



#54520

Date: January 12, 2017

To: Honorable Board of Acquisition and Contract

From: Hon. Michael B. Kaplowitz
Westchester County Board of Legislators

Re: **Request for authority to amend an Agreement between the County of Westchester, acting by and through its Board of Legislators (the “Board”), and Zarin & Steinmetz (the “Consultant”) pursuant to which the Consultant provides consultation services to the Chair of the Board of Legislators, or his authorized designee (the “Chair”) for the period from April 15, 2016 through April 14, 2017 (the “Agreement”), for an amount not to exceed \$20,000 by increasing the not-to-exceed amount of the agreement from \$20,000 to \$25,000.**

Authority is hereby requested from your Honorable Board to amend the Agreement between the Board and the Consultant pursuant to which the Consultant provides consultation services to the Chair which includes but is not limited to, review of the proposed lease agreement between the County and Fareri Associates, LP (“Fareri”) for approximately sixty (60) acres of County-owned property located at the north portion of the Grasslands Reservation (also known as the Valhalla Campus at Grasslands) in the Valhalla section of the Town of Mt. Pleasant, New York, and commonly referred to as the “North 60,” for the creation of a research and development complex in support of the County’s growing medical and bio-tech industry (“Project”), review of the State Environmental Quality Review Act requirements for the proposed lease, financial impact of the lease on the County and whether the proposed lease is the highest and best use of the property, for the period from April 15, 2016 through April 14, 2017, by increasing the amount payable under the agreement by \$5,000 to a new total amount not to exceed \$25,000.

The Board has advised that the amendment is required because the consultants exceeded the amount of the original contract due to the amount of the research that was required.

In accordance with section 3(a)xxi of the Westchester County Procurement Policy, a separate resolution has been submitted stating that compliance with that Policy would not be in the best interests of the County.

Accordingly, an appropriate resolution is attached for your consideration.

RESOLUTION

Upon a communication from the Chairman of the Westchester County Board of Legislators, be it hereby

RESOLVED, that the County of Westchester (the "County") acting by and through its Board of Legislators (the "Board") is authorized to amend its agreement with Zarin & Steinmetz (the "Consultant") pursuant to which the Consultant provides consulting services for the period from April 15, 2016 through April 14, 2017, for an amount not to exceed \$20,000 by increasing the total amount payable under the agreement by \$5,000 to a new total amount not to exceed \$25,000; and be it further

RESOLVED, that all other terms and conditions shall remain the same; and be it further

RESOLVED, that the Agreement is subject to County appropriations; and be it further

RESOLVED, that the Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate the Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Service Provider, then the Service Provider shall have the right to terminate the Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the Chairman of the Westchester County Board of Legislators, or his authorized designee, is hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
101	10		4380		25,000.00

Budget Funding Year(s) 2016-2017 Start Date 04/15/2016 End Date 04/14/2017
 (must match resolution)

Funding Source _____ Tax Dollars \$25,000.00

State Aid _____

\$ 25,000.00

(must match resolution)

Federal Aid _____

Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/16/2017 - LISA MRIJAJ, SECRETARY