

ID 47589

July 7, 2015

TO: Board of Acquisition and Contract

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

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

RE: Authority to enter into a license agreement with HFT Management, Inc. for the sale of advertising on kiosks and benches on various County lands for the period of July 1, 2015 through June 30, 2020 with the County having the sole option to extend the agreement for an additional five-year term from July 1, 2020 through June 30, 2025.

The County of Westchester owns a number of kiosks and benches at various locations including Willsons Woods Park, the Bronx River Parkway, Kensico Dam Plaza, Dunwoodie Golf Course and the White Plains Transit Center suitable for advertising described on the attached Schedule "A".

Authority is hereby requested for the County of Westchester, acting by and through the Department of Parks, Recreation and Conservation to enter into a license agreement with HFT Management Inc. ("HFT"), 16 Pleasant Grove Road, Long Valley, NJ 07853 for the sale of advertising on the kiosks and benches listed on Schedule "A". HFT may, at its sole cost and expense, furnish and install additional kiosks and benches at other locations in the Department of Parks, Recreation and Conservation facilities as long as the placement of kiosks and benches does not conflict with an existing agreement.

As consideration for selling advertising on the kiosks and benches, pursuant to the proposed agreement, HFT shall pay to the County of Westchester a license fee consisting of an annual percentage of gross advertising revenue as follows:

<u>Period</u>	<u>License Fee</u>
July 1, 2015 through June 30, 2016	40%
July 1, 2016 through June 30, 2017	40%
July 1, 2017 through June 30, 2018	40%
July 1, 2018 through June 30, 2019	40%
July 1, 2019 through June 30, 2020	40%.

If the County exercises its sole option to extend the License Agreement for the period of July 1, 2020 through June 30, 2025, HFT shall pay to the County a license fee consisting of an annual percentage of gross advertising revenue as follows:

<u>Period</u>	<u>License Fee</u>
July 1, 2020 through June 30, 2021	50%
July 1, 2021 through June 30, 2022	50%
July 1, 2022 through June 30, 2023	50%
July 1, 2023 through June 30, 2024	50%
July 1, 2024 through June 30, 2025	50%.

Although licenses are exempt from the County's Procurement Policy pursuant to section 3(b) therein, a Request for Proposals were developed and sent to four prospective proposers. The RFP was also advertised on the Westchester County website.

In response to the RFP, a total of three proposals were received from Trans-Ad Outdoor, Ltd., JCF Associates and HFT Management, Inc. HFT offered the highest license fee.

The goal and objective of this License Agreement serves a public purpose as it allows HFT to sell advertising on various County lands in order generate revenue for the County and promote economic activity. The performance of HFT under this License Agreement will be tracked and monitored by site visits and interactions with HFT staff.

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 Parks, Recreation and Conservation and the Commissioner of Public Works and Transportation, be it hereby

RESOLVED, that the County is authorized to enter into a license agreement with HFT Management, Inc. for the sale of advertising on kiosks and benches on various County lands listed on Schedule "A" for the period of July 1, 2015 through June 30, 2020; and be it further

RESOLVED, that HFT may, at its sole cost and expense, furnish and install kiosks and benches at other locations in Department of Parks, Recreation and Conservation facilities as long as the placement of kiosks and benches does not conflict with an existing agreement; and be it further

RESOLVED, that the County, at its sole option, may extend the License for the period of July 1, 2020 through June 30, 2025; and be it further

RESOLVED, as consideration for selling advertising on the kiosks and benches as listed on Schedule "A", pursuant to the proposed agreement, HFT shall pay to the County of Westchester a license fee consisting of an annual percentage of gross advertising revenue as follows:

<u>Period</u>	<u>License Fee</u>
July 1, 2015 through June 30, 2016	40%
July 1, 2016 through June 30, 2017	40%
July 1, 2017 through June 30, 2018	40%
July 1, 2018 through June 30, 2019	40%
July 1, 2019 through June 30, 2020	40%; and be it further

RESOLVED, that if the County exercises its sole option to extend the License Agreement for the period of July 1, 2020 through June 30, 2025, HFT shall pay to the County a license fee consisting of an annual percentage of gross advertising revenue as follows:

<u>Period</u>	<u>License Fee</u>
July 1, 2020 through June 30, 2021	50%
July 1, 2021 through June 30, 2022	50%
July 1, 2022 through June 30, 2023	50%
July 1, 2023 through June 30, 2024	50%
July 1, 2024 through June 30, 2025	50%; 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 \$
 First Amendment \$
This Amendment \$ _____
 TOTAL \$ 44,500*

Agreement #

Account to be
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars	
101	44	2100	9289		500*	2015
165	42	1100	9289		3,950*	
101	44	2100	9289		1,000*	2016
165	42	1100	9289		7,900*	
101	44	2100	9289		1,000*	2017
165	42	1100	9289		7,900*	
101	44	2100	9289		1,000*	2018
165	42	1100	9289		7,900*	
101	44	2100	9289		1,000*	2019
165	42	1100	9289		7,900*	
101	44	2100	9289		500*	2020
165	42	1100	9289		3,950*	

Budget Funding Year(s) 2015-2020 Start Date 7-01-15 End Date 6-30-20
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
\$44,500* Federal Aid _____
 (must match resolution) Other Revenue

*estimated

SCHEDULE "A"

Site at (Site)	Area	Face
SB BRADFORD ROAD S/O EAST LINCOLN (WILLSONS WOOD PARK))	Mt. Vernon	2
NB NORTH BROADWAY @ KENSICO DAM PLAZA(ENTRANCE/EXIT)	Valhalla	2
NB NORTH BROADWAY @ KENISCO DAM PLAZA (300' N/O ENTRANCE/EXIT)	Valhalla	2
WB YONKERS AVE E/O WASYLENKO LN (DUNWOODIE GOLF COURSE)	Yonkers	3
SB BRONX RIVER PKWY N/O CENTRAL AVE (IFO COUNTY CENTER)	Westchester County Center	3
NB TARRYTOWN RD (RT 119) N/O CENTRAL AVE (IFO COUNTY CENTER)	Westchester County Center	3
NB TARRYTOWN RD (RTE 119) N/O CHATTERTON AVE	RT. 119 Bus Stop	3
SB BRONX RIVER PKWAY S/O CHATTERTON AVE	Bronx River Parkway	3
White Plains Transit Center Citylight A-1	White Plains Transit Center	1
White Plains Transit Center Citylight A-2	White Plains Transit Center	1
White Plains Transit Center Citylight A-3	White Plains Transit Center	1
White Plains Transit Center Citylight D-4	White Plains Transit Center	1
White Plains Transit Center Citylight D-5	White Plains Transit Center	1
White Plains Transit Center Citylight E-1	White Plains Transit Center	1
White Plains Tranist Center Benches	White Plains Transit Center	16

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/17/2015 JOHN COCCIARDI, SECRETARY