

33727

May 14, 2013

TO: Board of Acquisition and Contract

FROM: Kathleen M. O'Connor
Commissioner, Department of Parks, Recreation and Conservation

RE: Authority to enter into a license agreement with BESTCHESTER'S INC., 65 South Broadway, Tarrytown, NY 10591, for the use of the Bronx Street Bus Terminal Building on the Bronx River Parkway in White Plains, New York for the operation of a food concession for the period June 15, 2013 through June 14, 2018, with the sole option of the County to extend the agreement for an additional period of five years for a license fee to be negotiated

Authority is hereby requested for the County of Westchester, acting by and through the Department of Parks, Recreation and Conservation to enter into a license agreement with BESTCHESTER'S INC ("BESTCHESTER'S"), 65 South Broadway, Tarrytown, New York 10591 for the operation of a food concession at the Bronx Street Bus Terminal Building, Bronx Street, White Plains, New York for the period June 15, 2013 through June 14, 2018, with the sole option of the County to extend the agreement for an additional period of five years for a license fee to be negotiated.

For the privilege of operating the concession, BESTCHESTER'S shall pay to the County a license fee of \$5,000 and complete improvements valued at \$199,000. These improvements involve a complete rehabilitation of the building, with the exception of the roof, which is found in the attached schedule. In addition, BESTCHESTER'S shall install kitchen equipment at an estimated cost of \$65,000 which shall remain the property of BESTCHESTER'S. If the County exercises its option to extend the license agreement for an additional period of five years, the license fee shall be negotiated.

Although licenses are exempt from the County's Procurement Policy pursuant to section 3(b) therein, a Request for Proposals was issued for this location in 2003. Only one proposal was received at that time but no contract resulted. The building has been inactive since it was a bus terminal approximately 40 years ago and during the last ten years there has been little viable interest in the facility.

The goal of this agreement is to rehabilitate an unused County asset and transform it into a viable revenue producing operation to serve park patrons. The objective of this agreement will be tracked and monitored by observations and interactions with staff and site visits.

This agreement is exempt from the Westchester County procurement policy pursuant to Section 3(b), thereof.

Accordingly, approval of the attached resolution by your Honorable Board is most respectfully requested.

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/20/2013 - JOMARY VEIRA, SECRETARY

RESOLUTION

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

RESOLVED, that the County is authorized to enter into a license agreement with BESTCHESTER'S INC., 65 South Broadway, Tarrytown, NY 10591, for the use of the Bronx Street Bus Terminal Building located on Bronx Street on the Bronx River Parkway in White Plains, New York for the operation of a food concession for the period June 15, 2013 through June 14, 2018; and be it further

RESOLVED, that the County, at its sole option, may extend the agreement for an additional period of five years from June 15, 2018 through June 14, 2023 for a license fee to be negotiated; and be it further

RESOLVED, that for the privilege of operating the food concession, BESTCHESTER'S INC. shall complete the improvements on the attached schedule valued at \$199,000; 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.

APPROVED BOARD OF ACQUISITION & CONTRACTS - 06/20/13 - JOMAR VERA, SECRETARY

Agreement #

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars	
165	42	1100	9246		\$292	2013
165	42	1100	9246		\$646	2014
165	42	1100	9246		\$896	2015
165	42	1100	9246		\$1,146	2016
165	42	1100	9246		\$1,395	2017
165	42	1100	9246		\$625	2018

Budget Funding Year(s) 2013-2018 Start Date 6-15-13 End Date 6-14-18
(must match resolution)

Funding Source Tax Dollars _____

State Aid _____

\$ 5,000 Federal Aid _____
(must match resolution)

Other Revenue _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/20/2013 - JOMARY NEIRA, SECRETARY

SCHEDULE OF IMPROVEMENTS

<u>Improvement</u>	<u>Estimated Cost</u>
1. Removal of debris, exterior power wash, removal of old heating system and installation of a new furnace and hot water heater.	\$17,000
2. Furnish and install new wiring and a new 400 amp service with circuit breaker box to replace existing fuse box system.	\$24,000
3. Furnish and install new plumbing runs including a new gas line, water lines and drains.	\$32,000
4. Modifications to meet current ADA requirements including, but not limited to, providing new framing, proper turning radii fixtures, lighting, grab bars, venting and general tile work and finishes.	\$20,000
5. Replace existing windows and install a new window curbside to allow for proper sales to walk-up customers.	\$18,000
6. Modify existing double doors to allow for ADA compliance (either by making a single larger door and/or installing push button access for existing double doors).	\$ 2,000
7. Furnish and install a Type 1 ventilation system/hood with fire suppression.	\$35,000
8. Complete interior space, outside of kitchen, with tiles, lighting, and moldings, historically accurate for style of building which will require additional demolition, new structural framing, sheet rock installation and painting.	\$21,000
9. Define proper parking lanes and signage and paint for 7 angled parking spaces.	\$22,000
10. Upgrade exterior lighting for seasonal seating.	<u>\$ 8,000</u>
Total estimated cost of improvements	\$199,000

APPROVED BOARD OF REGULATION & CONTRACTS 05/20/2015 JOMARY VIEIRA, SECRETARY