

74257

January 29, 2020

TO: Honorable Board of Acquisition and Contract

FROM: Hugh J. Greechan, Jr., P.E.
Commissioner of Public Works and Transportation

RE: Authorization to enter into a license agreement with Curry Auto LLC d/b/a Curry Acura for the use of approximately 105 parking spaces at 450 Saw Mill River Road, Ardsley, New York for a term from January 1, 2019 through December 31, 2023 at the listed rates. (License Agreement No. 20-914)

Authority is hereby requested for the County of Westchester ("County") to enter into a license agreement with Curry Auto LLC d/b/a Curry Acura ("Curry Acura") for the use of approximately 105 parking spaces at 450 Saw Mill River Road, Ardsley, New York for a term from January 1, 2019 through December 31, 2023. Curry Acura's use of the premises will be limited to vehicle storage in connection with its automobile business. In consideration of the license granted, Curry Acura will pay the County the following license fees:

Year 1	\$70,303.32 annually	\$5,858.61 monthly
Year 2	\$72,412.44 annually	\$6,034.37 monthly
Year 3	\$74,584.80 annually	\$6,215.40 monthly
Year 4	\$76,822.32 annually	\$6,401.86 monthly
Year 5	\$79,127.04 annually	\$6,593.92 monthly

In addition to the license fee, Curry Acura will be required to pay any real property taxes, water meter and sewer rents, utility charges and all other charges which may become due with respect to the licensed premises. Curry Acura will also be responsible for all maintenance required on the licensed space. The license agreement will provide that either party may terminate it, without cause, upon 30 days notice to the other party.

The goal and objective of this license agreement is to provide a revenue source from the parking area currently not being utilized by the County. This license agreement benefits both the County and the public by providing revenue to the County.

This license is exempt from the Westchester County Procurement Policy and Procedures pursuant to section 3(b) thereof.

Your Honorable Board's approval of the attached resolution is respectfully requested.

HJG/DLV/dv

RESOLUTION

Upon a communication from the Commissioner of Public Works and Transportation, be it hereby:

RESOLVED, that the County of Westchester (“County”) is authorized to enter into a license agreement with Curry Auto LLC d/b/a Curry Acura (“Curry Acura”) for the use of approximately 195 parking spaces at 450 Saw Mill River Road, Ardsley, New York for a term from January 1, 2019 through December 31, 2023; and be it further

RESOLVED, that in consideration of the license granted, Curry Acura shall pay the County the following license fees:

Year 1	\$70,303.32 annually	\$5,853.61 monthly
Year 2	\$72,412.44 annually	\$6,034.37 monthly
Year 3	\$74,584.80 annually	\$6,215.40 monthly
Year 4	\$76,822.32 annually	\$6,401.86 monthly
Year 5	\$79,127.04 annually	\$6,593.92 monthly; and be it further

RESOLVED, that in addition to the license fee, Curry Acura shall be required to pay any real property taxes, water meter and sewer rents, utility charges and all other charges which may become due with respect to the licensed premises; and be it further

RESOLVED, that Curry Acura shall also be responsible for all maintenance required on the licensed premises; and be it further

RESOLVED, that the license agreement shall provide that either party may terminate it, without cause, upon 30 days notice to the other party; and be it further

RESOLVED, that the County Executive or his authorized designee is authorized and empowered to execute and deliver all instruments and take all actions necessary or appropriate to effectuate the purposes hereof.

License Agreement No. 20-914

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	46	3300	9274		\$70,303.32 (2019)
	101	46	3300	9274		\$72,412.44 (2020)
	101	46	3300	9274		\$74,584.80 (2021)
	101	46	3300	9274		\$76,822.32 (2022)
	101	46	3300	9274		\$79,127.04 (2023)

Budget Funding Year(s): 2019-2023 Start Date: 01/01/19 End Date: 12/31/23
 (must match resolution)

Funding Source: Tax Dollars _____
 State Aid _____
\$373,249.92 Federal Aid _____
 (must match resolution) Other Revenue _____