

40109

May 6, 2014

To: The Honorable Board of Acquisition and Contract

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

Mary J. Mahon  
Special Assistant to the County Executive and  
Director of Real Estate

Re: Authority to exercise an option to renew a license agreement with A.E.M. Vending, Inc. d/b/a C.C. Vending, Inc., for vending machine services at various County facilities for a five year term commencing retroactive to September 15, 2013 and terminating on September 14, 2018 for an annual license fee of \$66,000.00. (License Agreement No. 08-920)

---

By resolution approved on April 17, 2008 (the "April 17<sup>th</sup> Resolution"), your Honorable Board authorized the County to enter into a license agreement with A.E.M. Vending, Inc. d/b/a C.C. Vending, Inc. ("CC Vending"), for vending machine services at various County facilities for a five (5) year term commencing September 15, 2008 and terminating September 14, 2013 for an annual license fee of \$66,000.00 (the "License Agreement"). The April 17<sup>th</sup> Resolution further provided for an option to renew the Agreement or any portion thereof for an additional five (5) year term if mutually agreeable by both parties. The License Agreement was subsequently executed.

The parties have elected to exercise the option to renew the License Agreement for an additional five (5) year term commencing retroactive to September 15, 2013 and continuing through September 14, 2018. In consideration for the granting of the license, the County will be paid annually in the amount of Sixty-Six Thousand Dollars (\$66,000.00) for the five (5) year renewal period (the "License Agreement Renewal").

Under the License Agreement Renewal, CC Vending will provide two (2) additional vending machines, which will be placed in the Westchester County Courthouse in White Plains. In all other respects, the License Agreement renewal shall be on the same terms and conditions as the current License Agreement that expired on September 14, 2013.

The goal and objective of this License Agreement is to provide healthy beverages and snacks to employees and visitors within County facilities. This agreement will serve a public purpose by generating revenue to the County.

Except as otherwise specifically amended hereby, all remaining terms and conditions of the License Agreement shall remain in full force and effect.

We recommend adoption of the attached proposed Resolution.

# R E S O L U T I O N

Upon a communication from the Commissioner of Public Works and Transportation, and the Special Assistant to the County Executive and Director of Real Estate, it is hereby

**RESOLVED**, that the County of Westchester is authorized to exercise an option to renew a license agreement (the "License Agreement") with A.E.M. Vending, Inc. d/b/a C.C. Vending, Inc. ("CC Vending"), for vending machine services at various County facilities for a five (5) year term commencing retroactive to September 15, 2013 and terminating September 14, 2018 (the "License Agreement Renewal"); and be it further

**RESOLVED**, that the License Agreement Renewal shall be on the same terms and conditions as set forth in the License Agreement, except that CC Vending will provide two (2) additional vending machines to be placed in the Westchester County Courthouse in White Plains; and be it further

**RESOLVED**, that CC Vending shall pay the County annually in the amount of Sixty-Six Thousand Dollars (\$66,000.00) throughout the five (5) year term of the License Agreement Renewal; and be it further

**RESOLVED**, that except as specifically amended hereby, all remaining terms and conditions set forth in the License Agreement shall remain in full force and effect; and be it further

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

License Agreement No. 08-920

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	46	3300	9110		\$16,500.00 (2013)
	101	46	3300	9110		\$66,000.00 (2014)
	101	46	3300	9110		\$66,000.00 (2015)
	101	46	3300	9110		\$66,000.00 (2016)
	101	46	3300	9110		\$66,000.00 (2017)
	101	46	3300	9110		\$49,500.00 (2018)

Budget Funding Year(s) 2013-2018 Start Date 09/15/13 End Date 09/14/18  
(must match resolution)

Funding Source: Tax Dollars \_\_\_\_\_ Contractor Federal I.D. No./  
Social Security No.: \_\_\_\_\_

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

\$330,000.00 Federal Aid \_\_\_\_\_ Vendor No.: \_\_\_\_\_  
(must match resolution)

Other Revenue \_\_\_\_\_ Encumbrance No.: \_\_\_\_\_