

Date: January 8, 2010

To: Board of Acquisition and Contract

From: Robert F. Meehan
County Attorney

Re: Authority to purchase Commercial General Liability Insurance from the Scottsdale Insurance Company through the brokerage firm, the Spain Agency, Inc. for Polling Sites for Primary and General Elections at a premium cost not to exceed \$70,000.00 for the policy period from February 4, 2010 through February 4, 2011.

Pursuant to the New York State Election Consolidation and Improvement Act of 2005, section 4-104(1) of the New York Election law requires the County Board of Elections to designate the polling places in each election district in which any election may be held. The County is now responsible for conducting elections on sites owned by third parties. Accordingly, the County requires liability insurance for such elections and also names the site owner as an additional insured.

Authority is now requested for the County of Westchester to purchase Commercial General Liability Insurance from the Scottsdale Insurance Company through the brokerage firm the Spain Agency, Inc. for Polling Sites for Primary, General, Village and Special Elections. The premium cost of this insurance package shall not exceed \$70,000.00 for the policy period from February 4, 2010 through February 4, 2011, to cover four (4) Elections as follows: February 9, 2010 - 89th Assembly District Special Election; March 16, 2010 - Village Elections in Elmsford, Irvington, Pelham and Sleepy Hollow; September 14, 2010 - Primary Election and the November 2, 2010 - General Election. Should any additional or alternative election dates be required, they will be added by endorsement. The cost of such additional election date coverage is included in the requested not to exceed amount. This cost of this policy in 2009 was \$48,966.52 which provided liability coverage for 3 election dates.

The insurance package provides \$2,000,000.00 in Commercial General Liability coverage, (\$2,000,000.00 aggregate and \$1,000,000.00 per occurrence) which is subject to a \$1,000.00 deductible. The insurance will cover the dates of the election and the day before and the day after each event to allow for set up and take down.

The public purpose of the procurement of insurance is to ensure that polling places are adequately insured on all 2010 Election dates. The goal of maintaining adequate liability insurance coverage at polling places and any claims related thereto will be tracked and monitored by the Office of Risk Management on an ongoing basis.

This procurement is exempt under the Westchester County Procurement Policy pursuant to Section 3 (a) (v) thereof which exempts procurements of insurance or surety bonds.

Accordingly, your favorable action on the annexed Resolution is recommended.

RFM/DI/di

APPROVED BOARD OF ACQUISITION & CONTRACT - 2-4-2010 - JOMARY VIEIRA, SECRETARY

RESOLUTION

Upon a communication from the County Attorney, be it hereby

RESOLVED, that the County of Westchester is hereby authorized to purchase Commercial General Liability Insurance, from the Scottsdale Insurance Company through the brokerage firm the Spain Agency, Inc.; and be it further

RESOLVED, that under the terms of the insurance package, the Scottsdale Insurance Company shall provide \$2,000,000.00 in Commercial General Liability coverage, (\$2,000,000.00 aggregate and \$1,000,000.00 per occurrence) which is subject to a \$1,000.00 deductible; and be it further

RESOLVED, that the premium cost of this insurance package shall not exceed \$70,000.00 for the policy period from February 4, 2010 through February 4, 2011, which will specifically cover the dates of a Special Election, the Village Elections, the Primary and the General Election and additional or alternative election dates as may become required, plus the day before and day after each election to allow for set up and take down.

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

Account to be
Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2010	101	14	1000	4280		\$70,000.00

Budget Funding Year(s) 2010 Start Date 2/4/10 End Date 2/4/11
(must match resolution)

Funding Source Tax Dollars \$70,000.00
State Aid _____
\$70,000.00 Federal Aid _____
(must match resolution) Other _____