

20th Annual Risk Management Conference 2019 Las Vegas, NV

Certificate of Insurance Management

Edward K. McDonald III - Risk Director, Port of Portland

Frank Rivera - Director, Risk Management & Workers' Compensation - Massachusetts Port Authority

Olivia Raese - Senior Consultant and Manager - Bickmore

Speakers



Edward K. McDonald III, BBA – Human Resources, MS - Bus.Psych (c)
Risk Director, Port of Portland (ERM, Insurances, Certificate Tracking, Claims, BCP, Ergonomics, Driver Safety, Contracts)
Owner, J.T. SALEM & Associates LLC (Strategic Planning, Coaching, ERM/BCP Development, R&D, Organizational Assessments)



Frank Rivera
Director, Risk Management & Workers' Compensation, Massachusetts Port Authority



Olivia Raese, ARM, CIC, CRIS, RIMS-CRMP, PMP Senior Consultant and Manager - Bickmore

Agenda

- Introduction
- Insurance Compliance What is it? Why it is important?
- Issues with Managing Certificates of Insurance
- Mass Port Certificate of Insurance Administration
- Self-Administration v. OutSourcing
- Further Consideration
- Port of Portland Certificate of Insurance Administration
- Process Options
- Organizational Structure Drives Options
- Questions

Discussion Introduction

The purpose of today's session is to assist airport risk managers in considering general information to better manage their certificate of insurance program. The recommendations offered surround insurance certificate management options as well as the importance of tracking certificates of insurance. However, today's discussion is solely a guide, and is not a recommendation for adoption of a particular certificate management program.

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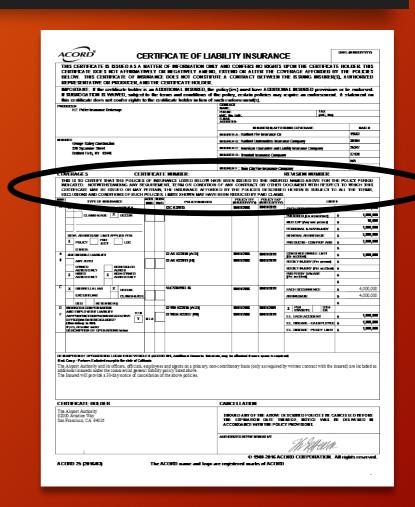
What is it?

- Contractual Obligation
- Representation at a point in time that insurance policies have been purchased by the party providing the evidence of insurance to the certificate holder.
- Collecting documentation, including endorsements.
- Organization, Tracking, Follow-up



Why is it important?

- Protection to the Organization
- Contractual Issues
- Finger Pointing
- Audit Issues
- Saves Time



Why is it important?



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OF NECOTIVELY AMEND, EXTEND OF ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURLAGE, AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

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	ADDRESS:					
	INSURER(S) AFFORDING COVERAGE	NAIC #				
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320 Sycamore Street Bedford Falls, NY 13148	INSURER C : American Guarantee and Liability Insurance Company	26247				
	INSURER D: Trumbull Insurance Company	27120				
	INSURER E : N/A	N/A				
	INSURER F : Twin City Fire Insurance Company	29459				

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Why is it important?

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Major Certificate of Insurance Issue Heading to Supreme Court
T-Mobile United States v. Selective Ins. Co. of Am., No. 17-35932, 2018 U.S. App.
LEXIS 31863 (9th Cir. Nov. 9, 2018)

By <u>IRMI Staff</u>

Summary

T-Mobile entered into a Field Services Agreement ("FSA") with Innovative Engineering, Inc. T-Mobile NE engaged Innovative to provide services in connection with the construction of rooftop cellular antennae towers in New York City, which provide cellular telephone coverage for T-Mobile users in the area. The FSA included a provision requiring Innovative to maintain general liability insurance naming T-Mobile NE as an additional insured, and required that Innovative provide T-Mobile NE with certificates of insurance documenting that coverage. Innovative engaged Selective to provide the insurance coverage mandated under the FSA.

In 2012, Selective's authorized agent and insurance broker, the Van Dyk Group, Inc. ("VDG"), issued a Certificate of Insurance ("COI") to T-Mobile USA. The COI stated that T-Mobile USA, as the certificate holder, "is included as an additional insured" under the Policy. But it also stated, in capitalized and bolded text, that the COI "is issued as a matter of information only and confers no rights upon the certificate holder," "does not affirmatively or negatively amend, extend or alter the coverage afforded by" the Policy, and "does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder." The COI further warns that "[i]f the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed" and that "[a] statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s)."

Issues with Managing COI Compliance

- Financial Security
- Location/ Organization
- Tracking and Follow-up
- Time, Resources



Massachusetts Port Authority - Self-Administration

Self-administration always appears as a cheaper option. However, many elements must exist to make a self-administered program successful.

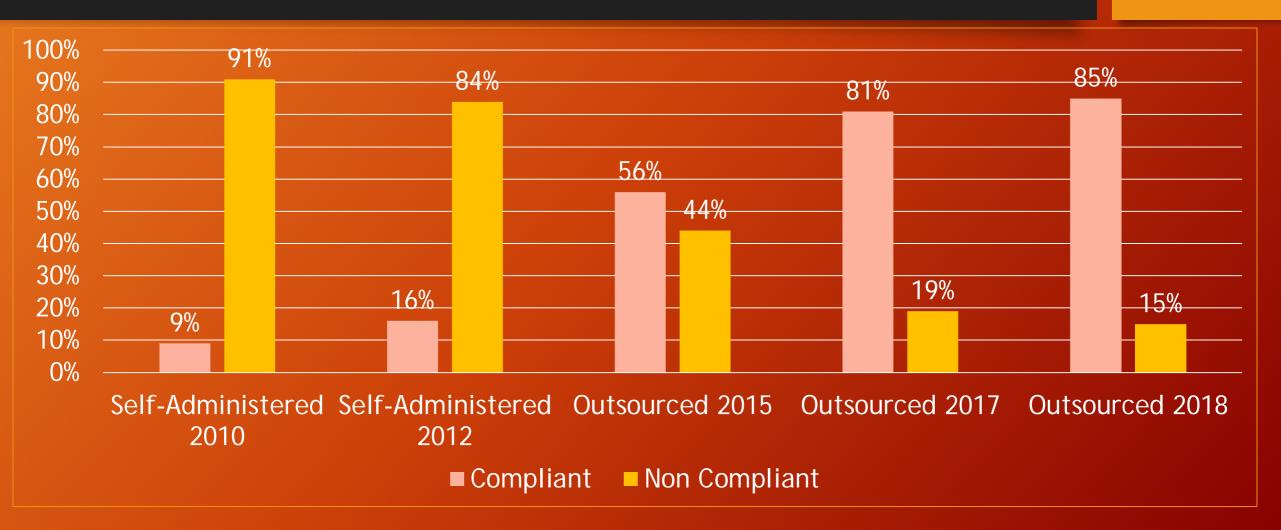
- Staffing
 - Staffing needs will vary based on the number of contracts your airport has. Staff responsibilities range from data entry to waiver sign-off authority
- Process which notifies staff of newly executed contracts
- A system (in-house or purchased) that allows documentation of:
 - Contract type, contacts (internal & external)
 - Insurance requirements
 - Certificate of insurance expiration date diary
 - Waiver of coverage documents (if applicable)
 - Storage of historical certificates and endorsements
- A workflow to address non-compliant vendors
- Database validation process which contiguously confirms the accuracy of internal and external contact info and contract start and end dates

Massachusetts Port Authority - Outsourced

Outsourcing a certificate of insurance program can be a cost effective option for airports that don't have the means or desire to manage paper certificates. Also, outsourcing offers an online web-based system that provides 24/7 access. However, outsourcing doesn't equate to zero airport involvement; as it requires many of the same variables as in-house management.

- Process which notifies staff of newly executed contracts
- Introduction letter from Risk Management Unit
 - Contractors often ignore requests from third party tracking companies
- Create a workflow which addresses waiver requests and non-compliant vendors
- Database validation process which contiguously confirms the accuracy of internal and external contact info and contract start and end dates
- Reconciliation of monthly service invoice

Certificate of Insurance Administration at the Massachusetts Port Authority



Further Consideration

- Outsourcing removed the two greatest challenges to Massport's selfadministered management program.
 - Certificate of Insurance collection process
 - Certificate of insurance validation process
- Risk Management Units should consider the following regardless of selected tracking method:
 - Request contract managers obtain certificates prior to contract execution
 - Develop a strategy that deals with non-compliant vendors. If your airport has 1,000 contracts and achieves an 80% compliance rate, that leaves 200 contracts that require internal follow-up.
- Outsourcing costs vary by vendor and services requested. Many RFP's require flat fee or per certificate review quotes. Other expenses may be included for customization of the selected vendor's website. Your RFP should be specific to your requirements.

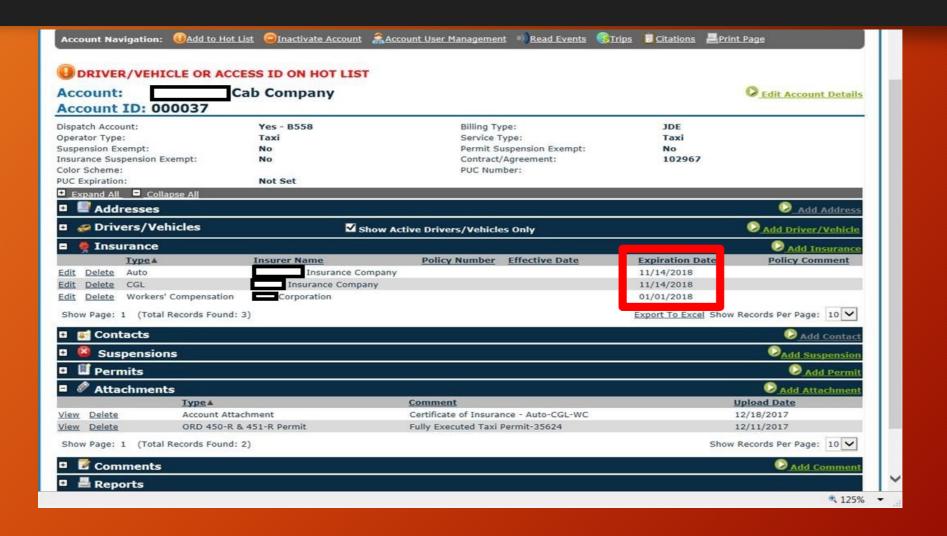
Port of Portland COI - Administration

- Internally Managed
 - Outsourcing attempt failure. Why?
 - Internal attempt failure. Why?
- Internal Stakeholders engagement Key element of success
 - Level of engagement varies
- Training
 - Do internal stakeholders know what they are looking for?
- Process Improvement
 - What process works?
- Gap Analysis
 - Key area is IDENTIFICATION

Port of Portland COI Challenges

- Everyone is <u>USING</u> something different
 - Excel
 - Sharepoint
 - LMS
 - Contract Tracking
- Everyone is **DOING** something different
- Everyone is **LOOKING** at something different
- No one is an 'expert" at what they are looking for
- Gaps in various processes
- Lack of automation, accountability, measurement

Sample Internal Stakeholder Process



Port of Portland Development Process

Identification

- What process will work for you? (Internal, External, Partnership)
- Who receives?
- What type?
- Project Manager?
- Cert Owner
- Process Owner
- How will you measure program success?

Process

- What is done with the certs?
- Who sends them?
- How are they received?
- What if it's wrong?
- What if it expires?
- Notification

Resources

- Electronic?
- Hard Copies?
- Software solution?
- Sharepoint
- Excel
- Automation

Training

- 1. Current knowledge
- 2. Helpful knowledge
- 3. Keep it simple
- 4. Be supportive

<u>Implement</u>

- 1. Design process improvement
- 2. Centralize process but keep ownership in sections
- 3. Manage stakeholders effectively
- 4. Meet monthly then scale to as needed.
- 5. Communicate changes to vendor

<u>Measure</u>

- 1. Identify metrics
- 2. Exception reporting (What's unacceptable)
- 3. Set SMART goals and communicate it to stakeholders
- 4. Measurement velocity
- 5. Milestones

<u>Evaluate</u>

- 1. What works? Why?
- 2. Were milestones achieved?
- 3. Is metrics viable?
- 4. What's not working? Why?
- 5. What will determine future success?
- 6.Reset

Organization Structure Drives COI Mgmt Choice

- No one size fits all philosophy
- Does your organization have the time to do internally
- Do you have the resources (people, software, electronic)
- What will you measure as success
- Is automation for expiration right for you
- Is outsourcing best option
- Is broker partnership an option
- This is a marathon not a sprint

Questions





Certificate of Insurance Management Thank You!



Edward K. McDonald III - Risk Director, Port of Portland

Edward.mcdonald@portofportland.com / 503.415.6421



Frank Rivera -Director, Risk Management & Workers' Compensation - Massachusetts Port Authority

FRivera@massport.com / 617.568.3966



Olivia Raese - Senior Consultant, Manager - Bickmore

oraese@bickmore.net / 206.948.1211