



## Legal Department

**DATE:** February 13, 2024

**FROM:** Jannelle Combs, City Attorney

**ITEM:** Request from Bismarck Event Center to change insurance limits

**REQUEST:**

Bismarck Event Center has requested a deviation from the insurance limits for contracts.

**BACKGROUND INFORMATION:**

At the December 13, 2022, City Commission meeting, the limits of liability were approved to be \$500,000 per person and \$2,000,000 per occurrence for contracts with the City effective January 1, 2023.

Due to the use of DocuSign process has been extended to include rentals of space at the Event Center, there is concern from BEC staff that the limits are problematic. They would like to retain the ability to lower the limits to \$1 Million per occurrence if the event has less than 1,000 people attending. The City would then be responsible if we are sued for any negligent actions for the potential damages from \$1 Million to the \$2 Million tort cap that the State legislature has passed. For events over 1,000 people, the \$2 Million per occurrence cap would apply.

**RECOMMENDED CITY COMMISSION ACTION:**

Determine the contractual insurance amounts for the Bismarck Event Center.

**STAFF CONTACT INFORMATION:**

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**ATTACHMENTS:**

None