

ID 75583

March 31, 2020

TO: Board of Acquisition and Contract

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

RE: **Authority to rescind the resolution of November 14, 2019 with TSMMJ, LLC d/b/a North Street Tavern and Wood Fired Pizza ("TSMMJ") in its entirety and replace it with a new resolution to enter into a license agreement with TSMMJ upon the expiration of current term for the period of January 1, 2021 through December 31, 2025 with the sole option of the County to extend the term of the agreement from January 1, 2026 through December 31, 2030.**

On December 17, 2015, the Board of Acquisition and Contract approved a resolution with TSMMJ, LLC d/b/a North Street Tavern and Wood Fired Pizza ("TSMMJ"), 1128 North Street, White Plains, New York 10605 for the operation of the food and refreshment concession at Maple Moor Golf Course, White Plains, New York. The term of the current license agreement is from January 1, 2016 to December 31, 2020 with the sole option of the County to extend the agreement from January 1, 2021 through December 31, 2025.

On November 14, 2019, the Board of Acquisition approved a resolution to amend the term of the License Agreement to terminate the current agreement, effective December 31, 2019 and enter into a new five-year agreement commencing January 1, 2020 and ending December 31, 2024, with the sole option of the County to extend the agreement from January 1, 2025 through December 31, 2029.

The amendment was never executed. TSMMJ requested that additional time be granted to allow for all approvals and make the improvements and that the new license agreement not commence until January 1, 2021.

Authority is now requested to rescind the resolution of November 14, 2019 in its entirety and replace it with this resolution. The term of the License Agreement will commence January 1, 2021 through December 31, 2025, with the sole option of the County to extend the agreement from January 1, 2026 through December 31, 2030.

For the privilege of operating the food and refreshment concession at Maple Moor Golf Course, TSMMJ, shall pay to the County an annual license fee as follows:

<u>Period</u>	<u>License Fee</u>
January 1, 2021 to December 31, 2021	\$52,000
January 1, 2022 to December 31, 2022	\$54,000
January 1, 2023 to December 31, 2023	\$56,000
January 1, 2024 to December 31, 2024	\$58,000
January 1, 2025 to December 31, 2025	\$60,000

In the event that the County, at its sole option, extends the License Agreement, TSMMJ will pay the following license fees:

<u>Period</u>	<u>License Fee</u>
January 1, 2026 to December 31, 2026	\$110,000
January 1, 2027 to December 31, 2027	\$112,000
January 1, 2028 to December 31, 2028	\$114,000
January 1, 2029 to December 31, 2029	\$116,000
January 1, 2030 to December 31, 2030	\$118,000.

TSMMJ shall also create an extension to expand the bar area by approximately 500 square feet on the north side of the building, expand the dining room into what is currently a storage area, furnish and install a men's bathroom and a women's bathroom and convert the current vestibule to a dining area, along with required revisions to the plumbing, cooling and heating systems. The total estimated cost is \$272,173 and the improvements will be completed no later than March 1, 2021. The attached schedule provides additional information on specific cost estimates.

The goal of this agreement is to provide revenue for the County and food and beverage service for patrons at Maple Moor Golf Course.

The objectives of this agreement will be monitored through revenue reports and site visits from Department of Parks, Recreation and Conservation staff.

This agreement is exempt from the Westchester County procurement policy pursuant to Section 3(b), thereof.

A resolution is attached for your favorable consideration.

RESOLUTION

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

RESOLVED, the resolution of November 14, 2019 granting authority to terminate the License Agreement with TSMMJ, LLC d/b/a North Street Tavern and Wood Fired Pizza (“TSMMJ”), 1128 North Street, White Plains, New York 10605 for the operation of the food and refreshment concession at Maple Moor Golf Course, White Plains, New York effective December 31, 2019 and enter into a new five-year agreement with a five-year option effective January 1, 2020 is hereby rescinded in its entirety; and be it further

RESOLVED, that the County is authorized to enter into a new agreement with TSMMJ for the operation of the food and refreshment concession at Maple Moor Golf Course, White Plains, New York, for the period of January 1, 2021 through December 31, 2025; and be it further

RESOLVED, that the County, at its sole option, may extend the license with TSMMJ for the period of January 1, 2026 through December 31, 2030; and be it further

RESOLVED, for the privilege of operating the food and refreshment concession, TSMMJ shall pay to the County the following annual licenses:

<u>Period</u>	<u>License Fee</u>
January 1, 2021 to December 31, 2021	\$52,000
January 1, 2022 to December 31, 2022	\$54,000
January 1, 2023 to December 31, 2023	\$56,000
January 1, 2024 to December 31, 2024	\$58,000
January 1, 2025 to December 31, 2025	\$60,000; and be it further

RESOLVED, that if the County at its sole option, extends the license agreement for the period of January 1, 2026 through December 31, 2030, TSMMJ shall then pay the following annual license fees to the County:

<u>Period</u>	<u>License Fee</u>
January 1, 2026 to December 31, 2026	\$110,000
January 1, 2027 to December 31, 2027	\$112,000
January 1, 2028 to December 31, 2028	\$114,000
January 1, 2029 to December 31, 2029	\$116,000
January 1, 2030 to December 31, 2030	\$118,000; and be it further

RESOLVED, that TSMMJ shall create an extension to expand the bar area by approximately 500 square feet on the north side of the building, furnish and install a men’s bathroom and a women’s bathroom and convert the current vestibule to an eating area all for a total estimated cost of \$272,173 as listed on the attached schedule which shall be completed no later than March 1, 2021; 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.

Agreement #

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars	
165	42	3100	9246		52,000	2021
165	42	3100	9246		54,000	2022
165	42	3100	9246		56,000	2023
165	42	3100	9246		58,000	2024
165	42	3100	9246		60,000	2025

Budget Funding Year(s) 2021-2025 Start Date 1/1/2021 End Date 12/31/2025
(must match resolution)

Funding Source Tax Dollars _____

State Aid _____

\$280,000
(must match resolution) Federal Aid _____

Other Revenue _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/28/2020 - LISA MRISA, SECRETARY

MAPLE MOOR GOLF COURSE

Food and Beverage Concession Improvements

Furnish and install extension to building to increase bar area by approximately 500 square feet.

Expand the dining room into the existing storage area

Furnish and install one men's bathroom and one women's bathroom.

Convert vestibule into additional dining area.

The estimated costs are:

Carpentry:	\$28,500.00
Masonry:	\$ 38,750.00
Plumbing :	\$ 37,750.00
Exterior Trim:	\$ 9,800.00
Doors & Windows:	\$ 13,125.00
Bathrooms :	\$ 21,457.00
Windows :	\$ 15,050.00
Insulation & Drywall:	\$ 11,000.00
HVAC :	\$ 37,000.00
Flooring :	\$ 25,741.00
Interior Trim:	\$ 13,000.00
Painting (Exterior & Interior):	<u>\$ 21,000.00</u>
Total Estimated Cost	\$272,173.00

All improvements shall be completed by March 1, 2021