

ID 22386

October 19, 2011

TO: Board of Acquisition and Contract

FROM: Kathleen M. O'Connor
Commissioner, Department of Parks, Recreation and Conservation

RE: Authority to extend the license agreement with TJM Golf Corporation, d/b/a Sprain Lake Golf Shop, 290 East Grassy Sprain Road, Yonkers, New York 10710 for the operation of the golf professional concession at Sprain Lake Golf Course for the period January 1, 2012 through December 31, 2015

By Resolution dated December 22, 2005 and amended by Resolution dated February 22, 2007, the Board of Acquisition and Contract granted authority to enter into a license agreement with TJM Golf Corporation, d/b/a Sprain Lake Golf Shop, 290 East Grassy Sprain Road, Yonkers, New York 10710, for the period January 1, 2006 through December 31, 2010, with the sole option of the County to extend the agreement for an additional period of five years for a license fee to be negotiated. On September 16, 2010, the Board of Acquisition and Contract approved a resolution which granted authority for a one-year extension of the agreement. Authority is now requested to extend the agreement from January 1, 2012 through December 31, 2015.

Thomas Avezzano of TJM Golf Corporation has been the golf professional at Sprain Lake Golf Course for more than 35 years. During this time, Mr. Avezzano has developed an extensive following for lessons. He is also known for his merchandising expertise and his golf professional shop offers extensive merchandise and some of the best prices in the area.

Authority is requested to extend the license agreement with TJM Golf Corporation ("TJM"), 290 East Grassy Sprain Road, Yonkers, New York 10710, for the golf professional concession at Sprain Lake Golf Course for the period January 1, 2012 through December 31, 2015.

TJM will collect all golf cart revenue and deposit it into a County account. During each year of the license, the County will remit to TJM from the proceeds, \$14.00 for every 18-hole motorized golf cart rental up to 10,000 18-hole motorized golf cart rentals and \$8.00 for every 18-hole motorized golf cart rental in excess of 10,000 18-hole motorized golf cart rentals. The County shall remit to TJM \$8.00 for every 9-hole motorized golf cart rental. The remaining portion of the golf cart revenue shall be kept by the County as a license fee. Over the term of the new agreement, the County will receive an estimated additional \$4,000 annually over the 2011 rate and \$54,000 annually over the 2010 rate.

The golf professional manages the golf cart operation, provides lessons and rents hand-pulled carts. For the privilege of operating the golf professional shop, TJM will pay to the County an annual license fee of \$12,000, an annual increase of \$2,000 over the 2011 rate and \$4,500 over the 2010 rate.

The license fee structure for this agreement is the same as the 2011 golf professional agreements negotiated in response to Requests For Proposals.

The goal of this agreement is to provide revenue for the County and important services as an amenity for golfers. The objective of this agreement will be tracked and monitored by observations and interactions with staff and site visits.

This agreement is exempt from the Westchester County procurement policy pursuant to Section 3(b), thereof.

Accordingly, approval of the attached resolution by your Honorable Board is most respectfully requested.

APPROVED BOARD OF ACQUISITION & CONTRACT - 11/10/2011 - JONARY VEIRA, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of Parks, Recreation and Conservation, be it hereby

RESOLVED, that the County of Westchester is hereby authorized to extend the agreement with TJM Golf Corporation, d/b/a Sprain Lake Golf Shop ("TJM"), 290 East Grassy Sprain Road, Yonkers, New York 10710 for the operation of the golf professional concession at Sprain Lake Golf Course, Yonkers, New York for the period January 1, 2012 through December 31, 2015; and be it further

RESOLVED, that for the privilege of operating the golf professional concession, during each year of the license agreement, TJM will receive the balance of motorized golf cart revenue being retained by the County as a license fee: \$14.00 for every 18-hole motorized golf cart rental up to 10,000 motorized golf cart rentals and \$8.00 for every 18-hole motorized golf cart rental in excess of 10,000 18-hole motorized golf cart rentals and \$8.00 for every 9-hole motorized golf cart rental; and be it further

RESOLVED, that a golf cart rental shall be defined as the fee paid for each golf cart that is used, not each golfer; and be it further

RESOLVED, that for the privilege of operating the golf professional shop, TJM shall pay to the County an additional annual license fee of \$12,000; and be it further

RESOLVED, that the golf professional shall keep all revenue derived from retail sales in the pro shop, golf lessons and the rental of hand-pulled carts; and be it further

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

Original Agreement \$ 952,500*
 First Amendment \$ 120,000*
 First Amendment \$ 294,000*
This Amendment \$ 1,200,000*
 TOTAL \$ 2,566,500*

Agreement #

Account to be
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars	
165	42	3250	9270		\$ 288,000*	2012
165	42	3250	9246		\$12,000	
165	42	3250	9270		\$ 288,000*	2013
165	42	3250	9246		\$12,000	
165	42	3250	9270		\$ 288,000*	2014
165	42	3250	9246		\$12,000	
165	42	3250	9270		\$ 288,000*	2015
165	42	3250	9246		\$12,000	

Budget Funding Year(s) 2012-2015 Start Date 1-1-12 End Date 12-31-15
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
\$1,200,000* Federal Aid _____
 (must match resolution) Other PRC Revenue

*Estimated