

2021 - 2022

## Special Excess Liability for the Alliant National Municipal Liability (ANML) Program Proposal

Presented on June 9, 2021 by:

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## City of Naperville 2021-2022 Excess Liability Insurance Proposal

### Line of Coverage Excess Liability Coverage

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<b>INSURANCE COMPANY:</b>	Great American Insurance Company
<b>A.M. BEST RATING:</b>	A+ (Superior), Financial Size Category: XIV (\$1.5 Billion to \$2 Billion) as of August 17, 2018
<b>STANDARD &amp; POOR'S RATING:</b>	A+ (Strong) as of October 5, 2010
<b>ILLINOIS STATUS:</b>	Admitted
<b>POLICY TERM:</b>	July 1, 2021 to July 1, 2022
<b>COVERAGE:</b>	Special Excess Liability Policy for the Alliant National Municipal Liability (ANML) Program
<b>LIMITS:</b>	<p>\$ 40,000,000 Policy Aggregate</p> <p>\$ 10,000,000 Completed Operations Hazard Annual Aggregate</p> <p>\$ 10,000,000 Any one Occurrence, Wrongful act or offense for Bodily Injury, Property Damage, Public Officials Errors and Omissions, Employment Practices Liability, or Personal Injury or any combination thereof in excess of your "Retained Limit".</p>
<b>RETAINED LIMIT:</b>	\$ 2,000,000 Any one Occurrence, Wrongful act or offense for Bodily Injury, Property Damage, Public Officials Errors and Omissions, Employment Practices Liability, or Personal Injury or any combination thereof
<b>FORMS &amp; ENDORSEMENTS:</b> (including but not limited to)	<ul style="list-style-type: none"> <li>• Signature Page</li> <li>• Declarations Page</li> <li>• Schedule of Named Insureds <ul style="list-style-type: none"> <li>➤ City of Naperville</li> <li>➤ Naperville Public Library</li> <li>➤ Naperville Settlement</li> <li>➤ Fireman's Pension Board</li> <li>➤ Police Pension Board</li> <li>➤ Foreign Fire Insurance Board</li> </ul> </li> </ul>

## City of Naperville 2021-2022 Excess Liability Insurance Proposal

### Line of Coverage Excess Liability Coverage - Continued

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**FORMS & ENDORSEMENTS - CONTINUED:**  
(including but not limited to)

- Special Excess Liability Policy for the Alliant National Municipal Liability (ANML) Program
- War Exclusion
- Blanket Additional Insured Endorsement (Primary/Non-Contributory)
- Blanket Waiver of Subrogation Endorsement (where required by contract)
- Defense of Employment Practices Claims Endorsement (up to 50% of retained limit subject to \$250K max)
- Policyholder Disclosure of Premium Pursuant to Terrorism Risk Insurance Act
- TRIA Selection/Rejection
- Amended EPLI Condition (Claim Notice for EPL claim/suit that has entered civil litigation)
- Dam Extension for the following:
  - MOV Subdivision Dam
  - Old Plank Park Basin Dam
  - Country Commons Park Dam
  - Springbrook Dam
- \$5,000,000 Any One Occurrence / \$5,000,000 Annual Aggregate sublimit shall apply to any liability arising out of lead in respects to potable water
- Organic Pathogen Exclusion
- Access of Disclosure of Confidential or Personal Information and Data-Related Liability Exclusion – NEW
- PFAS Exclusion - NEW

**TOTAL COST EXCLUDING TRIA:**

\$ 197,343.00 Annual Premium  
 \$ 9,867.00 Wholesaler Fee  
**\$ 207,210.00 Total Cost**

**TOTAL COST INCLUDING TRIA:**

\$ 197,343.00 Annual Premium  
 \$ 3,947.00 TRIA Premium  
 \$ 9,867.00 Wholesaler Fee  
**\$ 211,157.00 Total Cost**

**City of Naperville  
2021-2022 Excess Liability Insurance Proposal**

**Line of Coverage**  
**Excess Liability Coverage - Continued**

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<b>MINIMUM EARNED PREMIUM:</b>	25%
<b>QUOTE VALID UNTIL:</b>	July 1, 2021
<b>SUBJECTIVITIES:</b>	<ul style="list-style-type: none"><li>• A Written Request to Bind Coverage</li><li>• Premium payment is due and payable within 30 days from the Effective date.</li><li>• Any change of Claims Servicing must be prior approved by Great American</li></ul>
<b>BROKER:</b>	<b>ALLIANT INSURANCE SERVICES, INC.</b> Newport Beach, CA 92660  Seth Cole, Senior Vice President Justin Swarbrick, First Vice President Eve Wildhagen, CISR, Account Manager

**See Disclaimer Page for Important Notices and Acknowledgment**

## City of Naperville 2021-2022 Excess Liability Insurance Proposal

### Named Insured / Additional Named Insureds

#### Named Insured(s)

City of Naperville

#### Additional Named Insured(s)

Naperville Public Library

Naperville Settlement

Fireman's Pension Board

Police Pension Board

Foreign Fire Insurance Board

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#### NAMED INSURED DISCLOSURE

- The first named insured is granted certain rights and responsibilities that do not apply to other policy named insureds and is designated to act on behalf of all insureds for making policy changes, receiving correspondence, distributing claim proceeds, and making premium payments.
- **Are ALL entities listed as named insureds?** Coverage is **not** automatically afforded to all entities unless specifically named. Confirm with your producer and service team that all entities to be protected are on the correct policy. Not all entities may be listed on all policies based on coverage line.
- Additional named insured is (1) A person or organization, other than the first named insured, identified as an insured in the policy declarations or an addendum to the policy declarations. (2) A person or organization added to a policy after the policy is written with the status of named insured. This entity would have the same rights and responsibilities as an entity named as an insured in the policy declarations (other than those rights and responsibilities reserved to the first named insured).
- Applies to Professional Liability, Pollution Liability, Directors & Officers Liability, Employment Practices Liability, Fiduciary Liability policies (this list not all inclusive). Check your Policy language for applicability. These policies provide protection to the Named Insured for claims made against it alleging a covered wrongful act. Coverage is not afforded to any other entities (unless specifically added by endorsement or if qualified as a "Subsidiary" pursuant to the policy wording) affiliated by common individual insured ownership or to which indemnification is otherwise contractually owed. If coverage is desired for affiliated entities or for contractual indemnities owed, please contact your Alliant Service Team with a full list of entities for which coverage is requested. With each request, include complete financials and ownership information for submission to the carrier. It should be noted, that the underwriter's acceptance of any proposed amendments to the policy, including expansion of the scope of "Insureds" under the policy could result in a potential diminution of the applicable limits of liability and/or an additional premium charge.

## City of Naperville 2021-2022 Excess Liability Insurance Proposal

### Disclosures

**This proposal of insurance is provided as a matter of convenience and information only. All information included in this proposal, including but not limited to personal and real property values, locations, operations, products, data, automobile schedules, financial data and loss experience, is based on facts and representations supplied to Alliant Insurance Services, Inc. by you. This proposal does not reflect any independent study or investigation by Alliant Insurance Services, Inc. or its agents and employees.**

**Please be advised that this proposal is also expressly conditioned on there being no material change in the risk between the date of this proposal and the inception date of the proposed policy (including the occurrence of any claim or notice of circumstances that may give rise to a claim under any policy which the policy being proposed is a renewal or replacement). In the event of such change of risk, the insurer may, at its sole discretion, modify, or withdraw this proposal whether or not this offer has already been accepted.**

**This proposal is not confirmation of insurance and does not add to, extend, amend, change, or alter any coverage in any actual policy of insurance you may have. All existing policy terms, conditions, exclusions, and limitations apply. For specific information regarding your insurance coverage, please refer to the policy itself. Alliant Insurance Services, Inc. will not be liable for any claims arising from or related to information included in or omitted from this proposal of insurance**

Alliant embraces a policy of transparency with respect to its compensation from insurance transactions. Details on our compensation policy, including the types of income that Alliant may earn on a placement, are available on our website at [www.alliant.com](http://www.alliant.com). For a copy of our policy or for any inquiries regarding compensation issues pertaining to your account you may also contact us at: Alliant Insurance Services, Inc., Attention: General Counsel, 701 B Street, 6th Floor, San Diego, CA 92101.

Analyzing insurers' over-all performance and financial strength is a task that requires specialized skills and in-depth technical understanding of all aspects of insurance company finances and operations. Insurance brokerages such as Alliant Insurance typically rely upon rating agencies for this type of market analysis. Both A.M. Best and Standard and Poor's have been industry leaders in this area for many decades, utilizing a combination of quantitative and qualitative analysis of the information available in formulating their ratings.

A.M. Best has an extensive database of nearly 6,000 Life/Health, Property Casualty and International companies. You can visit them at [www.ambest.com](http://www.ambest.com). For additional information regarding insurer financial strength ratings visit Standard and Poor's website at [www.standardandpoors.com](http://www.standardandpoors.com).

Our goal is to procure insurance for you with underwriters possessing the financial strength to perform. Alliant does not, however, guarantee the solvency of any underwriters with which insurance or reinsurance is placed and maintains no responsibility for any loss or damage arising from the financial failure or insolvency of any insurer. We encourage you to review the publicly available information collected to enable you to make an informed decision to accept or reject a particular underwriter. To learn more about companies doing business in your state, visit the Department of Insurance website for that state.

## City of Naperville 2021-2022 Excess Liability Insurance Proposal

### NY Regulation 194

Alliant Insurance Services, Inc. is an insurance producer licensed by the State of New York. Insurance producers are authorized by their license to confer with insurance purchasers about the benefits, terms and conditions of insurance contracts; to offer advice concerning the substantive benefits of particular insurance contracts; to sell insurance; and to obtain insurance for purchasers. The role of the producer in any particular transaction typically involves one or more of these activities.

Compensation will be paid to the producer, based on the insurance contract the producer sells. Depending on the insurer(s) and insurance contract(s) the purchaser selects, compensation will be paid by the insurer(s) selling the insurance contract or by another third party. Such compensation may vary depending on a number of factors, including the insurance contract(s) and the insurer(s) the purchaser selects. In some cases, other factors such as the volume of business a producer provides to an insurer or the profitability of insurance contracts a producer provides to an insurer also may affect compensation.

The insurance purchaser may obtain information about compensation expected to be received by the producer based in whole or in part on the sale of insurance to the purchaser, and (if applicable) compensation expected to be received based in whole or in part on any alternative quotes presented to the purchaser by the producer, by requesting such information from the producer.

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### Other Disclosures / Disclaimers

#### FATCA:

The Foreign Account Tax Compliance Act (FATCA) requires the notification of certain financial accounts to the United States Internal Revenue Service. Alliant does not provide tax advice so please contact your tax consultant for your obligation regarding FATCA.

#### Claims Reporting:

Your policy will come with specific claim reporting requirements. Please make sure you understand these obligations. Contact your Alliant Service Team with any questions.



## City of Naperville 2021-2022 Excess Liability Insurance Proposal

### Other Disclosures / Disclaimers – Continued

#### Changes and Developments

It is important that we be advised of any changes in your operations, which may have a bearing on the validity and/or adequacy of your insurance. The types of changes that concern us include, but are not limited to, those listed below:

- Changes in any operations such as expansion to another states, new products, or new applications of existing products.
- Travel to any state not previously disclosed.
- Mergers and/or acquisition of new companies and any change in business ownership, including percentages.
- Any newly assumed contractual liability, granting of indemnities or hold harmless agreements.
- Any changes in existing premises including vacancy, whether temporary or permanent, alterations, demolition, etc. Also, any new premises either purchased, constructed or occupied
- Circumstances which may require an increased liability insurance limit.
- Any changes in fire or theft protection such as the installation of or disconnection of sprinkler systems, burglar alarms, etc. This includes any alterations to the system.
- Immediate notification of any changes to a scheduled of equipment, property, vehicles, electronic data processing, etc.
- Property of yours that is in transit, unless previously discussed and/or currently insured.

#### Certificates / Evidence of Insurance

A certificate is issued as a matter of information only and confers no rights upon the certificate holder. The certificate does not affirmatively or negatively amend, extend or alter the coverage afforded by a policy. Nor does it constitute a contract between the issuing insurer(s), authorized representative, producer or certificate holder.

You may have signed contracts, leases or other agreements requiring you to provide this evidence. In those agreements, you may assume obligations and/or liability for others (Indemnification, Hold Harmless) and some of the obligations that are not covered by insurance. We recommend that you and your legal counsel review these documents.

In addition to providing a certificate of insurance, you may be required to name your client or customer on your policy as an additional insured. This is only possible with permission of the insurance company, added by endorsement and, in some cases, an additional premium.

By naming the certificate holder as additional insured, there are consequences to your risks and insurance policy including:

- Your policy limits are now shared with other entities; their claims involvement may reduce or exhaust your aggregate limit.
- Your policy may provide higher limits than required by contract; your full limits can be exposed to the additional insured.
- There may be conflicts in defense when your insurer has to defend both you and the additional insured.

**See Request to Bind Coverage page for acknowledgement of all disclaimers and disclosures.**



**City of Naperville  
2021-2022 Excess Liability Insurance Proposal**

**Request to Bind Coverage**

City of Naperville

We have reviewed the proposal and agree to the terms and conditions of the coverages presented. We are requesting coverage to be bound as outlined by coverage line below:

Coverage	Effective Date:	Bind Coverage for:
Special Excess Liability for the Alliant National Municipal Liability (ANML) Program	July 1, 2021	<input type="checkbox"/>

*This Authorization to Bind Coverage also acknowledges receipt and review of all disclaimers and disclosures, including exposures used to develop insurance terms, contained within this proposal.*

_____	_____
<b>Signature of Authorized Insurance Representative</b>	<b>Date</b>
_____	
<b>Title</b>	
_____	
<b>Printed / Typed Name</b>	

**This proposal does not constitute a binder of insurance. Binding is subject to final carrier approval. *The actual terms and conditions of the policy will prevail.***