

85646

DATE: June 8, 2021

TO: Honorable Members of the Board of Acquisition & Contract

FROM: Hugh J. Greechan, Jr., P.E.
Commissioner of Public Works and Transportation

Christopher D. Steers
Director of Countywide Administrative Services

RE: Resolution authorizing the County of Westchester to enter into a license agreement with Signal Outdoor Advertising, LLC for the operation and maintenance of County Bus Shelters (Agreement Number DOTOP06-21)

Authority is hereby requested from your Honorable Board to authorize the County of Westchester (the "County"), acting by and through the Department of Public Works and Transportation (the "Department") to enter into a license agreement with Signal Outdoor Advertising, LLC ("Signal") for the operation and maintenance of County bus shelters, for the period of July 1, 2021 through June 30, 2026.

In accordance with the terms of the proposed license agreement, Signal will maintain all County bus shelters and perform repairs as needed. This will include repair and replacement of non-working lighting, repairs necessitated as a result of vandalism, auto or weather-related damage and replacement of shelters that are damaged beyond repair. In addition, Signal will be authorized to sell advertising on the shelters and will pay to the County a license fee of 25% of all collected revenue from \$750,000.00 to \$1,250,000.00 and 50% of all collected revenue over \$1,250,000.00.

As part of the proposed license agreement, Signal Outdoor Advertising, LLC will be required to deposit with the County a performance and payment bond, letter of credit, or the equivalent, in the amount of \$500,000.00 in a form acceptable to the Office of the County Attorney. In addition, Signal Outdoor Advertising, LLC will pay the sum of \$25,000.00 to the County to be deposited into a maintenance and security fund to be maintained by the County to assure the proper maintenance of the bus shelters.

Signal has been the licensee operating and maintaining the bus shelters since 2016, and has been responsive to the Department's requests and needs. Signal has adequately maintained the County bus shelters and the Department has been satisfied with its services. In response to a 2016 Request for Proposals for County bus shelter advertising services, Signal was the only viable proposer. Signal has established a competent local network of personnel who are familiar with all aspects of maintaining the County bus shelters (working with Con Ed, obtaining permits from local or State agencies, etc.)

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Signal will be utilizing the following subcontractors: People Ready, 255 Dr. Martin Luther King, Jr. Boulevard, White Plains, New York 10601 for snow removal; Naber Electric, 1025 Saw Mill River Road, Yonkers, New York 10710 for electrical work; Paramount Landscaping & Masonry, 50 Riverdale Avenue, Yonkers, New York 10701 for masonry and snow removal services; and Magenta Construction Services, Inc., 3708 White Plains Road, Bronx, New York 10467 for removal of universal shelters. The Department has investigated and approves the proposed subcontractors.

The goals and objectives of the proposed license agreement are for the public good as they provide for the operation and maintenance of the bus shelters, and also provide revenue to the County. Department personnel will monitor the proposed agreement and Signal's required maintenance of the bus shelters.

This agreement is exempt from the Westchester County Procurement Policy and Procedures pursuant to Section 3(b), thereof.

We respectfully request the approval of the annexed proposed Resolution.

HJG/CDS/jpi

RESOLUTION

Upon a communication from the Commissioner of Public Works and Transportation and the Director of Countywide Administrative Services, be it hereby:

RESOLVED, that the County of Westchester (the “County”) is authorized to enter into a license agreement with Signal Outdoor Advertising, LLC (“Signal”) for the operation and maintenance of County Bus Shelters for a term of five (5) years from July 1, 2021 through June 30, 2026 (the “Agreement”); and be it further

RESOLVED, that pursuant to the terms of the Agreement, Signal will maintain all County bus shelters and perform repairs and replacements as needed. In addition, Signal will be authorized to sell advertising on the shelters and will pay to the County a license fee of 25% of all collected revenue from \$750,000.00 to \$1,250,000.00 and 50% of all collected revenue over \$1,250,000.00; and be it further

RESOLVED, that the Agreement will require Signal to deposit with the County a performance and payment bond, letter of credit, or the equivalent, in the amount of \$500,000.00 in a form acceptable to the Office of the County Attorney. In addition, Signal will pay the sum of \$25,000.00 to the County to be deposited into a maintenance and security fund to be maintained by the County to assure the proper maintenance of bus shelters; and be it further

RESOLVED, that the County is authorized to consent to Signal’s utilization of the following subcontractors: People Ready, 255 Dr. Martin Luther King, Jr. Boulevard, White Plains, New York 10601 for snow removal; Naber Electric, 1025 Saw Mill River Road, Yonkers, New York 10710 for electrical work; Paramount Landscaping & Masonry, 50 Riverdale Avenue, Yonkers, New York 10701 for masonry and snow removal services; and Magenta Construction Services, Inc., 3708 White Plains Road, Bronx, New York 10467 for removal of universal shelters; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute all instruments necessary to implement this Resolution.

License Agreement No. DOTOP06-21

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	44	2100	9289		\$31,250 (2021)
	101	44	2100	9289		\$62,500 (2022)
	101	44	2100	9289		\$62,500 (2023)
	101	44	2100	9289		\$62,500 (2024)
	101	44	2100	9289		\$62,500 (2025)
	101	44	2100	9289		\$31,250 (2026)

Budget Funding Year(s): 2021-2026 **Start Date:** July 1, 2021 **End Date:** June 30, 2026
 (must match resolution)

Funding Source: **Tax Dollars** _____

State Aid _____

\$312,500.00 **Federal Aid** _____
 (must match resolution)

Other \$312,500.00 Revenue

