

37650

January 6, 2014

TO: Board of Acquisition and Contract

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

RE: Authority to renew the license agreement with Sprain Rest. Corp., 290 East Grassy Sprain Road, Yonkers, New York 10710 for the operation of the food and refreshment concession at Sprain Lake Golf Course, Yonkers, New York for the period January 1, 2014 through December 31, 2018

On March 19, 2009, the Board of Acquisition and Contract granted authority to enter into a license agreement with MSRC Operating Corporation, 290 East Grassy Sprain Road, Yonkers, New York 10710, for the operation of the food and refreshment concession at Sprain Lake Golf Course, Yonkers, New York for the period March 20, 2009 through December 31, 2013, with the sole option of the County to extend the agreement for an additional period of five years.

Subsequently, on December 1, 2011, the Board of Acquisition and Contract granted authority to terminate the agreement with MSRC Operating Corporation and enter into a new license with Sprain Rest. Corp. for the period January 1, 2012 through December 31, 2013 with the sole option of the County to extend the agreement for the period of January 1, 2014 through December 31, 2018.

Authority is now requested to extend the license agreement with Sprain Rest. Corp. for the period of January 1, 2014 through December 31, 2018. For this privilege of operating the food and refreshment concession, Sprain Rest. Corp. shall pay to the County the following license fees:

<u>Period</u>	<u>License Fee</u>
January 1, 2014 through December 31, 2014	\$30,000
January 1, 2015 through December 31, 2015	\$30,900
January 1, 2016 through December 31, 2016	\$31,900
January 1, 2017 through December 31, 2017	\$32,860
January 1, 2018 through December 31, 2018	\$33,850

In addition to the above fixed license fee, Sprain Rest. Corp. will pay to the County, during each year of the license a percentage license fee equal to 10% of gross sales in excess of \$325,000.

In addition to the above license fees, Sprain Rest. Corp. will complete repairs to the facility at a total estimated value of \$30,000 as listed on the attached schedule. All repairs will be completed no later than April 30, 2014.

The goal of this agreement is to provide revenue for the County and services for food, refreshment and catering for golfers and other 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 - 02/06/2014 - NOMAR VIEIRA, SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester is hereby authorized to extend the license agreement with Sprain Rest. Corp. for the operation of the food and refreshment concession at Sprain Lake Golf Course, Yonkers, New York for the period January 1, 2014 through December 31, 2018; and be it further

RESOLVED, that for the privilege of operating the food and refreshment concession, Sprain Rest. Corp. shall pay to the County the following license fees:

<u>Period</u>	<u>License Fee</u>
January 1, 2014 through December 31, 2014	\$30,000
January 1, 2015 through December 31, 2015	\$30,900
January 1, 2016 through December 31, 2016	\$31,900
January 1, 2017 through December 31, 2017	\$32,860
January 1, 2018 through December 31, 2018	\$33,850; and be it further

RESOLVED, that in addition to the above fixed license fee, Sprain Rest. Corp will pay to the County, during each year of the license, a percentage license fee equal to 10% of gross sales in excess of \$325,000; and be it further

RESOLVED, that Sprain Rest. Corp. shall complete improvements valued at \$30,000, as listed on the attached schedule, no later than April 30, 2014; 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.

Original Agreement \$ 55,460
This Amendment **\$ 159,510**
TOTAL \$ 214,970

Agreement #

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars	
165	42	3250	9246		\$30,000*	2014
165	42	3250	9246		\$30,900*	2015
165	42	3250	9246		\$31,900*	2016
165	42	3250	9246		\$32,860*	2017
165	42	3250	9246		\$33,850*	2018

Budget Funding Year(s) 2014-2018 Start Date 1-01-14 End Date 12-31-18
(must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
\$159,510 Federal Aid _____
(must match resolution)
Other PRC Revenue

*Estimated

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/06/2014 - JOMARY VIEIRA, SECRETARY

**Sprain Lake Golf Course Food and Refreshment Concession
Schedule of Improvements**

1. Fabrication and installation of an all-weather aluminum awning to replace the existing tent on the patio. The new structure will be approximately 47ft X 16ft, as measured from the end of the existing roof overhang. The new structure will be fabricated and designed with aluminum I-beams and columns rated to withstand high winds and snow.
2. Existing patio surface will be patched and resurfaced, with drains added to correct the drainage and pitch issues. Existing expansion joint will be removed, filled and leveled.
3. Latticework will be installed around the underside of the patio.
4. Metal railing and stairs will be scraped, primed and painted.

Total Estimated Cost is \$30,000.

All improvements shall be completed no later than April 30, 2014.

APPROVED BOARD OF ACQUISITION & CONTRACT 02/06/2014 - JIMMY WEIRA, SECRETARY