



Legislation Details (With Text)

File #: 18-0264 **Version:** 1
Type: Resolution **Status:** Adopted
File created: 3/6/2018 **In control:** Business, Arts, Workforce, & Aeronautical Services Committee
On agenda: 3/27/2018 **Final action:** 3/27/2018

Title: A resolution approving a proposed Fifth Amendment between the City and County of Denver and Smokin' Bear, LLC concerning holdover language and permitted uses for the concession space at Denver International Airport.
Amends a contract with Smokin' Bear, LLC, doing business as Timberline Steakhouse/Einstein's Bagels, to revise existing holdover language to allow CEO, Department of Aviation, at her sole discretion, 1) to waive additional rent equal to 200% of month rent and allow Concessionaire to holdover at 100% the rental rate, 2) establish a new compensation rate for the remainder of the term by reducing minimum annual privilege fee in estimated annual revenue to DEN by \$921,028.70 for a new amount of \$1.2 million, and 3) revise the Permitted Uses for the Concession Space at Denver International Airport (AC 43012). The last regularly scheduled Council meeting within the 30-day review period is on 4-16-18. The Committee approved filing this resolution by consent on 3-14-18.

Sponsors:

Indexes: Debra Bartleson

Code sections:

Attachments: 1. RR18 0264 DIA Smokin Bear LLC Timberline Holdover AC 40312 ResolReq 030218, 2. 18-0264 Contract_Smokin Bear, 3. 18-0264 Filed Resolution_Smokin Bear, 4. 18-0264_Filed Resolution_Smokin Bear, 5. 18-0264 - signed

Date	Ver.	Action By	Action	Result
3/28/2018	1	Council President	signed	
3/27/2018	1	City Council	adopted	Pass
3/14/2018	1	Business, Arts, Workforce, & Aeronautical Services Committee	approved by consent	

Contract Request Template (Contracts; IGAs; Leases)

Date Submitted: 3 6 18

Requesting Agency: DIA
Division:

Subject Matter Expert Name:

4. Contact Person:

- **Name:** Rachel Marion
- **Phone:** (303) 342-2772
- **Email:** Rachel.Marion@flydenver.com <<mailto:Rachel.Marion@flydenver.com>>

5. Contact Person:

- **Name:** Pamela Dechant
- **Phone:** (303) 342-2557
- **Email:** Pamela.Dechant@flydenver.com <<mailto:Pamela.Dechant@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 Fifth Amendment between the City and County of Denver and Smokin' Bear, LLC concerning holdover language and permitted uses for the concession space at Denver International Airport.

Amends a contract with Smokin' Bear, LLC, doing business as Timberline Steakhouse/Einstein's Bagels, to revise existing holdover language to allow CEO, Department of Aviation, at her sole discretion, 1) to waive additional rent equal to 200% of month rent and allow Concessionaire to holdover at 100% the rental rate, 2) establish a new compensation rate for the remainder of the term by reducing minimum annual privilege fee in estimated annual revenue to DEN by \$921,028.70 for a new amount of \$1.2 million, and 3) revise the Permitted Uses for the Concession Space at Denver International Airport (AC 43012). The last regularly scheduled Council meeting within the 30-day review period is on 4-16-18. The Committee approved filing this resolution by consent on 3-14-18.

Affected Council District(s) or citywide?

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Contract Control Number:

AC 43012

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

Smokin' Bear, LLC

Type and Scope of services to be performed:

Location (if applicable):

DIA

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

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?

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)?

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.)