



George Latimer
County Executive

Natasha Caputo
Director
Tourism & Film

78533

To: The Honorable Board of Acquisition and Contract

From: Natasha Caputo
Director of Tourism & Film

Date: August 11, 2020

Re: Resolution to exempt from the Westchester County Procurement Policy an amendment to a First Amendment to an Agreement with Eric Mower & Associates, Inc. d/b/a Mower ("Mower"), pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures.

Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy an amendment to a First Amendment to an Agreement with Mower for the provision of public relations, marketing, advertising and creative services to promote tourism in Westchester County, pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures.

On December 20, 2018, your Honorable Board approved a resolution which authorized the County of Westchester ("County"), acting by and through its Office of Tourism & Film ("WCOTF"), to enter into an agreement with Mower for the provision of integrated public relations and marketing, including advertising and creative services, to promote tourism in Westchester County, for an initial term commencing on November 15, 2018 and terminating on December 31, 2019 for an amount not to exceed Four Hundred Ninety Thousand Dollars (\$490,000.00), payable pursuant to an approved budget and subject to County appropriations (the "Agreement"). The December 20th Resolution further provided that the County, at its sole option, could extend the term of the Agreement for an additional one (1) year period, on the same terms and conditions as agreed to by the parties for the initial term, subject to the further approval of your Honorable Board. The Agreement was subsequently executed.

Thereafter by resolution approved on December 5, 2019, your Honorable Board authorized the County to exercise its option to extend the term of the Agreement for an additional year commencing on January 1, 2020 and continuing through December 31,

2020 for an additional amount not-to-exceed \$490,000.00, payable pursuant to an approved budget (the "First Amendment"). The First Amendment was subsequently executed.

As your Honorable Board is aware, the COVID-19 pandemic has had a detrimental effect on all sectors of the local economy, including the County's tourism industry. As we emerge from the COVID pause, WCOTF seeks to develop a new program(s) to support the resumption of activity at tourism businesses, including hotels, restaurants, and destination attractions. A new program, known as "Westchester Safety/Westchester Cares", will underscore that the County's tourism businesses are committed to the health and safety of their staff and customers by taking a safety pledge to ensure a healthy environment in which to explore all that Westchester County has to offer. We are seeking the services of Mower, the County's current advertising/public relations agency, to assist us in this effort. Using funding received under the CARES Act, Mower will develop a multi-channel, COVID-19 recovery/reopening program and remarketing of our tourism campaign to help publicize our tourism industry many attractions and activities safer and reinforce messaging to encourage visitors to come to Westchester County.

Ordinarily, under Section 6 of the Procurement Policy, the County is required to solicit proposals for such additional services through an RFP. However, Mower has been providing advertising, public relations and marketing services to the County for the last year and a half. As such, it is uniquely familiar with the County's advertising and marketing strategies and goals. Moreover, it is ready to begin work on the new tourism campaign immediately.

Pursuant to Section 3(a)xxi, the Westchester County Procurement Policy and Procedures are not applicable to any procurement for which this Honorable Board determines, by resolution passed prior to commencing such procurement, that compliance with the policy would not be in the best interests of the County. For the reasons set forth above, it is proposed that the best interests of the County would be served by exempting the procurement of this amendment to the First Amendment to the Agreement with Mower from the County Procurement Policy.

Accordingly, a Resolution to exempt the procurement of an amendment to the First Amendment to the Agreement with Mower is hereby submitted for your consideration.

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Attachments

RESOLUTION

Upon a communication from the Director of the County Office of Tourism & Film, be it hereby

RESOLVED, that pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures, it is hereby determined that application of the procedural requirements contained therein, including the necessity of soliciting proposals, is neither cost effective nor expedient, and accordingly, not in the best interests of the County in connection with the procurement of an amendment to a First Amendment to an Agreement with Eric Mower & Associates, Inc. d/b/a Mower (“Mower”) for the provision of a new program to support the resumption of activity at tourism businesses, including hotels, restaurants, and destination attractions throughout the County, underscoring that they are committed to the health and safety of their staff and customers.