

**51310**

March 1, 2016

TO: Board of Acquisition and Contract

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

RE: Authority to enter into a license agreement with CulinArt, Inc., 175 Sunnyside Boulevard, Plainview, NY 11803, for the food, beverage, vending and catering concession at Playland Park, Rye, NY for the period May 7, 2016 through September 30, 2016.

Authority is requested of this Board for the County of Westchester to enter into a license agreement with CulinArt, Inc. ("CulinArt"), 175 Sunnyside Boulevard, Plainview, NY 11803, for the food, beverage, vending and catering concession at Playland Park, Rye, NY for the period of May 7, 2016 through September 30, 2016.

As consideration for this license privilege, CulinArt will pay the County of Westchester a percentage of gross receipts for concession, catering and vending sales at Playland as follows:

Percentage Fee up to \$3,000,000 <u>In Gross Sales</u>	Percentage Fee Over \$3,000,000 <u>In Gross Sales</u>
20%	24.1%

CulinArt will also offer a 10% discount for food service for catered affairs sponsored by any agency of the County of Westchester. CulinArt shall also provide \$15,000 in food and related services to the Department of Parks, Recreation and Conservation and provide marketing and promotions valued at \$40,000 at Playland Park. CulinArt will also pay the County \$3,000 to cover the cost of training their employees.

The ultimate goal of this agreement will be for the public good as it will allow the County to continue to provide quality food, refreshment, vending and catering options for patrons at Playland which should have a positive impact on the overall business and operation of Playland. The County will also benefit through revenue generated by the concession operation. 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.

## RESOLUTION

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

**RESOLVED**, that the County of Westchester is authorized to enter into a license agreement with CulinArt, Inc. (“CulinArt”), 175 Sunnyside Boulevard, Plainview, NY 11803, for the food, beverage, vending and catering concession at Playland Park, Rye, NY for the period May 7, 2016 through September 30, 2016; and be it further

**RESOLVED**, that for this license privilege, CulinArt will pay the County of Westchester a percentage of the gross receipts as follows:

Percentage Fee up to \$3,000,000	Percentage Fee Over \$3,000,000
<u>In Gross Sales</u>	<u>In Gross Sales</u>
20%	24.1%; and be it further

**RESOLVED**, that during the term of this License, food service for catered affairs sponsored by any agency of the County of Westchester at Playland will be given a 10% discount; and be it further

**RESOLVED**, that as an additional license fee, CulinArt shall provide \$15,000 of food and related services to the Department of Parks, Recreation and Conservation during the term of the License; and be it further

**RESOLVED**, that CulinArt shall provide marketing and promotions valued at \$40,000; and be it further

**RESOLVED**, that CulinArt shall pay the County \$3,000 to cover the cost of training their employees; 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      \$ **660,000**  
 First Amendment        \$  
**This Amendment**      \$ \_\_\_\_\_  
 TOTAL                      \$ 660,000

Agreement # PRC-1048

Account to be  
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
165	42	5520	9205		\$660,000

\*Estimated

Budget Funding Year(s) 2016 Start Date 5-7-16 End Date 9-30-16  
 (must match resolution)

Funding Source      Tax Dollars \_\_\_\_\_  
                                  State Aid \_\_\_\_\_  
**\$ 660,000**              Federal Aid \_\_\_\_\_  
 (must match resolution)      Other Estimated Revenue \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/24/2016 - LISA MARIJAJ, SECRETARY