

ID 25480

March 19, 2012

TO: Board of Acquisition and Contract

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

RE: Authority to enter into a license agreement with Powell Catering Services, Inc., 58 Halstead Avenue, Harrison, NY 10528 for the operation of the food and refreshment concession at Saxon Woods Park, White Plains, New York, for the period April 15, 2012 through December 31, 2014

On May 9, 2002, the Board of Acquisition and Contract granted authority for the County of Westchester to enter into a license agreement with Powell Catering Services, Inc. for the period June 1, 2002 through December 31, 2006, with the sole option of the County to extend the agreement for a period of five years. The Board of Acquisition and Contract, on April 13, 2007, granted authority to extend the agreement from January 1, 2007 through December 31, 2011.

Authority is hereby requested for the County of Westchester, acting by and through the Department of Parks, Recreation and Conservation, to enter into a license agreement with Powell Catering Services, Inc., 58 Halstead Avenue, Harrison, NY 10528 for the operation of the food and refreshment concession at Saxon Woods Park, White Plains, New York for the period of April 15, 2012 through December 31, 2014.

For the privilege of operating the food and refreshment concession, Powell Catering Services, Inc. shall pay to the County an annual license fee as follows:

The greater of \$35,000 or .60 per bathing ticket sold in 2012  
The greater of \$35,000 or .61 per bathing ticket sold in 2013  
The greater of \$35,000 or .61 per bathing ticket sold in 2014.

The license fee, which is based on the number of bathing tickets sold, will include all bathing tickets sold to the general public and 50% of the bathing tickets sold to day camps.

In addition to the above license fees, Powell Catering Services, Inc. shall complete repairs to the facility for a total estimated value of \$2,200 as listed on the attached schedule. All repairs will be completed no later than June 20, 2012. Powell Catering Services, Inc. will also furnish and install a removable ice cream kiosk, at its sole expense, to better serve patrons on the pool deck and reduce lines.

Although licenses are exempt from the County's Procurement Policy pursuant to section 3(b) therein, a Request for Proposals was developed and four proposals were received. After considering the proposals it was recommended that the miniature golf concession and food and beverage concession be combined. At the present time there is an overlap between the separate concessions concerning events and vending. Both concessions are operated by the same concessionaire. Having separate concession operators could lead to coordination difficulties which would not be beneficial to the overall operation of the pool. The miniature golf concession does not expire until December 31, 2014. Therefore, it was recommended to enter into a license for three seasons so that the expiration dates of the two concessions will coincide and an RFP can be developed covering both operations commencing with the 2015 season.

The goal of this agreement is to provide revenue for the County and food and beverage service for patrons at Saxon Woods Park. 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 & CONTRACTS - 04/19/2014 - JONATHAN A. 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 enter into a license agreement with Powell Catering Services, Inc., 58 Halstead Avenue, Harrison, NY 10528 for the operation of the food and refreshment concession at Saxon Woods Park, White Plains, New York, for the period April 15, 2012 through December 31, 2014; and be it further

**RESOLVED**, that for the privilege of operating the food and refreshment concession, Powell Catering Services, Inc., shall pay to the County an annual license fee as follows:

The greater of \$35,000 or .60 per bathing ticket sold in 2012

The greater of \$35,000 or .61 per bathing ticket sold in 2013

The greater of \$35,000 or .61 per bathing ticket sold in 2014; and be it further

**RESOLVED**, that the license fee, which is based on the number of bathing tickets sold, will include all bathing tickets sold to the general public and 50% of the bathing tickets sold to day camps; and be it further

**RESOLVED**, that Powell Catering Services, Inc., shall complete capital improvements valued at \$2,200 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      \$ 105,000\*  
 First Amendment        \$  
**This Amendment**        \$  
 TOTAL                        \$ 105,000\*

Agreement #

Account to be  
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars	
165	42	4950	9246		\$35,000*	2012
165	42	4950	9246		\$35,000*	2013
165	42	4950	9246		\$35,000*	2014

Budget Funding Year(s) 2012-2014 Start Date 4-15-12 End Date 12-31-14  
 (must match resolution)

Funding Source Tax Dollars \_\_\_\_\_

State Aid \_\_\_\_\_

\$105,000\* Federal Aid \_\_\_\_\_

(must match resolution)

Other PRC Revenue

\*Estimated

**Saxon Woods Park Food and Refreshment Concession  
Schedule of Improvements**

<u>Improvement</u>	<u>Estimated Cost</u>	<u>Completion Date</u>
Paint the interior of the concession building	\$ 1,000	6/20/12
Repair and Replace Ceiling Tiles	\$ 600	6/20/12
Paint and seal floor in concession building	<u>\$ 600</u>	6/20/12
Total	\$ 2,200	

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/19/2012 - JOMARY VIERA, SECRETARY