

53500

November 21, 2016

To: Board of Acquisition and Contract

From: Vincent F. Kopicki, P.E.
Commissioner of Public Works and Transportation

Adam Rodriguez, Esq.
Director of Real Estate
Office of the County Executive

Re: **Authority to enter into a license agreement with Tennessee Gas Pipeline Company, LLC for crossing sections of the Putnam Right of Way for a period of five (5) years. (Agreement No. 16-921)**

Portions of the pipeline system of Tennessee Gas Pipeline Company ("Tennessee Gas") run under the Putnam Right of Way ("PROW"). Tennessee Gas has had a license agreement with the County for the (4) sections of the PROW through which the pipelines run. The current license agreement expires December 31, 2016.

It is now proposed that the County and Tennessee Gas enter into a new five (5) year license agreement. The agreement would commence January 1, 2017 and expire December 31, 2021, with the County having the right to terminate upon six (6) months prior written notice. Tennessee Gas would pay the following license fees:

January 1, 2017 through December 31, 2017	\$3,136.00
January 1, 2018 through December 31, 2018	\$3,230.00
January 1, 2019 through December 31, 2019	\$3,327.00
January 1, 2020 through December 31, 2020	\$3,427.00
January 1, 2021 through December 31, 2021	\$3,530.00

The proposed license agreement serves a public purpose by providing for the continuation of essential utility services while providing some revenue to the County. The goals and objectives of the proposed agreement will be monitored by the Department of Public Works and Transportation to ensure compliance with the terms of the license agreement.

This license is exempt from the County's Procurement Policy pursuant to Section 3(b) therein. An appropriate resolution is attached for your consideration.

VFK/AR/jrc
Attachment

RESOLUTION

Upon a communication from the Commissioner of Public Works and Transportation and the Director of Real Estate, be it hereby

RESOLVED, that the County of Westchester (the "County") is authorized to enter into a license agreement (Agreement No. 16-921) with Tennessee Gas Pipeline Company ("Tennessee Gas") for crossing sections of the Putnam Right of Way for a period of five (5) years commencing January 1, 2017 and expiring December 31, 2021, with the County having the right to terminate upon six (6) months prior written notice; and be it further

RESOLVED, that pursuant to the terms of the license, Tennessee Gas shall pay the following license fees:

January 1, 2017 through December 31, 2017	\$3,136.00
January 1, 2018 through December 31, 2018	\$3,230.00
January 1, 2019 through December 31, 2019	\$3,327.00
January 1, 2020 through December 31, 2020	\$3,427.00
January 1, 2021 through December 31, 2021	\$3,530.00

; 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.

Agreement No. 16-921

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	19	0100	9295		\$3,136.00 (2017)
	101	19	0100	9295		\$3,230.00 (2018)
	101	19	0100	9295		\$3,327.00 (2019)
	101	19	0100	9295		\$3,427.00 (2020)
	101	19	0100	9295		\$3,530.00 (2021)

Budget Funding Year(s) 2017-2021 Start Date 01/01/17 End Date 12/31/21
 (must match resolution)

Funding Source: Tax Dollars _____

State Aid _____

\$16,650.00 Federal Aid _____
 (must match resolution)

Other Revenue _____