

ID 27638

August 7, 2012

TO: Board of Acquisition and Contract

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

RE: Authority to exercise the option to extend the License Agreement with Manhattanville College which would permit the College to use the Ice Casino and main rink located at the County's Playland Park, Rye, New York for a term commencing December 16, 2012 through December 15, 2017

On December 6, 2007, your Honorable Board granted authority to enter into a license agreement with Manhattanville College ("College") located in Purchase, New York to permit the College to use the main rink at the Ice Casino located at Playland Park, Rye, New York for the term of December 16, 2007 through December 15, 2012, with the sole option of the County to extend the License Agreement for an additional five-year term at 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 exercise its option to extend the License Agreement with the College for the period commencing December 16, 2012 through December 15, 2017. As you are aware, the County is currently reviewing proposals in response to the Request for Proposals to reinvent Playland Park which may include the Ice Casino. Accordingly, an option has been included in the proposed agreement that enables the County to terminate the agreement on six (6) months notice to the College if it becomes necessary as a result of a new agreement for the operation of Playland Park.

As consideration for this License, the College will pay an ice time fee of \$325 per hour for weekday practice time prior to 1:15 p.m. All other ice time requests will be at the public rate which is currently \$450.00 per hour. The rate is subject to change at the discretion of the County. The College will pay \$19.36 per square foot for use of up to 5,800 square feet of locker room and office space. The locker room and office space fee will increase by 1.5% each year of the anniversary date.

It is estimated that the College will use 450 hours of ice time per contract year. Based on that assumption, the estimated revenue per calendar year is:

<u>Year</u>	<u>Locker Room</u>	<u>Ice Rental</u>	<u>Estimated Revenue</u>
2012	\$ 8,021	\$ 11,950	\$ 19,971
2013	\$112,408	\$167,250	\$279,658
2014	\$114,094	\$167,250	\$281,344
2015	\$115,806	\$167,250	\$283,056
2016	\$117,543	\$167,250	\$284,793
2017	\$110,666	\$155,300	\$265,966

The College will also use the on-site food vendor/caterer for all their food needs and will be responsible to pay for any and all services provided by the Department of Public Safety at any of the College's events.

The proposed license agreement is exempt from the County's Procurement Policy pursuant to Section 3(b) thereof.

The goal of this agreement is to provide revenue for the County. The public purpose of this agreement is to provide recreational events at the Playland Ice Casino for County residents. The objective of this agreement will be tracked and monitored by daily observations and interactions with staff.

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

KMO/JC/TSA

## 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 its option to extend the License Agreement with Manhattanville College ("College"), having an office and place of business located at 2900 Purchase Street, Purchase, New York 10577 whereby the College would be permitted to use the Ice Casino and main rink located at Playland Park, Rye, New York; and be it further

**RESOLVED**, that the term of the agreement will be for the period commencing December 16, 2012 through December 15, 2017, and the County, upon six (6) months notice to the College, may terminate the Agreement; and be it further

**RESOLVED**, that the College will pay an ice time fee of Three Hundred Twenty Five (\$325.00) Dollars per hour for weekday practice time before 1:15 p.m. and all other ice time requests will be at the public rental rate; and be it further

**RESOLVED**, that the College will pay \$19.36 per square foot for use of up to 5,800 square feet of locker room and office space, and said fee will increase by 1.5% each year; and be it further

**RESOLVED**, that the College will use the on-site food vendor/caterer for all of their food needs on the Licensed Premises and will be responsible to reimburse the County for all County police services as needed at any of Manhattanville's events; and be it further

**RESOLVED**, that the County Executive or his authorized designee is hereby empowered to execute any and all instruments and take such other actions as may be reasonably necessary to effectuate the purposes hereof.

Original Agreement \$ 1,269,338\*  
 First Amendment \$  
**This Amendment \$ 1,414,788\***  
 TOTAL \$ 2,684,126\*

Agreement #

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars	
165	42	5540	9205		19,971*	2012
165	42	5540	9205		279,658*	2013
165	42	5540	9205		281,344*	2014
165	42	5540	9205		283,056*	2015
165	42	5540	9205		284,793*	2016
165	42	5540	9205		265,966*	2017

Budget Funding Year(s) 2012-2017 Start Date 12-16-12 End Date 12-15-17  
 (must match resolution)

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

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

**\$1,414,788\*** Federal Aid \_\_\_\_\_  
 (must match resolution)

Other Revenue \_\_\_\_\_

\*estimated