

38164

January 28, 2014

TO: Board of Acquisition and Contract

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

RE: **Authority to amend a June 20, 2013 resolution which authorized the County to enter into a license agreement with Bestchester's Inc. for the use of the Bronx Street Bus Terminal Building on the Bronx River Parkway in White Plains, New York for the operation of a food concession in order to authorize the change of the name of the Licensee to Doggone Right, Inc. and to change the beginning and ending dates of the agreement by eight and one-half months**

Authority is hereby requested for the County of Westchester, acting by and through the Department of Parks, Recreation and Conservation to amend a June 20, 2013 resolution which authorized the County to enter into a license agreement with Bestchester's Inc. for the use of the Bronx Street Bus Terminal Building on the Bronx River Parkway in White Plains, New York for the operation of a food concession for the term June 15, 2103 through June 14, 2018 (the "Resolution") in order to authorize the change of the name of the Licensee to Doggone Right, Inc. and to change the start and end dates of the proposed license agreement by eight and one – half months, to the term March 1, 2014 through February 28, 2019. If the County, at its' sole option, extends the agreement for an additional period of five years, pursuant to the requested amendment to the Resolution, the option period would commence March 1, 2019 and end on February 28, 2024.

All other terms and conditions of the Resolution shall remain in full force and effect.

The amendment to the Resolution is necessary because the Licensee changed the original name from Bestchester's, Inc. to Doggone Right, Inc. and encountered other administrative and timing considerations concerning the commencement of the work which caused the delay. Doggone Right, Inc. is expected to be open for the season in 2014 to serve patrons.

The goal of this agreement is to rehabilitate an unused County asset and transform it into a viable revenue producing operation to serve park patrons. The objective of this agreement will be tracked and monitored by observations and interactions with staff and site visits.

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

requested.

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/27/2014 - JOMARY VIEIRA, SECRETARY

RESOLUTION

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

RESOLVED, that the County is authorized to amend a Resolution approved on June 20, 2013 which authorized the County to enter into a license agreement with Bestchester's Inc. for the use of the Bronx Street Bus Terminal Building on the Bronx River Parkway in White Plains, New York for the operation of a food concession for the term June 15, 2013 through June 14, 2018 with the sole option on the part of the County to extend the agreement for an additional five years (the "Resolution") in order to change the name of the licensee to Doggone Right, Inc., 65 South Broadway, Suite 101, Tarrytown, NY 10591, and to change the term of the agreement to the term March 1, 2014 through February 28, 2019 with the sole option on the part of the County to extend the agreement for an additional period of five years from March 1, 2019 through February 28, 2024; and be it further

RESOLVED, that all other terms and conditions of the Resolution shall remain in full force and effect; 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.

Agreement #

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars	
165	42	1100	9246		\$418	2014
165	42	1100	9246		\$708	2015
165	42	1100	9246		\$958	2016
165	42	1100	9246		\$1208	2017
165	42	1100	9246		\$1458	2018
165	42	1100	9246		\$250	2019

Budget Funding Year(s) 2014-2019 Start Date 3-01-14 End Date 2-28-19
(must match resolution)

Funding Source Tax Dollars _____

State Aid _____

\$ 5,000 Federal Aid _____
(must match resolution)

Other Revenue _____