

75517

April 13, 2020

TO: Board of Acquisition and Contract

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

RE: AUTHORITY TO ENTER INTO AN AGREEMENT WITH
JERZY SOUND DBA AUDIO PRODUCTION SERVICES, 50 SOUTH
STREET, ANDOVER, NEW JERSEY 07821 TO PROVIDE SOUND
ENGINEERING SERVICES FOR PLAYLAND FOR AN AMOUNT NOT
TO EXCEED \$39,000 FOR A TERM COMMENCING APRIL 20, 2020
AND TERMINATING APRIL 19, 2022.

Authority is requested of this Honorable Board for the County of Westchester (the "County") to enter into an agreement with Jerzy Sound dba Audio Production Services ("Jerzy Sound"), 50 South Street, Andover, New Jersey 07821 to provide sound engineering services for Playland Amusement Park, Playland Parkway, Rye, New York ("Playland") for an amount not to exceed \$39,000, commencing on April 20, 2020 and terminating April 19, 2022, based upon the following rates:

1. Set up Playland's sound equipment pre-season and breakdown post-season – \$45/hour.
2. Sound engineering for local band performances on Playland's Music Tower Stage including set up and breakdown of necessary equipment - \$50/hour with no cancellation fee if a band performance is cancelled.
3. Training and demonstrating Playland's sound equipment to sound technicians provided by the entertainment production company hired by Playland for stage shows - \$50/hour with no cancellation fee if the scheduled training date is changed.
4. Maintain and make minor repairs and/or diagnose problems and make repair recommendations to Playland's sound system - \$50/hour.
5. Sound engineering and stage manager services for Playland's concert series, promotional concerts which includes coordinating logistical set up and breakdown of equipment (sound, backline and lights) with outside production

companies contracted for the shows and concerts-\$50/hour with no cancellation fee if a concert is cancelled.

6. Provide technical support for Playland's public address system - \$45/hour.

(the "Agreement").

A Request for Proposal was published on the Westchester County website on February 13, 2020 and was emailed directly to ten organizations. The County received one response from Jerzy Sound, which was evaluated by a committee of various personnel from the Department of Parks, Recreation and Conservation. The committee considered Jerzy Sound's fees, experience and references when analyzing the proposal. Based on those factors, the committee recommended that the proposal from Jerzy Sound dba Audio Production Services was in the best interest of the County.

A private operator may take control of day to day operations of Playland Park, including the provision of fireworks, during the term of this proposed Agreement. The Agreement will therefore provide that the County shall have the right to terminate the Agreement, upon thirty (30) days prior written notice, in the event that the day-to-day operations of Playland are transferred to a private operator.

The goal of this Agreement is to allow the County to provide quality sound during concerts and shows at Playland. This Agreement promotes fiscal responsibility as the County will benefit through the additional revenue generated through the events related to this agreement.

The objectives of this Agreement will be monitored through site visits from Parks, Recreation and Conservation staff members.

A resolution is attached for your favorable consideration.

KMO/ran

RESOLUTION

Upon a communication from the Commissioner of the Department of Parks, Recreation and Conservation, be it hereby

RESOLVED, that the County of Westchester (“County”) is authorized to enter into an agreement with Jerzy Sound dba Audio Production Services, 50 South Street, Andover, New Jersey 07821 to provide sound engineering services for Playland for a term commencing on April 20, 2020 and terminating April 19, 2022 for an amount not to exceed \$39,00 based upon the following rates:

1. Set up Playland’s sound equipment pre-season and breakdown post-season – \$45/hour.
2. Sound engineering for local band performances on Playland’s Music Tower Stage including set up and breakdown of necessary equipment - \$50/hour with no cancellation fee if a band performance is cancelled.
3. Training and demonstrating Playland’s sound equipment to sound technicians provided by the entertainment production company hired by Playland for stage shows - \$50/hour with no cancellation fee if the scheduled training date is changed.
4. Maintain and make minor repairs and/or diagnose problems and make repair recommendations to Playland’s sound system - \$50/hour.
5. Sound engineering and stage manager services for Playland’s concert series, promotional concerts which includes coordinating logistical set up and breakdown of equipment (sound, backline and lights) with outside production companies contracted for the shows and concerts-\$50/hour with no cancellation fee if a concert is cancelled.
6. Provide technical support for Playland’s public address system - \$45/hour;

(the “Agreement”), and be it further

RESOLVED, that this Agreement is subject to County budget 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 contract. 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 the State Budget or any amendments thereto, and for a reasonable period of time after such release(s) 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 contract 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 empowered to execute any and all instruments necessary to effectuate the purposes thereof.

Original Agreement \$39,000
 First Amendment \$
This Amendment \$ _____
 TOTAL \$39,000

Agreement #PRC-1249

Account to be
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars	
165	42	5520	4620		\$16,500	2020
165	42	5520	4620		\$19,500	2021
165	42	5520	4620		\$3,000	2022

Budget Funding Year(s) 2020-2022 Start Date 04/20/20 End Date 04/19/2022
 (must match resolution)

Funding Source Tax Dollars \$39,000
 State Aid
 \$ 39,000 Federal Aid
 (must match resolution) Other

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/16/2020 - LISA MRIJAJ, SECRETARY