



43505

To: Honorable Members of the Board of Acquisition and Contract

From: Natasha Caputo  
Director of Tourism & Film

Date: December 1, 2014

Re: Authority to enter into an agreement with: Situation Marketing LLC, d/b/a Situation Interactive, for the provision of digital media promotional services, for a term commencing January 1, 2015 and terminating December 31, 2015, for a total amount not-to exceed One Hundred Thousand Dollars (\$100,000.00), payable pursuant to an approved budget and subject to County appropriations

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Transmitted herewith is a resolution which, if approved by your Honorable Board, will authorize the County of Westchester (the "County") to enter into an agreement with Situation Marketing LLC, d/b/a Situation Interactive ("Situation Interactive"), for the provision of digital media promotional services for a term commencing January 1, 2015 and terminating December 31, 2015, for a total amount not-to exceed One Hundred Thousand Dollars (\$100,000.00), payable pursuant to an approved budget and subject to County appropriations (the "Agreement").

Pursuant to the terms of the proposed Agreement, Situation Interactive will create a digital media promotional plan and implement such plan to promote the County as a regional premiere travel destination for leisure and business, and to specifically develop and execute a digital campaign aligned with the "Meet Me in Westchester" brand to strengthen the County's position as the first stop in the Hudson Valley region. Once created, the

creative deliverables, including all ads, logs and slogans, will become the full property of the County.

Authority to exempt this Agreement from the requirements of the Westchester County Procurement Policy and Procedures pursuant to Section 3(a)xxi thereof has been requested of your Honorable Board in accordance with a separate resolution of even date herewith.

This proposed agreement will serve a public purpose by promoting tourism in the County, thereby stimulating the local economy by bringing both leisure and business visitors into the County to patronize our local attractions, hotels, and restaurants. The goals and objectives of this proposed agreement will be to promote the County as a tourist and business destination. The goals and objectives are in the best interests of the County in terms of fiscal responsibility because the advertising campaign will increase tourism in the County and bring more tourist dollars into the local economy. The goals and objectives will be tracked and monitored by the number of inquires to OFT, the number of clicks on websites, brochure distribution, and the number of leads generated.

Accordingly, your favorable action on the annexed Resolution is most respectfully urged and recommended.

NC/jpg

**RESOLUTION**

Upon a communication from the Director of Tourism, be it hereby:

**RESOLVED**, that the County of Westchester (the "County") is authorized to enter into an agreement with Situation Marketing LLC, d/b/a Situation Interactive for the provision of digital media promotional services, for a term commencing January 1, 2015 and terminating December 31, 2015, for a total amount not to exceed One Hundred Thousand Dollars (\$100,000.00), payable pursuant to an approved budget; and be it further

**RESOLVED**, that this Agreement is subject to County appropriations; and be it further

**RESOLVED**, that this Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee be hereby authorized and empowered to execute any and all instruments necessary and proper to accomplish the purposes of this Resolution.

Account to be Charged/credited

Fund	Agency	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
<b>263</b>	<b>11</b>	<b>507Q</b>	<b>4250</b>	<b>T507</b>	<b>\$100,000</b>

Budget Funding Year(s) 2015 Start Date 1-1-15 End Date 12-31-15

Tax Dollars: N/A  
 State Aid: N/A  
 Federal Aid: N/A  
 Other: \$100,000 Hotel Occupancy Tax

APPROVED BOARD OF AUDITORS CONTRACT 02/19/2015 JIMMY VIERA, SECRETARY