



Airport Concessions

Kaplan Kirsch & Rockwell frequently assists airport clients in both the structuring and administering of airport concessions operations. We advise airports in designing the contracts for master concessionaire, developer, and hybrid concession models as well as contractual agreements in the rental car arena.

We work with airports and both local and state officials in developing funding sources for large-scale developments such as consolidated rental car facilities, including obtaining local and state authorization for the airport to levy customer facility charges (CFCs) to pay for some or all of such development.

Because of our years of “in the trenches” experience with employment and labor matters, we also have broad expertise in airport disadvantaged business entity (AC/DBE) programs that enables us to counsel airports in matters related to “labor harmony” or “labor peace” agreements, prevailing/living wage legislation, and on-airport union organizing activities. We have been the lead negotiators in a wide variety of issues arising under these topics and have successfully resolved difficult on-airport issues involving both local and national labor organizations.

Representative Matters

- Assisted medium hub airport in drafting new airport concessions program involving splitting previously integrated concessions program into a three-part, divided/distributed concessions program.
- Advised large hub airport regarding structuring new master concessions agreement to ensure desirable AC/DBE participation.
- Assisted large hub airport in drafting provisions of master concessions agreement utilizing “fee manager” model.
- Advised medium hub airport in disputes arising during term of existing concessions agreement on multiple issues, including those involving on-going AC/DBE participation issues and strategies to address significant decreases in air service and passenger traffic.
- Provided counsel to medium hub airport in connection with extension of existing “developer model” concessions agreement and related need to make significant capital investments in airport and concessions property.
- Advised large and medium hub airports regarding matters related to implementation and administration of “labor harmony/peace” requirements applicable to concessions programs.