

**18174**

March 31, 2011

TO: Board of Acquisition and Contract

FROM: Kathleen M. O'Connor, Commissioner  
Parks, Recreation & Conservation

RE: **AUTHORIZATION TO ENTER INTO A PERMIT AGREEMENT WITH  
UBS SECURITIES LLC, 1285 AVENUE OF THE AMERICAS, NEW YORK, NY  
10019 FOR THE EXCLUSIVE USE OF PLAYLAND PARK FOR ITS  
EMPLOYEES AND INVITED GUESTS ON MONDAY, JUNE 20, 2011 (RAIN  
DATE – MONDAY, JUNE 27, 2011) FROM 4:30 PM TO 9:30 PM FOR A SUM OF  
\$144,000**

Authorization is requested to enter into a permit agreement with UBS Securities LLC, 1285 Avenue of the Americas, New York, NY 10019 for the exclusive use of Playland Park for its employees and invited guests from 4:30 pm to 9:30 pm on Monday, June 20, 2011 (Rain date – Monday, June 27, 2011).

UBS Securities LLC will pay a fixed fee of \$144,000 for up to 2,000 guests and \$70.75 for each guest over 2,000. The fee covers costs for all Rides, 11 Prize Skill Games, Bonanza Shooting Gallery, Carousel Game Room, Balloons, Mini-Golf, Cotton Candy and Candy Apples.

Out of the \$144,000 fixed fee received by the County, concessions other than rides will be reimbursed by the County a total of \$46,750. The County will retain \$6,750 of the \$97,250 balance to cover the cost of employee food service and other expenses associated with hosting this event. The remaining \$90,500 will be ride revenue. Ride concessions will be reimbursed a portion of the \$90,500 in ride revenue based upon actual ridership on the event date. Out of the \$70.75 for each guest over 2,000, the County will reimburse concessions other than rides \$23.00 each. The County will retain \$2.50 of the \$47.75 balance for each guest over 2,000 to cover additional expenses. Ride concessions will be reimbursed a portion of the remaining \$45.25 based on actual ridership on the event date.

Since the above license fee does not include payment for food, employees of UBS Securities LLC will be purchasing food from Playland's food concession on the day of the event. Playland will therefore, in addition to the license fee, receive 24.1% of the revenue generated from a separate food and beverage agreement between UBS Securities LLC and CulinArt, Inc., the County's food concessionaire for Playland Park.

The goal and objective of this agreement is to generate additional revenue for the department while promoting Playland's use for private events. This agreement therefore serves the public interest as it helps to ease the tax burden of Westchester County residents.

The goal and objective of this agreement will be monitored using attendance and revenue reports.

This procurement is exempt from the Westchester County procurement policy pursuant to Section 3(b) of that policy in that it is a license.

A resolution is attached for your favorable consideration.

APPROVED BOARD OF ACQUISITION & CONTRACT - 4-21-2011 - JOMARY VIEIRA, SECRETARY

## RESOLUTION

Upon a communication from the Commissioner of the Department of Parks, Recreation & Conservation, be it hereby

**RESOLVED**, that the County of Westchester is authorized to enter into a permit agreement with UBS Securities LLC, 1285 Avenue of the Americas, New York, NY 10019 for the exclusive use of Playland Park for employees and invited guests from 4:30 pm to 9:30 pm on Monday, June 20, 2011 (Rain date – Monday, June 27, 2011); and be it further

**RESOLVED**, that for this privilege UBS Securities LLC shall pay a fee of \$144,000 as an all-inclusive permit fee for up to 2,000 guests. UBS Securities LLC also agrees to pay \$70.75 per guest for each guest over 2,000. For this privilege, Playland will provide all Rides, 11 Prize Skill Games, Bonanza Shooting Gallery, Carousel Game Room, Balloons, Mini-Golf, Cotton Candy and Candy Apples; and be it further

**RESOLVED**, that the County shall reimburse concessions other than rides from the permit fee as follows:

<u>Concessions</u>	<u>2,000 People</u>	<u>Per Person Over 2,000</u>
Cotton Candy	\$ 5,500	\$ 2.75
Candy Apples	\$ 4,500	\$ 2.25
Shooting Gallery	\$ 1,750	\$ 1.00
11 Skill Games	\$ 19,000	\$ 9.50
Game Room	\$ 3,000	\$ 1.00
Balloons	<u>\$ 13,000</u>	<u>\$ 6.50</u>
<b>TOTAL</b>	<b>\$ 46,750</b>	<b>\$ 23.00;</b> and be it further

**RESOLVED**, that the County shall retain \$6,750 of the minimum event fee and \$2.50 for each guest over 2,000 to cover costs associated with holding the event; and be it further

**RESOLVED**, that the County shall reimburse ride concessions a portion of the remaining \$90,500 in ride revenue based upon actual ridership on the event date and shall reimburse ride concessions a portion of the remaining \$45.25 for each guest over 2,000 (from the \$70.75 for each guest over 2,000) based on actual ridership on the event date; and be it further

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

Original Agreement      \$144,000  
 First Amendment      \$  
**This Amendment**      \$ \_\_\_\_\_  
 TOTAL                      \$144,000

Agreement #

Account to be  
 Charged/Credited

Fund	Dept	Major Program, Program & Phase  Or Unit	Object/ Sub-Object	Trust Account	Dollars
165	42	5520	9201		\$90,500
165	42	5520	9218		\$46,750
165	42	5520	9219		\$6,750

Budget Funding Year(s) 2011 Start Date 6/20/2011 End Date 6/27/2011  
 (must match resolution)

Funding Source      Tax Dollars \_\_\_\_\_  
                                  State Aid \_\_\_\_\_  
 \$144,000 \_\_\_\_\_ Federal Aid \_\_\_\_\_  
 (must match resolution) Other \_\_\_\_\_ Revenue \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 4-21-2011 JOSE WEIRA, SECRETARY