

**65695**

October 26, 2018

TO: Board of Acquisition and Contract

FROM: Kathleen M. O'Connor, Commissioner  
Parks, Recreation and Conservation

RE: Authority to enter into an agreement with Zanzarella Marketing Consultants, 80 Spring Pond Drive, Ossining, NY 10562, to purchase advertising and promotional materials for Playland and the Department of Parks, Recreation and Conservation and provide consultation on media selection for an amount not to exceed \$945,000 for a term commencing January 1, 2019 and terminating December 31, 2019, with the sole option of the County to extend the agreement for an additional one year period.

Authority is requested of your Honorable Board to enter into an agreement with Zanzarella Marketing Consultants ("Zanzarella"), 80 Spring Pond Drive, Ossining, NY 10562 to purchase advertising and promotional materials for Playland and the Department of Parks, Recreation and Conservation ("PRC") and provide consultation on media selection for an amount not to exceed \$945,000 for a term commencing January 1, 2019 and terminating December 31, 2019, with the sole option of the County to extend the agreement for an additional one year period.

Zanzarella will be compensated a base consultant fee of \$24,500 plus 1.5% of total advertising purchased. The fees to Zanzarella will not exceed \$38,104.

The balance of the \$906,896 maximum budget allowance will be available to pay Zanzarella for advertising purchased on behalf of the County. The agreement includes any promotional materials associated with advertising as well as all forms of advertising including television, radio, print and internet.

Agency discounts obtained through Zanzarella's placement of advertising are of benefit to the County and only net amounts are reimbursed to Zanzarella. Payments to Zanzarella are made upon the submission of proper documentation. In addition, the 1.5% fee charged by Zanzarella is far less than the standard 15% charged by most advertising agencies.

Authority is also requested for the County to place additional advertising through this agreement from funding made available through private industry and sponsorships.

The advantages to entering into a contract with Zanzarella include the consultation and review of media selection, saving on percentages and bulk purchases, and a simplification of procedures.

The goal of this agreement is to allow the County to advertise and promote PRC facilities in an effort to increase attendance and revenue. This agreement promotes fiscal responsibility as the County will receive agency discounts for advertising by placing ads through Zanzarella.

This agreement for advertising services is exempt from the Westchester County Procurement Policy pursuant to Section 3 (iv) thereof.

The objectives of this agreement will be monitored through revenue reports and evaluation from PRC staff members.

A resolution is attached for your favorable consideration.

APPROVED BOARD OF ACQUISITION & CONTRACTS 11/21/2018 - LIS/MRS/JSECRETARY

## 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 authorized to enter into an agreement with Zanzarella Marketing Consultants ("Zanzarella"), 80 Spring Pond Drive, Ossining, New York 10562 to purchase advertising and promotional materials for Playland and the Department of Parks, Recreation and Conservation ("PRC") and provide consultation on media selection for a term commencing January 1, 2019 through December 31, 2019, with the sole option of the County to extend the agreement for an additional one year period; and be it further

**RESOLVED**, that Zanzarella will be compensated an amount not to exceed \$945,000 including the net cost of advertising and promotional materials and compensation to Zanzarella at a base consultation fee of \$24,500 plus 1.5% of total advertising purchased and the fees to Zanzarella will not exceed \$38,104 during the term of the agreement; and be it further

**RESOLVED**, that the balance of the \$906,896 maximum budget allowance shall be available to pay Zanzarella for advertising purchased on behalf of the County; and be it further

**RESOLVED**, that the County shall have the option to purchase additional advertising through this agreement with funding made available through private industry and/or sponsorship; and be it further

**RESOLVED**, that this agreement is subject to County budget appropriations; and be it further

**RESOLVED**, that this 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 contract. 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 the State Budget or any amendments thereto, and for a reasonable period of time after such release(s) 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 this contract or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

**RESOLVED**, that the County Executive or his authorized designee is hereby empowered to execute any and all instruments necessary to effectuate the purposes thereof.

