

35395

TO: Honorable Board of Acquisition and Contract

FROM: Jay T. Pisco, P.E.
Commissioner of Public Works and Transportation

Mary J. Mahon
Director of Real Estate

DATE: August 6, 2013

SUBJECT: Authority for the County of Westchester to enter into a Second Amendment to a Permit Agreement with the United States of America, acting through its General Services Administration, for the use by the Transportation Security Administration of office space in the Terminal Building at the Westchester County Airport, in order to extend the term through June 30, 2015 and change the annual fee from \$12,000.00 to \$12,690.00.
(Lease Agreement No. WCA13002)

On December 11, 2003, your Honorable Board approved a Resolution authorizing the County of Westchester (the "County") to enter into a permit agreement with the United States of America, acting through its General Services Administration, for the use by the Transportation Security Administration ("TSA") of office space in the Terminal Building at the Westchester County Airport for approximately 196 square feet of office space in conjunction with TSA's security screening operations. The term of the agreement was from January 1, 2003 through December 31, 2008, and the annual fee was \$9,800.00.

On June 19, 2008, your Honorable Board approved a Resolution authorizing the County to amend the permit agreement in order to extend the term through June 30, 2013 and change the annual fee from \$9,800.00 to \$12,000.00.

Authority of your Honorable Board is now sought to enter into a second amendment to the permit agreement in order to extend the term until June 30, 2015 and increase the annual fee from \$12,000.00 to \$12,690.00, payable in equal monthly installments of \$1,057.50, effective July 1, 2013. In addition, either party will be allowed to terminate the agreement without cause by giving 90 days written notice. All other terms of the agreement, as amended, will remain unchanged.

The goal of this agreement is to have the TSA remain in the main terminal of the Airport and continue with uninterrupted security screening of passengers and baggage. This agreement will be monitored by Airport Administration with monthly payments made by the General Services Administration for the space to be occupied.

This permit agreement is exempt from the Westchester County Procurement Policy pursuant to Section 3(b) thereof.

We recommend approval of the attached proposed Resolution.

RESOLUTION

Upon a communication from the Commissioner of Public Works and Transportation and the Director of Real Estate, be it hereby

RESOLVED, that the County of Westchester is authorized to enter into a second amendment to a permit agreement with the United States of America, acting through its General Services Administration, for the use by the Transportation Security Administration of office space in the Terminal Building at the Westchester County Airport, in order to extend the term through June 30, 2015 and change the annual fee from \$12,000.00 to \$12,690.00, payable in equal monthly installments of \$1,057.50, effective July 1, 2013; and be it further

RESOLVED, that either party shall be allowed to terminate the agreement without cause by giving 90 days written notice; and be it further

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

RESOLVED, that the County Executive, or his duly appointed designee be, and hereby is, authorized to execute such documents and take such actions as may be necessary and appropriate to effect the purposes hereof.

Lease Agreement No. WCA13002

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	161	44	4110	9096		\$ 6,345.00 (2013)
	161	44	4110	9096		\$12,690.00 (2014)
	161	44	4110	9096		\$ 6,345.00 (2015)

Budget Funding Year(s) 2013-2015 Start Date 07/01/2013 End Date 06/30/2015
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
 Federal Aid _____
\$25,380.00 Other Revenue – Airport Special Revenue Fund
 (must match resolution)