



Westchester Community College

State University of New York

OnBase: 78962

TO: Board of Acquisition and Contract

FROM: Dr. Belinda S. Miles
President, Westchester Community College

DATE: August 26, 2020

RE: Authority to amend a license agreement with the City of White Plains (the "City") pursuant to which the City granted the County of Westchester (the "County") a license to allow Westchester Community College ("WCC") to occupy and use a portion of the first floor of a building located at 303 Quarropas Street, White Plains, N.Y. 10601 for a two (2) year term commencing on March 1, 2020, for a total amount not-to-exceed \$291,570, by changing the term thereof from March 1, 2020 through February 28, 2022 to August 1, 2020 through July 31, 2022, which necessitates an increase of \$1,260 for possible increases in maintenance costs with all other terms and conditions to remain the same.

By resolution approved on February 20, 2020 (the "February 20th Resolution"), your Honorable Board Authorized the County, acting by and through WCC, to enter into a license agreement with the City, pursuant to which the City would grant the County a license to allow WCC to occupy and use the first floor of a building located at 303 Quarropas Street, White Plains, N.Y. 10601 in which the City is a subtenant (the "Premises"), for the purpose of conducting workforce development education classes, training and related programs, for a two (2) year term commencing on or about February 1, 2020 (the "Agreement"). The February 20th Resolution further provided that in consideration for granting the license, the County would pay the City a license fee of \$12,000 a month (the "Monthly Fee"), not to exceed the aggregate sum of \$291,570, noting that after September 1, 2020, the actual increased cost, if any, of the City's maintenance and services expenses relating to the Premises, prorated for the size of the area occupied by WCC, would be added to the Monthly Fee. Prior to executing the Agreement, the parties determined that the term should commence on March 1, 2020 instead of February 1, 2020. The Agreement was subsequently executed.

Due to the Covid-19 pandemic and the temporary closure of all non-essential businesses, WCC has been unable to use the Premises to conduct workforce development education and related training classes until now. In light of these circumstances, the City has agreed to change the term of the Agreement from March 1, 2020 through February 28, 2022 to August 1, 2020

through July 31, 2022, thereby increasing the not to exceed aggregate sum to \$292,830.00 to cover any additional increases in the City's maintenance costs.

Accordingly, authority is requested to amend the Agreement with the City for the license of the Premises to the County, by changing the term thereof from March 1, 2020 through February 28, 2022 to August 1, 2020 through July 31, 2022, which necessitates an increase of \$1,260 for possible additional increases in maintenance costs.

Except as specifically amended hereby, all remaining terms and conditions of the Agreement shall remain in full force and effect upon the parties.

The proposed Agreement is exempt from application of the Westchester County Procurement Policy pursuant to section 3(b) thereof, which exempts contracts for real property licenses.

The Agreement will serve a public purpose by providing additional satellite classroom space for WCC to further its educational objectives.

Accordingly, approval of the attached resolution is most respectfully recommended.

BSM/SMG/jpg
Attachment

RESOLUTION

Upon communication from the President of Westchester Community College, be it

RESOLVED, that the County of Westchester (the "County"), acting by and through Westchester Community College ("WCC"), is hereby authorized to amend a license agreement with the City of White Plains (the "City"), pursuant to which the City agreed to grant the County a license to allow WCC to occupy and use the first floor of a building located at 303 Quarropas Street, White Plains, NY 10601 in which the City is a subtenant (the "Premises"), for the purpose of conducting workforce development education classes, training and related programs, for a two (2) year term commencing on March 1, 2020 and continuing through February 28, 2022, for a license fee of \$12,000 a month, not to exceed the aggregate sum of \$291,570 (the "Agreement"), by changing the term thereof from March 1, 2020 through February 28, 2022 to August 1, 2020 through July 31, 2022; and be it further

RESOLVED, that the not to exceed amount is increased from \$291,570 to \$292,830 to accommodate any additional increases in maintenance costs; and be it further

RESOLVED, that except as specifically amended hereby, all remaining terms and conditions of the Agreement shall remain in full force and effect; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

Account to be
Charged/Credited

Fiscal Year	Fund	Dept.	Major Program Program & Phase or Unit	Object Sub Object	Trust Account	Dollars
19/20	703	9997	9524	5432001	T524	\$12,000
20/21	703	9997	9524	5432001	T524	\$76,383
	701		8110	5432001		\$70,137
21/22	701		8110	5432001		\$134,310

Budget Funding Year (s):
(must match resolution)

Start Date: 8/1/2020

End Date: 7/31/2022

Funding Source:
\$292,830
(must match resolution)

Tax Dollars: _____
State Aid: \$ 112,232
Federal Aid: _____
Other: \$ 180,598

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/03/2020 - LISA MRIJAJ, SECRETARY