - Concession Agreements - Executive Summary, 3. 21-1462 Filed_Resolution - WH Smith DEN, 4. 21-1462 Filed_Contract - WH Smith DEN, 5. 21-1462 Filed_Resolution - WH Smith DEN, 6. 21-1462 - signed

Date	Ver.	Action By	Action	Result
12/13/2021	1	Council President	signed	
12/13/2021	1	City Council	adopted	Pass
12/1/2021	1	Business, Arts, Workforce, Climate & Aviation Services Committee	approved for filing	Pass

Contract Request Template (Contracts; IGAs; Leases)

Date Submitted: 11-22-21

Requesting Agency: Denver International Airport
Division:

Subject Matter Expert Name:

Name:	Carolina Flores
Email:	Carolina.Flores@flydenver.com

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 revenue agreement between the City and County of Denver and WH Smith DEN, LLC concerning a concession located on Concourse A at Denver International Airport.

Approves a concession agreement with WH Smith DEN, LLC, doing business as Market 5280, for rental revenue based on a minimum annual guarantee of \$663,000 or percentage compensation of gross revenues at a location on Concourse A at Denver International Airport (202055583). The last regularly scheduled Council meeting within the 30-day review period is on 1-3-22. The Committee approved filing this item at its meeting on 12-1-21.

Affected Council District(s) or citywide? Council District 11

Contract Control Number: 202055583

Vendor/Contractor Name (including any "DBA"): WH Smith DEN, LLC

Type and Scope of services to be performed:

Denver International Airport (DEN) requested proposals from qualified operators to manage a package of three (3) Travel Convenience locations in the A West and B West Expansions. After submittal and evaluation of responsive proposals, the independent evaluation panel recommended that WH Smith DEN, LLC be selected for direct negotiations. This award was split up into three contracts, due to locations. This contract is for Market 5280 by WH Smith the location will be 1,054 sq. ft., on the A West 3 Subcore.

Location (if applicable):

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

30% ACDBE and 25% M/WBE

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

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

Was this contractor selected by competitive process or sole source?

Competitive process

For New contracts

Term of initial contract: Date of Execution plus 7 years

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: \$663,000.00 Minimum Annual Guarantee (MAG) or percentage fee of 26%, whichever is higher.

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)?

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?

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?

If terms changing

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