

46921

May 26, 2015

TO: Honorable Board of Acquisition and Contract

FROM: Jay T. Pisco, P.E.  
Commissioner of Public Works and Transportation

Mary J. Mahon  
Director of Real Estate

SUBJECT: Authorization to enter into a five (5) year Lease Agreement with One Gateway Plaza, LLC commencing February 1, 2015 for approximately 1,680 square feet of space located at One Gateway Plaza, Port Chester, New York, for a first year base monthly rent of \$4,470.38, with the County receiving one month free base rent each year.  
(Lease Agreement No. 15-934)

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Since 2003, the County of Westchester (the "County") has leased space at One Gateway Plaza, Port Chester, New York for the County's Department of Health to operate the Women Infant Children (WIC) Program. The current lease expired January 31, 2015; however, the County continued to occupy the space while the new lease terms were finalized. After negotiations, One Gateway Plaza, LLC (the "Landlord") has agreed to reduce the base rent under the new lease so that rental payments for the first year under the new lease will be the same as rental payments for the third year of the five year lease that expired on January 31, 2015.

The attached resolution authorizes the County to enter into a new five (5) year lease with the Landlord commencing February 1, 2015 for approximately 1,680 square feet of space located on the first floor at One Gateway Plaza for a first year base monthly rent of \$4,470.38, subject to annual three percent (3%) increases, with the County receiving one month free base rent each year. 2015 will be the new base operating year and tax year. The County will also be responsible for additional rent consisting of: 1) a tax escalation (the County's pro rata share of tax increases based on the County's percentage of the entire space in the building project); 2) expense escalation (the County's pro rata share of the Landlord's expense increases related to the operation and maintenance of the building project based on the County's percentage of the entire space in the building project); and 3) electric charges at a rate of \$2.75 per square foot, subject to increases based on increases in the Landlord's electric rates. The County shall also pay an additional \$900.00 per year for three (3) parking spaces to be provided by the Landlord under the lease terms in the Metro North Parking Facility adjacent to the leased premises, which amount represents half the total annual cost of the parking spots. The Landlord has also agreed to paint the leased premises, replace the window blinds, re-balance the dehumidifiers and provide a wet weather area rug for the reception area.

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One Gateway Plaza, LLC  
Space at One Gateway Plaza, Port Chester, New York  
WIC Program  
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The public purpose of this agreement is to provide for the continuance of the operation of the essential WIC Program. This agreement will be monitored by the Department of Public Works and Transportation to insure that the lease responsibilities are met by the owner.

This lease is exempt from the Westchester County Procurement Policy and Procedures pursuant to Section 3(b) thereof.

Your approval of the attached resolution is respectfully requested.

JTP/MJM/dm  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/18/2015 - ROMARY VIEIRA, SECRETARY

# R E S O L U T I O N

Upon a communication from the Commissioner of Public Works and Transportation and the Director of Real Estate, be it hereby

**RESOLVED**, that the County of Westchester (the "County") is authorized to enter into a five (5) year lease agreement with One Gateway Plaza, LLC (the "Landlord") commencing February 1, 2015 for approximately 1,680 square feet of space located at One Gateway Plaza, Port Chester, New York, for a first year base monthly rent of \$4,470.38, subject to annual three percent (3%) increases, with the County receiving one month free base rent each year. 2015 will be the new base operating year and tax year; and be it further

**RESOLVED**, that the County will also be responsible for additional rent consisting of: 1) a tax escalation (the County's pro rata share of tax increases based on the County's percentage of the entire space in the building project); 2) expense escalation (the County's pro rata share of the Landlord's expense increases related to the operation and maintenance of the building project based on the County's percentage of the entire space in the building project); and 3) electric charges at a rate of \$2.75 per square foot, subject to increases based on increases in the Landlord's electric rates; and be it further

**RESOLVED**, that the County shall pay an additional \$900.00 per year for three (3) parking spaces to be provided by the Landlord under the lease terms in the Metro North Parking Facility adjacent to the leased premises; and be it further

**RESOLVED**, that the Landlord shall paint the leased premises; replace the window blinds, re-balance the dehumidifiers and provide a wet weather area rug for the reception area; and be it further

**RESOLVED**, that this lease agreement is executory only to the extent of monies appropriated and available for the purposes of this lease; and be it further

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

Lease Agreement No. 15-934

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	46	3343	4230		\$49,763.80 (2015)
	101	46	3343	4230		\$56,035.28 (2016)
	101	46	3343	4230		\$57,550.69 (2017)
	101	46	3343	4230		\$59,111.62 (2018)
	101	46	3343	4230		\$60,719.40 (2019)
	101	46	3343	4230		\$ 5,491.52 (2020)

Budget Funding Year(s) 2015-2020 Start Date 02/01/15 End Date 01/31/20  
 (must match resolution)

Funding Source: Tax Dollars \_\_\_\_\_  
 State Aid \_\_\_\_\_  
\$288,672.31 Federal Aid \_\_\_\_\_  
 (must match resolution) Other 100% WIC Grant