

56788

Date: May 1, 2017

To: The Honorable Board of Acquisition and Contract

From: Thomas J. Lauro
Commissioner of Environmental Facilities

Re: Authority to amend a “short form” license agreement with YONKERS WATERFRONT PROPERTIES, LLC and HUDSON NORTH LLC both limited liability corporations of the State of New York, having offices at 525 Washington Blvd, 31st Floor, Jersey City, NJ 07310 (the "Licensee") for removal and installation of construction fencing; construction of temporary bridge and related work for the period from May 1, 2016 through April 30, 2017 in an amount not-to-exceed \$1.00, by extending the expiration date to May 1, 2018.

On or about May 1, 2016, the County, acting by and through its Department of Environmental Facilities (“DEF”) entered into a “short-form” license agreement with YONKERS WATERFRONT PROPERTIES, LLC and HUDSON NORTH LLC to allow access to County property for removal and installation of construction fencing; construction of temporary bridge and related work for the period from May 1, 2016 through April 30, 2017 in an amount not-to-exceed \$1.00 (the “Agreement”). The Agreement was subsequently executed. DEF now seeks the authority of your Honorable Board to amend the Agreement in order to extend the expiration date to May 1, 2018 with no change to the not-to-exceed amount.

By way of background, in March 2016, Licensee requested access to County property to facilitate the construction of additional parking structure and a new residential development project adjacent to the County property. As a result, DEF executed Short Form License Agreement with YONKERS WATERFRONT PROPERTIES, LLC and HUDSON NORTH LLC for removal and installation of construction fencing; construction of temporary bridge and related work.

As your Honorable Board is aware, amendments to short-form license agreements which result in term extensions beyond the one (1) year threshold and/or increases in the not-to-exceed amount in excess of \$20,000 that had been granted to the Commissioner by your Honorable Board for short-form contracts must first be approved by your Honorable Board. Since the term will now extend beyond the one (1) year threshold, the authority of your Honorable Board is now required.

Accordingly, authority is respectfully requested to amend the Agreement with YONKERS WATERFRONT PROPERTIES, LLC and HUDSON NORTH LLC for the removal and installation of construction fencing; construction of temporary bridge and related work for the period from May 1, 2016 through April 30, 2017 in an amount not-to-exceed \$1.00, by amending the Agreement in order to extend the termination date to May 1, 2018.

Except as specifically amended hereby, all other terms and conditions of the Agreement will remain the same.

The Agreement will serve a public purpose by allowing the construction of a residential development.

The goals and objectives of this Agreement are to allow for the construction of a residential.

The Agreement will be tracked and monitored by DEF staff.

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

TJL/JMG

APPROVED BOARD OF ACQUISITION & CONTRACT 06/01/2017 - LISI MRIDA, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of Environmental Facilities, be it hereby

RESOLVED, that the County of Westchester is hereby authorized to amend a “short form” license agreement with YONKERS WATERFRONT PROPERTIES, LLC and HUDSON NORTH LLC for the removal and installation of construction fencing; construction of temporary bridge and related work for the period from May 1, 2016 through April 30, 2017 in an amount not-to-exceed \$1.00 to extend the expiration date to May 1, 2018; and be it further

RESOLVED, that except as specifically amended hereby, all other terms and conditions of the Agreement shall remain in full force and effect; and be it further

RESOLVED, that the County Attorney or his duly appointed designee be, and hereby is, authorized to take such action and execute such documents as may be necessary and proper to effect the purposes hereof.

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars

Budget Funding Year(s) N/A_ Start Date _5/1/16___ End Date _5/1/18___
(must match resolution)

Funding Source Tax Dollars _____

State Aid _____

Federal Aid _____

(must match resolution)

Other _____