

23384

December 2, 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 Westchester Concessions, Inc., P.O. Box 283, Harrison, New York, 10528, a wholly owned subsidiary of Friends of Westchester County Parks, Inc., for the operation of the golf driving range concession at Mohansic Golf Course, Yorktown Heights, New York for the period January 1, 2012 through December 31, 2016

By Resolution dated March 22, 2007, the Board of Acquisition and Contract granted authority to enter into a license agreement with Westchester Concessions, Inc., P.O. Box 502, Mount Kisco, New York, 10549, a wholly owned subsidiary of Friends of Westchester County Parks, Inc., for the operation of the golf driving range concession at Mohansic Golf Course, Yorktown Heights, New York for the period March 22, 2007 through December 31, 2011, 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.

Authority is hereby requested for the County of Westchester, acting by and through the Department of Parks, Recreation and Conservation to extend the license agreement with Westchester Concessions, Inc., a wholly owned subsidiary of Friends of Westchester County Parks, Inc., for the operation of the golf driving range concession at Mohansic Golf Course, Yorktown Heights, New York for the period January 1, 2012 through December 31, 2016.

For the privilege of operating the driving range Westchester Concessions, Inc. will pay the following annual minimum license fees to the County: \$90,000 in 2012, \$90,000 in 2013, \$90,000 in 2014, \$100,000 in 2015 and \$100,000 in 2016. In addition, Westchester Concessions, Inc. will pay, as an additional license fee, 5% of annual gross sales in excess of \$205,000 during each year of the agreement. Annual gross sales will include all soda machine revenue generated.

Westchester Concessions, Inc. will also complete capital improvements with an estimated value of \$48,500 on the attached schedule.

The goal of this agreement is to provide revenue for the County and important services 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 - 12/22/2011 - JOMARY WITKA, 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 exercise the option to extend the license agreement with Westchester Concessions, Inc., P.O. Box 283, Harrison, New York, 10528, a wholly owned subsidiary of Friends of Westchester County Parks, Inc., for the operation of the golf driving range concession at Mohansic Golf Course, Yorktown Heights, New York for the period January 1, 2012 through December 31, 2016; and be it further

**RESOLVED**, that for the privilege of operating the golf driving range concession Westchester Concessions, Inc. will pay the following annual minimum license fees to the County: \$90,000 in 2012, \$90,000 in 2013, \$90,000 in 2014, \$100,000 in 2015 and \$100,000 in 2016; and be it further

**RESOLVED**, that Westchester Concessions, Inc. will pay, as an additional license fee, 5% of annual gross sales in excess of \$205,000 during each year of the agreement. Annual gross sales will include all soda machine revenue generated; and be it further

**RESOLVED**, Westchester Concessions, Inc. shall complete capital improvements valued at \$48,500 listed on the attached schedule; 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       \$ 495,000  
 First Amendment        \$  
**This Amendment**       **\$ 470,000\***  
 TOTAL                     \$ 965,000\*

Agreement #

Account to be  
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars	
165	42	3150	9246		\$ 90,000*	2012
165	42	3150	9246		\$ 90,000*	2013
165	42	3150	9246		\$ 90,000*	2014
165	42	3150	9246		\$ 100,000*	2015
165	42	3150	9246		\$ 100,000*	2016

Budget Funding Year(s) 2012-2016 Start Date 1-1-12 End Date 12-31-16  
 (must match resolution)

Funding Source           Tax Dollars \_\_\_\_\_  
                                   State Aid \_\_\_\_\_  
**\$470,000\***                Federal Aid \_\_\_\_\_  
 (must match resolution)  
                                   Other   PRC Revenue

\*Estimated

**Mohansic Golf Course Driving Range  
Schedule of Improvements**

<u>Improvement</u>	<u>Estimated Cost</u>	<u>Completion Date</u>
Replace deteriorated existing netting and install New #18 7/8" black, weather treated, rope bordered netting utilizing spring loaded snaps (pulley system option).	\$10,000	12/31/12
Replace existing office/shed with new prefabricated 14' X 20' wood and vinyl shed with interior finishes including heat, electric and water including delivery and set-up.	\$15,000	12/31/12
Furnish and install change machine.	\$ 6,000	12/31/12
Furnish and install wiring to allow for telephone and internet capabilities.	\$ 2,500	12/31/12
Extend covered awning over hitting pads.	<u>\$15,000</u>	12/31/15
Total	\$48,500	

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/22/2011 - JOMARY VIERI, SECRETARY