

39552

DATE: April 8, 2014

TO: Board of Acquisition and Contract

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

Ann Marie Berg
Commissioner of Finance

RE: **Resolution authorizing the County of Westchester (the "County") to enter into an agreement with Greater Hudson Bank N.A., for the purpose of operating and maintaining one (1) Automatic Teller Machine ("ATM"), for a term commencing March 31, 2014 and expiring March 31, 2017. This agreement shall automatically renew for successive (1) one month periods unless terminated by either party. (Agreement No. 14-914)**

Authority is hereby requested to enter into an Agreement with Greater Hudson Bank, N.A. ("Greater Hudson") for the purpose of operating and maintaining one (1) on-site Automatic Teller Machine ("ATM") at the Westchester County Airport, for a three (3) year term commencing March 31, 2014. This agreement shall automatically renew for successive (1) one month periods unless terminated by either party. Pursuant to the Agreement, Greater Hudson is required to pay transaction fees to the County in the amount of \$1.05 on each surcharged transaction. The County will need to deposit \$2,000,000.00 interest free at Greater Hudson as a part of a total relationship of this agreement and similar proposed agreements with Greater Hudson for four (4) additional ATM's at County Parks. The cost of this deposit at current rates (25 bps) is approximately \$5,000.00 per year in lost interest to the County.

The goals and objectives of this Agreement are to continue to offer quality, reliable, secure ATMs at the Westchester County Airport and to maximize revenue to the County. It is estimated that the County will receive total revenue of \$15,000.00 (\$5,000.00/year) over the (3) year contract term. The Departments will monitor achievement of these objectives by tracking ATM down-time and user complaints, and will review actual revenue received by the County. The existing ATM has been installed in the current location for over sixteen (16) years. The ATM will serve the general public, which uses the Westchester County Airport as demonstrated by approximately 16,000 transactions last year.

This procurement is exempt from the operation of the Westchester County Procurement Policy pursuant to Section 3(b) thereof.

A Resolution for your consideration is annexed hereto. I recommend your favorable consideration of the annexed proposed Resolution.

JTP/ AMB

RESOLUTION

Upon communication from the Commissioner of Public Works and Transportation and the Commissioner of Finance, be it hereby

RESOLVED, that the County of Westchester (“County”) is authorized to enter into an agreement with Greater Hudson Bank, N.A. for the purpose of operating and maintaining an on-site Automatic Teller Machine (“ATM”) at the Westchester County Airport for a term commencing March 31, 2014 and expiring March 31, 2017. This agreement shall automatically renew for successive (1) one month periods unless terminated by either party, and be it further

RESOLVED, that this Agreement is subject to County appropriations; and be it further

RESOLVED, that this Agreement is also subject to further financial analysis of the impact of any New York State Budget (the “State Budget”) proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Agreement No. 14-914

Account to be Charged/credited	Year	Fund	Dept	Unit	Revenue	Dollars
	2014	161	44	4110	9096	\$4,000.00
	2015	161	44	4110	9096	\$5,000.00
	2016	161	44	4110	9096	\$5,000.00
	2017	161	44	4110	9096	\$1,000.00

Budget Funding Year(s) 2014-2017 Start Date 03/31/2014 End Date 03/31/2017
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
\$15,000.00 Federal Aid _____
 (must match resolution) Other Revenue _____