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Date: January 11, 2019

To: The Honorable Board of Acquisition and Contract

From: Norma V. Drummond
Commissioner of Planning

Re: **Resolution authorizing the County of Westchester to enter into an agreement with The Weitzman Group, Inc. to conduct an updated market and feasibility study pertaining to the development of the North 60 site in Mount Pleasant.**

The County of Westchester (the “County”), acting by and through its Department of Planning (the “Department”), seeks to enter into an agreement (“Agreement”) with the Weitzman Group, Inc. (“Weitzman Group”), pursuant to which the Weitzman Group will conduct an updated market and feasibility study pertaining to the development of sixty (60) acres of County-owned property located at the north portion of the Grasslands Reservation in the Town of Mount Pleasant commonly referred to as the “North 60”.

By way of background, the Weitzman Group was previously retained by the Westchester County Board of Legislators (“BOL”) in the Fall of 2016 to evaluate the marketability and feasibility of a plan prepared by Fareri Associates, LP (“Fareri”) to create a research and development complex in support of the County’s growing medical and bio-tech industry at the North 60 site. The study concluded that the proposed plan was both marketable and feasible. On April 3, 2017 by Local Law No. 7-2017, the BOL approved a lease agreement with Fareri. The lease has not yet been executed. Fareri has approached the County and the Town of Mount Pleasant for approval to, among other things, expand the proposed uses on the site to include housing and arts and cultural facilities.

In light of the proposed new and expanded uses for the North 60 site, it is necessary to obtain an updated marketability and feasibility study and the Weitzman Group is in the best position to update the study, not only because of their expertise but also because of their familiarity with the project, having previously conducted a similar study. The study will include an in-depth assessment pertaining to the marketability and feasibility of developing a mix of uses on the site that would include the new proposed housing and arts and cultural facilities, in addition to the original proposed uses. The study will include an assessment of the potential impacts (both positive and negative) of the revised proposed uses on existing residential and commercial establishments in the Town of Mount Pleasant and nearby communities. Following completion of the study, the Weitzman Group will prepare a fully documented report with respect to its findings.

The Agreement will commence upon written authorization from the County to the Weitzman Group to proceed with the study and will expire on April 16, 2019. In consideration for services to be rendered, the County will pay the Weitzman Group a total amount not-to-exceed Ninety-Five Thousand (\$95,000.00) Dollars, comprised of an amount not-to-exceed Eighty-Nine Thousand Five Hundred (\$89,500.00) Dollars for fees associated with the study and an amount not-to-exceed Five Thousand Five Hundred (\$5,500.00), for out-of-pocket expenses, which will be limited primarily to travel and the purchase of data. It should be noted that the County will enter into a separate agreement with Fareri pursuant to which Fareri will agree to reimburse the County for the study.

The Agreement will serve a public purpose by enabling the Department to conduct its due diligence with respect to the proposed expanded uses for the lease with Fareri for the North 60. It should be noted that any change to the proposed uses already identified in the ground lease previously approved by the BOL in May, 2017, will require the further approval of the BOL and your Honorable Board.

Authority to exempt this Agreement from the requirements of the Westchester County Procurement Policy and Procedures pursuant to Section 3(a)xxi thereof, has been granted by your Honorable Board in accordance with a separate resolution of even date herewith.

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

ND/jpg
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/17/2019 - JOAN COCCIMOLI, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of Planning, be it hereby

RESOLVED, that the County of Westchester (the “County”), acting by and through its Department of Planning, is hereby authorized to enter into an agreement (“Agreement”) with The Weitzman Group, Inc. (“Weitzman Group”) pursuant to which the Weitzman Group will conduct an updated market and feasibility study pertaining to the development of the North 60 site located within the Town of Mount Pleasant, in order to evaluate certain proposed new uses for a lease agreement between the County and Fareri Associates, LP, for a term commencing upon written authorization from the County to the Weitzman Group to proceed with the study and will expire on April 16, 2019; and be it further

RESOLVED that in consideration for services to be rendered, the County will pay the Weitzman Group a total amount not-to-exceed Ninety-Five Thousand (\$95,000.00) Dollars, comprised of an amount not-to-exceed Eighty-Nine Thousand Five Hundred (\$89,500.00) Dollars for fees associated with the study and an amount not-to-exceed Five Thousand Five Hundred (\$5,500.00) Dollars, for out-of-pocket expenses, which will be limited primarily to travel and the purchase of data; and be it further

RESOLVED, that this Agreement is subject to County 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 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 this Agreement 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 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	19	0100	4380	n/a	\$95,000.00

Budget Funding Year(s) Start Date January 22, 2019 End Date April 16, 2019
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
\$95,000.00 Federal Aid _____
 (must match resolution) Other \$95,000.00 _____