

April 13, 2010

To: Board of Acquisition and Contract

From: Lawrence C. Salley
Commissioner of Transportation

Re: Authority to enter into an agreement with Metro PCS New York, LLC for the installation of an antenna and related equipment at Westchester County Airport

Authority is requested to enter into an agreement with Metro PCS New York, LLC ("Metro PCS) whereby the County will grant to Metro PCS a license to install, operate and maintain cellular antennas, to install equipment cabinets and related connections and appurtenant radio equipment at Westchester County Airport. Metro PCS will install its equipment on the old FAA control tower.

Pursuant to the proposed agreement, Metro PCS will pay to the County a license fee of \$25,000 during the first year, with the fee increasing annually by the greater of 3% or the increase in the consumer price index for New York, Northern New Jersey and Long Island, not seasonally adjusted. Metro PCS will also replace and repair the glass of the existing non-operational control tower. The term of the agreement shall be for 5 years with Metro PCS having the option to renew for an additional 5 year term.

The goal and objective of this agreement is to effectively utilize unused space at the Airport thereby increasing the revenue available to operate the Airport. Metro PCS will be invoiced on a monthly basis by the airport for the license fee due.

This agreement is exempt from the operation of the Westchester County Procurement Policy pursuant to Section 3(b) thereof.

Approval of the attached resolution by your Honorable Board is requested.

RESOLUTION

Upon a communication from the Commissioner of Transportation, be it hereby

RESOLVED, that the County of Westchester (the "County") is hereby authorized to enter into an agreement with Metro PCS New York, LLC (" Metro PCS") whereby the County shall grant to Metro PCS a license to install, operate and maintain cellular antennas, to install equipment cabinets and related connections and appurtenant radio equipment in the former FAA control tower at the Westchester County Airport; and be it further

RESOLVED, that pursuant to the proposed agreement, Metro PCS shall pay to the County a license fee of \$25,000 during the first year, with the fee increasing annually by the greater of 3% or the increase in the consumer price index for New York, Northern New Jersey and Long Island, not seasonally adjusted. Metro PCS shall also replace and repair the glass of the existing non-operational control tower. The term of the agreement shall be for 5 years, beginning on August 1, 2010 and expiring on July 31, 2015, with Metro PCS having the option to renew for an additional 5 year term; 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.

Account to be Charged/credited	Fund	Agency	Capital Project Or Org	Object/ Sub Object	Trust Account	Activity	Dollars
	161	44	4110	9096-03			\$10,479 Year 2010
	161	44	4110	9096-03			\$25,314 Year 2011
	161	44	4110	9096-03			\$26,074 Year 2012
	161	44	4110	9096-03			\$26,856 Year 2013
	161	44	4110	9096-03			\$27,662 Year 2014
	161	44	4110	9096-03			\$16,343 Year 2015

Budget Funding Year(s) 2010 - 2015 Start Date 08/01/2010 End Date 07/31/2015
 (must match resolution)

Tax Dollars _____

State Aid _____

Revenue Federal Aid _____

(must match resolution)

\$132,728

Other Airport Special Revenue Fund _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 4-29-2010 - JOMARY VIEIRA SECRETARY