

12764

To: Honorable Board of Acquisition and Contract

From: John J. Hsu
Acting Commissioner of Transportation

Date: July 7, 2010

Re: Authority to consent to the assignment of an agreement with Chevron Products Company, a division of Chevron U.S.A. Inc., to operate the aviation fuel farm at Westchester County Airport, to The Hiller Group, Inc.

On October 4, 1990, your Honorable Board authorized the County of Westchester to enter into agreements with Texaco Inc. and Exxon Corp. to operate the aviation fuel farm at Westchester County Airport for a term of 20 years from October 8, 1990 through October 7, 2010. The Texaco agreement (the "Agreement") was subsequently assigned to Chevron Products Company, a division of Chevron U.S.A. Inc.

Chevron Products Company recently advised the County that it is ending its distribution of aviation fuels in New York and has requested the County's consent to assign the Agreement to The Hiller Group, Inc. The Agreement provides that it may not be assigned without the prior written consent of the County, such consent not to be unreasonably withheld.

This assignment will benefit the public by providing an uninterrupted supply of aviation fuel at the airport to meet commercial and private aircraft demand.

The primary goal and objective is to maintain an adequate supply of fuel at the airport so that aircraft will not be delayed and passengers will not be inconvenienced by fuel shortages.

Accordingly, I recommend approval of the annexed Resolution.

JJH/DLV/dv

RESOLUTION

Upon communication from the Acting Commissioner of Transportation, be it

RESOLVED, that the County of Westchester is authorized to consent to the assignment of an agreement with Chevron Products Company, a division of Chevron U.S.A. Inc., to operate the aviation fuel farm at Westchester County Airport to The Hiller Group, Inc.; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	N/A	N/A	N/A	N/A	N/A	N/A

Budget Funding Year(s) (Must match resolution) Start Date upon execution End Date 10/7/10

Funding Source Tax Dollars _____
 State Aid _____
 Federal Aid _____
 Other _____

(Must match resolution)

APPROVED BOARD OF ACQUISITION & CONTRACT - 22-2010 - JONARY VIEIRA, SECRETARY