

80429

October 22, 2020

To: The Honorable Board of Acquisition and Contract

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

Gary A. Friedman, Esq.  
Director of Real Estate

Re: Amending a Resolution approved on October 15, 2020, authorizing the County of Westchester to enter into a lease agreement with 45-55 Lafayette Realty, Inc. for approximately 9,823 square feet of space at 55 Lafayette Avenue, White Plains, New York, in order to reflect the correct fixed rent. (Lease Agreement No. 20-928)

On October 15, 2020, your Honorable Board approved a Resolution authorizing the County of Westchester (“County”) to enter into a lease agreement with 45-55 Lafayette Realty, Inc. (“Landlord”) for approximately 9,823 square feet of space at 55 Lafayette Avenue, White Plains, New York, for a five (5) year term commencing upon execution. The leased space will be occupied by the Board of Elections for the storage of voting equipment, ballots and related equipment and materials. The agreement has not been executed.

We have learned that the prior Resolution specified incorrect fixed rent amounts and requires amending. Under the lease, the County will pay fixed rent as follows, subject to budget appropriation, except for the first month which is free:

| Lease Year   | Annual Fixed Rent | Monthly Fixed |
|--------------|-------------------|---------------|
| Lease Year 1 | \$ 166,991.00     | \$ 13,915.92  |
| Lease Year 2 | \$ 172,000.73     | \$ 14,333.39  |
| Lease Year 3 | \$ 177,160.75     | \$ 14,763.40  |
| Lease Year 4 | \$ 182,475.57     | \$ 15,206.30  |
| Lease Year 5 | \$ 187,949.84     | \$ 15,662.49  |

All other terms and conditions of the prior Resolution will remain unchanged.

Approval of the attached amended Resolution is recommended.

HJG/GAF/dlv

**RESOLUTION**

**Lease Agreement No. 20-928**

Upon a communication from the Commissioner of Public Works and Transportation and the Director of Real Estate, be it hereby

**RESOLVED**, that the Resolution approved on October 15, 2020, authorizing the County of Westchester to enter into a lease agreement with 45-55 Lafayette Realty, Inc. for approximately 9,823 square feet of space at 55 Lafayette Avenue, White Plains, New York, is hereby amended in order to reflect the correct fixed rent, subject to budget appropriation, except for the first month which is free, as follows:

| <b>Lease Year</b> | <b>Annual Fixed Rent</b> | <b>Monthly Fixed</b> |
|-------------------|--------------------------|----------------------|
| Lease Year 1      | \$ 166,991.00            | \$ 13,915.92         |
| Lease Year 2      | \$ 172,000.73            | \$ 14,333.39         |
| Lease Year 3      | \$ 177,160.75            | \$ 14,763.40         |
| Lease Year 4      | \$ 182,475.57            | \$ 15,206.30         |
| Lease Year 5      | \$ 187,949.84            | \$ 15,662.49         |

and be it further

**RESOLVED**, that all other terms and conditions of the prior Resolution shall remain unchanged; 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 and appropriate to effectuate the purposes hereof.

| Account to be Charged/credited | Fund | Dept | Major Program, Program & Phase Or Unit | Object/ Sub Object | Trust Account | Dollars          |
|--------------------------------|------|------|--|--------------------|---------------|------------------|
|                                | 101  | 46   | 3300                                   | 4320               |               | Year 1 \$166,991 |
|                                | 101  | 46   | 3300                                   | 4320               |               | Year 2 \$174,001 |
|                                | 101  | 46   | 3300                                   | 4320               |               | Year 3 \$181,161 |
|                                | 101  | 46   | 3300                                   | 4320               |               | Year 4 \$188,476 |
|                                | 101  | 46   | 3300                                   | 4320               |               | Year 5 \$195,950 |

Budget Funding Year(s) 2020-2025 Start Date Upon Execution End Date 10/31/2025  
 (must match resolution)

Funding Source Tax Dollars 100% County  
 State Aid \_\_\_\_\_  
 \$ \$906,579 Federal Aid \_\_\_\_\_  
 (must match resolution)  
 Other \_\_\_\_\_