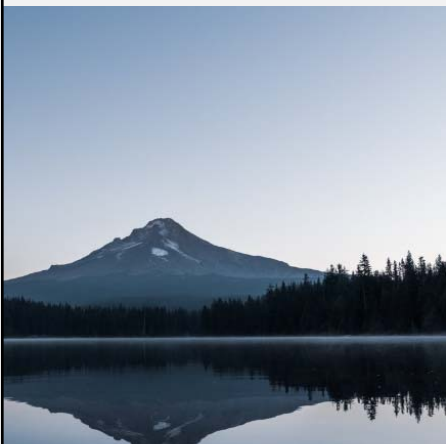




Construction Insurance and Project Management

Presenter: Zac Cartwright
Title: Risk & Compliance Analyst - OPO
Date: Wednesday, March 11, 2020



Insurance

Identify Types and Amounts

Workers' Compensation

Provides wage replacement and medical benefits to employees injured in the course of employment.

Employer's Liability

Protects employers from financial loss if a worker has a job-related injury/illness not covered by Workers' Compensation.

Commercial General Liability

Provides coverage for general business risks (liabilities).

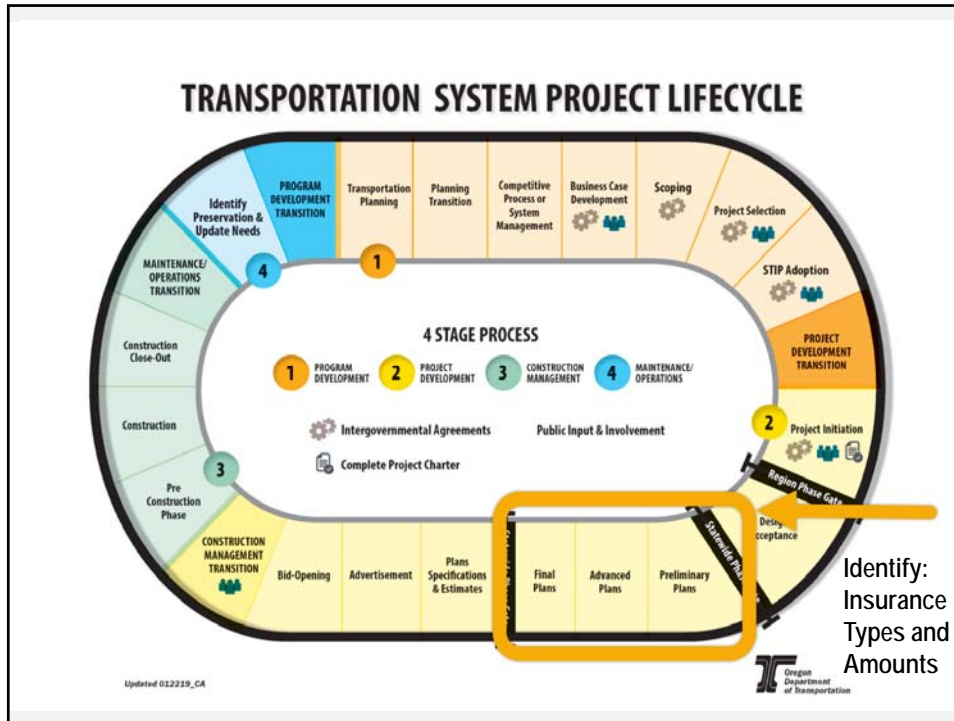
Automobile Liability

Provides coverage for a driver who, while operating a vehicle, harms someone else or their property.

Specialty Insurance

Pollution Liability, Automobile Liability with Pollution Coverage, Marine Liability, Drone Liability, etc.

Conduct an Insurance Risk Assessment



Home
User Guide
Summary / Print

Insurance Risk Assessment Traditional Highway Construction

Commercial General Liability

Commercial General Liability (CGL) is required in all contracts. It is perhaps the most important of all insurance policies in a contractual relationship. It ensures the Contractor has broad liability coverage for contractual activities and for completed operations.

Note: CGL does not provide coverage for Professional Liability.

Automobile Liability

Automobile Liability insurance is typically required in most contracts. Automobile Liability is needed whenever contracted work requires use of a licensed vehicle on public roads or on ODOT property (this includes driving between job sites, to and from meetings, and/or occasional trips).

Pollution Liability

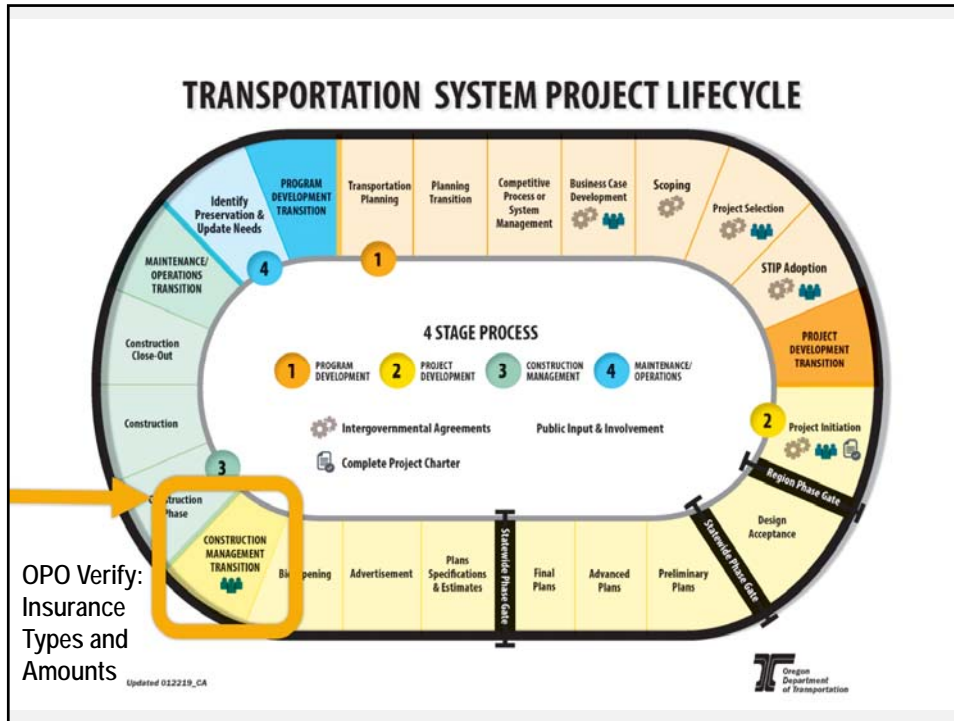
Pollution Liability insurance is typically required when the Contractor will be using, removing, hauling, storing, or disposing of hazardous materials.

If Pollution Liability is identified as a project insurance requirement, contact OPORiskManagement@odot.state.or.us for verification.

Additional Coverages

Additional coverages are non-typical coverages that may be required based on the exposures from specialized contracted services. These types of coverages include, but are not limited to, Marine Liability, Drone Liability, Aircraft Liability and more.

Review to confirm if additional coverages are needed.



Insurance Review

Verify Insurance Requirements are Met

Prime Contractor Provides

- Certificate of Insurance
- Other related insurance documentation
- Specialty Insurance Requirements – Attachment B
 - Identifies if Contractor or Subcontractor will meet the Specialty Insurance Requirements

OPO Review

- OPO reviews Insurance to verify Contract Insurance Requirements are met.

OPO Communicates to Resident Engineer and ODOT Contract Services

- Insurance Requirements Met along with documentation
- Specialty Insurance required for project (Attachment B)
- Instructions for PM on Subcontractor Approval Process (identified within the Construction Manual)

OT Oregon Department of Transportation

Send To: Resident Engineer
 Cc: ODOT Procurement Office - Construction; OPO Risk Management; ODOT CONTRACT SERVICES
 Subject: Contract #, Key #, Specialty Insurance

(Attach – COI & Attachment B to this email)

RE Name,

The above referenced Contract requires specialty insurance to be in place before any specialty work commences on the project.

The Prime Contractor has submitted the attached Attachment B – Specialty Insurance Requirements, which indicates:

- the specialty insurance required for the Contract; and
- the Prime Contractor or Subcontractor supplying the required specialty insurance.

Subcontractor Approval Process

If the Subcontractor will be supplying the specialty insurance to meet the Contract insurance requirements, the Prime Contractor will supply the Resident Engineer with the following (Resident Engineer will process in accordance with the Subcontractor Approval Process):

- Subcontractor Consent Form;
- Subcontractor Certificate of Insurance (identifying the required specialty insurance);
- Specialty Insurance Additional Insured Status
 - Additional Insured Endorsement or Certificate of Insurance language within the description field **ENDORISING**:
 - “State of Oregon, the Oregon Transportation Commission and the Department of Transportation, and their respective officers, members, agents, and employees” endorsed as additional insured in regards to the specialty insurance; and
 - “Prime Contractor and its officers and employees” endorsed as additional insured in regards to the specialty insurance.
- Liability Specialty Insurance coverage shall be Primary and Non-Contributory
 - Primary and Non-Contributory Endorsement or Certificate of Insurance language within the description field indicating:
 - Named liability specialty insurance coverage is Primary and Non-Contributory.

Resources

If you have any questions in regards to the specialty insurance or reviewing the Certificate of Insurance and other insurance documentation to verify contract insurance requirements are met, feel free to contact the ODOT Procurement Construction Unit: odotprocurementofficeconstruction@odot.state.or.us or the OPO Risk and Compliance Analyst at oporiskmanagement@odot.state.or.us

Have a safe and productive project.

Attachment B
Contract No. [REDACTED]

SPECIALTY INSURANCE REQUIREMENTS

(To be filled out by Contractor)

According to the Special Provisions, the following specialty insurances are required for this contract. Please mark if the Contractor or Subcontractor(s) will be providing the insurance certificates for these requirements. If subcontractor(s) are providing any of the specialty insurance requirements, insert the subcontractor's name. Return completed Attachment B to the ODOT Procurement Office – Construction team with the completed contracts.

	Contractor	Subcontractor
Pollution Liability:		
Pollution Liability in the amount of \$ _____ each occurrence / \$ _____ annual aggregate limit	<input type="checkbox"/>	<input type="checkbox"/>
Subcontractor(s)		
Asbestos Liability Endorsement to the pollution policy or separate policy of the same combined single limit per occurrence and annual aggregate limit as the Pollution Liability.	<input type="checkbox"/>	<input type="checkbox"/>
Subcontractor(s)		
Lead Liability Endorsement to the pollution policy or separate policy of the same combined single limit per occurrence and annual aggregate limit as the Pollution Liability.	<input type="checkbox"/>	<input type="checkbox"/>
Subcontractor(s)		
Commercial Automobile Liability with Pollution Liability Coverage in the amount of \$2,000,000 each occurrence.	<input type="checkbox"/>	<input type="checkbox"/>
Subcontractor(s)		
Marine Insurance:		
Marine Liability in the amount of \$ _____ per occurrence.	<input type="checkbox"/>	<input type="checkbox"/>
Subcontractor(s)		

	Contractor	Subcontractor
Hull and Machinery Insurance with limits of liability at least equal to the full value of all vessels used in connection with performance of the Work required under this Contract.	<input type="checkbox"/>	<input type="checkbox"/>
Subcontractor(s)		
Protection and Indemnity Insurance with a minimum limit of liability of \$ _____.	<input type="checkbox"/>	<input type="checkbox"/>
Subcontractor(s)		
Pollution Liability Insurance with a minimum limit of \$ _____ if Pollution Liability coverage is provided outside of a P&I Club entry or outside of Protection and Indemnity Insurance.	<input type="checkbox"/>	<input type="checkbox"/>
Subcontractor(s)		

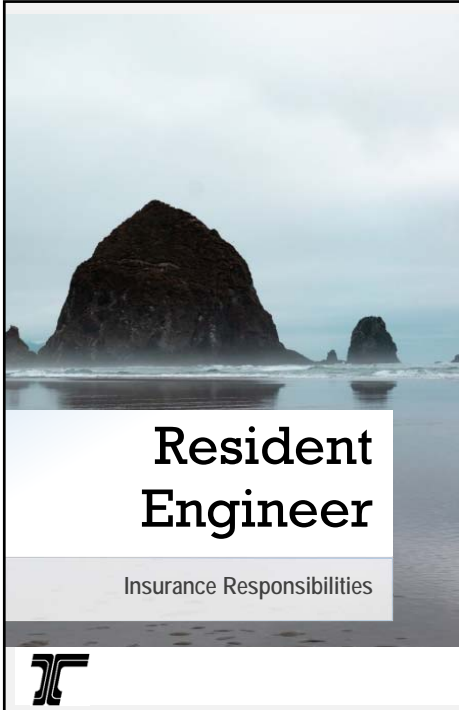
	Contractor	Subcontractor
Builder's Risk:		
Builders' Risk Insurance for an amount equal to at least \$ _____; The policy shall include as loss payee, the Department of Transportation.	<input type="checkbox"/>	<input type="checkbox"/>
Subcontractor(s)		
Builders' Risk Installation Floater covering Contractor's/Subcontractor's labor, materials, and equipment related to the Contract. The policy shall include as loss payees, the State of Oregon, the Owner, the Contractor and its Subcontractors as their interests may appear.	<input type="checkbox"/>	<input type="checkbox"/>
Subcontractor(s)		

Prime Contractor's Company Name

Contractor's Authorized Printed Name

Contractor's Authorized Signature

Attachment B – Specialty Insurance Requirements (November 2019)




Resident Engineer – Insurance

- Verifies the Contractor maintains all insurance requirements

Resident Engineer – Specialty Insurance

- Verifies the Contractor meets Specialty Insurance Requirements before specialty work begins
- If Subcontractor is meeting Specialty Insurance Requirements on behalf of the Contractor – Resident Engineer verifies Specialty Insurance Requirements are met before specialty work begins (part of Subcontractor Consent process)
 - OPO Email to RE with instructions
 - Attachment B – Specialty Insurance
 - Subcontractor Consent Form
 - Subcontractor Certificate of Insurance
- Verifies Extended Reporting / Tail coverage is provided with Pollution Liability at the end of pollution related work



SUBCONTRACT CONSENT

Revision

Enter Project Name _____ Entered During Date _____ Enter Contract Number / Consent No. _____

Enter Prime Contractor's Name _____ Entered Completion Date _____ Enter Class of Project / Class of Project _____

Tier: Tier 1 Tier 2 Tier 3 CDD TOTAL AMOUNT OF CONTRACT BIDDING TO AVOID \$0.00

1st Tier Subcontractor	2nd Tier Subcontractor	3rd Tier Subcontractor
<input type="checkbox"/> Non-DSE <input type="checkbox"/> DSE <input type="checkbox"/> DSE (Not Covered)	<input type="checkbox"/> Non-DSE <input type="checkbox"/> DSE <input type="checkbox"/> DSE (Not Covered)	<input type="checkbox"/> Non-DSE <input type="checkbox"/> DSE <input type="checkbox"/> DSE (Not Covered)
Name _____	Name _____	Name _____
<input type="checkbox"/> Exempt	<input type="checkbox"/> Exempt	<input type="checkbox"/> Exempt
Construction Contractor's Bond No. _____	Construction Contractor's Bond No. _____	Construction Contractor's Bond No. _____
Address _____	Address _____	Address _____
City/Town/Village _____	City/Town/Village _____	City/Town/Village _____
Email _____	Email _____	Email _____
Telephone _____	Telephone _____	Telephone _____

From Pay Item Breakdown (Page 2) Tier #1 Only	\$0.00
From Pay Item Breakdown (Page 2) Lower Tier (#2 and #3) and Change Order Work (not included in total amount)	\$0.00
Previously Subcontract Amount	\$0.00
Total Subcontracted Amount to Date	\$0.00

The applicable documents below are a part of this subcontract:

All Projects Contract Minimum Wage Schedule

All Federal Aid Projects Required Contract Provisions - FA, Construction Contracts (FHWA-1273 included in the Special Provisions)

Federal Aid Projects When Subcontractor will receive over \$10,000 Disadvantaged Business Enterprise, DSE Policy Statement

On-Site Work Force Alternative Action Requirements for Women and Minorities Special Provisions Project with on-site training if subcontract includes on-site training

On-the-Job Training Special Provisions

Projects where Subcontractor will be performing specialty Work and will provide Specialty Insurance on behalf of Contractor Certificate of Insurance and Endorsements for Subcontractor's Specialty Insurance to fulfill Contract insurance requirements with ODOT Contractor Contract for specialty Work

When the Subcontractor will be conducting specialty Work on behalf of the Contractor and the Subcontractor is providing Specialty Insurance on behalf of the Contractor, Specialty Insurance is a contract insurance requirement within the ODOT Contractor Contract, which needs to be met before specialty Work can start.

Specialty Work includes working with hazardous materials (asbestos, lead, contaminated soil, underground fuel tanks, etc.), operating a watercraft/vessel, etc.

Specialty Insurance includes Pollution Liability Insurance coverage (with asbestos and/or lead endorsements when working with asbestos or lead), Marine Liability Insurance coverage (when operating a watercraft/vessel), etc.

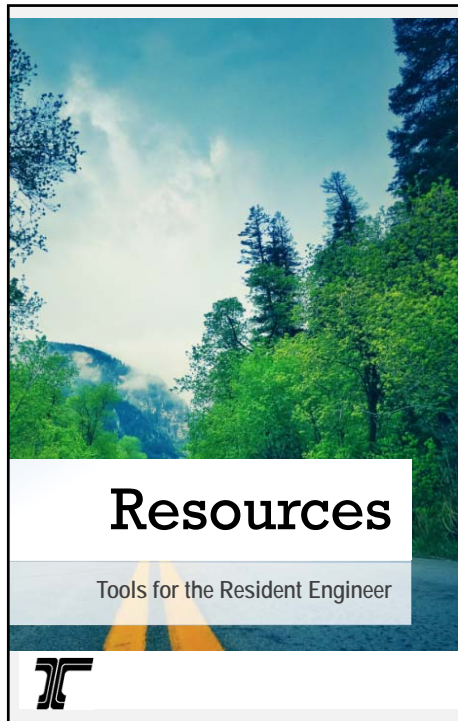
When the Subcontractor will be performing specialty Work and will provide Specialty Insurance on behalf of Contractor

Information below will be completed by the Oregon Department of Transportation


Print name: Subcontracted In Date _____ All required documents included in this subcontract

Specialty Insurance

5-5



Resources
Tools for the Resident Engineer



Construction Manual

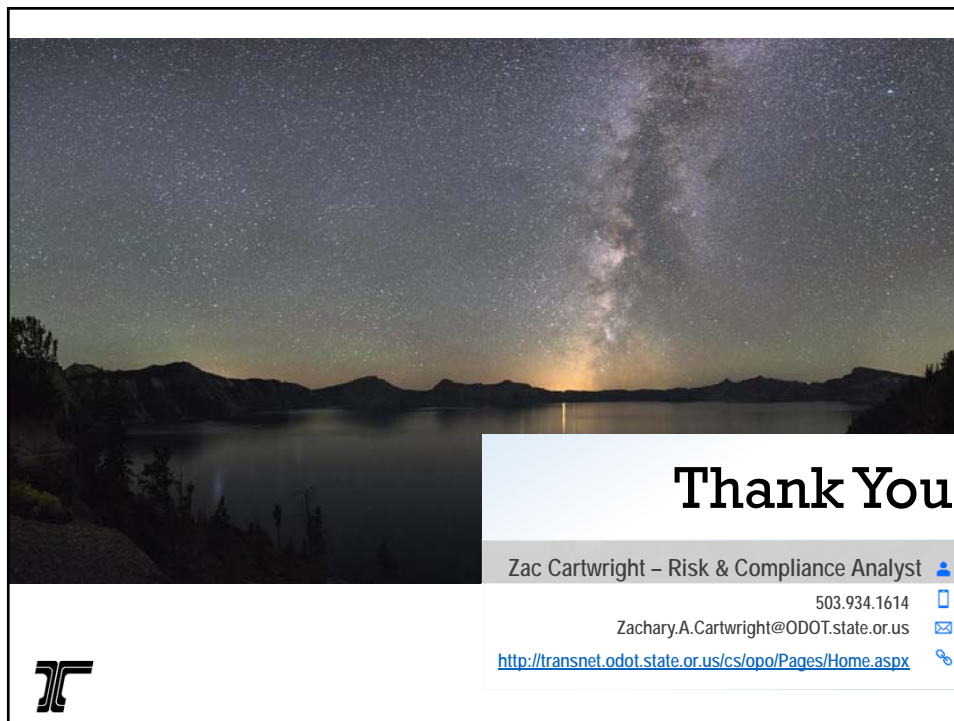
- Phase 3 – Construction Period Phase
Identifies RE responsibilities and process for Insurance and Specialty Insurance
- Chapter 8-2 – Award and Execution of Contract
Defines Specialty Insurance and Certificates of Insurance
- Chapter 14-5 – Procedure for Subcontract Consent
Step-by-Step process for Subcontractor Consent Form when Subcontractor is performing specialty work / providing Specialty Insurance

Subcontractor Consent Form

- Updated to include Specialty Insurance Requirements

OPO

- Provides detailed instructions and when Specialty Insurance is applicable
- Contact OPO Construction Unit
- Contact OPO Risk and Compliance Analyst



Thank You

Zac Cartwright – Risk & Compliance Analyst

503.934.1614

Zachary.A.Cartwright@ODOT.state.or.us

<http://transnet.odot.state.or.us/cs/opo/Pages/Home.aspx>

