

89868

TO: Board of Acquisition and Contract

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

DATE: December 28, 2021

SUBJECT: Authority to enter into an Agreement with the United States of America, acting by and through the Federal Aviation Administration to accept a Concessions Rent Relief Airport Rescue Grant Agreement, of \$747,059.00 which will provide relief from rent and minimum annual guarantees to eligible in-terminal Airport Concessions at Westchester County Airport. (Grant Agreement No. 3-36-0123-137-2022)

Authority of your Honorable Board is requested for the County of Westchester, acting by and through the Department of Public Works and Transportation (the "County"), to enter into an Agreement with the United States of America, acting by and through the Federal Aviation Administration ("FAA"), to accept a Concessions Rent Relief Airport Rescue Grant Agreement (Grant No. 3-36-0123-137-2022), of \$747,059.00 to fund Airport Operations at the Westchester County Airport.

This Agreement will serve a public purpose for which airport funds may be lawfully used, as found in the Office of Airports Revenue Use Policy, except airport development or land acquisition.

The objective of this Agreement is to accept Federal funding to maintain safe and efficient airport operations. Funding provided under this Grant Agreement will be used to provide relief from rent and MAG obligations, as applicable, to each eligible in-terminal airport concession in an amount that reflects each eligible in-terminal airport concession's proportional share of the total amount of the rent and MAG at Westchester County Airport by legislatively prescribed category (Small or Large Airport Concession), as further defined herein, for relief provided no earlier than March 11, 2021, in accordance with an FAA-approved Concessions Rent Relief Airport Rescue Plan, until the funds have been fully expended.

The County's Department of Public Works and Transportation will monitor and report the progress of this project using its own staff and staff from other County departments as appropriate, and will be responsible to invoice the FAA for timely reimbursement as the costs are incurred.

I certify that my department, a) has copies of, or access to, all applicable laws, rules and regulations, grant applications, and grant agreements (including any master grant agreement), as well as any guidance or instructions received from the agency making the grant (the "Grant Terms"), b) has reviewed the Grant Terms, c) is aware of and understands all of the Grant Terms, and d) can and will comply with all of the Grant Terms.

Accordingly, I recommend your Honorable Board's approval of the annexed Resolution authorizing the County to enter into this grant agreement with the FAA.

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/06/2022 - RAYMOND SCULLY, SECRETARY

RESOLUTION

Upon communication from the Commissioner of Public Works and Transportation, be it:

RESOLVED, that the County of Westchester ("County"), acting by and through the Department of Public Works and Transportation, is hereby authorized to enter into an agreement with the United States of America, acting by and through the Federal Aviation Administration to accept a Concessions Rent Relief Airport Rescue Grant of \$747,059.00 to fund Airport Operations at the Westchester County Airport. This Grant will be used to provide funding to reimburse the County, as Airport Sponsor, for providing relief from rent and minimum annual guarantees to each eligible in-terminal airport concession at Westchester County Airport in accordance with the American Rescue Plan Act, Public Law 117-2, Section 7102; and be it further

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

Grant Agreement No. 3-36-0123-137-2022

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Bond Act No.	Dollars
	161	44	4110	9818	N/A	\$747,059.00

Budget Funding Year(s): 2021
(must match resolution)

Start Date: January 1, 2021

End Date: December 31, 2024

Funding Source: **Tax Dollars** _____

State Aid _____

\$747,059.00 **Federal Aid** \$747,059.00 (FAA)
(must match resolution)

Other _____