

George Latimer
County Executive

Office of Countywide Administrative Services & Real Estate

Christopher D. Steers
Director

100749

Date: April 20, 2023

To: The Honorable Board of Acquisition and Contract

From: Christopher D. Steers, Director
Office of Countywide Administrative Services & Real Estate

Re: **Resolution to exempt from the Westchester County Procurement Policy and Procedures pursuant to Section 3(a)xxi thereof the procurement of an amendment to an Agreement with RM Friedland, LLC for the provision of various real estate services to the County.**

Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy and Procedures (the "Procurement Policy"), pursuant to Section 3(a)xxi thereof, the procurement of an amendment to an agreement with the real estate firm of RM Friedland, LLC ("RMF") for the provision of various real estate services to the County.

On or about May 12, 2022, the County of Westchester (the "County") entered into an agreement with RMF (the Agreement") for the provision of various real estate services, including brokerage services, to assist the County in realizing efficiencies, synergies, and possible cost savings through better management of its real property and other real estate expenditures, for a term of one (1) year commencing upon execution thereof by both parties and approval of same by the Office of the County Attorney. In consideration for services to be rendered, the County agreed to pay RMF at the rates set forth in Schedule "A", attached to the Agreement, in an amount not-to-exceed \$50,000, plus commissions.

The parties now desire to amend the Agreement in order to extend the term thereof from May 12, 2023 through May 11, 2024, with all other terms and conditions of the Agreement to remain the same.

Ordinarily, under Section 5(b) of the Procurement Policy, the County is required to solicit written quotations for such services from no fewer than three persons customarily providing such services, and, if deemed appropriate, to inquire as to the qualifications and experience of such persons. However, the County is a complex and wide reaching organization, owning over 370 properties including: various parks, residual parcels, approximately ninety-eight (98) buildings, leases on over thirty-three (33) offices/facilities, and has over twenty (20)

tenants in various locations not including cell tower occupants. We are moving forward with the real estate master planning recommendations already developed by the County's other real estate broker, Jones Lang LaSalle Brokerage, Inc. This includes the physical consolidation of certain functions in order to rationalize our real estate footprint, improve work conditions, improve services, and to realize other synergies and cost savings. RMF is assisting us in this process, including, negotiating existing lease extensions on the County's behalf. As the re-stacking implementation progresses, existing leases will need to be extended, new leases undertaken, property purchases and dispositions will need to occur. RMF is currently negotiating and/or assisting us in those areas. As such, RMF's continued guidance is essential in the successful implementation of this re-stacking project.

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 Agreement with RMF from the County Procurement Policy.

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

CDS/jpg/nn
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/18/2023 RAYMOND SCUDY SECRETARY

RESOLUTION

Upon a communication from the Director of the Office of Countywide Administrative Services & Real Estate, 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 written price quotations, is neither cost effective nor expedient, and accordingly, not in the best interests of the County of Westchester in connection with the procurement of an amendment to an Agreement with RM Friedland, LLC for the provision of various real estate services to the County for an additional one (1) year period.

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/18/2023 - RAYMOND J. CUSKY, SECRETARY