

91139

Date: February 18, 2021

To: Board of Acquisition and Contract

From: John M. Nonna  
County Attorney

Re: Authority to purchase a Commercial General Liability Insurance package in the amount of \$2,000,000 in commercial General Liability coverage (\$2,000,000 aggregate and \$1,000,000 per occurrence) which is subject to a \$10,000 deductible, at a cost not to exceed \$90,279.90, for the policy period commencing March 1, 2022 through March 1, 2023, which will cover the dates and polling sites of the primary, general and village elections, currently identified as follows: 1) Village Elections: March 15, 2022; 2) Primary Election: June 28, 2022 with early voting June 18 – 26, 2022; 3) General Election: November 8, 2022, with early voting October 29 – November 6, 2022, any additional or alternative election dates as may be required, and including the day before, and the day after each election, to allow for set up and removal at the polling site, from Lexington Insurance Company, through the brokerage firm of Marsh & McLennan Companies, Inc. d/b/a Marsh McLennan.

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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 of Westchester (“the County”) Board of Elections to designate the polling places in each election district in which any election may be held. Several of the owners of the sites which the County Board of Elections has designated as polling places, require the County to provide evidence of insurance naming the site owner as an additional insured.

Authority is requested for the County to purchase a Commercial General Liability Insurance package from Lexington Insurance Company, through the brokerage firm of Marsh & McLennan Companies, Inc. d/b/a Marsh McLennan for polling sites for primary, general and village elections currently identified as follows: 1) Village Elections: March 15, 2022; 2) Primary Election: June 28, 2022, with early voting June 18 – 26, 2022; 3) General Election: November 8, 2022, with early voting October 29 – November 6, 2022. The cost of this insurance package shall not exceed \$90,279.90 for the policy period March 1, 2022 through March 1, 2023 and will cover all primary, general and village elections, including early voting, where applicable. The polling sites have not yet been

determined. Should any additional or alternative election dates be required, including a special election, they will be added by endorsement.

The insurance package provides \$2,000,000.00 in Commercial General Liability coverage, (\$2,000,000 aggregate and \$1,000,000.00 per occurrence) which is subject to a \$10,000.00 deductible. The insurance will cover the dates and locations of the election, and the day before, and the day after each election, to allow for set up and removal at the polling site. Further, Lexington Insurance company has agreed to reduce its minimum premium earned to twenty-five (25%) percent.

It should be noted that the Director of the County Office of Risk Management sought quotations from the following insurance carriers which declined the opportunity to underwrite the insurance package for the County for a variety of reasons:

1. The Traveler's Companies, Inc.;
2. Old Republic General Insurance Group;
3. Chubb;
4. Munich;
5. CoverX/Crum;
6. IAT Insurance Group, Inc.;
7. James River Insurance Company;
8. Ambridge Partners LLC; and
9. Admiral Insurance Company

The public purpose of the procurement of insurance is to ensure that polling places are adequately insured on all 2022 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 County 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.

KD/LC  
Attachment

# RESOLUTION

Upon a communication from the County Attorney, be it hereby

**RESOLVED**, that the County of Westchester (the "County") is hereby authorized to purchase a Commercial General Liability Insurance package in the amount of \$2,000,000 in Commercial General Liability coverage (\$2,000,000 aggregate and \$1,000,000 per occurrence) which is subject to a \$10,000 deductible, at a cost not to exceed \$90,279.90, for the policy period commencing March 1, 2022 through March 1, 2023, which will cover the dates and polling sites of the primary, general and village elections currently identified as follows: 1) Village Elections: March 15, 2022; 2) Primary Election: June 28, 2022, with early voting June 18 – 26, 2022; 3) General Election: November 8, 2022, with early voting October 29 – November 6, 2022, any additional or alternative election dates as may become required, and including the day before, and the day after each election, to allow for set up and removal at the polling site, from Lexington Insurance Company, through the brokerage firm of Marsh & McLennan Company, Inc. d/b/a Marsh McLennan; and be it further

**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
2022	101	14	1000	4280		\$90,279.90

Budget Funding Year(s) 2022 Start Date 3/1/22 End Date 3/1/23  
 (must match resolution)

Funding Source

**\$90,279.90**  
 (must match resolution)

Tax Dollars \$90,279.90  
 State Aid \_\_\_\_\_  
 Federal Aid \_\_\_\_\_  
 Other \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/25/2022 - RAMOND SUKHALEKHAJITRI