



Memorandum
Department of Law
Office of Risk Management

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DATE: June 11, 2025

TO: Board of Acquisition and Contract

FROM: John M. Nonna
County Attorney

SUBJECT: Authority for the County to purchase an insurance policy from the New York Municipal Insurance Reciprocal, through the brokerage firm of Brown & Brown of New York, Inc., for 'Business Auto' insurance for the 'Small Bus' and 'Paratransit' fleets, for the policy period from August 22, 2025 through August 22, 2026, for an amount of \$620,012.00.

By a resolution approved on July 25, 2024 (the "Previous Resolution"), your Honorable Board authorized the County of Westchester (the "County") to purchase an insurance policy from the New York Municipal Insurance Reciprocal ("NYMIR"), through the brokerage firm of Brown & Brown of New York, Inc. ("Brown & Brown"), for 'Business Auto' insurance for the 'Small Bus' and 'Paratransit' fleets (collectively, the "Fleets"), for the policy period from August 22, 2024 through August 22, 2025, for an amount of \$558,672.00 (the "Expiring Policy").

As specified in the Previous Resolution, to the extent that the Fleets increased or decreased in size during the policy year, the Expiring Policy would be debited or credited, based upon the addition or deletion of one or more vehicles, at the pro-rated per-unit cost. At the time of approval of the Previous Resolution, the Fleets totaled 125 vehicles. Presently, the Fleets total 124 vehicles. However, the premiums offered to the County for the primary liability coverage and excess liability coverages have both increased. Accordingly, at this point in time, the annualized cost for the Expiring Policy, with that lower number of vehicles, but with increases in premium costs, and with a small reduction in the associated motor vehicle fees, is \$620,012.00 (the "Final Annualized Cost").

Authority is now requested for the County to purchase a Business Auto Insurance policy for the Fleets from NYMIR through Brown & Brown, for the policy period from August 22, 2025 through August 22, 2026, for an amount of \$620,012.00 (the "New Policy").

As noted above, the cost of the proposed New Policy has increased; the Final Annualized Cost of the New Policy represents an increase of 11.23% over the Final Annualized Cost of the Expiring Policy. The County has been informed that, given market conditions, this is the most competitive premium that NYMIR could offer.

For a total of 124 vehicles comprising the Fleets, the New Policy will provide both, a.) \$11,000,000.00 of 'first dollar' liability coverage, which is comprised of \$1,000,000.00 in primary liability coverage and \$10,000,000.00 in excess liability coverage, and b.) physical damage coverage for the actual cash value or cost of repair (whichever is less) for each covered vehicle, not to exceed the value of each vehicle, and subject to a deductible for each vehicle, which deductible will vary based upon each vehicle but will not exceed \$2,000.00.

It is anticipated that the Fleets may increase or decrease in size during the policy year, as has been the case in the past. Accordingly, the New Policy shall be debited or credited, based upon the addition or deletion of one or more vehicles, at the pro-rated per-unit cost.

All other terms and conditions of the New Policy will be the same as those in the Expiring Policy.

The proposed New Policy will serve a public purpose by ensuring that the County will have both proper and cost-effective insurance coverage for the Fleets.

The goal and objective of the proposed New Policy is to ensure that the County will have both proper and cost-effective insurance coverage for the Fleets.

The goal and objective of the proposed New Policy is in the best interests of the County in terms of fiscal responsibility, as it will ensure that the County's insurance coverage for the Fleets is cost-effective and will serve to protect County assets in the event of an accident.

The goal and objective of the proposed New Policy will be tracked and monitored by the County's Office of Risk Management.

The procurement of the New Policy is exempt from the County's Procurement Policy and Procedures pursuant to Section 3(a)(v) thereof.

I respectfully recommend the adoption of the attached resolution.

JMN/KD/bdm/nm

RESOLUTION

Upon a communication from the County Attorney, be it hereby:

RESOLVED, that the County of Westchester (“County”) is hereby authorized to purchase an insurance policy from the New York Municipal Insurance Reciprocal (“NYMIR”), through the brokerage firm of Brown & Brown of New York, Inc., for ‘Business Auto’ insurance for the ‘Small Bus’ and ‘Paratransit’ fleets (collectively, the “Fleets”), for the policy period from August 22, 2025 through August 22, 2026, for an amount of \$620,012.00 (the “New Policy”); and be it further

RESOLVED, that for a total of 124 vehicles comprising the Fleets, the New Policy will provide both, a.) \$11,000,000.00 of ‘first dollar’ liability coverage, which is comprised of \$1,000,000.00 in primary liability coverage and \$10,000,000.00 in excess liability coverage, and b.) physical damage coverage for the actual cash value or cost of repair (whichever is less) for each covered vehicle, not to exceed the value of each vehicle, and subject to a deductible for each vehicle, which deductible will vary based upon each vehicle but will not exceed \$2,000.00; and be it further

RESOLVED, that, to the extent that the Fleets increase or decrease in size during the policy year, the New Policy shall be debited or credited, based upon the addition or deletion of one or more vehicles, at the pro-rated per-unit cost; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this resolution.

Account to be charged/credited:

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
101	44	2100	4280/99		\$620,012.00

Budget Funding Year(s): 2025-2026 Start Date: 8/22/2025 End Date: 8/22/2026

Funding Source: Tax Dollars: 100%
 State Aid: _____
\$620,012.00 Federal Aid: _____
(must match resolution) Other: _____