

26850

May 14, 2012

TO: Board of Acquisition and Contract

FROM: Kathleen M. O'Connor, Commissioner
Parks, Recreation & Conservation

RE: **AUTHORIZATION TO ENTER INTO A PERMIT AGREEMENT WITH
UBS SECURITIES LLC, 1285 AVENUE OF THE AMERICAS, NEW YORK, NY
10019 FOR THE EXCLUSIVE USE OF PLAYLAND PARK FOR ITS
EMPLOYEES AND INVITED GUESTS ON MONDAY, JUNE 18, 2012 (RAIN
DATE – MONDAY, JUNE 25, 2012) FROM 4:00 PM TO 9:00 PM FOR A SUM OF
\$164,250**

Authorization is requested to enter into a permit agreement with UBS Securities LLC, 1285 Avenue of the Americas, New York, NY 10019 for the exclusive use of Playland Park for its employees and invited guests from 4:00 pm to 9:00 pm on Monday, June 18, 2012 (Rain date – Monday, June 25, 2012).

UBS Securities LLC will pay a fixed fee of \$164,250 for up to 2,500 guests and \$64.50 for each guest over 2,500. The fee covers costs for all Rides, 10 Prize Skill Games, Bonanza Shooting Gallery, Carousel Game Room, Balloons, Mini-Golf, Cotton Candy and Candy Apples.

Out of the \$164,250 fixed fee received by the County, concessions other than rides will be reimbursed by the County a total of \$57,250. The County will retain \$9,500 of the \$107,000 balance to cover the cost of employee food service and other expenses associated with hosting this event. The remaining \$97,500 will be ride revenue. Ride concessions will be reimbursed a portion of the \$97,500 in ride revenue based upon actual ridership on the event date. Out of the \$64.50 for each guest over 2,500, the County will reimburse concessions other than rides \$23.00 each. The County will retain \$2.50 of the \$41.50 balance for each guest over 2,500 to cover additional expenses. Ride concessions will be reimbursed a portion of the remaining \$39.00 based on actual ridership on the event date.

Since the above license fee does not include payment for food, employees of UBS Securities LLC will be purchasing food from Playland's food concession on the day of the event. Playland will therefore, in addition to the license fee, receive 24.1% of the revenue generated from a separate food and beverage agreement between UBS Securities LLC and CulinArt, Inc., the County's food concessionaire for Playland Park.

Private events like this generate additional revenue for the department and help to decrease the tax levy. This agreement therefore serves the public interest as it helps to ease the tax burden of Westchester County residents.

The objective of this agreement will be monitored using attendance and revenue reports.

This procurement is exempt from the Westchester County procurement policy pursuant to Section 3(b) of that policy in that it is a license.

A resolution is attached for your favorable consideration.

R E S O L U T I O N

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

RESOLVED, that the County of Westchester is authorized to enter into a permit agreement with UBS Securities LLC, 1285 Avenue of the Americas, New York, NY 10019 for the exclusive use of Playland Park for employees and invited guests from 4:00 pm to 9:00 pm on Monday, June 18, 2012 (Rain date – Monday, June 25, 2012); and be it further

RESOLVED, that for this privilege UBS Securities LLC shall pay a fee of \$164,250 as an all-inclusive permit fee for up to 2,500 guests. UBS Securities LLC also agrees to pay \$64.50 per guest for each guest over 2,500. For this privilege, Playland will provide all Rides, 10 Prize Skill Games, Bonanza Shooting Gallery, Carousel Game Room, Balloons, Mini-Golf, Cotton Candy and Candy Apples; and be it further

RESOLVED, that the County shall reimburse concessions other than rides from the permit fee as follows:

<u>Concessions</u>	<u>2,500 People</u>	<u>Per Person Over 2,500</u>
Cotton Candy	\$ 6,875	\$ 2.75
Candy Apples	\$ 5,625	\$ 2.25
Shooting Gallery	\$ 1,750	\$ 1.00
10 Skill Games	\$ 23,750	\$ 9.50
Game Room	\$ 3,000	\$ 1.00
Balloons	\$ 16,250	\$ 6.50
TOTAL	\$ 57,250	\$ 23.00; and be it further

RESOLVED, that the County shall retain \$9,500 of the minimum event fee and \$2.50 for each guest over 2,500 to cover costs associated with holding the event; and be it further

RESOLVED, that the County shall reimburse ride concessions a portion of the remaining \$97,500 in ride revenue based upon actual ridership on the event date and shall reimburse ride concessions a portion of the remaining \$39.00 for each guest over 2,500 (from the \$64.50 for each guest over 2,500) based on actual ridership on the event date; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby empowered to execute any and all appropriate instruments necessary to effectuate the purposes hereof.

Agreement #

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
165	42	5520	9201		\$ 97,500
165	42	5520	9218		\$ 57,250
165	42	5520	9219		\$ 9,500

Budget Funding Year(s) 2012 Start Date 6/18/2012 End Date 6/25/2012
(must match resolution)

Funding Source Tax Dollars _____

State Aid _____

\$164,250 Federal Aid _____

(must match resolution)

Other _____ Revenue _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/31/2012 - JOMARY VEIRA, SECRETARY