

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND



**NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
(NJIIF)**

**RISK MANAGEMENT PLAN
FUND YEAR 2021**

The purpose of this document is to highlight major coverages, limits, and sublimits afforded through NJIIF. This document is not a policy of insurance and in no way modifies, restricts, expands or in any other way changes the coverages afforded through NJIIF. For actual coverage determination, references must be made to applicable insurance documents and/or insurance policies. All terms and conditions of coverage are as stated in the applicable insuring documents and/or insurance policies.

Effective 1-1-2021

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New Jersey Intergovernmental Insurance Fund Risk Management Plan

A. INTRODUCTION

The New Jersey Intergovernmental Insurance Fund (herein referred to as the Fund) is a Joint Insurance Fund formed under the provisions of *N.J.S.A. 40:10A et. seq.* As indicated by the Fund's name, the NJIIF's membership is comprised of municipal, county and educational facilities.

The NJIIF commenced operations on February 1, 1991 with 14 member municipalities. The Fund's objectives include the following:

1. Providing qualified municipal and educational facilities with a long-term alternative to the conventional insurance market as a means of stabilizing the otherwise cyclical nature of insurance expenditures;
2. Maintaining a pro-active posture of safety and loss prevention programs specific to issues inherent in modern municipal or educational facility operations;
3. Aggressively evaluating, defending and/or settling claims made against members which fall within the coverages afforded through the Fund.
4. Maintaining a reasonably conservative funding posture in an effort to ensure long term financial security and stability for the Fund and its members.
5. Implementing a safety & loss control program to reduce claims and claim severity.
6. Use of effective claims adjustment/management program.

MEMBERS - COMMISSIONERS

Municipality	Commissioner	Municipality	Commissioner
City of Asbury Park	Donna Vieiro	Borough of Roseland	Maureen Chumacas
City of Bayonne	Jay Coffey	Borough of Teterboro	Nicholas Saros
Township of Cedar Grove	Thomas Tucci	City of Union City	Lt. Walter Laurencio
Borough of Hasbrouck Heights	Laurie Varga	Union City Parking Authority	Sgt. Archer Cuellar
Borough of Mantoloking	Beverley Konopada	Township of Verona	Matthew Cavallo
Township of Maplewood	Gregg Schuster	Borough of Wanaque	Paul Carelli
Township of Mine Hill	Mayor Sam Morris	Warren County	Alex Lazorisak
Morristown Parking Authority	Michael Fabrizio	Warren County Mosquito Extermination Commission	Jennifer Gruener
North Bergen Parking Authority	Robert Baselice	Township of Wayne	Heather McNamara
Borough of North Haledon	Renate Elatab	Borough of Woodland Park	Mayor Keith Kazmark
Township of Old Bridge	Avril Limage		

PROFESSIONALS

Eric J. Nemeth/John A. Serapiglia	Administrators
Polaris Galaxy Group	Risk Manager
Eric J. Nemeth	General Fund Counsel
Lerch Vinci & Higgins	Auditor
PMA Companies	Claims Administrator, WC
PMA Companies	Claims Administrator, ML
AIS Risk Consultants, Inc.	Actuary
PMA Companies	Safety & Loss Control Consultant
CMFO	Robert Calise

II. COVERAGES PROVIDED, LIMITS OF LIABILITY, SELF INSURED RETENTIONS AND DEDUCTIBLES

A. GENERAL

In providing coverage, the Fund will consider the standard rules and forms currently on file and utilized by the Insurance Services Office or manuscripted forms and will generally follow the form of excess/reinsurance and insurance contracts.

The NJIIF may offer coverage to its members either directly or through the commercial insurance market, through one or more of the following vehicles:

- Excess Insurance
- Reinsurance
- Excess Property and Casualty Joint Insurance Fund
- Joint Purchase Agreement
- Individual Contracts

The NJIIF offers its members the following coverages:

- Automobile Liability and Auto Physical Damage
- Property
 - Building and Contents
 - Inland Marine
 - Boiler and Machinery (Equipment Breakdown Limit)
 - Extra Expense
 - Valuable Papers & Records
- General Liability (including employee benefits liability)
- Crime and Fidelity
 - Treasurer and Tax Collector (if approved)
- Environmental Impairment Liability
- Workers' Compensation and Employers' Liability
- Supplemental Indemnity Volunteer Fire & First Aid
- Police Professional Liability
- Public Officials Liability/Employment Practices Liability
- Cyber Liability

The specific limits of liability of the various coverages afforded by the Fund incorporates individual member deductibles, funded self-insured retentions, and various jointly purchased conventional and excess/reinsurance policies. Unless specifically stated to the contrary, limits shown in the following sections shall be considered to be inclusive of applicable pooled self-insured retentions.

The specific structure of the Fund includes elements of risk retention and risk transfer, which reflects what, is believed to be optimal limits of risk retention and transfer. The structure capitalizes on the collective financial and purchasing strength of the members comprising the Fund's membership.

PROPERTY COVERAGE

ALL RISK COVERAGES AND LIMITS: \$500,000,000

Including Earthquake and Flood subject to all terms and conditions and exclusions.

TOTAL INSURED VALUES:

\$1,149,334,811

ALL BUILDING INCLUDING CONTENTS LOCATIONS, ALL EMERGENCY TYPE VEHICLES, CONTRACTORS EQUIPMENT, INLAND MARINE EQUIPMENT, MISCELLANEOUS EQUIPMENT AS SCHEDULED AND ON FILE WITH NJIIF TO BE COVERED FOR PROPERTY PERILS

Flood Limit:	\$20,000,000 Per occurrence and in the Annual Aggregate \$ 5,000,000 Per occurrence and in the Annual Aggregate for scheduled locations in Flood Zones A & V (inclusive of all 100 year exposures.
Named Windstorm:	\$200,000,000 Per occurrence for losses to locations in Tier 1 and Tier 2 Counties and resulting from a Named Windstorm See attached as it identifies Counties in the NJIIF schedule
Earthquake Shock:	\$20,000,000 Per occurrence and in the Annual Aggregate
Extra Expense:	\$50,000,000
Miscellaneous Unnamed Locations:	\$25,000,000
Errors and Omissions:	\$50,000,000
Money & Securities:	\$2,500,000
Course of Construction:	\$25,000,000
Ordinance or Law	\$50,000,000 Increased cost of construction due to the enforcement of building codes/ordinance or law (includes All Risk and Boiler & Machinery
Computers & Communication Equipment	Included in Policy Limit
Combined Business Interruption Limited if not reported by member	\$100,000,000 \$ 500,000 per named insured
Unscheduled Fine Arts	\$2,500,000
Claims Preparation Expenses	\$1,000,000

Unscheduled Watercraft	\$2,500,00 up to \$27 feet
Unscheduled infrastructure	\$750,000 (see policy for specific exclusions and limitations)
Unmanned Aircraft	\$100,000 Per occurrence while in Storage and In Transit Coverage subject to a \$10,000 deductible. Not covered While in flight
	\$100,000 Per occurrence with a \$1,000,000 Annual Aggregate per Declaration for Mold/Fungus Resultant Damage as more fully defined in the policy (Additional Clarification to follow)

Deductibles for Specific Coverages and Perils:

	\$100,000 Per Occurrence for Off Premises Emergency Type Vehicle Physical Damage. The stated deductible will apply to Emergency Type Vehicle Physical Damage both on and off Premises on a Per Occurrence basis. On premises/In Yard coverage is subject to the All Risk (Basic) deductible.
Replacement Cost:	Contractor's Equipment/Emergency Type Vehicle Valuation Basis
Special Terms (1):	\$2,500,000 of the \$5,000,000 A/V Flood Limit is dedicated to Asbury Park member \$2,500,000 Special Term Limit \$500,000 Special Term Deductible
Special Terms (2)	Dams Per schedule on file with Alliant Insurance Services, Not to exceed \$5,000,000 per occurrence Per policy - Special Terms Deductible
Special Terms (3)	Piers, Wharves and Docks Per schedule on file with Alliant Insurance Services, Not to exceed \$5,000,000 per occurrence Per policy - Special Terms Deductible
Special Terms (4)	Bridges Per schedule on file with Alliant Insurance Services, Not to exceed \$5,000,000 per occurrence Per policy - Special Terms Deductible

Deductibles Continued

Auto Physical Damage (Scheduled Vehicles)	
Member deductible, in any one occurrence	\$1,000
NJIIF APD self-insured by Fund	
Not Covered: for Communicable Disease	

EQUIPMENT BREAKDOWN LIMIT

Boiler Explosion and Machinery Breakdown Combined Property Damage and Business Interruption/Extra Expense.	\$100,000,000
Jurisdictional Inspections	Included
Per occurrence for Service/Utility/Off Premises Power Interruption	\$10,000,000
Per Occurrence for Consequential Damage/ Perishable Goods/Spoilage	Included
Per Occurrence for Electronic Data Processing Media and Data	\$10,000,000
Per Occurrence for, Per Named Insured And in the Annual Aggregate for Earthquake Resultant Damage	\$2,000,000
Per Occurrence for Hazardous Substances/Pollutants/ Decontamination	\$10,000,000
Boiler & Machinery Deductibles: Specific Object or Perils Electronic Data Processing Media Consequential Damage Objects over 200 hp, 1,000 KW/KVA/Amps or Boilers over 5,000 square feet of heating surface	\$25,000
Objects over 350 hp, 2,500 KW/KVA/Amps or Boilers over 10,000 square feet of heating space	\$50,000
Objects over 500 hp, 5,000 KW/KVA/Amps or Boilers over 25,000 square feet of heating space	\$100,000
Objects over 750 hp, 10,000 KW/KVA/Amps or Boilers over 75,000 square feet of heating space	\$250,000
Objects over 25,000 hp, 25,000 KW/KVA Amps or Boilers over 250,000 square feet of heating space	\$350,000

CYBER INSURANCE CORE COVERAGE
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Type of Coverage: Information Security & Privacy Insurance with Electronic Media Liability Coverage

Coverage Form: Claims Made

Coverage & Limits:

Annual Policy and Program Aggregate Limit of Liability \$45,000,000

Aggregate all coverage's combined, including claims expenses

Insured/Member Annual Aggregate Limit of Liability \$2,000,000

Breach Response Costs: \$500,000

(Limit is increased to \$1,000,000 if Beazley Nominated Service Providers are used)

First Party Loss

Business Interruption Loss Resulting from Security \$2,000,000 Agg Limit

Business Interruption Loss Resulting from System Failure \$2,000,000 Agg Limit

Business Interruption Loss Resulting from System Failure \$500,000 Agg Limit

Dependent Business Loss Resulting from Security Breach \$7500,000 Agg Limit

Dependent Business Loss Resulting from System Failure \$100,000 Agg Limit

Cyber Extortion Loss \$2,000,000 Agg Limit

Data Recovery Costs \$2,000,000 Agg Limit

Liability

Data & Network \$2,000,000 Agg Limit

Regulatory Defense and Penalties \$2,000,000 Agg Limit

Payment Card Liabilities and Costs \$2,000,000 Agg Limit

Media Liability \$2,000,000 Agg Limit

eCrime

Fraudulent Instruction \$75,000 Agg Limit

Funds Transfer Fraud \$75,000 Agg Limit

Telephone Fraud \$75,000 Agg Limit

Criminal Reward \$25,000 Agg Limit

Coverage Endorsement

Reputation Loss: \$50,000 Agg Limit

Claims Preparation for Reputation Loss Claims Only \$50,000 Agg Limit

Computer Hardware Replacement Costs \$75,000 Agg Limit

Invoice Manipulation \$100,000 Agg Limit

Cryptojacking \$25,000 Agg Limit

Cyber Retention:

Members with TIV under \$500,000,000 have a \$50,000 Deductible

Members with TIV of \$550,000,000 and above have a \$100,000 Deductible.

For Members who have completed the NJIIF's Cyber Liability training program, the deductible is shared 50/50 between member & NJIIF up to \$30,000 (\$15,000 for member and \$15,000 for the NJIIF) with the NJIIF paying the balance of the applicable deductible for covered losses.

CRIME COVERAGE

Employee Theft Per Loss Coverage	\$1,000,000
Forgery or Alteration	\$1,000,000
Inside the Premises – Theft of Money and Securities	\$1,000,000
Inside the Premises – Robbery or Safe Burglary	\$1,000,000
Outside The Premises	\$1,000,000
Computer Fraud	\$1,000,000
Funds Transfer Fraud	\$1,000,000
Money Orders And Counterfeit Money	\$1,000,000
Deductible Amount Per Occurrence	
Per Member Deductible	\$1,000
NJIIF Self Insured Retention	\$9,000
Treasurer & Tax Collector (if approved upon completion of application)	

**COMPREHENSIVE GENERAL LIABILITY, AUTOMOBILE LIABILITY,
LAW ENFORCEMENT LIABILITY, EMPLOYEE BENEFITS LIABILITY**

**GENERAL LIABILITY LAW
ENFORCEMENT LIABILITY**

General Liability Limit	\$2,000,000 Combined BI & PD
General Aggregate Limit	\$4,000,000 Other than Prod/Comp Ops
Sexual Abuse	Not Excluded
NJIIF Self Insured Retention (General Liability)	\$1,000,000
Coverage Trigger Occurrence:	
Member Deductible: (General Liability)	NIL
Basket Aggregate Attachment	\$6,000,000
Insuring Agreement: Provides coverage for a civil action for bodily injury, property damage, and personal injury liability to the extent to which this insurance applies arising out of the business activities of any member	

Law Enforcement Liability

NJIIF Self Insured Retention (Law Enforcement Liability)	\$1,000,000
Law Enforcement Limit	\$2M/\$4M limits

Coverage Trigger Occurrence:
Member Deductible: (Law Enforcement Liability)

Per Member deductible:
1st through 3rd Reported Claim \$5,000
4th through 6th Reported Claim \$10,000
7th and greater claims \$20,000

Employee Benefits Liability

\$2M/\$4M limits

NJIIF Self Insured Retention
Coverage Trigger Occurrence
Member Deductible: (Employee Benefits Liability)

Per Member deductible:
1st through 3rd Reported Claim \$5,000
4th through 6th Reported Claim \$10,000
7th and greater claims \$20,000

Retro Active Date: Full Prior Acts

AUTO LIABILITY

Auto Liability – Any One Accident	\$2,000,000 Combined Single Limit -
Personal Injury Protection	Bodily Injury & Property Damage
Uninsured/Underinsured Motorist (UM/UIM)	Statutory
Garagekeepers Liability	\$15,000/\$30,000/\$5,000
	\$2,000,0000

NJIIF Self Insured Retention	\$1,000,000
Coverage Trigger Occurrence	

Member Deductible: (Auto Liability)

Per Member deductible:

1st through 3rd Reported Claim \$5,000

4th through 6th Reported Claim \$10,000

7th and greater claims \$20,000

Excess Liability

General Aggregate Limit

Each Occurrence Limit

\$3,000,000 Applies Per Member

\$3,000,000

Underlying Insurance

General Liability Coverage

Commercial Automobile Liability Coverage

Public Officials Liability Coverage

Law Enforcement Liability Coverage

Employee Benefits Liability

Limits of Liability

\$2,000,000/\$4,000,000

\$2,000,000 CSL

\$2,000,000/\$4,000,000

\$2,000,000/\$4,000,000

\$2,000,000/\$2,000,000,\$2,000,000

Forms:

Mandatory State

Cut-through Endorsement to Safety National

Member Clash Endorsement

PUBLIC OFFICIALS AND EMPLOYMENT PRACTICES LIABILITY

Limit of Liability each claim

\$2,000,000/\$4,000,000

Crisis Management Fund

\$25,000

Member deductibles:

Per Member deductible:

1st through 3rd Reported Claim \$5,000

4th through 6th Reported Claim \$10,000

7th and greater claims

\$20,000

Retro Active Date: Full Prior Acts

EXCESS WORKERS COMPENSATION

Workers Compensation Coverage Part A

Statutory

Employer's Liability Limits: Coverage Part B

Each Accident

\$1,000,000

Each Employee for Disease

\$1,000,000

USL & H included in Workers Compensation

Harbor Marine/Jones Act included in Employer's Liability

NJIIF Self Insured Retention (For Workers Compensation and Employers Liability Combined)	\$1,000,000
Member Deductible: (Workers Compensation)	NIL

SUPPLEMENTAL WORKERS COMPENSATION

Total Temporary Disability	\$300 per week up to 60 weeks – Class I
	\$100 per week up to 60 weeks – Class II
Class 1 employee	Regular Volunteer
Class 2 employee	Auxiliary Volunteer or Junior Volunteer
Coverage is self- insured by NJIIF	

ENVIRONMENTAL IMPAIRMENT LIABILITY

ENVIRONMENTAL IMPAIRMENT LIABILITY	
CONTRACTORS POLLUTION LIABILITY	
EIL Limits of Liability	\$1,000,000 each incident
Policy Deductible: \$100,000	
Policy Aggregate	\$10,000,000
Coverages Included:	
Coverage A: Covered Locations	
Coverage B: Covered Operations	
Member deductible	\$25,000
NJIIF Self-Insured Retention	\$75,000

III. OPERATIONAL PHILOSOPHY

A. GENERAL

As is the case with any organization, an established operating philosophy, formalized in a document such as this, is a necessary precursor to success. This section of the Risk Management Plan is developed to provide general instruction for key areas and providers of service to the Fund.

A Fund year may only be closed by resolution adopted after a public hearing.

1. All participants must receive at least one (1) month prior notice of the public hearing.
2. The resolution shall provide for the maintenance of all records in accordance with the

requirements of the Commissioner of Banking and Insurance and other regulations and statutes then in effect.

B. ASSESSMENT PROCEDURES

1. By November 15th of each year, the Actuary shall compute the probable net cost for the upcoming Fund year by line of coverage. The actuary includes all budget items in these computations.
2. The annual assessment of each member shall be based upon various factors including by example, loss history, exposures, management systems and allocation for the upcoming year based upon the total budget.
3. The annual assessment for the Fund's first year of operation shall be paid to the Fund as follows; Workers Compensation Fund 25% January 15th, 25% May 15th and 50% August 1st. Multi Line Fund 50% January 15th, 50% August 1st. of each fund year as determined by the commissioners. The annual assessment for subsequent Fund years shall be paid in accordance with the provisions stated in the Fund's bylaws.
4. In the event the final budget passed in December necessitates changes in the annual assessment, the second installment shall be adjusted to reflect this difference.
5. The NJIIF's CMFO shall deposit each member's assessments into the appropriate accounts including the administrative account, and the claim or loss retention Trust Account by Fund year for each type of coverage.
6. If a local unit becomes a member of the Fund after the start of the Fund year, such member's assessment and supplemental assessments shall be reduced in proportion to that part of the year, which has lapsed.
7. Should any member fail or refuse to pay its assessments or supplemental assessments, or should the Fund fail to assess funds required to meet its obligations, the CMFO, shall notify the Commissioner of Insurance and the Director of Community Affairs. Past due Assessments shall bear interest at the rate established annually by the Fund's By-Laws.
8. All supplemental assessments are charged to the participating local unit's by applicable Fund year.

C. FUND COMMISSIONERS AND TRUSTEES

Fund Commissioners, are the backbone of the Fund. These individuals will in large measure control the success of the Fund by actively participating in the safety and loss control programs developed by the Fund for all members, and by implementing these programs in their respective local units. Fund commissioners are encouraged to attend all meetings of the Fund, to serve on committees studying current issues, to enhance their knowledge of risk management, and to encourage consistent safe practices.

D. FUND PROFESSIONALS

Providers of professional services to the Fund and individual members are strongly encouraged to participate and promote Fund activities. The success of NJIIF will, in part, be a reflection of the professionalism of those providers whose services are integral components of the Fund. Support of the concept of self-insurance, the Fund in general, and the risk management activities of the members in particular are necessary elements of success.

E. RISK MANAGEMENT CONSULTANTS

Risk Management Consultants appointed by the members shall promote Fund Activities. The success of the NJIIF will be a reflection of the services provided by the Risk Management Consultants. The Risk Management Consultant shall advise the member on matters relating the Fund's operation and coverages. The Risk Management Consultant shall be governed by the Risk Management Consultant's contract with their respective local unit.

F. CLAIMS RESPONSE AND RESERVING

The New Jersey Intergovernmental Insurance Fund has engaged the service of an experienced "TPA" to assess and adjust the monetary value of the claims presented against a member of the Fund. It should be noted that it is the Joint Insurance Fund's philosophy to pay only those claims for which those members are legally obligated.

1. To assist in this area Claims will be paid by the Fund as promptly as possible after adequate investigation by the TPA, General Counsel and/or excess carrier(s).

The TPA will, under contract to NJIIF, perform the following:

- a. Review each claim and loss report submitted by the members during the term of their contract.
- b. Conduct an investigation of each qualified claim or loss to the extent deemed necessary and as may be directed or undertaken by General Counsel.
- c. Maintain a file for each qualified claim or loss which shall be available for review by the NJIIF.

- d. Adjust, settle, or resist all qualified claims or losses:
 - (1) within the stated discretionary settlement authority limit;
 - (2) with specific approval of the NJIIF, if outside the stated authority limit.
 - e. Perform necessary and customary administrative and clerical work in connection with each qualified claim or loss, including the preparation of checks or vouchers, releases, agreements and other documents needed to finalize a claim.
 - f. Establish and update claim reserves as needed.
 - g. Notify the NJIIF and the NJIIF's excess carrier as designated by the NJIIF, of all qualified claims or losses which may exceed the NJIIF's retention or limit or qualify under a carrier's guidelines and if requested provide information on the status of those claims or losses.
 - h. Maintain an automated loss and information system, and provide the NJIIF with reports.
 - i. Assist the NJIIF in selecting appropriate experts or specialists, as the claims may require.
 - j. Provide personnel needed to perform the services agreed herein.
2. The Fund also establishes reserves recommended by the Fund's actuary for claims that have been incurred but not yet reported so that the Fund has adequate reserves to pay all claims and allocated loss adjusted expense liability.
3. To provide for quality defense and control costs, the Fund has established an approved defense attorney panel. The performance of the defense attorneys is overseen by the General Counsel, only firms on the approved panel counsel shall be assigned matters on behalf of the NJIIF.

G. CLAIMS PROCEDURES

Initial claim reports for WC or ML Fund should be reported as follows:
<p style="text-align: center;">INITIAL CLAIMS FILINGS WC & ML FUND PMA Companies</p> <p style="text-align: center;">By Phone: Toll Free Customer Service Center: 1-888-476-2669 By Fax: (First Reporting) 1-888-329-2721 By Website: pmamcfr@pmagroup.com</p> <p style="text-align: center;">SUMMONS AND COMPLAINTS</p> <p style="text-align: center;">Should be reported to PMA Companies with a copy to General Fund Counsel to NJIIF Eric Nemeth, Esq 55 Madison Avenue, Suite 400 Morristown, New Jersey 07960 Tel: 973-539-2122 Fax: 973-442-8326</p> <p>All acknowledgment letters will be emailed to the member's commissioner or other designated representative with the name of the PMA Companies adjuster and the claim number. Subsequent mail should be directed to that adjuster referencing the appropriate claim number.</p> <p style="text-align: center;">*****</p>

H. SAFETY AND LOSS PREVENTION

The Fund believes that through sound Safety and Loss Control practice it will be able to minimize its total cost of risk (TCR). Accordingly, each member is asked to establish a local Safety and Loss Control Committee under the direction of the Fund's Safety and Loss Control Committee. The goal of this Committee will be to reduce the TCR through the identification of sources of loss and the implementation of appropriate control mechanisms.

The Fund will establish a Safety and Loss Control Committee who will support the development of the member specific Safety and Loss Control Committees.

I. **LITIGATION MANAGEMENT AND LEGAL FEES**

The NJIIF realizes that every claim will not reach an amicable solution. Careful selection and control of claims and claims defense is very important. The NJIIF has established procedures to provide quality defense of claims and monitor the defense procedures and costs. These procedures include:

- a. A list of approved defense attorneys.
- b. Monitoring the activities of the defense attorneys.

The NJIIF's General Counsel will supervise all legal defense activity and experts, with the exception of WC petitions will be co-supervised by the TPA and General Counsel.