

73927

DATE: January 13, 2020

TO: Board of Acquisition and Contract

FROM: Marguerite Beirne
Chief Information Officer

RE: Authority to amend the license agreement IT-725 with the City of Peekskill, in order to (a) modify and install additional antennas and radio equipment at 181 Benefield Boulevard, Peekskill, New York; (b) extend the term of the license agreement; (c) permit the County to sublicense space in the County's equipment shelter; and (d) permit the County to terminate the license agreement on 6 months prior written notice if it determines doing so is in its best interest.

On June 16, 2005, your Honorable Board approved a resolution which authorized the County of Westchester ("County") to enter into a license agreement (the "Initial Agreement") with the City of Peekskill (the "City") for the installation of radio antennas and related equipment on the property owned by the City located at 181 Benefield Boulevard, Peekskill, New York (the "Site") for a term of five (5) years with a mutual option to extend the term for an additional five (5) year period. The Initial Agreement was executed on August 9, 2005.

On November 18, 2010, your Honorable Board approved extending the term of the Initial Agreement for an additional five (5) year period, commencing August 10, 2010 (the "First Amendment"). The First Amendment was subsequently executed.

On August 19, 2015, your Honorable Board approved amending the Initial Agreement, as amended by the First Amendment, in order to modify and install additional antennas and radio equipment at the Site (the "Second Amendment"). The Second Amendment was subsequently executed on February 11, 2015.

The Initial Agreement, First Amendment and Second Amendment are referred to herein collectively as the "Agreement."

Authorization is now sought from your Honorable Board to further amend the Agreement in order to (a) modify and install additional antennas and radio equipment at the Site; (b) extend the term of the license agreement to December 31, 2040 with the County having the option to

renew for an additional ten (10) year term upon thirty (30) days prior notice to the City; (c) permit the County to sublicense space in the County's equipment shelter; and (d) permit the County to terminate the Agreement on 6 months prior written notice if it determines doing so is in the its best interest..

The purpose of this Agreement is the continued operation of radio systems relied upon by the Department of Emergency Services, Department of Public Safety, local first responders, and the Bee-Line bus system. County staff members monitor operation of the radio systems on a regular basis.

All other terms and conditions of the Agreement shall remain unchanged and in full force and effect.

Approval of the attached resolution by your Honorable Board is requested.

MB/ran
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACTS 01/16/2020 - LISI MURRAY, SECRETARY

RESOLUTION

Upon a communication from the Chief Information Officer, be it hereby

RESOLVED, that the County of Westchester (“County”), acting by and through its Department of Information and Technology (“DoIT”), is authorized to enter into a third amendment (“Third Amendment”) to the license agreement with the City of Peekskill (the “City”), as amended by the First and Second Amendment thereto (collectively, the “Agreement”), for the operation of radio equipment and antennas at the property located at 181 Benefield Blvd, Peekskill, New York (“Site”) in order to (a) modify and install additional antennas and radio equipment at the Site; (b) extend the term of the license agreement to December 31, 2040 with the County having the option to renew for an additional ten (10) year term upon thirty (30) days prior notice to the City; (c) permit the County to sublicense space in the County’s equipment shelter; and (d) permit the County to terminate the Agreement on 6 months prior written notice if it determines doing so is in the its best interest., and be it further

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

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to execute and deliver any and all documents and to take all action necessary and appropriate to effectuate the purposes hereof.

Agreement IT-725, A3

Account to be Charged/ credited	Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
							N/A

Budget Funding Year(s) N/A Start Date August 10, 2015 End Date December 31, 2040
 (must match resolution)

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

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION SECRETARY