



Legislation Details (With Text)

File #: 21-0954 **Version:** 1

Type: Resolution **Status:** Adopted

File created: 8/16/2021 **In control:** Business, Arts, Workforce, Climate & Aviation Services Committee

On agenda: 9/13/2021 **Final action:** 9/13/2021

Title: A resolution approving proposed Amendments between the City and County of Denver and multiple concessionaires concerning three-year extensions to their concession agreements at Denver International Airport.
Amends multiple concession agreements with multiple concessionaires to extend the terms by three years from their expiration dates to provide food and beverage, retail and services to passengers and employees and Denver International Airport (includes multiple contract control numbers). The last regularly scheduled Council meeting within the 30-day review period is on 9-27-21. The Committee approved filing this item at its meeting on 8-25-21.

Sponsors:

Indexes: John Mahoney

Code sections:

Attachments: 1. RR21 0954 DIA Concessions Extensions, 2. RR21 0954 DIA Concessions Extensions Exhibit A, 3. COVID -19 Concession Extensions (8.25.2021), 4. 21-0954 Filed Resolution_Concession Amendments, 5. Concession Portfolio, 6. 21-0954 Filed Resolution_Concession Amendments, 7. 21-0954 - signed

Date	Ver.	Action By	Action	Result
9/13/2021	1	Council President	signed	
9/13/2021	1	City Council	adopted	Pass
8/25/2021	1	Business, Arts, Workforce, Climate & Aviation Services Committee	approved for filing	Pass

Contract Request Template (Contracts; IGAs; Leases)

Date Submitted: 8-16-21

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 proposed Amendments between the City and County of Denver and multiple concessionaires concerning three-year extensions to their concession agreements at Denver International Airport.

Amends multiple concession agreements with multiple concessionaires to extend the terms by three years from their expiration dates to provide food and beverage, retail and services to passengers and employees and Denver International Airport (includes multiple contract control numbers). The last regularly scheduled Council meeting within the 30-day review period is on 9-27-21. The Committee approved filing this item at its meeting on 8-25-21.

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

Contract Control Number: See attached Exhibit A

Vendor/Contractor Name (including any "DBA"): See attached Exhibit A

Type and Scope of services to be performed:

Denver International Airport (DEN) is requesting to extend various concession agreements. The COVID-19 pandemic caused significant disruption to air travel and precipitous drops in concession sales at DEN. This amendment request will help support the concessionaires and their workforces and ensure that essential goods and services will remain available to passengers and employees at DEN. This amendment will extend the agreement term by three (3) years from the agreement expiration dates. The contract extensions will generally provide for one of the following variations in contract language, depending upon whether the Concessionaire is a holdover tenant:

"All terms and conditions of the Agreement in effect immediately prior to its expiration and by which the Concessionaire has been operating as a holdover tenant shall be in effect and binding on the Parties for a new Term of three (3) years, beginning on XXXXX (the "New Term"), subject to the conditions herein. The Expiration Date of the New Term is XXXXX, 2024; thereafter, Concessionaire's rights and privileges under the Agreement and this Amendment shall terminate unless Concessionaire is permitted to continue to operate as a holdover tenant under the Agreement's holdover provisions."

Or

"The Term and the Expiration Date of the Agreement are extended by three (3) years (the "Extension"). Hereafter, the Expiration Date of the Agreement is XXXXX, subject to the terms and conditions below."

Location (if applicable):

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?

3 years from their expiration

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.)