

George Latimer
County Executive

Natasha Caputo
Director
Tourism & Film

#109841

To: Honorable Members of the Board of Acquisition and Contract

From: Natasha Caputo
Director of Tourism & Film

Date: October 15, 2024

Re: Authority to exercise an option under an agreement with Harrison Edwards, Inc. for the provision of public relations and marketing services to promote Westchester County as an attractive business-friendly destination for TV and film production, by: (i) reflecting Harrison Edwards, Inc.'s new name, "Harrison Edwards, Inc. d/b/a Harry"; (ii) extending the term of the Agreement for an additional one (1) year period commencing on January 1, 2025 and continuing through December 31, 2025; and (iii) increasing the amount not-to-exceed by \$100,000.00, payable pursuant to an approved budget.

By resolution approved on January 19, 2023 (the "January 19th Resolution"), your Honorable Board authorized the County of Westchester (the "County"), acting by and through its Office of Tourism & Film ("WCOTF"), to enter into an agreement with Harrison Edwards, Inc. for the provision of public relations and marketing services to promote Westchester County as an attractive business-friendly destination for TV and film production, for an initial term commencing on January 1, 2023 and terminating on December 31, 2023 (the "Initial Term") for an amount not to exceed One Hundred Thousand Dollars (\$100,000.00), payable pursuant to an approved budget and subject to County appropriations (the "Agreement"). The January 19th Resolution further provided that the County, at its sole option, could renew the Agreement for up to two additional terms of one (1) year each, on the same terms and conditions as the Initial Term, subject to the prior approval of your Honorable Board. The Agreement was subsequently executed.

Thereafter, by resolution approved on December 14, 2023, your Honorable Board authorized the County to exercise the first of its two one (1) year options to extend the term of the Agreement for an additional year from January 1, 2024 through December 31, 2024 for an amount not to exceed One Hundred Thousand Dollars (\$100,000.00), payable pursuant to an approved budget and subject to County

appropriations (the "First Amendment"). The First Amendment was subsequently executed.

On December 23, 2023, Harrison Edwards, Inc. filed a Certificate of Assumed Name with the New York State Department of State such that it is now known as Harrison Edwards, Inc. d/b/a Harry (hereinafter "Harry"). The County now desires to amend the Agreement to reflect the entity's new name. The County further desires to amend the Agreement to exercise the second of its two options to extend the term of the Agreement for an additional one-year period commencing on January 1, 2025 and continuing through December 31, 2025 (the "Second Amendment"). In consideration for services to be rendered by Harry during the Second Amendment, the County shall pay Harry an amount not-to-exceed \$100,000.00, payable pursuant to an approved budget.

Authority to exempt the procurement of the proposed Second Amendment from the requirements of the Westchester County Procurement Policy and Procedures pursuant to Section 3(a)xxi thereof, has been granted by your Honorable Board in accordance with a separate resolution of even date herewith.

The proposed Second Amendment to the Agreement will serve a public purpose by promoting Westchester County as an attractive business-friendly destination for TV and film production, thereby stimulating the local economy by bringing film companies into the County to patronize our local attractions, hotels, and restaurants.

Except as specifically amended hereby, all remaining terms and conditions set forth in the Agreement, as amended by the First Amendment, shall remain in full force and effect.

Accordingly, your favorable action on the annexed Resolution is most respectfully urged and recommended.

NC/jpg

RESOLUTION

Upon a communication from the Director of Tourism & Film, be it hereby:

RESOLVED, that the County of Westchester (the "County") is authorized to further amend an agreement with Harrison Edwards, Inc. (the "Second Amendment"), pursuant to which Harrison Edwards, Inc. agreed to provide public relations and marketing services to promote Westchester County as an attractive business-friendly destination for TV and film production, for an initial term commencing on January 1, 2023 and terminating on December 31, 2023, in an amount not-to-exceed \$100,000.00 (the "Agreement"), as amended by a First Amendment thereto, pursuant to which the County exercised the first of its two options to extend the term of the Agreement from January 1, 2024 through December 31, 2024 for an additional amount not-to-exceed \$100,000.00 (the "First Amendment"), by reflecting Harrison Edwards, Inc.'s name change to Harrison Edwards, Inc. d/b/a Harry (hereinafter "Harry"), effective upon execution of the Second Amendment by both parties and approval of same by the Office of the County Attorney; and be it further

RESOLVED, that the County is authorized to further amend the Agreement with Harry, as amended by the First Amendment, in order to exercise the second of its two options by further extending the term of the Agreement for an additional one (1) year period commencing on January 1, 2025 and continuing through December 31, 2025 for an additional amount not-to-exceed One Hundred Thousand Dollars (\$100,000.00), payable pursuant to an approved budget; and be it further

RESOLVED, that except as otherwise specifically amended hereby, all remaining terms and conditions set forth in the Agreement, as amended by the First Amendment, shall remain in full force and effect upon the parties; and be it further

RESOLVED, that the County Executive or his duly authorized designee be hereby authorized and empowered to execute any and all instruments necessary and proper to accomplish the purposes of this Resolution.

Account to be charged/credited

Year	Fund	Agency	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2025	263	11	A169	4380		100,000.00

Budget Funding Year(s) 2025 Start Date 01/01/2025 End Date 12/31/2025

Tax Dollars: _____
State Aid: _____
Federal Aid: _____
Other: \$100,000.00 FILM REVENUE