

Staff Summary

Subject LICENSE WITH GATEWAY FOODS HOLDING LLC FOR THE RETAIL CONCESSION AND STORAGE SPACE AT WHITE PLAINS STATION, WHITE PLAINS, NY	Date SEPTEMBER 30, 2025
Department REAL ESTATE	Vendor Name
Department Head Name DAVID FLORIO	Contract Number
Department Head Signature	Contract Manager Name
Project Manager Name JASON ORTIZ	Table of Contents Ref. #

Board Action						Internal Approvals			
Order	To	Date	Approval	Info	Other	Order	Approval	Order	Approval
1	MNR	09/29/25		X		1	Legal		
2	Finance Committee	09/29/25	X			2	Chief Administrative Officer		
3	Board	09/30/25	X			3	Chief Financial Officer		

AGENCY: MTA Metro-North Railroad ("MNR")

LICENSEE: Gateway Foods Holding LLC ("Gateway Foods")

LOCATION: White Plains Station – 16 Ferris Avenue, White Plains NY ("Station")

LICENSED AREA: Approximately 420 sq. ft. retail concession space and up to 550 sq. ft. storage space both located within the White Plains Station.

USE: Operation of a Tim Horton's coffee concession

ACTION REQUESTED: Approval to enter into a license agreement

TERM: Five (5) years and one (1), five (5) year option term, subject to at will revocation on 60 days' notice, at no cost to MNR

COMPENSATION: \$112,500.00 per annum with three percent (3%) annual escalations plus eight and half percent (8.5%) of gross sales over \$1,139,724.13 through the Term and extension thereof.

COMMENTS:

MTA Real Estate issued a Request for Proposals ("RFP") on February 3, 2025, seeking qualified proposals to license a 420 square feet retail concession located on the inbound platform side of the Station.

Two (2) proposals were received and are summarized below:

Staff Summary

FINANCE COMMITTEE MEETING

LICENSE AGREEMENT BETWEEN WITH GATEWAY FOODS HOLDING LLC FOR THE RETAIL CONCESSION AND STORAGE SPACE AT WHITE PLAINS STATION, WHITE PLAINS, NY (Cont'd)

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Proposer	Term	Use/Concept	Yr 1 MAG/ % Rent	NPV w/o Improv (5 Year Term)
Winfield Street Croton LLC	5 years + 5 year extension option	Operate a Coffee Concession	\$111,000.00 10% of gross sales above \$1,139,724.13	\$1,033,387.22
Gateway Foods Holding LLC	5 years + 5 year extension option	Tim Horton's coffee concession	\$112,500.00 8.5% of gross sales above \$1,139,724.13	\$1,035,865.42

Upon review of the submitted proposals, MTA Real Estate determined that the most favorable proposal was submitted by Gateway Foods. Gateway Foods is the highest bidder and has been operating in the Licensed Area since May, 2014. The Licensee is under a holdover agreement dated June 5, 2025, as their license agreement expired on May 31, 2025. Gateway Foods has proposed to continue to operate the Licensed Area as a Tim Horton's coffee concession.

Throughout the Term, Gateway Foods will be responsible for ongoing maintenance and necessary repairs to the Licensed Area, its components and all related systems including fixtures, equipment, and any alterations made by Gateway Foods. Gateway Foods will ensure quality merchandise, compliance with safety, sanitation and business practices.

The proposed annual MAG compensation is listed in the table above, with eight and half (8.5%) percent revenue share on total gross sales over \$1,139,724.13.

A credit and background investigation was performed and indicates that Gateway Foods and its principals have no open civil or criminal records and possesses adequate financial resources to pay the proposed license compensation, maintain the required insurance, make the required improvements and carry out the required property maintenance at the Licensed Area.

The form of the agreement will be drafted by MTA Legal and will require Gateway Foods to provide appropriate insurance coverage and indemnification and comply with MNR's operating requirements.

Based on the foregoing, MTA Real Estate hereby requests authorization for MNR to enter into a license agreement with Gateway Foods under the above-described terms and conditions.