

41644

DATE: August 4, 2014

TO: Board of Acquisition and Contract

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

RE: Resolution to exempt from the Westchester County Procurement Policy based on the best interests of the County an agreement with Biederman Redevelopment Ventures Corp. pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures.

Based on the best interests of the County, authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy an agreement with Biederman Redevelopment Ventures Corp. ("BRV") for the provision of an "on the ground" review of Playland Amusement Park, including: examination of the operations; options for future programming; opportunities for management of Playland Park and its facilities; and identifying ways to improve revenue generation, cost control and visitor experience. BRV will meet with the County, at mutually agreeable times, to report on the status of the work with meetings on or before by August 22nd, September 22nd, October 15th and November 7th. Additional meetings may be scheduled as necessary. On or before November 30th, BRV shall provide the County with a memorandum summarizing BRV's activities, making recommendations in each of the areas set forth above, and identifying next steps the County may take to implement those recommendations.

The proposed agreement shall be for a five (5) month term commencing retroactive to July 1, 2014 and continuing through November 30, 2014, for an amount not-to-exceed \$100,000.00. Payments will be as follows: \$20,000 upon contract execution, and \$20,000 on or before the 1st day of each of the next four (4) months. The County shall have the option to renew the agreement for an additional five (5) month term, on notice to BRV, at least thirty (30) days before the end of the contract term, on terms and conditions to be negotiated by the parties, for an additional amount not-to-exceed \$100,000.00.

It is in the County's best interests to obtain the services of BRV as they have extensive, invaluable experience with publicly owned parks having been instrumental, for example, in connection with the successful revitalization of Bryant Park in New York City, Military Park in Newark, New Jersey, the design and programming of Klyde Warren Park in Dallas, Texas, the revitalization and management of the Canalside Park on the waterfront in Buffalo, New York and other public/private park partnership reviews and turnarounds. This unique experience makes BRV particularly well-qualified to provide the County with the proposed services, and thereby help obtain the necessary knowledge to identify the next steps the County can take toward improving the financial performance at Playland Park in the

future. BRV has done extensive background work in connection with issues facing Playland as a consultant to the not-for-profit Sustainable Playland, Inc and therefore has important and invaluable knowledge about the County. This prior experience and the knowledge gained during that consultancy, makes BRV a unique resource with an already established base of knowledge and familiarity with the issues to be examined.

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 Agreement from the County Procurement Policy.

Accordingly, a resolution to exempt the procurement with BRV is hereby submitted for your consideration.

KMO/tsa

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/21/2014 - JOSEPH VIEIRA, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of Parks, Recreation and Conservation, 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 proposals, is neither cost effective nor expedient, and accordingly, not in the best interests of the County in connection with the procurement of an agreement with Biederman Redevelopment Ventures Corp. for the provision of an “on the ground” review of the Playland Amusement Park, including: examination of the operations; options for future programming; opportunities for management of Playland Park and its facilities; and identifying ways to improve revenue generation, cost control and visitor experience.

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/27/2014 - JOAQUIM VIEIRA, SECRETARY