



# **Put Yourself in the Drivers Seat for Insurance Negotiations**

Wed. 6/18/25 - Ken Boegeman, CSP ASM

## Ken Boegeman, CSP ASM

### Snow Removal Industry Experience

- Born & raised in St. Louis, Missouri
- Began career in the early 1990s
- Sales & operational experience in:
  - Missouri, Kansas, Nebraska, Minnesota, Iowa, Wisconsin, Illinois, Indiana
- President
  - Swinter Group, Inc & SG Advantage, LLC
- Swinter Group Portfolio
  - ~ 40M sqft paved surface
  - Crew of ~ 550 individuals



## Ken Boegeman, CSP ASM

### Consulting Experience

- Slip & Fall Litigation Testimony Expert
  - More than 12 years experience
  - Serve both plaintiff and defense attorneys
  - Experience in 31 states
- Consulting & coaching services for contractors in the midwest
- SG Advantage Systems & Software for the Snow Removal Industry



## Goals / Topics

- Understand the industry from the carrier's perspective
- Understand how carriers look at your business
- Learn what you can do to be more attractive to primary market carriers



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## Quick Poll / Survey

Audience to answer live survey questions during session.



## Estimated Annual Premiums



Hundreds of millions  
of dollars worth of  
premiums annually



## Why Carriers Walk Away

Factors Contributing to Irregularity & Unpredictable Risk Forecasting:

- Little to no governmental regulations
- Lack of uniformity in services provided
- Massive overconfidence among business owners / operators
  - Mostly with little to no understanding of the bigger picture
  - Or, even worse, they **\*\*THINK\*\*** they understand
- Uncontrollable & unpredictable contract negotiations
- Out of control jury awards





“That’s What I Have Insurance For”



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WHAT  
TO DO?





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- SIMA - Fabulous Resources
- Your Broker / Agent
- Peers / Mentors
- Industry Consultants



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[sima.org/join](https://sima.org/join)

[resources.sima.org](https://resources.sima.org)

[sima.org/train](https://sima.org/train)



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The MOST IMPORTANT  
document to your business.



## Contract Essentials

- All Services - Customers & Subcontractors
- Indemnification
- Defense
- Governing Law
- Service to Non-Contracted Properties
- Definitions / Terms
  - Deicing, event, hauling, plowing, shoveling, occurrences, etc.
- Scope of Work
  - Service triggers, material application rates, dispatch protocols, service hours, round time allowances
- Refreeze Monitoring
- Danger Mitigation Expectation
- Expectation of Consulting Services
- Automatically Dispatched Services Clarification
- Local Codes / Ordinances






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## Industry Standards

**SIMA**  
snow & ice management association

SIMA-10-2020

**Standard Practice  
for Procuring and  
Planning Snow and Ice  
Management Services**  
*an American National Standard*

  
ANSI  
American National Standards Institute


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**SIMA**  
snow & ice management association

SIMA-20-2024

**Standard Practice for  
Implementing a Safety  
Program for Snow and Ice  
Management Companies**  
*an American National Standard*

  
ANSI  
American National Standards Institute

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**Purchasing Snow &  
Ice Management:  
Quality RFP Creation  
and Best Practices**

**SIMA**  
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**Best Practices  
Guidelines for  
Sustainable Salt Use**  
*BENCHMARK YOUR SNOW REMOVAL OPERATION*

**SIMA**  
snow & ice management association



## Training



The most important evidence to show jurors your dedication to safety and good work.

## Training Essentials

- Document Attendance
  - Who attended which session & what was covered
- Safety
- Best Practices
- Industry Standards
- Equipment Operation
- Defensive Driving
- Emergency Procedures
- Accident Reporting
- Material Safety
- Material Usage / Application Rates
- Site analysis
- Danger Identification
- Reporting Protocols





## Property Data & Service Info



Archive all contract, property, and service information in a single, centralized location for easy retrieval years later.

## Statute of Limitations

**One Year:** Kentucky, Louisiana, Tennessee

**Two Years:** Alabama, Alaska, Arizona, California, Colorado, Connecticut, Delaware, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Nevada, New Jersey, Ohio, Oklahoma, Oregon, Pennsylvania, Texas, West Virginia

**Three Years:** Arkansas, Maryland, Massachusetts, Michigan, Mississippi, Montana, New Hampshire, New Mexico, New York, North Carolina, Rhode Island, South Carolina, South Dakota, Vermont, Washington, Wisconsin

**Four Years:** Florida, Nebraska, Utah, Wyoming

**Five Years:** Missouri

**Six Years:** Maine, Minnesota, North Dakota



## Forecast Services



Subscribe to a professional forecast / meteorological service.

Archive FORECAST data, along with post-storm reports.





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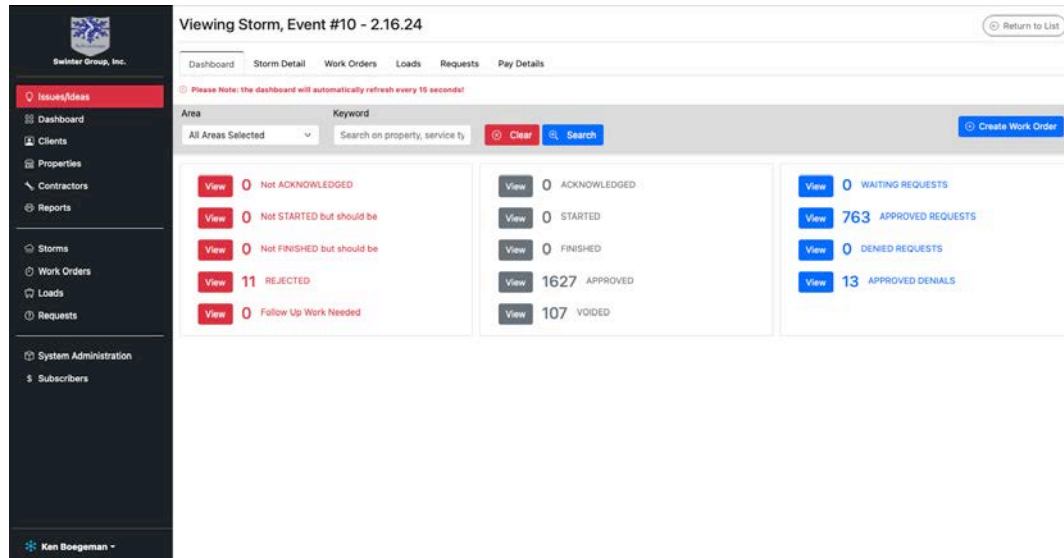
## Document Communications



Archive all communications in a single, centralized location for easy retrieval years later.



# Manage & Document Your Work



**Swinter Group, Inc.**

Viewing Storm, Event #10 - 2.16.24 [Return to List](#)

Dashboard Storm Detail Work Orders Loads Requests Pay Details

Please Note: the dashboard will automatically refresh every 15 seconds!

Area Keyword [Create Work Order](#)

All Areas Selected Search on property, service ty [Clear](#) [Search](#)

<a href="#">View</a> 0 Not ACKNOWLEDGED	<a href="#">View</a> 0 ACKNOWLEDGED	<a href="#">View</a> 0 WAITING REQUESTS
<a href="#">View</a> 0 Not STARTED but should be	<a href="#">View</a> 0 STARTED	<a href="#">View</a> 763 APPROVED REQUESTS
<a href="#">View</a> 0 Not FINISHED but should be	<a href="#">View</a> 0 FINISHED	<a href="#">View</a> 0 DENIED REQUESTS
<a href="#">View</a> 11 REJECTED	<a href="#">View</a> 1627 APPROVED	<a href="#">View</a> 13 APPROVED DENIALS
<a href="#">View</a> 0 Follow Up Work Needed	<a href="#">View</a> 107 VOIDED	

System Administration Subscribers

Ken Boegeman

Proactively dispatch and accurately record / archive all services provided.

Record and archive services provided by occurrence.

## Robust Documentation

- Emergency service requests
- High level / round / event service documentation
- Call logs
- Service checklists
- Property inspections
- Event notes
- Refreeze service logs
- Property damage reports
- Slip & fall reports
- Vehicular accident reports
- Deicing material usage
- Time sheets
- Invoices / payroll





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Caution - you may be inadvertently putting your corporate and personal assets at risk.

## Caution: Handshake Deals



All work must be governed by contract documents.





The Devil is in the details!!



## Caution: Photos



Photos can be detrimental to your defense.

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## Caution: GPS



GPS can be detrimental to your defense.

## Caution: GPS





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## Post Session Survey

Thanks for your feedback!