

50280

January 5, 2016

To: Members of the Board of Acquisition and Contract

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

Adam Rodriguez
Acting Director of Real Estate

RE: **Authorization to enter into a license agreement with the City of New Rochelle for use of up to 26 parking spaces located at the New Rochelle Municipal Parking Garage located on Huguenot Street between Harrison Street and LeCount Place in the City of New Rochelle for a period of five (5) years commencing on January 1, 2016 and expiring on December 31, 2020, for a total amount not to exceed \$85,000.00. (License Agreement No. 16-900)**

Since at least 2008, the County has entered into license agreements with the City of New Rochelle for the use of parking spaces in the New Rochelle Municipal Parking Garage located on Huguenot Street between Harrison Street and LeCount Place in the City of New Rochelle in order to be used by County officials and employees working at 270 North Avenue in the City of New Rochelle. Pursuant to the terms of the City's new proposed license agreement, the County shall pay the full intergovernmental rate per parking space per month during the license term.

In order to continue to utilize the parking spaces, authorization is hereby requested to enter into a new license agreement with the City of New Rochelle for the five (5) year period commencing January 1, 2016 and terminating on December 31, 2020, payable at the City of New Rochelle's inter-governmental parking rate which is currently \$52.50 per parking space per month, for a total amount not to exceed \$85,000.00. This license agreement serves a public purpose as it will provide parking for County employees of the Department of Environmental Facilities, which supports the health and welfare of the residents of the County. The license agreement will be monitored by Department of Environmental Facilities personnel.

This license agreement 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/AR/jpi
Attachment

RESOLUTION

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

RESOLVED, that the County of Westchester is authorized to enter into a license agreement with the City of New Rochelle (the "License Agreement") for 26 parking spaces located at the New Rochelle Municipal Parking Garage located on Huguenot Street between Harrison Street and LeCount Place in the City of New Rochelle for five (5) years commencing on January 1, 2016 and expiring on December 31, 2020, payable at the City of New Rochelle's inter-governmental parking rate which is currently \$52.50 per parking space per month, for a total amount not to exceed \$85,000.00; 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 authorized designee is hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Agreement No. 16-900

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	46	3300	4320		\$17,000.00 (2016)
	101	46	3300	4320		\$17,000.00 (2017)
	101	46	3300	4320		\$17,000.00 (2018)
	101	46	3300	4320		\$17,000.00 (2019)
	101	46	3300	4320		\$17,000.00 (2020)

Budget Funding Year(s) 2016-2020 Start Date 01/01/2016 End Date 12/31/2020
(must match resolution)

Funding Source: Tax Dollars 100% County
 State Aid _____
\$85,000.00 Federal Aid _____
 (must match resolution) Other _____