

CLEVELAND PUBLIC LIBRARY

Finance Committee

September 14, 2021

**RESOLUTION TO RATIFY AND APPROVE THE PURCHASE OF INSURANCE
COVERAGE FOR POLICIES EFFECTIVE AUGUST 1, 2021**

WHEREAS, On September 17, 2020, the Board of Library Trustees authorized the renewal of the insurance packages stated within this Resolution for one, one-year renewal period commencing on August 1, 2021, provided terms, conditions, and pricing remained comparable to the current programs and consistent with then current market conditions; and

WHEREAS, On June 17, 2021, the Board of Library Trustees authorized the Executive Director to make the final determination to accept the insurance package that provides the best coverage for the lowest overall cost, for a total annual premium for all policies not to exceed \$590,000, and the coverage purchased would be presented for ratification by the Board of Library Trustees at their next regularly scheduled meeting; and

WHEREAS, The 2021 renewal premiums are as follows:

Coverage	Expiring Premium	Carrier	Renewal
Property, including Boiler & Machinery	\$266,433	Affiliated FM Insurance Company (Incumbent)	\$276,011
Fine Arts	Within Property Policy	Travelers Insurance Company	\$2,500
General Liability, including Employee Benefits Liability, Ohio Employer's Liability and Abuse/Molestation	\$45,343	Liberty Mutual Insurance Company (Incumbent)	\$50,417
Law Enforcement Professional Liability	\$7,750	Liberty Mutual Insurance Company (Incumbent)	\$8,989
Automobile Liability	\$48,686	Liberty Mutual Insurance Company (Incumbent)	\$52,604
\$10 million Excess Liability	\$21,290	Liberty Mutual Insurance Company (Incumbent)	\$23,644

EXHIBIT 3

Coverage	Expiring Premium	Carrier	Renewal
Crime	\$9,750	Travelers Insurance Company (Incumbent)	\$10,430
Cyber Liability	\$19,869.25	Coalition Insurance Solutions, Inc. (New)	\$19,664.50
Public Officials and Employment Practices Liability	\$54,440	Illinois National Insurance Company – AIG (Incumbent)	\$54,426
Total Premium	\$473,561.25		\$498,685.50

;and

WHEREAS, The Library’s Executive Director is authorized to accept the Property, Fine Arts, General Liability, Law Enforcement Professional Liability, Automobile Liability, Excess Liability, Crime, Cyber Liability and Public Officials and Employment Practices Liability as presented by McGowan Insurance for coverage effective August 1, 2021; and

WHEREAS, The combined annual renewal premiums yielded a 5.3% increase in cost (or \$25,124.25) compared to the expiring program premiums; now therefore be it

RESOLVED, That the Board of Library Trustees ratifies the decision to purchase Property, Fine Arts, General Liability, Law Enforcement Professional Liability, Automobile Liability, Excess Liability, Crime, Cyber Liability and Public Officials and Employment Practices Liability through McGowan Insurance for the fifth year’s premium not-to-exceed \$498,685.50 for the period August 1, 2021 through August 1, 2022.

AN INSURANCE PROPOSAL
PREPARED FOR:

CLEVELAND PUBLIC LIBRARY
325 SUPERIOR AVE.
CLEVELAND, OH 44114

PRESENTED BY:



20595 LORAIN RD
FAIRVIEW PARK, OH 44126

August 4, 2021* UPDATED

DISCLAIMER - The abbreviated outlines of coverages used throughout this proposal are not intended to express any legal opinion as to the nature of coverage. They are only visuals to a basic understanding of coverages. Please read your policy for specific details of coverages.

GENERAL LIABILITY POLICY OUTLINE

COMPANY: Liberty Mutual Fire Insurance Company (Admitted / Incumbent)

COVERAGE	LIMIT
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GENERAL LIABILITY – OCCURRENCE-BASIS:

Each Occurrence	\$1,000,000
Personal and Advertising Injury	\$1,000,000
General Aggregate (Other Than Products / Completed Operations)	\$2,000,000
Products / Completed Operations Aggregate	\$2,000,000
Rented to You	\$1,000,000
Medical Expense – Each Person	\$5,000

EMPLOYEE BENEFIT LIABILITY – CLAIMS-MADE BASIS:

Each Person	\$1,000,000
Aggregate	\$2,000,000
Retroactive Date	08/01/2006

OHIO STOP-GAP LIABILITY – OCCURRENCE-BASIS:

Each Person	\$1,000,000
Each Occurrence	\$1,000,000
Bodily Injury – By Disease	\$1,000,000

SEXUAL MISCONDUCT & MOLESTATION – OCCURRENCE-BASIS:

Each Wrongful Act	\$1,000,000
Aggregate	\$1,000,000
Deductible Each Wrongful Act	\$2,500

MAJOR POLICY TERMS & CONDITIONS:

- Blanket Additional Insured & Waiver of Subrogation as required by written contract
- Liberty General Liability Enhancement Endorsement
- Law Enforcement Exclusion (Separate Policy with Liberty)
- Total Pollution Exclusion With A Building Heating, Cooling And Dehumidifying Equipment Exception And A Hostile Fire Exception

LAW ENFORCEMENT PROFESSIONAL LIABILITY POLICY OUTLINE

COMPANY: Liberty Mutual Fire Insurance Company (Admitted / Incumbent)

COVERAGE	LIMIT
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LAW ENFORCEMENT – OCCURRENCE-BASIS:

Each Wrongful Act	\$1,000,000
Aggregate	\$1,000,000
Supplementary Payments – Non-Monetary Relief	\$25,000
Deductible Each Wrongful Act	\$2,500
Supplementary Payments – Non-Monetary Relief Deductible	\$2,500

COMMERCIAL AUTO POLICY OUTLINE

COMPANY: Liberty Mutual Fire Insurance Company (Admitted / Incumbent)

COVERAGE	LIMIT	PER
Bodily Injury and Property Damage	\$1,000,000	Combined Single Limit - Each Accident
Uninsured Motorists	\$100,000	Each Accident
Underinsured Motorists	\$100,000	Each Accident
Medical Payments	\$5,000	Each Accident
Towing	\$100	

COVERAGE	SYMBOL	APPLICABLE TO:	DEDUCTIBLE
Liability	01	Any Auto	Nil
Uninsured Motorists Underinsured Motorists	02	Owned Autos	Nil
Physical Damage - Comprehensive	02, 08	Owned Autos Hired Auto	\$500
Physical Damage – Collision	02, 08	Owned Autos Hired Auto	\$1,000
Towing	03		

MAJOR POLICY TERMS & CONDITIONS:

- Liberty Auto Enhancement Endorsement
- Autos per schedule received

SUBJECT TO:

- 1– Favorable Driving Records per drivers list received

\$10M EXCESS LIABILITY POLICY OUTLINE

COMPANY: Liberty Insurance Corporation (Admitted / Incumbent)

COVERAGE	LIMIT
Per Occurrence	\$10,000,000
Aggregate	\$10,000,000
Self-Insured Retention	\$0

UNDERLYING COVERAGE:

General Liability:

Each Occurrence	\$1,000,000
General Aggregate	\$2,000,000
Products / Completed Operations Aggregate	\$2,000,000
Personal and Advertising Injury	\$1,000,000

Employee Benefits Liability:

Per Occurrence	\$1,000,000
Aggregate	\$1,000,000

Abuse/Molestation:

Per Occurrence	\$1,000,000
Aggregate	\$1,000,000

Law Enforcement:

Each Wrongful Act	\$1,000,000
Aggregate	\$1,000,000

Automobile:

Combined Single Limit	\$1,000,000
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MAJOR POLICY TERMS AND CONDITIONS:

- Follow Form
- Crisis Management Coverage \$250,000 Aggregate Limit

CRIME POLICY OUTLINE

COMPANY: Travelers Casualty & Surety Company of America (Admitted / Incumbent)

<i>COVERAGE</i>	<i>LIMIT</i>	<i>DEDUCTIBLE</i>
<i>A - FIDELITY:</i>		
Employee Theft (Per Loss Coverage)	\$2,000,000	\$10,000
ERISA Fidelity	Not Covered	
Employee Theft of Client Property	Not Covered	
<i>B – FORGERY OR ALTERATION:</i>		
	\$2,000,000	\$10,000
<i>C – ON PREMISES:</i>		
	\$100,000	\$10,000
<i>D – IN TRANSIT</i>		
	\$100,000	\$10,000
<i>E – MONEY ORDERS AND COUNTERFEIT MONEY</i>		
	\$100,000	\$10,000
<i>F – COMPUTER CRIME</i>		
Computer Fraud	\$1,000,000	\$10,000
Computer Program and Electronic Data Restoration Expense	\$100,000	\$10,000
<i>G – FUNDS TRANSFER FRAUD</i>		
	\$1,000,000	\$10,000
<i>H – PERSONAL ACCOUNTS PROTECTION:</i>		
Personal Accounts Forgery or Alteration	\$100,000	\$500
Identity Fraud Expense Reimbursement	\$25,000	\$-0-
<i>I – Claim Expense</i>		
	\$5,000	\$-0-

MAJOR POLICY COVERAGE EXTENSIONS:

- Removal of Short-Rate Cancellation Endorsement
- Government Entity Crime – Specified Limit for Faithful Performance of Duty Endorsement
- Social Engineering Fraud
 - \$100,000 Limit / \$10,000 Deductible
- Telecommunication Fraud
 - \$100,000 Limit / \$1,000 Deductible

CYBER POLICY OUTLINE

COMPANY: North American Capacity Insurance Co.
Non-Admitted, Claims Made Form

Aggregate Limit of Liability \$2,000,000

Coverage under this policy is provided only for those Insuring Agreements for which a limit of liability appears below. If no limit of liability is shown for an Insuring Agreement, such Insuring Agreement is not provided by this policy. The Aggregate Policy Limit of Liability shown above is the most the Insurer will pay regardless of the number of Insuring Agreements purchased.

Third Party Liability Coverages:

Insuring Agreement	Limit/Sub-Limit	Retention/Sub-Retention
A Network & Information Security Liability	\$2,000,000	\$25,000
B Regulatory Defense and Penalties	\$2,000,000	\$25,000
C Multimedia Content Liability	\$2,000,000	\$25,000
D PCI Fines and Assessments	\$2,000,000	\$25,000
E Breach Response	\$2,000,000	\$25,000
F Crisis Management and Public Relations	\$2,000,000	\$25,000
G Cyber Extortion	\$2,000,000	\$25,000
H Business Interruption and Extra Expenses	\$2,000,000	\$25,000 Waiting Period 8 hrs Enhanced Waiting Period 8 hrs
I Digital Asset Restoration	\$2,000,000	\$25,000
J Funds Transfer Fraud	\$500,000	\$25,000

Coverage by Endorsement	Limit/Sub-Limit	Retention/Sub-Retention
Reputation Repair	\$2,000,000	\$25,000
Computer Replacement	\$2,000,000	\$25,000
Service Fraud	\$100,000	\$20,000
Reputational Harm Loss	\$1,000,000	Waiting Period 14 days
Breach Response Separate Limit Limit is separate from and in addition to the Aggregate Policy Limit of Liability	\$2,000,000	\$25,000

Pre-Claim Assistance \$4,620 Pre-claim assistance is a benefit included as part of the premium. See Section V Claims process Pre-Claim Assistance of the policy for more details

CYBER POLICY OUTLINE - CONTINUED

Policy Forms and Endorsements:

DECLARATIONS SP 14 797 0221
COALITION CYBER POLICY SP 14 798 0419
QUOTA SHARE ENDORSEMENT SP 15 629 0218
SERVICE OF SUIT ENDORSEMENT SP 14 927 0219
COMPUTER REPLACEMENT ENDORSEMENT SP 17 514 0419
REPUTATION REPAIR ENDORSEMENT SP 14 802 1117
REPUTATIONAL HARM LOSS SP 16 383 0718
SERVICE FRAUD ENDORSEMENT SP 16 183 0518
CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM SP 17 252 0219
DISCLOSURE PURSUANT TO TERRORISM RISK INSURANCE ACT SP 17 255 0220
BREACH RESPONSE SEPARATE LIMIT ENDORSEMENT SP 16 296 0618
REGULATORY COVERAGE ENHANCEMENT ENDORSEMENT – CCPA AND GDPR SP 17 147 1119
COURT ATTENDANCE COST REIMBURSEMENT ENDORSEMENT SP 16 777 0918
CRIMINAL REWARD COVERAGES SP 16 670 0818
DUTY TO COOPERATE ENDORSEMENT SP 17 274 0219
INVOICE MANIPULATION ENDORSEMENT SP 17 813 0819
MULTI-FACTOR AUTHENTICATION (MFA) RETENTION REDUCTIONS SP 17 814 0819
YOUR OBLIGATIONS AS AN INSURED ENDORSEMENT SP 17 275 0219
PHISHING (IMPERSONATION) AND PROOF OF LOSS PREPARATION EXPENSE ENDORSEMENT SP 18 435 0720
WRONGFUL COLLECTION EXCLUSIONS SP 18 324 0720
\$0 RETENTION FOR SERVICES FROM COALITION INCIDENT RESPONSE SP 18 395 0620
ADDITIONAL INSURED ENDORSEMENT WITH SCHEDULE SP 15 378 1118

PUBLIC OFFICIALS LIABILITY/EMPLOYMENT PRACTICES LIABILITY POLICY OUTLINE

INSURED: Cleveland Public Library
CARRIER: National Union Fire Insurance Company of Pittsburgh, PA (AIG) –(Admitted / Incumbent)

COVERAGE: Public Officials Liability / Employment Practices Liability including Third-Party
FORM: *Claims-Made Basis*

RETRO-DATE: Full Prior Acts
CONTINUITY-DATE: 09/18/2013

LIMITS OF LIABILITY: \$2,000,000 Each Claim / \$2,000,000 Policy Aggregate / Shared Limits
Crisis Fund - \$25,000

DEDUCTIBLES: Public Officials - \$50,000 Each Claim Including indemnity & defense
Employment Practices - \$100,000 Each Claim Including indemnity & defense

DEFENSE COSTS: **Within the Limits of Liability** (Changed from Expiring)

POLICY FORMS & ENDORSEMENTS:

- 108335 03/12 LRP Admitted GTC
- 108337 03/12 PUBLIC ENTITY COVERAGE SECTION
- 108341 03/12 LRP - Crisis Fund Coverage Section
- 108338 03/12 PUBLIC ENTITY EPL COVERAGE SECTION
- 97531 03/17 OHIO CANCELLATION/NONRENEWAL ENDORSEMENT
- 111370 07/12 OHIO AMENDATORY ENDORSEMENT
- 133603 08/19 NOTICE OF CLAIM PROVISION AMENDED ENDORSEMENT
- 108359 02/11 CANCELLATION PROVISION AMENDATORY NOTICE PERIOD 90 Days
- 108370 02/11 STATE AMENDATORY INCONSISTENT ENDORSEMENT
- 127617 12/17 SPLIT RETROACTIVE DATE ENDORSEMENT
- 124010 04/17 EPL PAK PREMIER ENDORSEMENT (EMPLOYMENT PRACTICES, LOSS PREVENTION AND RISK MANAGEMENT TOOLS)
- 125595 03/17 FEDERAL SHARE OF COMPENSATION UNDER TRIA AND CAP ON LOSSES ENDORSEMENT
- 119679 09/15 ECONOMIC SANCTIONS ENDORSEMENT
- 78859 10/01 FORMS INDEX ENDORSEMENT
- 132592 04/19 ENHANCED ASSAULT EXTENSION ENDORSEMENT (PUBLIC ENTITY COVERAGE SECTION)
- 135547 02/20 CONFIDENTIAL INFORMATION EXCLUSION ENDORSEMENT For use on EPL PUBLIC ENTITY
- **136268 04/20 DEFENSE PROVISION AMENDED ENDORSEMENT PUBLIC ENTITY AND EPL PUBLIC ENTITY**
- **135330 01/20 ABSOLUTE CYBER CLAIMS EXCLUSION ENDORSEMENT PUBLIC ENTITIES**

PROPERTY POLICY OUTLINE

COMPANY: Affiliated FM (Admitted / Incumbent)

POLICY LIMIT:

The company's total limit of liability, including any insured business interruption loss will not exceed the policy limit of **\$500,000,000** as a result of any one occurrence subject to the respective sub-limits of liability shown elsewhere in the policy.

Location Schedule: On file with the company per Statement of Values received.

SUB-LIMITS:

Unless otherwise stated below, the following sub-limits of liability will apply on a per occurrence basis for all coverages provided, and are part of not in addition to, the above limit(s) of liability.

- **\$200,000,000** Earth Movement (Annual Aggregate)
- **\$100,000,000** Flood (Annual Aggregate)
- **\$3,000,000** Extra Expense
- **\$50,000,000** Valuable Papers and Records not to exceed \$10,000 per irreplaceable valuable Papers and records

SOME ADDITIONAL COVERAGES:

- **\$2,500,000** Accounts Receivable
- **100,000** Arson or Theft Reward
- **100,000** Attraction Property
- **Policy Limit** Boiler and Machinery
- **Policy Limit** Brand Protection
- **\$100,000** Change in Temperature
- **\$1,000** Communicable Disease – Property Damage
- **\$100,000** Contractual Penalties
- **\$100,000** Crisis Management
- **\$500,000** Data Programs or software annual aggregate
- **\$50,000** Data Restoration annual aggregate
- **Policy Limit** Demolition and increased cost of construction
- **\$2,500,000** Errors and Omissions
- **\$1,000,000** **Fine Arts not to exceed \$10,000** per item for irreplaceable Fine Arts
- **\$200,000** Land & Water Clean-up Expense annual aggregate
- **2,500,000** Newly acquired property
- **50,000** Data Services Provider– Property Damage
- **\$2,500,000** Off Premises Service Interruption – Property Damage
- **Policy Limit** United States Certificate Act of Terrorism Coverage
- **1,000,000** Transit not to exceed **\$250,000** for Business Interruption
- **\$2,500,000** Unnamed Property

PROPERTY POLICY OUTLINE- CONTINUED

DEDUCTIBLES:

The following deductible amounts shall apply per occurrence for insured loss or damage under this policy:

- **\$100,000** Earth Movement (per location for all coverages provided).
- **\$100,000** Flood (per location for all coverages provided)
- **\$100,000** Boiler & Machinery
- **\$100,000** Communicable Disease Property Damage & Business Interruption subject to 48 Hours qualifying period.
- **\$100,000** Data Restoration subject to 48 Hours qualifying period
- **\$100,000** Data Service Provider Property Damage & Business Interruption subject to 24 Hours qualifying period to
- **\$100,000** Off Premises Service Interruption Property Damage & Business Interruption subject to 24 Hours qualifying period
- **\$100,000** Owned Network Interruption subject to 48 Hours qualifying period
- **\$10,000** Fine Arts
- **\$10,000** Personal Property of Others
- **\$10,000** Transit
- **\$100,000** All other losses
- **Business Interruption Day Equivalent Deductible**
 1. The business interruption deductible will be determined by multiplying the one hundred percent day equivalent (DEQ) by 2. The day equivalent is the 100% actual annual business interruption value that would have been earned had no loss occurred at the location where the physical damage happened plus that proportion of the 100% annual business interruption value at all other locations where business interruption loss ensues, divided by the number of annual working days.

INLAND MARINE COVERAGE

Company: Travelers Property Casualty Company of America

FINE ART - MUSEUM

Cleveland Public Library – Rare Book Collection

Location 1; Building 1: 325 Superior Avenue, Cleveland, OH 44114

Coverage	Limit of Insurance
Property at your Premises	\$2,299,460
Flood	\$1,000,000
Earth Movement	\$1,000,000
Property at any other Location	\$100,000
Property in Transit	\$100,000
Deductible	\$5,000

Valuation: Current Market Value

Additional Coverages	Limit of Insurance
Debris Removal	Up to 25%/\$25,000
Pollutant Cleanup and Removal	Up to \$25,000
Parcel Post and Registered Mail	Up to \$1,000 per package/\$25,000 Occurrence
Expediting Expenses	Up to \$25,000
Inventory, Appraisals & Loss Adjustment Expenses	Up to \$10,000
Fire Department Service Charges	Up to \$5,000
Refilling of Fire Protective Devices	Up to \$5,000
U.S. Indemnity Deductible Coverage	Up to \$400,000
Currency Fluctuation	Included
Pairs and Sets	Included

FORMS

CMT142 Museum Coverage Form

CM U6 17 Electronic Vandalism Limitation Endorsement (CM U1 64 in NY); \$10,000 Aggregate Limit

IL T3 82 Exclusion of Loss Due to Virus or Bacteria

IL T4 12 Amendment Of Common Policy Conditions – Prohibited Coverage – Unlicensed Insurance And Trade Or Economic Sanctions

IL T4 14 Cap On Losses From Certified Acts Of Terrorism

OPTIONAL COVERAGES

The following list outlines coverages that are available to you but are not currently in your insurance program. We feel that it is important that we bring these optional coverages to your attention and would be happy to discuss them in further detail as well as provide you with a quotation. Please review the brief description of these items and advise if you are interested in obtaining additional information and/or a quote. We will forward the appropriate application(s) to you for completion. Upon receipt of your completed application we will provide you with a quote.

Active Shooter/Workplace Violence Insurance: covers liability and extra expenses tied to violent attacks and/or threats, providing victim death benefits as well as needed medical / rehabilitation / psychiatric / funeral expense coverages. The program considers all classes of business, including but not limited to government agencies, education, religious institutions, hospitality, entertainment, retail, and public entities. The program covers a wide range of attack-types, such as knife, vehicular attacks, explosives, acid attacks rather than solely committed with a firearm.

- Legal liability coverage with indemnity to address lawsuits that may result from a covered event.
- Victim coverages related to:
 - Psychiatric care
 - Medical or dental care
 - Rehabilitation expenses
 - Death Benefit / Disability Coverages
 - Funeral / Burial Expenses
- Business Expenses related to:
 - Business income/interruption and extra expenses
 - Public relations counsel
 - Crisis Consultant expenses
 - Employee counseling
 - Additional / Temporary security measures

Fiduciary Liability Insurance: Helps to protect the personal assets of company fiduciaries, as well as the financial assets of the company and employee benefit plans against lawsuits.

Third Party Crime Coverage: Crime coverage if an employee steals your client's property

ANNUAL PREMIUM SUMMARY

Coverage Effective Date: August 1, 2021-22

COVERAGE	CARRIER	2020-21 EXPIRING	2021-22 RENEWAL	
Property	Affiliated	\$266,433	\$276,011	
Fine Arts	Travelers	Within Property	\$2,500	
General Liability Employee Benefits Liability Ohio Employer's Liability Abuse/Molestation	Liberty	\$45,343	\$50,417	
Law Enforcement	Liberty	\$7,750	\$8,989	
Commercial Auto	Liberty	\$48,686	\$52,604	
\$10M Excess Liability	Liberty	\$21,290	\$23,645	Actual \$23,644
Crime	Travelers	\$9,750	\$10,430	
Cyber	Coalition	\$19,869.25	\$19,664.50	
Public Officials/Employment Practices	AIG	\$54,440	\$54,426	
Total Premium		\$473,561.25	\$498,686.50	\$498,685.50
Total Builders Risk Additions (Breakdown PG 15)			\$33,721	
TOTAL			\$532,407.50	\$532,406.50

In order to Bind:

1. *Written request to Bind*
2. *Completed signed and dated COVID-19 supplemental for Management Liability*
3. *Signed Surplus Lines Affidavit & Coalition Application for Cyber*
4. *Signed Statement of Values for property*
5. *Signed TRIA acceptance forms for Property, Excess Policies, General Liability, and Law Enforcement*

***ALL coverages bound**

BUILDERS RISK – PREMIUM BREAKDOWN:

LOCATION	EFFECTIVE DATES	CARRIER	PREMIUM
Hough Branch	06/05/2021-2022	Travelers	\$3,064
Woodland Branch	06/26/2021-2022	Travelers	\$16,623
Jefferson Branch	07/10/2021-2022	Travelers	\$3,480
West Park Branch	07/17/2021-2022	Travelers	\$10,554
		TOTAL PREMIUM	\$33,721