

**78095**

Date: July 21, 2020

To: The Honorable Board of Acquisition and Contract

From: Kathleen O'Connor  
Commissioner

Re: Resolution to exempt from the Westchester County Procurement Policy an amendment to an Agreement with WRF Designs for the provision of restoration and repair services for the Grand Carousel ride at Playland Park, Rye, New York, pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures.

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Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy an amendment to an agreement with WRF Designs ("WRF"), pursuant to which WRF will provide restoration and repair services for the carousel ride at Playland Park, Rye, New York.

As your Honorable is aware, on July 9, 2017, the Grand Carousel ride at Rye Playland sustained extensive damage as a result of a fire caused by an electrical spark from a light at the base of the carousel's domed roof. Although the horses and carriages did not burn, they sustained significant water damage and require refurbishing.

On April 26, 2018, your Honorable Board approved a resolution which authorized the County of Westchester ("County"), acting by and through its Department of Parks, Recreation and Conservation ("Department"), to enter into an agreement ("Agreement") with WRF, pursuant to which WRF would provide restoration and repair services for the Grand Carousel ride at Playland Park, Rye, New York, for a term commencing on May 1, 2018 and terminating on April 30, 2020, for an amount not to exceed \$1,323,800.00, payable pursuant to an approved budget. The Agreement was subsequently executed.

During the restoration process performed by WRF it was discovered that the carousel band organ was no longer useable or salvageable. A replacement antique organ needs to be purchased to fully restore the ride for use at Playland. The cost of a replacement including transportation is \$21,350. Additional insurance funds have been received to

cover this cost. In addition to the organ replacement, WRF will require additional time to complete the restoration and repair work on the Grand Carousel. Their repair shop was closed for several months due to COVID-19 and this impacted their timeline for the job. Additional storage time for the ride will cost \$3,000 per month for the period starting June 2020 and ending no later than May of 2021 for a total not to exceed \$33,000.

The parties now desire to amend the Agreement by extending the term thereof though May 31, 2021 to allow for the replacement of the carousel organ and for additional storage and repair time due to COVID-19 related delays, and to increase the not to exceed amount thereunder by an additional \$54,350, from an amount not-to-exceed \$1,323,800.00 to an amount not-to-exceed \$1,378,150.00, in order to compensate WRF for providing said additional services.

Ordinarily, under Section 6 of the Procurement Policy, the County is required to solicit proposals for such restoration services through an RFP. However, WRF, which performed the last restoration on the carousel in the 1990s and has been working on the current restoration, is uniquely qualified to restore the horses and carriages and organ damaged due to the fire. Among other things, WRF has already completed the initial restoration, and is already in possession of the plans and color schemes used during the previous restoration. These plans provide detailed information on dismantling the ride as well as information on specialized parts that may need replacing. Moreover, WRF, which is located in Plainville, Connecticut, is the only company of this type on the east coast with the facility needed for the scale and scope of this project and has unique qualities to bring the ride back to its historical accuracy. Given its proximity to Rye, the cost of transport and storage will be significantly reduced.

Pursuant to Section 3(a)xxi, the Westchester County Procurement Policy and Procedures are not applicable to any procurement for which this Honorable Board determines, by resolution passed prior to commencing such procurement, that compliance with the policy would not be in the best interests of the County. For the reasons set forth above, it is proposed that the best interests of the County would be served by exempting the procurement of this amendment to the agreement from the County Procurement Policy.

Accordingly, a Resolution to exempt the procurement of the amendment to the agreement with WRF Designs for restoration and repair of the Grand Carousel ride is hereby submitted for your consideration.

KO/KH/jpg  
Attachments

## RESOLUTION

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

**RESOLVED**, that pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures, it is hereby determined that application of the procedural requirements contained therein, including the necessity of soliciting proposals, is neither cost effective nor expedient, and accordingly, not in the best interests of the County of Westchester in connection with the procurement of an amendment to an agreement with WRF Designs for the provision of restoration and repair services for the Grand Carousel ride at Playland Park, Rye, New York.

APPROVED BOARD OF ACQUISITION CONTRACT - 07/30/2020 - LISA MRIJAJ, SECRETARY