



# Westchester Community College

State University of New York

**40546**

May 29, 2014

To: Board of Acquisition and Contract

From: Dr. John F.M. Flynn  
Interim President

Re: Authority to enter into a license agreement with Brooks Shopping Centers, LLC, for the installation and use of two backlit advertising panels along with a booth at the Cross County Shopping Center, Yonkers, NY.

---

Authority is requested from your Honorable Board to authorize the County of Westchester, acting by and through Westchester Community College (the "College"), to enter into a license agreement (the "Agreement") with Brooks Shopping Centers, LLC ("Brooks"), acting by and through Macerich Management Company, its managing agent, for the installation and use of two backlit advertising panels along with a booth at the Cross County Shopping Center, Yonkers, NY. The agreement shall commence July 1, 2014 and shall expire June 30, 2015. The College shall pay to Brooks a license fee of \$25,000 payable in monthly installments.

The College shall indemnify Brooks for its and its contractors' actions or non-actions and for the breach of any representation, warranty, term condition or performance of or under the Agreement.

The Agreement is exempt from the operation of the Westchester County Procurement Policy pursuant to Section 3 (a) iv of the Policy.

The public purpose of this agreement is to allow the College to advertise its presence at the Cross County Shopping Center.

An appropriate resolution is attached for your approval.

JFMF:me  
Attachment

**RESOLUTION**

Upon a communication from Dr. John F.M. Flynn, Interim President, Westchester Community College, be it hereby

**RESOLVED**, the County of Westchester, acting by and through Westchester Community College (the "College"), is authorized to enter into a license agreement with Brooks Shopping Centers, LLC, acting by and through Macerich Management Company, its managing agent, for the installation and use of two backlit advertising panels along with a booth at the Cross County Shopping Center, Yonkers, NY; and be it further

**RESOLVED**, that the agreement shall commence July 1, 2014 and shall expire June 30, 2015. The College shall pay to Brooks a license fee of \$25,000 payable in monthly installments; and be it further

**RESOLVED**, that the College shall indemnify Brooks for its and its contractors' actions or non-actions and for the breach of any representation, warranty, term condition or performance of or under the Agreement; and be it further

**RESOLVED**, that the County Executive or his authorized designee is hereby authorized to execute all instruments and take all actions reasonably necessary to implement this Resolution.

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	701	8216		4270		\$25,000

Budget Funding Year(s)      Start Date: 7/1/2014      End Date: 6/30/2015  
 (must match resolution)

Funding Source:      Tax Dollars      \_\_\_\_\_  
                                  State Aid          \$12,500      
    \$25,000          Federal Aid      \_\_\_\_\_  
 (must match resolution)      Other          \$12,500 (Tuition)    

Contractor Federal I.D. No./  
 Social Security No.: \_\_\_\_\_  
 Vendor No.: \_\_\_\_\_  
 Encumbrance No.: \_\_\_\_\_