

52216

TO: Honorable Board of Acquisition and Contract

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

Adam Rodriguez
Director of Real Estate

DATE: June 14, 2016

SUBJECT: Authority for the County of Westchester to amend a lease agreement with Airport Mart, Inc. for the operation of food and beverage concessions at the Westchester County Airport for the period of July 1, 2012 through June 30, 2017, in order to increase square footage and the base rent. (Lease Agreement No. 12-915)

On July 12, 2012, your Honorable Board approved a Resolution authorizing the County of Westchester (the "County") to enter into a lease agreement with Airport Mart, Inc. ("Airport Mart") for the operation of food and beverage concessions at the Westchester County Airport for the period of July 1, 2012 through June 30, 2017. The leased space consists of approximately 5,000 square feet for the kitchen, dining area, coffee shop, bar, and office, and approximately 58 square feet of space for a food and beverage concession in the departure area of the terminal building. Under the lease, Airport Mart pays the County a minimum annual guaranteed rent of \$375,000.00 plus a percentage of its gross revenue.

Authority of your Honorable Board is now sought to amend the lease agreement in order to increase the leased premises in the departure area by approximately 278 square feet to a new total of approximately 336 square feet. In consideration of the additional space granted, the base rent under the agreement will increase from \$375,000.00 annually (\$31,250.00 monthly) to \$392,515.56 annually (\$32,709.63 monthly) retroactive to August 1, 2014, when Airport Mart began using the additional space. The total retroactive monthly increase (\$1,459.63 per month) that has accrued from August 1, 2014 through the date that the amendment is fully executed will become due and payable by Airport Mart no later than thirty (30) days after the amendment is fully executed. All other terms of the agreement will remain unchanged.

The objective of this agreement is to provide revenue to the Westchester County Airport and provide additional food and beverage services to travelers at the Airport. The agreement will be monitored by the Department and its Airport management firm, AFCO Avports, which will ensure the proper operation of the concessions and monitor receipt of vendor payments.

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

We recommend approval 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 Director of Real Estate, it is hereby

RESOLVED, that the County of Westchester (the "County") is authorized to amend a lease agreement with Airport Mart, Inc. ("Airport Mart") for the operation of food and beverage concessions at the Westchester County Airport for the period of July 1, 2012 through June 30, 2017, in order to increase the leased premises in the departure area by approximately 278 square feet to a new total of approximately 336 square feet; and be it further

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RESOLVED, that all other terms of the lease agreement shall remain unchanged; and be it further

RESOLVED, that the County Executive, or his duly appointed designee be, and hereby is, authorized to execute such documents and take such actions as may be necessary and appropriate to effect the purposes hereof.

Lease Agreement No. 12-915

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	161	44	4110	9096-01		\$42,329.00 Year 2016
	161	44	4110	9096-01		\$ 8,758.00 Year 2017

Budget Funding Year(s): 2016-2017 Start Date: July 1, 2016 End Date: June 30, 2017
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
 Federal Aid _____
\$51,087.00
 (must match resolution) Other Revenue - Airport Special Revenue Fund