

90153

January 13, 2022

To: Board of Acquisition and Contract

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

Christopher D. Steers
Director of Countywide Administrative Services
Office of the County Executive

Re: **Resolution authorizing the County of Westchester, acting by and through the Department of Public Works and Transportation (the "County") to enter into a lease agreement (the "Lease") with Westchester Avenue Associates LLC for space located at 3010 Westchester Avenue, Purchase, New York for a five (5) year term commencing on January 1, 2022 and terminating on December 31, 2026. (Lease Agreement No. 21-942)**

Authority of your Honorable Board is respectfully requested for the County of Westchester (the "County"), acting by and through the Department of Public Works and Transportation (the "Department"), to enter into a lease agreement (the "Lease") with Westchester Avenue Associates LLC ("Landlord") for approximately 1,695 square feet of space located at 3010 Westchester Avenue, Suite 205 (the "Premises"), Purchase, New York for a five (5) year term commencing on January 1, 2022 and terminating on December 31, 2026. The Premises will be utilized by the Office of the Westchester County District Attorney as it has since 2002.

The base rent shall be at the rate of \$30.00 per square foot ("PSF") for the first year of the Lease and shall increase by \$0.50 PSF each year thereafter. Additionally, the County shall pay for electricity at \$3.00 PSF (the "Rent Inclusion Factor") throughout the term of the Lease. Accordingly, the monthly rent with the Rent Inclusion Factor will be payable in advance in equal monthly installments as follows:

<u>Period</u>	<u>Annual Fixed Rent Before Rent Inclusion Factor</u>	<u>Rent Inclusion Factor</u>	<u>Annual Fixed Rent w/ Rent Inclusion Factor</u>	<u>Monthly Fixed Rent w/ Rent Inclusion Factor</u>
1/1/22 - 12/31/22	\$50,850.00	\$5,085.00	\$55,935.00	\$4,661.25
1/1/23 - 12/31/23	\$51,697.50	\$5,085.00	\$56,782.50	\$4,731.88
1/1/24 - 12/31/24	\$52,545.00	\$5,085.00	\$57,630.00	\$4,802.50
1/1/25 - 12/31/25	\$53,392.50	\$5,085.00	\$58,477.50	\$4,873.13
1/1/26 - 12/31/26	\$54,240.00	\$5,085.00	\$59,325.00	\$4,943.75

Board of Acquisition and Contract
Lease Agreement No. 21-942
Westchester Avenue Associates LLC
Space at 3010 Westchester Avenue, Purchase, New York
Page 2

Under the terms of the Lease, the County will also be responsible for its pro rata portion of any increases in operating expenses and property taxes over the base operating year (reset for calendar year 2017) and the base tax year (reset for July 1, 2016 to June 30, 2017). The Landlord will be responsible for painting the Premises and replacing the carpets within the Premises during the new lease term.

This lease is exempt from the Westchester County Procurement Policy Procedure pursuant to section 3(b) thereof.

Your approval of the attached resolution is respectfully requested.

HJG/CDS/jrc

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/27/2022 - RAYMOND SCULKY, SECRETARY

RESOLUTION

Lease Agreement No. 21-942

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 lease agreement (the "Lease") with Westchester Avenue Associates LLC ("Landlord") for approximately 1,695 square feet of space located at 3010 Westchester Avenue, Suite 205, Purchase, New York (the "Premises") for a five (5) year term commencing on January 1, 2022 and terminating on December 31, 2026; and be it further

RESOLVED, that the base rent shall be at the rate of \$30.00 per square foot ("PSF") for the first year of the Lease and shall increase by \$0.50 PSF each year thereafter. Additionally, the County shall pay for electricity at \$3.00 PSF (the "Rent Inclusion Factor") throughout the term of the Lease. Accordingly, the monthly rent with the Rent Inclusion Factor will be payable in advance in equal monthly installments as follows:

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1/1/26 - 12/31/26	\$54,240.00	\$5,085.00	\$59,325.00	\$4,943.75

; and be it further

RESOLVED, that under the terms of the Lease, the County will also be responsible for its pro rata portion of any increases in operating expenses and property taxes over the base operating year (reset for calendar year 2017) and the base tax year (reset for July 1, 2016 to June 30, 2017); and be it further

RESOLVED, that the County Executive or his duly authorized designee be and hereby is authorized and empowered to execute all appropriate contracts or documents necessary to effectuate the purposes of this resolution in the manner prescribed by law.

RESOLUTION

Lease Agreement No. 21-942

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	46	3300/3341	4320		\$55,935.00 (2022)
	101	46	3300/3341	4320		\$56,782.50 (2023)
	101	46	3300/3341	4320		\$57,630.00 (2024)
	101	46	3300/3341	4320		\$58,477.50 (2025)
	101	46	3300/3341	4320		\$59,325.00 (2026)

Budget Funding Year(s) 2022-2026 Start Date 01/01/2022 End Date 12/31/2026
 (must match resolution)

Funding Source: Tax Dollars 100% County

State Aid _____

\$288,150.00 Federal Aid _____
 (must match resolution)

Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/27/2022 - RAYMOND SCULMANN, CLERK