

58772

DATE: August 31, 2017

TO: Board of Acquisition and Contract

FROM: Vincent F. Kopicki, P.E.  
Commissioner of Public Works and Transportation

Ann Marie Berg  
Commissioner of Finance

RE: **Resolution authorizing the County of Westchester (the "County") to enter into an agreement with Greater Hudson Bank N.A., ("Greater Hudson") for the purpose of operating and maintaining one (1) Automatic Teller Machine ("ATM") at the Westchester County Airport, for a term commencing March 31, 2017 and expiring March 31, 2020. This agreement shall automatically renew for successive (1) one month periods unless terminated by either party. (Agreement No. 17-924)**

Authority is hereby requested to enter into an agreement with Greater Hudson pursuant to which Greater Hudson operates and maintains one (1) on-site Automatic Teller Machine ("ATM") at the Westchester County Airport, for a three (3) year term commencing March 31, 2017. This agreement shall automatically renew for successive (1) one month periods unless terminated by either party. Pursuant to the Agreement, Greater Hudson is required to pay transaction fees to the County in the amount of \$1.05 on each surcharged transaction. The County will need to deposit \$3,000,000.00 interest free at Greater Hudson as a part of a total relationship of this Agreement and a similar Agreement with Parks and Recreation for four (4) additional ATM's. The County shall have the right to terminate the agreement in its best interest upon written notice to Greater Hudson, not less than sixty (60) days prior to the effective date of such termination.

The goals and objective of this Agreement are to continue to offer quality, reliable, secure ATMs at County locations and to maximize revenue to the County. It is estimated that the County will receive total revenue of \$15,000.00 (\$5,000.00/year) over the three (3) year contract term. The Department will monitor achievement of these objectives by tracking ATM down-time and user complaints, and will review actual revenue received by the County. The existing ATM has been installed in the current location for over nineteen (19) years. The ATM will serve the general public, which uses the Westchester County Airport as demonstrated by approximately 4,000 fee generating transactions last year.

This procurement is exempt from the operation of the Westchester County Procurement Policy pursuant to Section 3(b) thereof.

A Resolution for your consideration is annexed hereto. I recommend your favorable consideration of the annexed proposed Resolution.

VFK/AMB  
Attachment

# RESOLUTION

Upon communication from the Commissioner of Public Works and Transportation and the Commissioner of Finance, be it hereby

**RESOLVED**, that the County of Westchester (“County”) is authorized to enter into an agreement with Greater Hudson Bank, N.A. for the purpose of operating and maintaining one (1) on-site Automatic Teller Machine (“ATM”) at the Westchester County Airport for a term commencing March 31, 2017 and expiring March 31, 2020. The County shall have the right to terminate the agreement in its best interest upon written notice to Greater Hudson, not less than sixty (60) days prior to the effective date of such termination. This agreement shall automatically renew for successive (1) one month periods unless terminated by either party; 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. 17-924

Account to be Charged/Credited

Year	Fund	Dept.	Major Program, Program & Phase Or Unit	Revenue	Trust Account	Dollars
2017	161	44	4110	9096		\$4,000.00
2018	161	44	4110	9096		\$5,000.00
2019	161	44	4110	9096		\$5,000.00
2020	161	44	4110	9096		\$1,000.00

Budget Funding Year(s) 2017-2020 Start Date 03/31/2017 End Date 03/31/2020  
 (must match resolution)

Funding Source: Tax Dollars \_\_\_\_\_

State Aid \_\_\_\_\_

\$15,000.00 Federal Aid \_\_\_\_\_  
 (must match resolution)

Other Revenue \_\_\_\_\_