



Kenneth W. Jenkins
County Executive

#113285

DATE: March 18, 2026

TO: Board of Acquisition and Contract

FROM: Marguerite Beirne
Chief Information Officer

Christopher D. Steers
Director of Administrative Services

RE: AUTHORIZATION TO ENTER INTO A LICENSE AGREEMENT (IT-1730) WITH NEW CINGULAR WIRELESS PCS, LLC FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF RADIO EQUIPMENT AT THE COUNTY'S RADIO COMMUNICATION SITE FACILITIES AT 3800 CROMPOND ROAD, YORKTOWN, NEW YORK, FOR A FIVE YEAR PERIOD COMMENCING RETROACTIVELY ON DECEMBER 15, 2023 AND TERMINATING ON DECEMBER 14, 2028, FOR AN ANNUAL FEE OF \$48,239.67, INCREASED ANNUALLY BY FIVE PERCENT (5%), WITH AUTOMATIC FIVE-YEAR RENEWAL TERM, UNLESS TERMINATED UPON 90 DAYS ADVANCED NOTICE

BACKGROUND:

- New Cingular Wireless PCS, LLC ("New Cingular" or "AT&T") has radio equipment currently installed at the County's radio communication site facilities at 3800 Crompond Road, Yorktown, New York (the "Site") and is a rent paying tenant of the County.
- This license agreement (the "License") will extend the operation and maintenance of the existing equipment and antennas by New Cingular at the Site for another five-year period, with an additional automatic five-year renewal period.
- The License shall commence retroactively on December 15, 2023 (the "Commencement Date") and shall have a term of five (5) years ("Initial Term"). The license shall automatically renew for another five-year period, unless AT&T terminates it, upon ninety (90) days prior advance notice to the County prior to the end of the Initial Term.
- AT&T shall pay an annual license fee in the amount of \$48,239.67. The annual license fee will continue to increase by five percent (5%) each year on the anniversary of the Commencement Date.

- The County acknowledges it has received annual license fees from New Cingular for the period from the Commencement Date to the date of execution of the License (“Effective Date”). Within sixty (60) days after the date that the License is fully executed, AT&T shall tender to the County, if applicable, the difference between the license fees owed to the County under this License and the amount actually paid to the County by AT&T for such period.
- In addition, New Cingular shall purchase all electricity required for operation of its equipment at the Site from the local electric utility company and shall be responsible to pay for this electricity directly to the utility company.
- New Cingular may assign the License in the event it has changed its corporate name. In such event, New Cingular shall provide the County with a copy of its amended Certificate of Incorporation within thirty (30) days of filing same with the appropriate State entity and this License shall be deemed assigned. All other types of corporate changes, including but not limited to transfers of assets, mergers and acquisitions, shall require the prior approval of this Board before the License can be assigned. For any assignment of the License, New Cingular shall reimburse the County the reasonable and necessary costs of the County which are incurred in accomplishing the assignment, including the costs of the Information Technology department, legal, and financial.
- This agreement is exempt from the Westchester County procurement policy pursuant to Section 3(b) regarding real property leases, licenses and concessions.

ACTION REQUESTED:

- Authorization to enter into a license agreement (IT-1730) with New Cingular Wireless PCS, LLC, for the continued installation, operation and maintenance of radio equipment at the County’s radio communication site facilities at 3800 Crompond Road, Yorktown, New York. The license will be for a period of five year years commencing retroactively on December 15, 2023 (“Commencement Date”) and terminating on December 14, 2028, and the license shall automatically renew for another five-year period, unless AT&T terminates it upon ninety (90) days prior written notice to the County, prior to the end of the initial term. Commencing on the Commencement Date, AT&T will pay an annual License Fee of \$48,239.67 with an increase of five percent (5%) each year on the anniversary of the Commencement Date.

Accordingly, the attached resolution is submitted for your consideration.

MB/cmc

RESOLUTION

UPON A COMMUNICATION FROM THE CHIEF INFORMATION OFFICER, DEPARTMENT OF INFORMATION TECHNOLOGY, AND THE DIRECTOR OF COUNTYWIDE ADMINISTRATIVE SERVICES BE IT HEREBY

RESOLVED, that the County of Westchester is hereby authorized to enter into a license agreement (IT-1730) with New Cingular Wireless PCS, LLC (“New Cingular” or “AT&T”) for the installation, operation and maintenance of radio equipment at the County’s radio communication site facilities at 3800 Crompond Road, Yorktown, New York, for a term of five (5) years commencing retroactively on December 15, 2023 and terminating on December 14, 2028; and be it further

RESOLVED, that the License shall automatically renew for an additional five (5) year term, unless New Cingular terminates it upon ninety (90) days prior written notice to the County, prior to the end of the initial term; and be it further

RESOLVED, that AT&T will pay an annual license fee of \$48,239.67, in monthly installments equal to one-twelfth (1/12) of the annual fee, due and payable on the first day of each month beginning on December 15, 2023. The annual license fee will automatically increase by five percent (5%) each year on the anniversary of the Commencement Date; and be it further

RESOLVED, that New Cingular shall purchase all electricity required for operation of its equipment at the Site from the local electric utility company and shall be responsible to pay for this electricity directly to the utility company; and be it further

RESOLVED, that New Cingular may assign the License in the event it has changed its corporate name. In such event, New Cingular shall provide the County with a copy of its amended Certificate of Incorporation within thirty (30) days of filing same with the appropriate State entity and this License shall be deemed assigned. All other types of corporate changes, including but not limited to transfers of assets, mergers and acquisitions, shall require the prior approval of this

Board before the License can be assigned. For any assignment of the License, New Cingular shall reimburse the County the reasonable and necessary costs of the County which are incurred in accomplishing the assignment, including the costs of the Information Technology department, legal, and financial; and be it further

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

Contract Number IT-1730

Account to be Charged/Credited:

Total: \$ 638,688.81

Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2023	101	52	1000	9675		\$4,019.97
2024	101	52	1000	9675		\$48,440.67
2025	101	52	1000	9675		\$50,862.70
2026	101	16	6000	9065		\$53,405.84
2027	101	16	6000	9065		\$56,076.13
2028	101	16	6000	9065		\$58,879.94
2029	101	16	6000	9065		\$61,823.93
2030	101	16	6000	9065		\$64,915.13
2031	101	16	6000	9065		\$68,160.89
2032	101	16	6000	9065		\$71,568.93
2033	101	16	6000	9065		\$68,599.26

Budget Funding Year(s): 2023-2033
(must match resolution)

Start Date: 12/15/2023 End Date: 12/14/2033

Funding Source

\$606,753.39
(must match resolution)

Tax Dollars: _____

State Aid: _____

Federal Aid: _____

Other: Revenue \$ 606,753.39

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/02/2026 - RAYMOND SCULKY, SECRETARY