

15013

October 28, 2010

To: Board of Acquisition and Contract

From: Marguerite Beirne  
Chief Information Officer

Mary Mahon  
Director of Real Estate

Re: Authority to extend a site license agreement with the Bedford Central School District for the placement of a radio antenna and related equipment on property located in Mount Kisco, New York (Agreement No. IT-724)

The County of Westchester (the "County") operates a UHF trunked analog two-way radio system for use by the Department of Emergency Services, the Department of Transportation, local fire departments and local emergency medical services. As part of this system, the County installed a radio antenna and related equipment on property owned by the Bedford Central School District (the "School District") and located at Fox Lane Road and South Bedford Road in Mount Kisco, New York. The agreement between the County and the School District had a term of five (5) years and contained a provision whereby the agreement could be extended for an additional five (5) year term upon the consent of both parties. The agreement expired on September 6, 2010.

Both parties are desirous of extending the agreement. Accordingly, authority is requested from your Honorable Board to extend the agreement for an additional five (5) year term, commencing September 7, 2010. The County will pay an annual license fee of \$1.00 and will defend and indemnify the School District against any and all claims that may arise out of the agreement.

The public purpose of this agreement is the continued operation of the emergency radio system. County staff monitor the operation of the equipment on a regular basis.

This agreement is exempt from the operation of the Westchester County Procurement Policy pursuant to Section 3(b) thereof.

Approval of the attached resolution by your Honorable Board is requested.

# RESOLUTION

Upon a communication from the Chief Information Officer and the Director of Real Estate, be it hereby

**RESOLVED**, that the County of Westchester (the "County") is authorized to extend a license agreement with the Bedford Central School District (the "School District") for the placement of a radio antenna and related equipment on property owned by the School District and located at Fox Lane Road and South Bedford Road in Mount Kisco, New York; and be it further

**RESOLVED**, that the term shall be extended for an additional five (5) years, commencing September 7, 2010; and be it further

**RESOLVED**, that the County will pay an annual license fee of \$1.00 and as additional consideration the County will defend and indemnify the School District against any and all claims that may arise out of the agreement; and be it further

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

Account to be Charged/Credited:  
Agreement No. IT-724

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
101	16	6000	4070		\$5.00

Budget Funding Year(s): 2010-2015      Start Date: September 7, 2010      End Date: September 6, 2015

Funding Source:	Tax Dollars:	<u>          \$5.00          </u>
<u>\$5.00</u>	State Aid:	<u>                                  </u>
(must match resolution)	Federal Aid:	<u>                                  </u>
	Other:	<u>                                  </u>