

70270

Date: June 18, 2019

To: Board of Acquisition and Contract

From: John M. Nonna
County Attorney

Re: Authority for the County of Westchester (“County”) to purchase Network, Program and Data Protection from the Starr Indemnity & Liability Company through the Spain Agency. The cost of this package shall not exceed \$70,040.00 for the Period July 15, 2019 through July 15, 2020

The Department of Law, Office of Risk Management, issued an Request for Proposals to search the market for Network Program and Data Protection. Three (3) agencies submitted responses and, based on the products offered, pricing and company financial strength, it was determined that the program offered by the Starr Indemnity & Liability Company best serves the County’s needs.

Authority is now requested for the County to enter into an agreement with the Starr Indemnity & Liability Company through the Spain Agency to purchase Network, Program and Data Protection for the period July 15, 2019 through July 15, 2020 for a cost not to exceed \$70,040.00. The package provides: \$10,000,000 of coverage subject to a \$250,000 deductible.

The goals and objectives of this agreement are to provide monetary protection for the County. The goals and objectives are in the best interest of the County in terms of fiscal responsibility because the County assets will be protected, thus insuring public service continuity and reducing risk for all parties.

The proposed agreement will serve a public purpose by protecting County assets thus ensuring public service continuity and reducing risk for all parties.

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

JMN/AJD/mkf
enc.

RESOLUTION

Upon a communication from the County Attorney, be it hereby

RESOLVED, that the County of Westchester (the "County") is hereby authorized to purchase Network, Program and Data Protection from the Starr Indemnity & Liability Company through the Spain Agency; and be it further

RESOLVED, that under the terms, Starr Indemnity & Liability Company shall provide Network, Program and Data Protection with \$10,000,000.00 limit subject to a \$250,000 deductible; and be it further

RESOLVED, that the cost of this package shall not exceed \$70,040.00 for the Period July 15, 2019 through July 15, 2020; 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 State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any 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, then the Insurance companies shall have the right to terminate this agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute all instruments and take all actions reasonably necessary to implement this Resolution.

| Account to be Charged/ credited | Fund | Agency | Capital Project Or Org | Object/ Sub Object | Trust Account | Activity | Dollars |
|---------------------------------|------|--------|------------------------|--------------------|---------------|----------|-------------|
| | 101 | 52 | 2004 | 4280 | | | \$70,040.00 |
| | | | | | | | |

Budget Funding Year(s) 2019 **Start Date** 7/15/2019 **End Date** 7/15/2020

Funding Source

| | |
|--------------------|-------------|
| Tax Dollars | 100% |
| State Aid | |
| Federal Aid | |
| Other | |

\$70,040.00