



Legislation Text

File #: 22-0155, Version: 1

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

**Date Submitted: 1/31/22**

**Requesting Agency: Denver International Airport  
Division:**

**Subject Matter Expert Name: Carolina Flores**  
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**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 A at Denver International Airport.**

Approves a concession agreement with Mission Yogurt, LLC for rental revenue based on a minimum annual guarantee of \$583,100 or a percentage of gross sales, whichever is higher, and for 10 years at a location on Concourse A at Denver International Airport (202056977). 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: 202056977**

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

**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 2 Subcore Food and Beverage Marketplace) for use by Airport passengers. This opportunity is located on A West 2 Subcore and the kitchen space is located on the ramp level of A West Subcore 2 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 Mission Yogurt, LLC be selected. This location consists of 4,681 square feet on the A West Sub Core 2 and 1,786 square feet on the A West Sub Core 2 ramp level, total premises 6,467 square feet. Minimum Annual Guarantee (MAG) \$583,100.00 or a Percentage Fee of 14% of gross sales up to \$7,000,000; 15% of gross sales between \$7,000,000.01 and 10,000,000; and 16% of gross sales over \$10,000,000, whichever one is higher. The term will be for ten (10) years.

**Location (if applicable): DEN Concourse A**

**WBE/MBE/DBE goals that were applied, if applicable (construction, design, Airport concession contracts): 33% ACDBE / 25% M/WBE**

**Are WBE/MBE/DBE goals met (if applicable)?** ACDBE's The Ave Group 33. M/WBE will be identified during construction.

**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) \$583,100.00 or a Percentage Fee of 14% of gross sales up to \$7,000,000; 15% of gross sales between \$7,000,000.01 and 10,000,000; and 16% of gross sales over \$10,000,000, whichever one is higher.

**Cost of any renewals:**

**Total contract value council is approving if all renewals exercised:** Minimum Annual Guarantee (MAG) \$583,100.00 or a Percentage Fee of 14% of gross sales up to \$7,000,000; 15% of gross sales between \$7,000,000.01 and 10,000,000; and 16% of gross sales over \$10,000,000, 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.)**