

# SPECIALTY E&O PLAN

## Computer/EDP Supplement

For the purposes of this supplement to the application and the subsequent policy, if issued, the term "**Y2K Compliant**" shall mean that all:

1. Computer systems, data processing equipment and media;
2. Components and devices; and
3. Computer software

recognize and process data prior to, during and after year 2000 without date-related errors and without date-related omissions.

1. Name of **Your** firm: \_\_\_\_\_

2. A. Please indicate the percentages of **Your** total operations involving:

- |       |   |                                      |  |
|-------|---|--------------------------------------|--|
| _____ | % | Electronic Data Processing           |  |
| _____ | % | EDP Consulting                       |  |
| _____ | % | Custom Software Development          |  |
| _____ | % | Package Software Development         |  |
| _____ | % | Sale of Software on behalf of others |  |
| _____ | % | Sale of Hardware on behalf of others |  |
| _____ | % | Time-Sharing                         |  |
| _____ | % | Systems Analysis/Design              |  |
| _____ | % | Outsourcing                          |  |
| _____ | % | Maintenance and Support Services     |  |
| _____ | % | Other (Describe) _____               |  |
| 100   | % | Total                                |  |

B. Please list the principal industries to which you provide products and/or services (e.g. consumer products, professions, utilities, industrial, financial, governmental, educational, etc.) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

C. Please indicate an (x) in each of the following areas in which **Your** software or services for others has major or primary applications:

- |  |  |
|--|--|
| <p>____ LAN/Network Management</p> <p>____ Accounting/Financial (Non Fund Transfer)</p> <p>____ Architectural (e.g. Model building/projection)</p> <p>____ Communications (e.g. Utilities/Info Services)</p> <p>____ Database Management Systems/4GL</p> <p>____ Scientific/Mathematical</p> <p>____ Electronic Data Interchange</p> <p>____ Other (Please describe) _____</p> | <p>____ Funds Transfer</p> <p>____ Administrative</p> <p>____ Educational</p> <p>____ Imaging</p> <p>____ Publishing</p> <p>____ Office Automation</p> |
|--|--|

3. Are **You** involved with computer-aided manufacturing (CAM), computer-aided engineering (CAE), computer-aided design/drafting (CAD) or real-time monitoring systems or software?  Yes  No  
 (If yes, attach a complete description of such activity, including end use of applications by client.)

4. Do **You** design, manufacture or modify computer hardware or component parts?  Yes  No

5. Do **You** service, maintain or install computer hardware or component parts?  Yes  No

6. A. Is all of **Your** system and/or software design and development work for others documented and tested?  Yes  No
- B. Is a standard test plan followed for all of **Your** system and/or software design and development work?  Yes  No
- C. Does **Your** test plan include procedures for detection and correction of bugs, viruses, intrusions, security flaws or other anomalies?  Yes  No
- D. Are **Your** clients responsible for determining the accuracy of test results?  Yes  No
- E. Do **Your** clients provide written acceptance of the systems and/or software prior to production or implementation?  Yes  No
- F. Do **You** retain design, development and testing documentation for the life of the systems and/or software?  Yes  No
7. If bugs, viruses, intrusions, security flaws or other anomalies are discovered in systems and/or software **You** provide to others, what are **Your** procedures for determining affected users/licensees, notifying them of potential problems and providing necessary modifications? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
8. A. Are **Your** operations **Y2K Compliant**?  Yes  No
- B. If yes, when did they become **Y2K Compliant**? \_\_\_\_\_
- C. If no, please indicate what actions **You** have taken to date to ensure **Your** operations become **Y2K Compliant**? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- D. Could the failure of any of **Your** operations to be **Y2K Compliant** adversely impact delivery of **Your** services or products?  Yes  No
9. Does **Your** company have a disaster recovery or contingency plan in place in the event **Your** systems or software are not **Y2K Compliant**?  Yes  No
10. A. Could the failure of any of **Your** suppliers, service providers, or other business partners to be **Y2K Compliant** have an impact on **Your** business?  Yes  No
- B. If yes, how could it impact **Your** business? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- C. If 10. A. is yes, what action have **You** taken to determine whether they are becoming **Y2K Compliant**? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- D. If 10. A. is yes, what actions have **You** taken to insulate **Your** business from the potential impact of their failure to be **Y2K Compliant**? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
11. A. Please indicate the percentage of **Your** total operations involving Y2K-related products or services. \_\_\_\_\_%
- B. Are any of the above Y2K-related products or services performed for federal, state or local governmental entities or agencies?  Yes  No
- C. If yes to B. above, what percentage of **Your** Y2K-related products or services are for such entities or agencies? \_\_\_\_\_%

12. If **You** provide Y2K-related products or services for others, indicate what portion of the Y2K-related products or services are attributed to the following:

|  |             |
|--|-------------|
| Assessment of Systems                  | _____ %     |
| Consulting on Methodology or Retooling | _____ %     |
| Solutions Development                  | _____ %     |
| Project Management                     | _____ %     |
| Project Implementation                 | _____ %     |
| Testing                                | _____ %     |
| Validation                             | _____ %     |
| Other (please describe) _____          | _____ %     |
| _____                                  | _____ %     |
| Total                                  | _____ 100 % |

13. If **Your** firm is designing or developing or has designed or developed systems or software that are not **Y2K Compliant**, describe in detail what action **You** are taking to make them **Y2K Compliant**. Please attach copies of any communications from **You** to any past or present clients discussing whether the systems or software are or can be made **Y2K Compliant**. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

14. Describe **Your** procedures to safeguard against potential copyright infringement allegations being made against **You** arising out of:

A. Systems and/or software designed or developed by **You** for others: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

B. Systems and/or software created by others and modified by **You**, including modifications made in **Your** performance of Y2K-related services: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

15. Do **You** provide written reports to others indicating whether their products or systems are **Y2K Compliant**?  Yes  No  
If yes, please attach sample report.

16. A. Do **You** provide written certification to others that products or systems are **Y2K Compliant**?  Yes  No

B. If yes, indicate the percentage of **Your** total revenues attributable to clients for whom **You** are performing **Y2K Compliant** certification. \_\_\_\_\_ %

17. A. Does any of **Your** advertising or promotional material specifically reference the Y2K-related issues or date-related issues?  Yes  No

B. If yes, does the advertising or promotional material indicate that **Your** products are **Y2K Compliant** or that **You** can assist clients with making their software and/or systems **Y2K Compliant**?  Yes  No

If yes to 17. A. or 17. B. above, please provide copies of any such advertising.

18. If **You** provide EDP consulting, do **You** always advise **Your** clients whether products or services are **Y2K Compliant**?  Yes  No If yes, please attach sample consulting agreement.

19. A. Do **You** have in-force warranty, maintenance and/or outsourcing contracts or agreements with clients on products or services that are not **Y2K Compliant**?  Yes  No
- B. If yes, have **You** reviewed all in-force contracts or agreements to determine whether **You** are obligated to ensure products or services are **Y2K Compliant**?  Yes  No
- C. If yes to B. above, do all of these contracts or agreements contain Y2K liability disclaimer language?  Yes  No
- D. If all in-force contracts or agreements have been reviewed, what action are **You** taking to address any obligations **You** may have to make products or services **Y2K Compliant**? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

20. A. Do **You** use subcontractors for any of **Your** services?  Yes  No
- B. If yes, what percentage of total revenues are attributable to subcontracted work? \_\_\_\_\_%
- C. If Yes, do **You** use subcontractors for **Y2K Compliant** related services?  Yes  No
- D. Why do **You** use subcontractors?  
 (i) As a regular supplement to staff?  Yes  No  
 (ii) For expertise that does not exist within **Your** operations for a particular project?  Yes  No  
 (iii) Other: \_\_\_\_\_
- E. Describe in detail the type of services **Your** subcontractors provide. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- F. Describe experience/qualification requirements for subcontractors. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- G. Describe how **You** monitor and manage the quality of services performed by **Your** subcontractors. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- H. Do **You** obtain certificates of insurance for every subcontractor **You** use showing coverage for errors and omissions or professional liability?  Yes  No

Please attach resumes of subcontractors performing **Y2K Compliant** related services and sample copies of contracts used with subcontractors.

**Please attach additional documents and materials as requested above.**

This Computer/EDP Supplement is attached to and forms a part of the Specialty Errors & Omissions Liability Insurance Policy Application or Renewal Application. It is subject to the same provisions concerning representations made as in the basic Application and/or Renewal Application.

Signed \_\_\_\_\_ Title \_\_\_\_\_

Date \_\_\_\_\_