

DATE: May 14, 2013

TO: Board of Acquisition and Contract

FROM: Robert F. Meehan
County Attorney

SUBJECT: Resolution authorizing the renewal of an agreement for "All Risk" Property/ Boiler & Machinery Insurance for Hangars "D" and "E" at Westchester County Airport with the New York Municipal Insurance Reciprocal ("NYMIR") through the brokerage firm, The Spain Agency, for the period, June 1, 2013 through June 1, 2014 in an amount not to exceed \$79,190.38

By Resolution approved on May 24, 2012, your Honorable Board authorized the County to enter into an agreement for the purchase of the County's "All Risk" Property/Boiler & Machinery Insurance for Hangars "D" and "E" at the Westchester County Airport from the New York Municipal Insurance Reciprocal ("NYMIR") and the Great American Property and Casualty Group through the Brokerage Firm, The Spain Agency, for the period June 1, 2012 through June 1, 2013 (the "Agreement"). The Agreement was subsequently executed. The breakout for coverage was as follows: \$75,317.76 for the "All Risk" Property/Boiler & Machinery Insurance provided by NYMIR and \$9,854.00 for Flood and Earthquake coverage provided by the Great American Property and Casualty Group for a total of \$85,171.76.

The Spain Agency was again successful in securing "All Risk" Property/ Boiler & Machinery Insurance coverage from the New York Municipal Insurance Reciprocal ("NYMIR") for the period 6/1/13 through 6/1/14. However, this year, efforts to secure the Flood and Earthquake insurance coverage at a reasonable rate is proving difficult and will be the subject of a separate authorization request when the coverage is secured.

The premium cost of \$79,190.38 represents approximately a 5% increase in premium dollars. The premium reflects current market conditions as related to the aviation industry. This insurance includes coverage for terrorist acts. There were three (3) losses in the 2011 and 2012 policy years, with payouts in 2012 as follows: Loss #1 12/27/11 – Hangar D – Damage to facade, panels & primary support cracked due to wind gust and subsequent pressurization: \$50,756.66; Loss #2 2/10/12 – Hangar D - Equipment breakdown/Mechanical failure of safety valve causing steam boiler to malfunction and affect radiators. Piping wrapped in asbestos;

abatement was needed: \$15,921.67; Loss #3 10/29/12 – Hangar E - Wind damaged outdoor sign: \$21,453.00

As you know the procurement of insurance is exempt from the procedures of the Procurement Policy under section 3(a) (v) of said Policy.

Authority is now requested to renew the agreement with New York Municipal Insurance Reciprocal (“NYMIR”) through the Brokerage Firm, The Spain Agency for the period 6/1/13 through 6/1/14 for a premium amount not to exceed \$79,190.38 for All Risk Property Coverage.

The goals and objectives of this agreement are to provide a cost-effective Risk Management program to insure County property. The goals and objectives are in the best interest of the County in terms of fiscal responsibility by being able to manage the risks inherent in County ownership of property. Risk Management will track any report of incident and/or accident occurring at Hangars D & E 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 cost of this insurance package shall be reimbursed by the tenants operating in this location as outlined under the terms and conditions of the lease agreement. This package includes the New York State Inspection Fee, which is required by the State in order to obtain boiler-operating certificates.

Except as expressly modified hereby all other terms and conditions of the Agreement shall remain in full force and effect.

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

enc.
RFM/AJD/mkf

RESOLUTION

Upon a communication from the County Attorney, be it hereby

RESOLVED, that the County of Westchester is hereby authorized to renew an agreement for "All Risk" Property/ Boiler & Machinery Insurance from the New York Municipal Insurance Reciprocal ("NYMIR") for Hangars "D" & "E" at the Westchester County Airport (the "Agreement."); and be it further

RESOLVED, that the cost of the insurance package for the year, June 1, 2013 through June 1, 2014 shall not exceed \$79,190.38; and be it further

RESOLVED, that the County will be reimbursed for the cost of the insurance by the tenants operating in this location as outlined under the terms and conditions of the lease agreement; and be it further

RESOLVED, that all other terms and conditions of the above-mentioned Insurance Package shall remain the same; 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	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
161	44	4110	4280		\$79,190.38

Budget Funding Year(s) 2013 Start Date 6-1-2013 End Date 6-1-2014
(must match resolution)

Funding Source Tax Dollars _____
State Aid _____
Federal Aid _____
Other Airport Special Revenue Fund