

ID63352

Date: May 23, 2018

To: The Honorable Board of Acquisition and Contract

From: Kathleen O'Connor
Commissioner

Re: Authority to enter into an agreement with the Masters School pursuant to which the Masters School will grant the County a license to use the school's gym facilities to operate a basketball camp for boys and girls entering grades 3 – 9 for a term commencing on July 9, 2018 and continuing through August 3, 2018 for a license fee of \$20,000.00.

Authority is hereby requested for the County of Westchester (the "County"), acting by and through its Department of Parks, Recreation & Conservation (the "Department"), to enter into an agreement with the Masters School, 49 Clinton Avenue, Dobbs Ferry, N.Y. ("Masters"), pursuant to which Masters will grant the County a non-exclusive, non-transferable, revocable license (the "License") to use the school's gym facilities to operate a summer basketball camp for boys and girls entering grades 3 – 9 for a term commencing on July 9, 2018 and continuing through August 3, 2018 (the "Agreement"). The camp will be operated Monday through Friday between the hours of 8:00AM and 4:00PM. In consideration for the grant of License, the County shall pay Masters a license fee of \$20,000.00 (the "License Fee").

In addition to the License Fee, the County will also be required to "indemnify and hold harmless Masters, its trustees, officers, agents and employees, to the fullest extent permitted by law, from any costs, liabilities or losses arising from the activities under the Agreement."

The Agreement will serve a public purpose by providing the County with a suitable venue to hold its summer basketball camp while the County Center undergoes capital work.

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

Accordingly, I most respectfully recommend the adoption of the annexed Resolution.

KOC/LK/jpg
Attachment

RESOLUTION

Upon a communication from the Commissioner of the Department of Parks, Recreation & Conservation, be it hereby

RESOLVED, that the County of Westchester (the "County") is hereby authorized to enter into an agreement with the Masters School, 49 Clinton Avenue, Dobbs Ferry, N.Y. ("Masters"), pursuant to which Masters will grant the County a non-exclusive, non-transferable, revocable license (the "License") to use the school's gym facilities to operate a summer basketball camp for boys and girls entering grades 3 – 9, for a term commencing on July 9, 2018 and continuing through August 3, 2018 (the "Agreement"); and be it further

RESOLVED, that in consideration for the grant of License, the County shall pay Masters a license fee of \$20,000.00 (the "License Fee"); and be it further

RESOLVED, that in addition to payment of the License Fee, the County will agree to "indemnify and hold harmless Masters, it's trustees, officers, agents and employees, to the fullest extent permitted by law, from any costs, liabilities or losses arising from the activities under the Agreement"; and be it further

RESOLVED, that the County executive 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
263	42	T777	4380	777T	\$20,000

Budget Funding Year(s) 2018 Start Date 07/09/2018 End Date 08/03/2018
(must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
\$ 20,000.00 Federal Aid _____
 (must match resolution) Other Leisure Sports Trust Account