



Legislation Details (With Text)

File #: 22-0153 **Version:** 1

Type: Resolution **Status:** Adopted

File created: 1/27/2022 **In control:** Business, Arts, Workforce, Climate & Aviation Services Committee

On agenda: 2/22/2022 **Final action:** 2/22/2022

Title: A resolution approving a proposed Agreement between the City and County of Denver and Mission Yogurt, LLC concerning revenues for a concession on Concourse C at Denver International Airport. Approves a concession agreement with Mission Yogurt, LLC for rental revenue based on a minimum annual guarantee of \$1,243,125 or a percentage of gross sales, whichever is higher, and for 10 years at a location on Concourse C at Denver International Airport (201951185). The Committee approved filing this item at its meeting on 2-9-22. The last regularly scheduled Council meeting within the 30-day review period is on 3-14-22.

Sponsors:

Indexes: Lucas Palmisano

Code sections:

Attachments: 1. RR22 0153 Mission Yogurt LLC C concourse Ordinance Resolution Request 201951185, 2. 22-0153 Resolution Mission Yogurt, LLC C Concourse Expansion (201951185), 3. 22-0153 - Mission Yogurt, LLC - Contract, 4. 22-0153 Filed Resolution_Mission Yogurt, LLC C Concourse Expansion, 5. 22-0153 - signed

| Date | Ver. | Action By | Action | Result |
|-----------|------|--|---------------------|--------|
| 2/22/2022 | 1 | Council President | signed | |
| 2/22/2022 | 1 | City Council | adopted | Pass |
| 2/9/2022 | 1 | Business, Arts, Workforce, Climate & Aviation Services Committee | approved by consent | |

[Contract Request Template \(Contracts; IGAs; Leases\)](#)

Date Submitted: 1/31/22

Requesting Agency: Denver International Airport
Division:

Subject Matter Expert Name: Carolina Flores

Email Address: Carolina.flores@flydenver.com <<mailto: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 Agreement between the City and

County of Denver and Mission Yogurt, LLC concerning revenues for a concession on Concourse C at Denver International Airport.

Approves a concession agreement with Mission Yogurt, LLC for rental revenue based on a minimum annual guarantee of \$1,243,125 or a percentage of gross sales, whichever is higher, and for 10 years at a location on Concourse C at Denver International Airport (201951185). The Committee approved filing this item at its meeting on 2-9-22. The last regularly scheduled Council meeting within the 30-day review period is on 3-14-22.

Affected Council District(s) or citywide? District 11

Contract Control Number: 201951185

Vendor/Contractor Name (including any "DBA"): Mission Yogurt, LLC

Type and Scope of services to be performed:

Denver International Airport (DEN) requested proposal from qualified entities to develop and operate the offered C East Expansion Food and Beverage Marketplace opportunity. After submittal and evaluation of responsive proposals, the Independent Evaluation panel recommended that Mission Yogurt, LLC (Cholon, Marczyk Fine Foods, and Teatulia Tea & Coffee Bar) be selected for direct negotiations. The location will be 8,572 sq. ft., for the concourse level space and 2,670sq. ft., for the ramp level kitchen space, total 11,242 sq. ft. Minimum Annual Guarantee (MAG) \$1,243,125.00 or a Percentage Fee of 15% of gross sales whichever one is higher. The term will be for ten (10) years.

Location (if applicable): DEN C Concourse

WBE/MBE/DBE goals that were applied, if applicable (construction, design, Airport concession contracts): 75% ACDBE and 25% M/WBE

Are WBE/MBE/DBE goals met (if applicable)? ACDBE's Mission Yogurt, LLC 75% and The AVE Group, LLC 25%. M/WBE will be identified when constructions starts.

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

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

For New contracts

Term of initial contract: 4/01/2023 - 4/01/2033 / 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: Minimum Annual Guarantee (MAG) \$1,243,125.00 or a Percentage Fee of 15% of gross sales whichever one is higher

Cost of any renewals:

Total contract value council is approving if all renewals exercised: Minimum Annual Guarantee (MAG) \$1,243,125.00 or a Percentage Fee of 15% of gross sales whichever one is higher

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.)