

RISK TRANSFER CONSIDERATIONS FOR FOOD TRUCK EVENTS

—
Brett Carruthers
bcarruthers@nysir.org

Joyce Moore
jmoore@nysir.org



WE'RE ALL IN THIS TOGETHER.



Overview of Risk Transfer

Transfers the responsibility to pay for claims to another entity

- Without a risk transfer, the district or its insurer would be responsible

How are risk transfers completed?

- Through indemnification/hold harmless agreements and certificates of insurance

Requirements for a Successful Risk Transfer

- **Completed and Signed Agreement with Food Truck Vendor**
- **Insurance Procurement Requirements**
- **Indemnification Language**
- **Properly completed certificate of insurance**
 - **Accurate information**
 - **Correct Terms/Conditions**
 - **Additional Insured Language**
 - **Policy effective and expiration dates**

INSURANCE SPECIFICATIONS

Food Trucks and Trailers

WE'RE ALL IN THIS TOGETHER.



Insurance Specs – Food Trucks

- **October 2021 – All Others Obsolete**
- **Licensed and Admitted – “Strongly Preferred”**
- **Primary and Non-Contributory
Language and Umbrella or Excess
Follow Form**

Insurance Specs – Food Trucks

- **Waiver of Subrogation Favoring District/BOCES**
- **Additional Insured Status for both Ongoing and Products and Completed Operations – CG 20 38 and CG 20 37 (or equivalent)**

Insurance Specs – Food Trucks

Commercial General Liability Insurance

- **\$1 Million/Occurrence and \$2 Million Aggregate**
- **\$2 Million Products and Completed Operations**
- **\$1 Million Personal and Advertising Injury**
- **\$100,000 Fire Damage**
- **\$10,000 Medical Expense**

Insurance Specs – Food Trucks

Automobile Liability (When an organization's vehicle is brought onsite)

- **\$1,000,000 combined single limit for owned, hired, borrowed and non-owned motor vehicles.**

Trailer

- **\$500,000 combined single limit for owned, hired, borrowed and non-owned trailers**

Insurance Specs – Food Trucks

Workers' Compensation and NYS Disability Insurance (For Organizations With Employees)

Statutory Workers' Compensation (C-105.2 or U-26.3); and NYS Disability Insurance (DB-120.1) for all employees. Proof of coverage must be on the approved specific form, as required by the New York State Workers' Compensation Board. ACORD certificates are not acceptable. A person seeking an exemption must file a CE-200 Form with the state. The form can be completed and submitted directly to the WC Board online.

Food Truck Potential Claims

Auto Liability

- **Strike Event Attendee**
- **Vehicle Accident**
- **Property Damage**

General Liability

- **Bodily Injury**
- **Products and Completed Operations**

District/PTA Partnership

School District's and PTAs are true partnerships between parents, administration, teachers and the community to provide student enrichment and positive school experiences for all children.

- ❖ **Allows parents to be involved in school activities**
- ❖ **Fundraising efforts to benefit District students**
- ❖ **Unites home, school and community**

District/PTA Partnership

When reviewing and recommending insurances for different PTA and District events we look at exposure vs. cost of event

Exposure – possibility and/or potential of financial loss

PTA's and Food Truck Events

**Insurance
Specs**

**Facility
Use Permit**

**PTA – AIM
Cert**

**Food Truck
Certs**

PTA's and Food Truck Events

Insurance not only protects the PTA organization but YOU as an individual

For coverage to apply – the event must be:

- ❖ Approved by your PTA**
- ❖ Scheduled by your PTA**
- ❖ Planned by your PTA**
- ❖ Majority of volunteers must be PTA members**

PTA's and Food Truck Events

NYS PTA Resource Guide Section 5A-Finance

- ❖ **PTA President is responsible for all agreements**
- ❖ **PTA President is the only one who can sign agreement**
- ❖ **Be careful how the agreement is worded – PTA name – no names of any individuals**
- ❖ **NYS PTA requires agreements and insurances from vendors**

PTA's and Food Truck Events

Your PTA policy does NOT insure any outside vendors

It will only cover claims for an attendee who gets hurt from a vendor's service.



Joyce Moore
jmoore@nysir.org
716-671-2046

Brett Carruthers
bcarruthers@nysir.org
716-282-4890



WE'RE ALL IN THIS TOGETHER.

Thank You!

Brett Carruthers

bcarruthers@nysir.com

716.282.4890

Joyce Moore

jmoore@nysir.com

716.671.2046

NYSIR: WE'RE ALL IN THIS TOGETHER.



www.nysir.org