

#111084

**TO:** Board of Acquisition and Contract

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

**DATE:** May 6, 2025

**SUBJECT:** Authority for the County of Westchester to enter into an agreement with Zamperla, Inc to perform emergency work, which includes inspecting, repairing, replacing and maintaining certain rides at Playland Park and procuring necessary supplies and parts retroactive to April 15, 2025 and continuing through September 5, 2025, in an amount not to exceed \$1,506,639.48, plus a County option for additional services in an amount not to exceed \$228,390.00, for a total aggregate amount not to exceed \$1,735,029.48, pursuant to an approved budget.

Attached for your consideration is a resolution, which, if approved by your Honorable Board, would authorize the County of Westchester ("County") to enter into an agreement with Zamperla, Inc. ("Zamperla") to perform emergency work, which includes inspecting, repairing, replacing and maintaining certain rides at Playland Park and procuring necessary supplies and parts, retroactive to April 15, 2025 and continuing through September 5, 2025 ("Agreement"). The Agreement shall be in an amount not to exceed \$1,506,639.48 for ride restoration, maintenance and support, parts, overhead and contingency, plus a County option for additional operations support services, in an amount not to exceed \$228,390.00, for a total aggregate amount not to exceed \$1,735,029.48, pursuant to an approved budget and subject to appropriations.

This Resolution is being submitted pursuant to the Emergency Declaration that was submitted to your Honorable Board on May 1, 2025 (the "Emergency Declaration"), which outlined the reasons and nature of the emergency.

In summary, on April 12, 2021 the Board of Legislators adopted an Act authorizing the County to enter into a Second Restated and Amended Playland Management Agreement (the "Second Restated Agreement") with Standard Amusements LLC ("Standard"). The Second Restated Agreement was duly executed on or about July 22, 2021. On January 21, 2025, the County received a Notice of Termination from Standard effective February 20, 2025, which purports to terminate the Second Restated Agreement. On January 22, 2025 the County sent a response rejecting Standard's Notice of Termination and reciting a number of breaches on the part of Standard. On January 30, 2025, Standard sent another letter stating, *inter alia*, that its termination notice was valid, that Standard will not manage Playland in 2025, and the County's breach claims were frivolous. Thereafter on February 4, 2025 the County sent a letter to Standard's attorneys escalating the dispute to arbitration pursuant to Section 43(ii) of the Second Restated Agreement. In accordance with the Second Restated Agreement

the parties have selected arbitrators and have each submitted documents in support of their claims. The arbitration hearing is scheduled to commence on August 12, 2025.

In order to open the iconic Playland Amusement Park for a portion of the 2025 operating season, the County Department of Parks, Recreation and Conservation (“Department”) declared an emergency situation. As an emergency, this situation cannot await competitive bidding. The Department selected Zamperla to perform the necessary emergency work, which includes inspecting, repairing, replacing and maintaining specific rides and procuring necessary supplies and parts. The County owns 11 rides that were manufactured by Zamperla and a number of other rides manufactured by a company that is no longer in business. Zamperla not only has familiarity with the rides but also has the expertise and ability to provide the parts and maintenance.

Based on the above, it’s in the best interest of the County to enter into an agreement with Zamperla on an emergency basis as it is the most-timely and fiscally efficient solution and will safeguard the County’s property and secure the public safety of park attendees and staff.

KMC/PJT/TSA

## RESOLUTION

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

**RESOLVED**, that the County of Westchester (the “County”) is authorized to enter into an agreement with Zamperla, Inc. to perform emergency work, which includes inspecting, repairing, replacing and maintaining certain rides at Playland Park and procuring necessary supplies and parts retroactive to April 15, 2025 and continuing through September 5, 2025 (“Agreement”). The Agreement shall be in an amount not to exceed \$1,506,639.48 for ride restoration, maintenance and support, parts, overhead and contingency, plus a County option for additional operations support services, in an amount not to exceed \$228,390.00, for a total aggregate amount not to exceed \$1,735,029.48, pursuant to an approved budget; and be it further

**RESOLVED**, that this Agreement is subject to County 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 Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed budget of the State of New York and/or the adoption of the State Budget or any amendments thereto, and after the County has a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then such 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 duly authorized designee is hereby authorized to execute any and all instruments and take all actions necessary to accomplish the purpose hereof.

Account to be  
Charged/Credited

Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
165	42	5520	4380		\$1,735,029.48

Budget Funding Year(s) 2025    Start Date: 4.15.25    End Date: 9.5.2025  
(must match resolution)

Funding Source:    Tax Dollars \$1,735,029.48  
                              State Aid \_\_\_\_\_  
\$1,735,029.48    Federal Aid \_\_\_\_\_  
                              Other \_\_\_\_\_