

44386

January 28, 2015

TO: Board of Acquisition and Contract

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

RE: Authority to enter into an agreement with Costa Foods, Inc. for the operation of the miniature golf concession at Tibbetts Brook Park for the period January 1, 2015 through December 31, 2019.

Authority is requested to enter into a license agreement with Costa Foods, Inc., 11 Lincoln Avenue, Rye Brook, New York 10573 for the period January 1, 2015 through December 31, 2019. As consideration for the privilege of operating this License, Costa Foods, Inc. shall pay to the County the following annual license fee:

<u>Period</u>	<u>License Fee</u>
January 1, 2015 through December 31, 2015	\$2,500
January 1, 2016 through December 31, 2016	\$2,500
January 1, 2017 through December 31, 2017	\$2,600
January 1, 2018 through December 31, 2018	\$2,600
January 1, 2019 through December 31, 2019	\$2,700.

In addition to the license fees above, Costa Foods, Inc. shall also complete the following improvements no later than July 1, 2015: remove the existing carpeting, prepare the surface and install new carpeting, for the total estimated amount of \$13,500.

The public purpose of this agreement is to provide miniature golf for patrons at Tibbetts Brook Park. The goal of this agreement is to provide revenue to the County and provide an important recreational amenity in for patrons at Tibbetts Brook Park.

The objective of this agreement will be tracked and monitored by observations and interactions with staff and site visits.

This agreement is exempt from the Westchester County procurement policy pursuant to Section 3(b), thereof.

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

RESOLUTION

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

RESOLVED, that the County of Westchester is hereby authorized to enter into a license agreement with Costa Foods, Inc., 11 Lincoln Avenue, Rye Brook, New York 10573, for the miniature golf concession at Tibbetts Brook Park, Yonkers, New York for the period January 1, 2015 through December 31, 2019; and be it further

RESOLVED, that as consideration for the privilege of operating this License, the Licensee shall pay to the County the following license fees:

<u>Period</u>	<u>License Fee</u>
January 1, 2015 through December 31, 2015	- \$2,500
January 1, 2016 through December 31, 2016	- \$2,500
January 1, 2017 through December 31, 2017	- \$2,600
January 1, 2018 through December 31, 2018	- \$2,600
January 1, 2019 through December 31, 2019	- \$2,700; and be it further

RESOLVED, that Costa Foods, Inc. shall make the following improvements no later than July 1, 2015: remove the existing carpeting, prepare the surface and install new carpeting, for the total estimated cost of \$13,500; 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.

Original Agreement \$12,900
 First Amendment \$
This Amendment \$ _____
 TOTAL \$12,900

Agreement #

Account to be
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars	
165	42	4250	9246		\$2,500	2015
165	42	4250	9246		\$2,500	2016
165	42	4250	9246		\$2,600	2017
165	42	4250	9246		\$2,600	2018
165	42	4250	9246		\$2,700	2019

Budget Funding Year(s) 2015-2019 Start Date 01-01-15 End Date 12-31-19
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
\$12,900 Federal Aid _____

(must match resolution)
 Other Revenue

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/19/2015 - JOHANNY VIEIRA, SECRETARY