

ID74011

DATE: January 16, 2020

TO: Honorable Board of Acquisition and Contract

FROM: Kathleen M. O'Connor
Commissioner

RE: Authority to enter into a First Amendment to the license agreement with the City of New York (the "City"), acting by and through the Department of Environmental Protection (the "NYCDEP"), pursuant to which the NYCDEP was granted permission to construct, at its sole cost and expense, an access road over approximately 0.022 acres of real property located in the Village of Pleasantville designated as Section, Block and Lot No. 99.14-1-1 on the Tax Maps for the Village of Pleasantville, in order to extend the one (1) year term, which has a March 22, 2020 termination date, by eighteen (18) months to a September 22, 2021 termination date.

Your Honorable Board by a resolution approved on March 21, 2019 authorized the County of Westchester (the "County"), acting by and through its Department of Parks, Recreation and Conservation (the "Department"), to enter into a license agreement with the City, acting by and through the NYCDEP, pursuant to which the NYCDEP, was granted permission to construct, at its sole cost and expense, an access road over approximately 0.022 acres of County-owned real property located in the Village of Pleasantville designated as Section, Block and Lot No. 99.14-1-1 on the Tax Maps for the Village of Pleasantville, with a one (1) year term (the "License Agreement"). The License Agreement was subsequently executed on March 22, 2019.

The NYCDEP recently informed the County that it will be unable to complete construction on the access road by March 22, 2020 and has requested an eighteen (18) month extension to September 22, 2021 to finish construction of the access road. The County is amenable to the extension. All other terms and conditions of the License Agreement shall remain the same and in full force and effect.

This amendment to the License Agreement is exempt from the County Procurement Policy and Procedures pursuant to Section 3(b) thereof.

Accordingly, approval of the attached resolution by your Honorable Board is most respectfully requested.

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RESOLUTION

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

RESOLVED, that the County of Westchester (the "County") is hereby authorized to amend a license agreement with the City of New York (the "City"), acting by and through the Department of Environmental Protection (the "NYCDEP"), dated March 22, 2019, (the "License Agreement") pursuant to which the NYCDEP, was granted permission to construct, at its sole cost and expense, an access road over approximately 0.022 acres of County-owned real property located in the Village of Pleasantville designated as Section, Block and Lot No. 99.14-1-1 on the Tax Maps for the Village of Pleasantville in order to extend the one (1) year term, which has a March 22, 2020 termination date, by eighteen (18) months to a September 22, 2021 termination date; and be it further

RESOLVED, all other terms and conditions of the License Agreement shall remain the same and in full force and effect; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute all instruments necessary to implement this Resolution.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
		n/a			

Budget Funding Year(s) n/a Start Date 03/22/2019 End Date 09/22/2021
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
 \$ n/a Federal Aid _____
 (must match resolution) Other _____