

24510

DATE: January 27, 2012

TO: Board of Acquisition and Contract

FROM: Marguerite Beirne,  
Chief Information Officer

Mary Mahon,  
Director of Real Estate

RE: AUTHORIZATION TO AMEND THE LICENSE AGREEMENT (IT-842) WITH ENTERGY NUCLEAR INDIAN POINT 2, LLC THROUGH ITS AGENT ENTERGY NUCLEAR OPERATIONS, INC., FOR THE OPERATION OF RADIO EQUIPMENT AT THE GRASSLANDS RADIO TOWER IN VALHALLA, TO EXTEND THE TERMINATION DATE TO MAY 31, 2012

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BACKGROUND:

- By resolution approved December 7, 2006, Westchester County ("the County") entered into a license agreement with Entergy Corporation ("Entergy") whereby the County agreed to the operation of certain equipment and antennas at the County's Grasslands Radio Tower in Valhalla, New York.
- On January 18, 2007, your Honorable Board approved a resolution which amended the original Resolution in order to change the name of the vendor from Entergy Corporation to Entergy Nuclear Indian Point 2, LLC through its agent Entergy Nuclear Operations, Inc. ("Entergy").
- Entergy, wishes to continue its operation at this site and the County agrees to an extension of the termination date of the license agreement.
- This amendment will extend the operation of the existing equipment and antennas by Entergy at the Grasslands Radio Tower to May 31, 2012. No new equipment or antennas will be installed as a result of this amendment.
- All other terms and conditions of the original license agreement (IT-842) will remain the same.
- This procurement is exempt from the Westchester County procurement policy pursuant to section 3(b). "This policy shall not apply to real property leases, licenses, and concessions."

ACTION REQUESTED:

- Authorization to amend the license agreement (IT-842) with Entergy Nuclear Indian Point 2, LLC through its agent Entergy Nuclear Operations, Inc., having a place of business located at 450 Broadway, Buchanan, NY 10511, for the operation of radio equipment at the Grasslands Radio Tower in Valhalla, to extend the termination date of the agreement to May 31, 2012, and increase the revenue amount by \$10,635.70, with all other terms and conditions of the agreement remaining the same.

Accordingly, the attached resolution is submitted for your consideration.

**RESOLUTION**

UPON A COMMUNICATION FROM THE CHIEF INFORMATION OFFICER, DEPARTMENT OF INFORMATION TECHNOLOGY, AND THE DIRECTOR OF REAL ESTATE, BE IT HEREBY

RESOLVED, that the County of Westchester is hereby authorized to amend the license agreement (IT-842) with Entergy Nuclear Indian Point 2, LLC through its agent Entergy Nuclear Operations, Inc., having a place of business located at 450 Broadway, Buchanan, NY 10511, for the operation of radio equipment at the Grasslands Radio Tower in Valhalla, to extend the termination date of the agreement to May 31, 2012, and increase the revenue amount by \$10,635.70; and be it further

RESOLVED, that all other terms and conditions of the agreement shall remain the same; and be it further

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

Account to be Charged/Credited:	Original Agreement: \$ 143,269.00
	1 <sup>st</sup> Amendment \$ 0.00
	2 <sup>nd</sup> Amendment \$ - 20,750.00
	<b>This Amendment: \$ <u>10,635.70</u></b>
	Total \$ 133,154.70

IT-842

Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2012	101	16	6000	9065		\$10,635.70

Budget Funding Year(s): 2012 Start Date: February 15, 2012 End Date: May 31, 2012  
(must match resolution)

Funding Source	Tax Dollars: \$ _____
	State Aid _____
<u>\$ 10,635.70</u>	Federal Aid _____
(must match resolution)	Other: <u>Revenue \$10,635.70</u>