

Certificate of Participation

Colorado Counties Casualty and Property Pool (CAPP)

For the Coverage Period January 1, 2023 through December 31, 2023

CLEAR CREEK COUNTY

Colorado Counties Casualty and Property Pool (CAPP) hereby certifies that **Clear Creek County** is a participating Member of CAPP for the period beginning January 1, 2023 through December 31, 2023. The coverages, conditions of membership, and other provisions applicable to members of CAPP are as described in CAPP's Bylaws and Intergovernmental Agreement and in the applicable excess policies, policy statements and endorsements thereto, copies of which have been or will be provided to **Clear Creek County**.

The types and monetary limits of the coverages provided to **Clear Creek County** through membership in CAPP, in consideration of the payment of its contributions, are limited, as of the date of this certificate, to those which are shown below. The scope, terms, conditions and limitations of coverages are governed by the aforementioned agreement and policies.

I) The types of coverages, subject to the limit on CAPP's liability in Section II below, are as follows:

- A) Property (including EDP, mobile equipment, and auto physical damage)**
- B) Liability**
 - 1) Bodily Injury, Property Damage (General Liability, Auto Liability)
 - 2) Wrongful Acts committed in the conduct of duties (Public Entity Management Liability)
 - 3) Bodily Injury, Property Damage, Personal Injury (Law Enforcement Liability)
 - 4) Errors or omissions in the administration of an insured's employee benefits (Employee Benefits Liability)
 - 5) Injury resulting from healthcare professional services rendered by any insured who is not a medical doctor, psychologist, psychotherapist or nurse practitioner. (Healthcare Professional Liability).
- C) Crime**
 - 1) Monies and Securities (inside)
 - 2) Monies and Securities (outside)
 - 3) Employee Fidelity
- D) Boiler and Machinery**
- E) Network Security Liability**

II) CAPP Retention, Aggregate Limits, and Member Deductibles

For the coverages described in Section I, CAPP shall be liable only for payment of the self-insured retention and only to a total annual aggregate amount for members of CAPP as a whole of the amount of the CAPP loss fund for the coverage period. CAPP's per claim/occurrence retentions are limited to the following for the foregoing coverages:

- A) \$150,000 per claim/occurrence **property**, except wind/hail, which is 2% per location total value subject to a minimum \$1M per claim/occurrence. County deductible \$1,500**
- B) \$1.5M per claim/occurrence **liability** (per coverage line), except Law Enforcement, which is \$1M per claim/occurrence – County deductible \$15,000 except in certain claims - Law Enforcement County deductible \$40,000. Employment Termination deductible \$15,000. See CAPP Policy Statements.**
- C) \$200,000 or \$300,000 per claim/occurrence **crime** – County deductible \$500**
- D) \$5,000 per loss **boiler and machinery** – County deductible \$500**
- E) \$100,000 per claim/occurrence **network security liability** – County deductible \$0. Pool annual limit aggregate \$5,000,000.**

Coverages in excess of the foregoing pool retentions are provided only by the excess insurers in applicable excess policies, and are payable only by those excess insurers. The limits of coverage provided by the excess insurers are as follows:

A. Liability-Old Republic, Markel and Lexington

From \$1.5M per claim/occurrence to \$10 million per claim/occurrence except for auto, which is non-aggregated.

1. Law Enforcement

From \$1M to 10 million per claim/occurrence.

All liability claims are subject to the following:

All liability coverages are provided on a claims-made coverage form. In no event shall the maximum per claim/occurrence payment exceed the following for general liability, auto liability, public entity management liability, law enforcement liability, employee benefits liability or healthcare professional liability claims subject to the Governmental Immunity Act: \$424,000 per person and \$1,195,000 per occurrence. Additional limits, sublimits and aggregates apply as provided in the applicable excess policies.

Liability Coverage Layers	Carrier
1.5 million to 2 million	Old Republic
\$2 million to \$3 million	Markel
\$1 million to \$4 million Standalone Law Enforcement	Lexington
\$5 million	Allied World

B. Crime-Policy-Hiscox

From \$200,000 or \$300,000 to \$1 million each occurrence. Additional limits, sublimits and aggregates apply as provided in the applicable excess policies.

C. Boiler and Machinery- Liberty

From \$5,000 to the cost of repair/replacement for each actual loss sustained up to \$100 million. Additional limits, sublimits and aggregates apply as provided in the applicable excess policies.

D. Property

From \$150,000 to \$100 million each occurrence, except hail/wind claims, with a sublimit of \$5,000,000 for vehicle physical damage over the road. \$1M each occurrence for hail/wind claims. "All Risk" basis with sublimits of \$10 million newly acquired property, \$5 million new construction each occurrence and \$2.5 million unnamed/unscheduled locations. Sublimits of \$5 million for property in Flood Zone A and \$50 million for property in all other flood zones. Newly acquired property must be reported within 90 days. If new locations are not reported, then the location becomes an unscheduled location. Additional limits, sublimits and aggregates apply as provided in the applicable excess policies.

Property Coverage Layers	Carrier
\$150,000 to \$10 million	Underwriters at Lloyds Westchester Surplus Lines Starr Surplus Lines Princeton Excess & Surplus Allied World Assurance 2% hail deductible/per location
\$10 million to \$25 million	Underwriters at Lloyds Westchester Surplus Lines Starr Surplus Lines Princeton Excess & Surplus Evanston (Markel)
\$25 million to \$50 million	Fidelis Aspen Specialty Starstone Specialty Lexington Westfield Specialty
\$50 million to \$100 million	RSUI Indemnity Mitsui Sumitomo Swiss Re Hallmark Specialty
Auto Phys Dmg \$4m xs \$1m	Endurance American
\$5k - \$100 million Equipment Breakdown	Liberty Mutual

E. Network Security Liability-CHUBB

First Part Liability (Cyber Incident Response, Business/Interruption & Extra Expense, Digital Data Recovery & Network Extortion): \$1,000,000 each claim/\$1,000,000 Annual Aggregate, Third Party Liability (Cyber, Privacy & Network Security Liability, Electronic, Social & Printed Media Liability) \$1,000,000 each claim/\$1,000,000 Annual Aggregate. All member limits are subject to the Pool Aggregate Limit of \$5,000,000.

Information concerning the CAPP loss fund for the coverage period may be obtained by contacting CAPP through its Administrator, County Technical Services, Inc. (CTSI).

Colorado Counties Casualty and Property Pool



Meredith Burcham, CTSI Executive Director
December 20, 2022