



Legislation Details (With Text)

File #: 22-0155 **Version:** 1

Type: Resolution **Status:** Adopted

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

On agenda: 2/9/2022 **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 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.

Sponsors:

Indexes: Lucas Palmisano

Code sections:

Attachments: 1. RR22 0155 DEN Mission Yogurt LLC Concourse A west Ordinance Resolution Request 202056977, 2. 22-0155 Resolution Mission Yogurt LLC, A Concourse Expansion 202056977, 3. 22-0155 Concession Agreement Mission Yogurt, LLC Concourse A 202056977, 4. 22-0155 Resolution Mission Yogurt LLC, A Concourse Expansion, 5. 22-0155 - 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>](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 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.)