

12200

June 14, 2010

To: Board of Acquisition and Contract

From: Lawrence C. Salley
Commissioner of Transportation

Re: Authority to amend a lease agreement with the United States Air Force Auxiliary - New York Wing Civil Air Patrol for space at Building #1 at the Westchester County Airport to add approximately 250 square feet of space on the 1st floor

Pursuant to a Resolution approved by your Honorable Board on July 5, 2007, the County of Westchester (the "County") entered into a lease agreement with the United States Air Force Auxiliary - New York Wing Civil Air Patrol ("CAP") for the use of approximately 1,200 square feet of office space on the 1st floor of Building #1 at the Westchester County Airport. The term of the lease is from July 1, 2007 through June 30, 2012 with the County having the right to terminate the lease upon 60 days prior written notice to CAP. The initial rental amount is \$1,000 per month with annual increases of the greater of 5% or CPI (NY/NJ Consumer index)

On June 6, 2008, approval was granted by your Honorable Board to amend this agreement in order to add approximately 500 square feet of space and increase the fee payable by \$417 per month.

Authority is now requested to further amend the lease in order to add approximately 285 square feet of space on the 1st floor for use by CAP. Rental for this additional space will be an additional \$250 per month commencing on July 1, 2010. All other terms of the lease will remain unchanged.

This amendment will benefit the residents of Westchester by providing space for additional personnel and support staff aiding in search and rescue operations throughout Westchester County and surrounding communities.

This contract will be monitored by the airport finance department who will invoice CAP on a monthly basis for the space provided and account for rental payments on a timely basis.

This lease is exempt from the County's Procurement Policy pursuant to Section 3(b) therein. An appropriate Resolution is attached for your consideration.

DLV/dv

APPROVED BOARD OF ACQUISITION & CONTRACT - 7-1-2010 - JIMMY VIEIRA, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of Transportation, be it hereby

RESOLVED, that the County of Westchester (the "County") is authorized to amend a lease agreement with the United States Air Force Auxiliary - New York Wing Civil Air Patrol ("CAP") to add approximately 285 square feet of rental space to the current lease at Building #1 at the Westchester County Airport; and be it further

RESOLVED, that the additional monthly rental for this additional space shall be \$250; and be it further

RESOLVED, that the additional rent shall commence on July 1st, 2010 and continue through the term of the lease ending on June 30, 2012; and be it further

RESOLVED, that all other terms of the lease shall remain unchanged; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute all instruments and take all actions reasonably necessary to implement this Resolution.

Original Agreement	\$66,308
First Amendment	\$ 21,568
This Second Amendment	<u>\$ 6,000</u>
Total	\$ 93,876

Account to be Charged/credited	Fund	Agency	Capital Project Or Org	Object/ Sub Object	Trust Account	Activity	Dollars
	161	44	4110	9096-01			\$1,500 year 2010
	161	44	4110	9096-01			\$3,000 year 2011
	161	44	4110	9096-01			\$1,500 year 2012

Budget Funding Year(s) **2010 - 2012** Start Date **7/1/2010** End Date **6/30/2012**
 (must match resolution)

Revenue Source Tax Dollars _____
 State Aid _____
 Federal Aid _____

\$6,000 Other - Airport Special Revenue Fund _____