

59945

November 28, 2017

To: The Honorable Board of Acquisition and Contract

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

Adam Rodriguez  
Director of Real Estate

Re: **Authority to enter into a new five (5) year Lease Agreement with Ziza Associates, LLC commencing on January 1, 2018 for 26,546 square feet of space at 10 County Center Road, White Plains, New York. (Lease Agreement No. 18-902)**

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The County Departments of Social Services and Health currently occupy space in the building at 10 County Center Road in White Plains, New York, pursuant to a Lease which expires December 31, 2017. Authority is currently requested to enter into a five (5) year Lease commencing January 1, 2018 with the new owner of the building, Ziza Associates, Inc. at a rent of \$20.86 per square foot for the 26,546 square feet of space, with 3% annual increases.

The County will continue to be responsible for its pro rata share of the increase in real estate taxes utilizing 2008 as the base year and for its pro rata share of the increase in building services utilizing 2013 as the base year. The Landlord shall furnish electrical current and the County shall pay to the Landlord \$92,911.00 per annum (\$3.50 SF), payable in monthly installments; should electrical usage exceed 3 watts of connected load PSF, additional charges at the same rate would apply based on the increased usage. The lease also includes the use of 118 parking spaces.

The goal and objective of this Lease is to provide space for the operations of the Department of Social Services and the Department of Health. It is in the best interests of the County to enter into this Lease Agreement as it serves a public purpose by benefiting the health, safety and welfare of the residents of Westchester County utilizing the services of these Departments. There are no energy or environmental components associated with this Lease. This Lease will be monitored by the Department of Public Works and Transportation to insure that the Lease responsibilities are met by the owner. This Lease is exempt from the County's Procurement Policy pursuant to Section 3(b) therein.

Accordingly, attached for your consideration is a resolution which, if approved, would authorize the County to enter into a new five (5) year Lease with Ziza Associates, LLC for space at 10 County Center Road in White Plains, New York. Approval of the attached resolution is recommended.

VFK/AR/di  
Attachment

# RESOLUTION

## Lease Agreement No. 18-902

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 is authorized to enter into a five (5) year lease agreement with Ziza Associates, LLC (“Landlord”) for 26,546 square feet of space at 10 County Center Road in White Plains, New York, commencing on January 1, 2018, at rental rates as follows:

<b>Term</b>	<b>Annual Fixed Rent</b>	<b>Monthly Fixed Rent</b>	<b>Rent Per Square Foot</b>
<b>January 1, 2018 through Dec. 31, 2018 (both dates inclusive)</b>	<b>\$553,683.20</b>	<b>\$46,140.27</b>	<b>\$20.86</b>
<b>January 1, 2019 through Dec. 31, 2019 (both dates inclusive)</b>	<b>\$570,293.69</b>	<b>\$47,524.47</b>	<b>\$21.48</b>
<b>January 1, 2020 through Dec. 31, 2020 (both dates inclusive)</b>	<b>\$587,402.50</b>	<b>\$48,950.21</b>	<b>\$22.13</b>
<b>January 1, 2021 through Dec. 31, 2021 (both dates inclusive)</b>	<b>\$605,024.58</b>	<b>\$50,418.71</b>	<b>\$22.79</b>
<b>January 1, 2022 through Dec. 31, 2022 (both dates inclusive)</b>	<b>\$623,175.31</b>	<b>\$51,931.28</b>	<b>\$23.48</b>

The County shall also pay to the Landlord for electric current up to 3 watts of connected load per square foot of ceiling space the sum of \$92,911.00 per annum (\$3.50 SF), payable in monthly installments; should electrical usage exceed 3 watts of connected load PSF, additional charges at the same rate would apply based on the increased usage. Additionally, the County shall pay its pro-rata share of the increase in costs of the Landlord providing building services, including but not limited to, maintenance of the building, building HVAC system, the building sprinkler alarm service, building ground maintenance (except interior window glass), cleaning, all utilities, building payroll, and management fees for the building utilizing 2013 as the base year. Additionally, the County shall pay its pro rata share of the increase in real estate taxes utilizing 2008 as the base year; and be it further

**RESOLVED**, that this Agreement is subject to appropriations; and be it further

# RESOLUTION

**RESOLVED**, that the County Executive or his duly authorized designee, is hereby authorized and empowered to execute any and all documents necessary and appropriate to effectuate the purposes hereof.

Lease Agreement No. 18-902

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	46	3300/3348	4320		\$646,594.20 (2018)
	101	46	3300/3348	4320		\$663,201.69 (2019)
	101	46	3300/3348	4320		\$680,313.50 (2020)
	101	46	3300/3348	4320		\$697,935.58 (2021)
	101	46	3300/3348	4320		\$716,086.31 (2022)

Budget Funding Year(s) 2018-2022 Start Date 01/01/18 End Date 12/31/22  
 (must match resolution)

Funding Source: Tax Dollars 100% County  
 State Aid \_\_\_\_\_  
\$3,404,134.28 Federal Aid \_\_\_\_\_  
 (must match resolution) Other \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACTS 12/07/2017 - LISA M. HALL SECRETARY