

68103

February 27, 2019

TO: Board of Acquisition and Contract

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

RE: AUTHORITY TO EXTEND THE TERM OF AN AGREEMENT WITH PYRO ENGINEERING, INC. D/B/A BAY FIREWORKS, 999 SOUTH OYSTER BAY ROAD, SUITE 111, BETHPAGE, NY 11714 TO PROVIDE ELECTRONICALLY FIRED FIREWORKS DISPLAYS AT PLAYLAND THROUGH SEPTEMBER 15, 2019 TO ALLOW FOR SHOWS INTO SEPTEMBER.

On March 4, 2010, your Honorable Board approved a resolution to enter into an agreement with Pyro Engineering, Inc. D/B/A Bay Fireworks ("Bay Fireworks"), 999 South Oyster Bay Road, Suite 111, Bethpage, NY 11714 to provide electronically fired fireworks displays at Playland for a term commencing July 2, 2010 and terminating August 29, 2014 with the sole option of the County to extend the agreement for an additional period of five years commencing July 1, 2015 and terminating August 30, 2019.

On April 2, 2015, your Honorable Board approved a resolution to exercise its option to extend the agreement with Bay Fireworks to provide electronically fired fireworks displays at Playland for a term commencing July 1, 2015 and terminating August 30, 2019 (the "Agreement"). The agreements were executed.

Authority is now requested for the County of Westchester to extend the term of the Agreement through September 15, 2019 at no additional cost. The term extension will allow for more flexibility in selecting show dates during the 2019 operating season and will allow for rain dates through September 15, 2019.

The objective of this agreement will be monitored through site inspections and the review of financial reports.

A Resolution is attached for your favorable consideration.

RESOLUTION

WHEREAS, on March 4, 2010, your Honorable Board approved a resolution to enter into an agreement with Pyro Engineering, Inc. D/B/A Bay Fireworks (“Bay Fireworks”), 999 South Oyster Bay Road, Suite 111, Bethpage, NY 11714 to provide electronically fired fireworks displays at Playland for a term commencing July 2, 2010 and terminating August 29, 2014 with the sole option of the County to extend the agreement for an additional period of five years commencing July 1, 2015 and terminating August 30, 2019; and

WHEREAS, on April 2, 2015, your Honorable Board approved a resolution exercise its option to extend the agreement with Bay Fireworks to provide electronically fired fireworks displays at Playland for a term commencing July 1, 2015 and terminating August 30, 2019 and both agreements were executed; and

WHEREAS, show dates need to be changed for the 2019 season and the term of the agreement extended through September 15, 2019.

NOW, therefore, be it

RESOLVED, that the Agreement dated March 31, 2010 as amended on May 15, 2015 between the County and Pyro Engineering, Inc. D/B/A Bay Fireworks (“the Agreement”) to provide electronically fired fireworks displays is hereby amended to extend the term of the Agreement through September 15, 2019; and be it further

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

RESOLVED, that the County Executive or his authorized designee is hereby empowered to execute any and all instruments and take such other actions as may reasonably be necessary to effectuate the purposes thereof.

Original Agreement \$ 568,750
 First Amendment \$ 535,000
This Amendment \$ 0
 TOTAL \$1,103,750

Agreement # PRC-688B

Account to be
 Charged/Credited

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

Budget Funding Year(s) 2019 Start Date 9/1/2019 End Date 9/15/19
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
 Federal Aid _____
\$ _____ Other _____
 (must match resolution)

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/21/2019 - LISA MRIJAJ, SECRETARY