

Management Committee

Meeting date: May 23, 2018

For the Metropolitan Council meeting of May 23, 2018

Subject: Railroad Liability Insurance for Northstar Operations
District(s), Member(s): All
Policy/Legal Reference:
Staff Prepared/Presented: Phil Walljasper, Director Risk Management and Claims, 651-602-1787
Division/Department: Regional Administration/Risk Management

Proposed Action

That the Metropolitan Council authorize the renewal of its railroad liability insurance, effective 6/1/18-6/1/19, for the Northstar Commuter Rail Operations in an amount not to exceed \$1,400,000.

Background

In its Joint Use Agreement (JUA) with the BNSF Railway, the Metropolitan Council is required to procure and maintain a railroad liability insurance program to respond to claims related to Northstar commuter rail. This insurance is to have a limit of \$295 million per occurrence and must provide coverage for both the Council and BNSF.

Given the specialized type of risk and amount of insurance needed, several insurance companies are utilized to provide “layers” of insurance up to the required \$295 million limit.

Working with the Council’s broker, staff marketed the Northstar program to various insurance underwriters, focusing on its operations, safety, and loss history. Based on this, as in the past, there was a great deal of interest from the underwriters to partner with the Council and provide a level of insurance on the liability tower.

A challenge to this year’s insurance renewal was that 2017 ridership increased approximately 12% when compared to 2016. From an insurance perspective, this increase in the ratable base would warrant an increase in the premium charged. Through the marketing efforts, however, staff and the Council’s broker were able to negotiate a very favorable overall quote that resulted in a premium increase of less than 1%.

Rationale

The recommended insurance provides the required coverage of the JUA, at the most cost-effective price. It continues with the relatively low retention of \$2 million, as well continuing with the partnership with XL Catlin, the insurance company providing the lead layer of insurance.

Thrive Lens Analysis

Authorization of the Northstar insurance renewal supports the Thrive principle of Stewardship by securing the required insurance in the most cost-effective manner.

Funding

The premium with the recommended insurance is included within the Metro Transit operating budget. Additionally, the self-insured retention is fully funded at \$2 million.

Known Support / Opposition

Not applicable



Met Council - Northstar

Liability Program – Proposed Version 1

June 1, 2018 – June 1, 2019

\$95,000,000 in excess of \$200,000,000

**Carrier – Lloyd's of London –
Apollo; ATL; Hiscox; Starstone
Ironshore Excess**

\$100,000,000 in excess of \$100,000,000

**Carrier – Aspen
Swiss Re –
Chubb
Catlin**

\$50,000,000 in excess of \$50,000,000

**Carrier – Catlin
Aspen US
XL Dublin
Gemini**

\$25,000,000 in excess of \$25,000,000

**Carrier – Zurich NA Group
Lloyd's (ATL, Hiscox and Apollo)**

\$25,000,000 in excess of \$2,000,000

Carrier – XL Insurance Co