

Department of Parks, Recreation
& Conservation

May 2, 2017

ID 56887

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 Costa Foods, Inc., 11 Lincoln Avenue, Rye Brook, NY 10573 for the operation of the food and refreshment concession at Sprain Ridge Park, Yonkers, New York, for the period of May 26, 2017 through December 31, 2021, with the County's sole option to extend the agreement for the period of January 1, 2022 through December 31, 2026.

For the privilege of operating the food and refreshment concession, Costa Foods, Inc. shall pay to the County an annual license fee as follows:

The greater of \$1,500 or .26 per bathing ticket sold in 2017
The greater of \$5,750 or .27 per bathing ticket sold in 2018
The greater of \$6,000 or .27 per bathing ticket sold in 2019
The greater of \$6,500 or .28 per bathing ticket sold in 2020
The greater of \$7,000 or .28 per bathing ticket sold in 2021.

The County, as its sole option, may extend the license for a period of five years from January 1, 2022 through December 31, 2026 at a license fee to be negotiated.

In addition to the above license fees, Costa Foods, Inc. shall complete repairs to the food concession for a total estimated value of \$8,050 as listed on the attached schedule. All repairs will be completed no later than July 1, 2017.

Although licenses are exempt from the County's Procurement Policy pursuant to section 3(b) therein, a Request for Proposals was developed and sent to more than sixty individuals and firms and advertised in the Journal News. One proposal was received from Costa Foods, Inc.

The goal of this agreement is to provide revenue for the County and food and beverage service for patrons at Sprain Ridge Park. 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 hereby authorized to enter into a license agreement with Costa Foods, Inc., 11 Lincoln Avenue, Rye Brook, NY 10573 for the operation of the food and refreshment concession at Sprain Ridge Park, Yonkers, New York, for the period of May 26, 2017 through December 31, 2021; and be it further

RESOLVED, that for the privilege of operating the food and refreshment concession, Costa Foods, Inc. shall pay to the County an annual license fee as follows:

The greater of \$1,500 or .26 per bathing ticket sold in 2017
The greater of \$5,750 or .27 per bathing ticket sold in 2018
The greater of \$6,000 or .27 per bathing ticket sold in 2019
The greater of \$6,500 or .28 per bathing ticket sold in 2020
The greater of \$7,000 or .28 per bathing ticket sold in 2021; and be it further

RESOLVED, that in addition to the above license fees, Costa Foods, Inc. shall complete repairs to the food concession for a total estimated value of \$8,050 as listed on the attached schedule to be completed no later than July 1, 2017; and be it further

RESOLVED, that the County, as its sole option, may extend the license for a period of five years from January 1, 2022 through December 31, 2026 at a license fee to be negotiated; 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 \$ 26,750*
 First Amendment \$ _____
This Amendment \$ _____
 TOTAL \$ 26,750*

Agreement #

Account to be
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars	
165	42	4500	9246		1,500*	2015
165	42	4500	9246		5,750*	2016
165	42	4500	9246		6,000*	2017
165	42	4500	9246		6,500*	2018
165	42	4500	9246		7,000*	2019

Budget Funding Year(s) 2017-2021 Start Date 5-26-17 End Date 12-31-21
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
\$26,750* Federal Aid _____
 (must match resolution) Other PRC Revenue

*Estimated

**Spain Ridge Park
Schedule of Improvements**

<u>Food Concession Improvements</u>	<u>Estimated Cost</u>	<u>Completion Date</u>
Clean, repair and replace where needed tile in food concession building to comply with Department of Health regulations.	\$1,000	7/1/17
Extensive cleaning of concession	\$1,000	7/1/17
Furnish and install hand sink	\$ 800.	7/1/17
Replace fluorescent light fixture covers	\$ 250	7/1/17
Furnish and install hot water heater	\$2,000	7/1/17
Furnish and install lattice wall to separate cooking area	\$1,000	7/1/17
Paint all interior walls	<u>\$2,000</u>	7/1/17
	<u>\$8,050</u>	

APPROVED BOARD OF ACQUISITION & CONTRACT 05/25/2017 - LISA MRIJAS SECRETARY