

THE STANDARD



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RISK MANAGEMENT

COVERAGE PROVIDED THROUGH THE RISK MANAGEMENT FUND

Although the state has self-funded for most liability exposures since the establishment of the Risk Management Fund in 1995, questions continue to arise on the type and scope of coverage provided. The Risk Management Fund provides broad coverage for activities that would otherwise require the purchase of multiple lines of private insurance. The fund responds to professional, auto, employer's, premises and general liability exposures. Except for approved narrow areas such as aviation liability, medical malpractice liability for certain practitioners at the UND School of Medicine, and products liability at the State Mill, state entities simply do not need and do not have authority to purchase liability insurance. The fund broadly covers any injury or damage caused by the negligence or wrongful act of a state employee acting within the scope of employment or an injury caused by some condition or use of property under circumstances where the state, if a private person, would be responsible.

However, the Risk Management Fund is not insurance and should not be viewed as insurance. For example, outside entities through contract often request that they be made an additional insured on the state's liability policy. There is no policy and the Risk Management Fund may only provide a defense or make indemnity payments for actions of the state and its employees acting within the scope of employment. Coverage through the fund simply cannot be extended to third parties.

In addressing claims, the Risk Management Division obtains information and documents whether the incident is the result of the actions of a state employee acting within the scope of employment. Scope of employment for purposes of coverage under the fund means the state employee was acting on behalf of the state in the performance of duties or tasks of the employee's office or employment lawfully assigned to the employee by competent authority or law. Although typically it is self-evident, questions relative to whether an employee's actions were lawfully assigned can arise. State agencies generally only have those powers that are expressly granted by statute or necessarily

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implied. In those cases where it is not self-evident, the Attorney General makes the determination of whether an employee was acting within the scope of employment for purposes of coverage under the Risk Management Fund.

Finally, it should also be noted that the Risk Management Fund provides third-party liability coverage only. Damage to a state entity's property or other loss is not covered even when the loss results from the actions of an employee from a different state entity.

State entities with questions about coverage under the Risk Management Fund should contact the Risk Management Division at rminfo@nd.gov.

CENTRAL SERVICES FEDERAL SURPLUS PROPERTY

ND Surplus Property can search Federal Surplus for the items you need, but did you know that YOU can search, too? The General Services Administration allows for "read only" access by going to <http://gsaxcess.gov/> and clicking the **red Login button** on the right side of the screen. Enter **User Name: R21934** and **Password: NDSASP**. Search for items by category or click **Advanced Search**, on the red bar located in the upper right of the screen, to search by location of available property. To view details of an item, click the **Item Control Number**. If there is an item that your agency needs, please contact Surplus Property as soon as possible at surplus@nd.gov, as you will not be able to submit an official request from this website. In your email to State Surplus Property include the item description and the **Item Control Number**. The allocation and transfer of each item will go through ND Surplus Property. Consider using this option when trying to find an item to fit your exact needs! If you have any questions, please contact State Surplus Property at 701.328.9665.

BULK MAILING TO DO? CENTRAL DUPLICATING CAN HELP

Central Duplicating provides mailing services. You simply provide the electronic files, and we take care of the rest: printing, addressing, inserting, mailing. Central Duplicating can do the mail merge to address letters, envelopes, and post cards. We have software to ensure the addresses are correct. Contact Ken Hamel, 701.328.3494, to discuss mailing and printing services.

PROCUREMENT CERTIFICATION CLASSES IN GRAND FORKS

State Procurement will be offering Level 2 and Level 3 classes in Grand Forks this fall. Level 2 will be taught on October 19, and Level 3 will be taught on November 15. The online Level 1 is a pre-requisite for these courses. State employees can register online for these classes. <https://www.nd.gov/omb/state-employee/training/topics/procurement-officer-certification-training>

ND University System employees can contact Chad Keech at 701.328.2767 or ckeech@nd.gov to register.

ATTENTION BOARDS AND COMMISSIONS: ONLINE LICENSING AND RENEWAL SOLUTION STATE CONTRACT

Are you ready to go paperless? This state contract will enable your board or commission to create an online licensing application and renewal process.

Professional Licensing Management System State Contract #5 provides for an off the shelf, fully customizable professional licensing software solution

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CUSTOMER SATISFACTION SURVEY

OMB is in the process of conducting another Customer Satisfaction Survey. The last time the survey was conducted was in 2014, and valuable feedback was received. A number of improvements were made based on the survey results, including the creation of a more user-friendly agency website. The agency will review the information received, compare it to the 2014 survey results, and evaluate other business areas for potential improvement. We appreciate your input!

and website design, along with maintenance and support. The system allows for online application, renewal, and payment process, securely stores documents for each registrant, allows for license verification, sends reminders, tracks the application process online and is able to generate reports in real time. Contact Rebecca Pollert at 701.328.2690 for more information.

USING A TEMPORARY STAFFING AGENCY? REMEMBER TO GET BIDS

Agencies have options when looking for temporary employees. You can hire a temporary employee using procedures for hiring personnel. Sometimes agencies decide to use a staffing agency. Remember, that a contract with a staffing agency is a service contract, and subject to competitive bidding requirements. For assistance in bidding temporary services, contact Christy Schafer at 701.328.2740 or cmschafer@nd.gov.

FACILITY MANAGEMENT CONSTRUCTION IS UNDERWAY ON NEW GOVERNOR'S RESIDENCE

The 64th legislature approved in Senate Bill 2304 the demolition of the existing and construction of a new governor's residence. After 15 months of schematic design, design selection approval, design development, construction documents and bidding, the project has commenced with the installation of the construction fence, placement of the construction trailer and mobilization of site work equipment on September 27.

The three lowest responsible bidders were Northwest Contracting as general contractor, Northern Plains Heating, Plumbing and Air as mechanical contractor and Magnum Electric as electrical contractor. Each firm maintains a corporate headquarters office in North Dakota.

The construction of the new governor's residence will take approximately 13 months with substantial completion schedule for the first week of October 2017. The newly elected governor will relocate to the new residence in November 2017.

Senate Bill 2304 contains language that \$500,000 must be raised and deposited in the capitol building trust fund prior to construction. The co-chairpersons of the fundraising efforts are Representative Pamela Anderson and James Poolman. The goal of \$500,000 is met and was transferred on September 12. The fundraising committee is continuing to raise the additional \$500,000. For an opportunity to participate in this project, please visit www.friendsoftheresidence.com.

UPCOMING EVENTS

Many special events are scheduled throughout the capitol complex this fall and winter. These events start with the annual Trick or Treat at the Governor's Residence on Halloween day and finish with the New Year's Window Lighting on December 31 through January 1, 2017. Other events you will enjoy during this season include:

- Veterans Day ceremony on November 11
- Governor's Official Tree Lighting ceremony on December 8 at 5:00 pm in Memorial Hall
- Capitol Tower Window Tree Lighting will commence immediately after the official tree lighting and end on December 30

For additional information concerning these events as well as others occurring on the capitol complex, please visit www.nd.gov/omb/public/events.

HUMAN RESOURCE MANAGEMENT SERVICES

TRAINING NEWS

HRMS is in the final stages of preparing a new training course entitled “Supervisory Management 101”. This comprehensive, one-day course will review the additional responsibilities assumed when transitioning to a supervisory role. The course will include how to avoid the most common mistakes made by new supervisors, setting expectations for a productive work environment, strategies for addressing resistance to change, and a review of applicable employment laws. All state employees are welcome to participate in this or any other training course offered by HRMS. Training topics can be found on the OMB website at <https://www.nd.gov/omb/state-employee/training/topics>.

FISCAL MANAGEMENT

2017-19 EXECUTIVE BUDGET

Development of Governor Dalrymple’s 2017-19 executive budget recommendations are underway. As agency budget requests are submitted, the OMB Management and Fiscal Analysts validate them to ensure all information was properly submitted and confirm that all general fund budget requests have come in at the required base budget level.

An updated revenue forecast will be completed in November. This forecast will update revenue estimates for the remainder of the current biennium and for the 2017-19 biennium. This forecast will be used to finalize and balance the Governor’s recommendations.

Governor Dalrymple will release his budget recommendations during the Organizational Session of the Legislature the first week of December.