

14280

Date: September 28, 2010

To: Board of Acquisition and Contract

From: Robert F. Meehan  
County Attorney

Re: **Authority for the County of Westchester to amend its insurance policy for the “Small Bus” ParaTransit and Senior Programs & Services Fleets by adding additional liability coverage and increasing the total not to exceed amount by \$27,000.00 for the policy covering the combined fleets, for a total new not to exceed amount of \$488,000.00**

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By Resolution dated June 17, 2010 and approved on July 8, 2010 (the “Resolution”), your Honorable Board authorized the County of Westchester (the “County”) to purchase a Business Auto Insurance Policy (the “Insurance Policy”) for the “Small Bus” ParaTransit and Senior Programs & Services Fleet (the “Fleet”) through the Spain Agency, 625 Route 6, Mahopac, New York for the policy period August 22, 2010 through August 22, 2011, in a total amount not to exceed \$461,000.00. The Insurance Policy provides the County with Automobile liability and physical damage coverage for the Fleet.

With respect to the Office for the Disabled, ParaTransit Fleet, the Federal Transportation Authority (“FTA”) recently mandated that the County must now provide escort assistance to clients between the County’s vehicles and the entrance of the client’s residence. Thus, the County must now amend the Insurance Policy to provide coverage for these additional federally mandated services since the County’s current Insurance Policy does not provide coverage once the client exits the vehicle. Accordingly, authority is hereby requested to authorize the County to amend the Insurance Policy to add General Liability coverage and to increase the NTE amount for the Insurance Policy by \$27,000.00 for a new total not to exceed amount of \$488,000.00. All other terms and conditions of the agreement shall remain unchanged.

The goals and objectives of this agreement are to provide insurance coverage for the Fleet. The goals and objectives are in the best interest of the County in terms of fiscal responsibility because the insurance coverage will protect County assets in the event of an accident, thus insuring public service continuity and reducing risk for all parties. Risk Management will track and monitor any reports of incidents and/or accidents occurring over the policy period and prepare a summary report at the end of the policy period identifying number of occurrences and corrective actions taken (as necessary) to prevent recurrence.

The proposed Agreement is exempt from the Westchester County Procurement Policy pursuant to Section 3(a)(v) thereof. It should be noted, however, that the Department of Law, Office of Risk Management issued a Request for Proposals (“RFP”) for Insurance Coverage on

May 3, 2010, and after a thorough review of all proposals, it was determined that the proposal submitted by the Spain Agency for the Selective Insurance Company of New York best served the County's interests with regards to pricing, service and coverage.

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

RFM/jpi

APPROVED BOARD OF ACQUISITION & CONTRACT - 11-23-2010 - JOMARY VIEIRA, SECRETARY

## RESOLUTION

Upon a communication from the County Attorney, be it:

**RESOLVED**, that the County is hereby authorized to amend its insurance policy for the “Small Bus” ParaTransit and Senior Programs & Services Fleets by adding additional general liability coverage and increasing the total not to exceed amount by \$27,000.00 for the policy covering the combined fleets, for a new total not to exceed amount of \$488,000.00; and be it further

**RESOLVED**, that all other terms and conditions of the Agreement shall remain unchanged; 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.

Original Agreement	\$461,000
<b>This Amendment</b>	<b>\$ 27,000</b>
<b>TOTAL</b>	<b>\$488,000</b>

Account to be Charged/credited	Fund	Agency	Capital Project or Org	Activity Code	Object/ SubObject	Trust Account	Dollars
ParaTransit	101	11	0600		4280		\$27,000.00

Budget Funding Year(s) 2010 Start Date: 8/22/10 End Date: 8/22/11  
 (must match resolution)

Funding Source Tax Dollars 95%

State Aid \_\_\_\_\_

\$ 27,000 Federal Aid 5%

(must match resolution)

Other \_\_\_\_\_

APPROVED BOARD OF ACQUISITION CONTRACT - 11-25-2010 - JOMARY VIEIRA, SECRETARY