



Legislation Details (With Text)

File #: 21-1460 **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 DIA F&B Concession, LLC concerning a concession located on Concourse A at Denver International Airport.
Approves a concession agreement with DIA F&B Concession, LLC, doing business as Elway's Taproom & Grill, Tacos Tequila Whiskey, and Peets Coffee, for rental revenue based on a minimum annual guarantee of \$1,412,710 or percentage compensation of gross revenues at a location on Concourse A at Denver International Airport (202056978). 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 1460 DIA DIA FB, 2. Concessions Master Plan - Concession Agreements - Executive Summary, 3. Concession Agreements - Dec. 1, 2021, 4. 21-1460 Filed_Resolution - DIA F&B Concession, 5. 21-1460 Filed_Contract - DIA F&B Concession, 6. 21-1460 Filed_Resolution - DIA F&B Concession, 7. 21-1460 - 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 DIA F&B Concession, LLC concerning a concession located on Concourse A at Denver International Airport.

Approves a concession agreement with DIA F&B Concession, LLC, doing business as Elway's Taproom & Grill, Tacos Tequila Whiskey, and Peets Coffee, for rental revenue based on a minimum annual guarantee of \$1,412,710 or percentage compensation of gross revenues at a location on Concourse A at Denver International Airport (202056978). 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: 202056978

Vendor/Contractor Name (including any "DBA"): DIA F&B Concession, LLC d/b/a Elway's Taproom & Grill; Tacos Tequila Whiskey; and Peets Coffee

Type and Scope of services to be performed:

Denver International Airport (DEN) requested proposals to seek qualified individuals or entities to develop and operate the offered concession, A West 3 Subcore Food and Beverage Marketplace, for use by airport passengers. This opportunity is located on A West 3 Subcore and the kitchen space is located on the ramp level of A West Subcore 3, within a sterile area, which will be developed by the Concessionaire into a kitchen and back-of-house space to support the concourse level space. This location is intended for the development of multiple concepts within one space, including three separate concepts featuring specialty coffee, quick service restaurant, and casual dining restaurant with a full-service bar, along with a common seating area. After submittal and evaluation of responsive proposals, the independent evaluation panel recommended that DIA F&B Concessions, LLC be selected. This location consists of 4,681 square feet on the A West Sub Core 3 and 954 square feet on the A West Sub Core 3 ramp level, total premises 5,635 square feet. Minimum Annual Guarantee (MAG) \$1,421,710.00 or a Percentage Fee of 16% of gross sales up to \$6,970,000; 17% of gross sales between \$6,970,000 and \$9,430,000; and 18% of gross sales over \$9,430,000, whichever one is higher. The term will be for ten (10) years.

Location (if applicable):

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

33% 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 10 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: \$1,412,710 MAG or 16% of gross sales up to \$6,970,000; 17% of gross sales between \$6,970,000 and \$9,430,000; and 18% of gross sales over \$9,430,000 Percentage Fee Annually, 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.)