

KLAMATH COUNTY CONTRACT INSURANCE GUIDELINES

2016

**ALL PROOFS OF INSURANCE NAMING COUNTY AS ADDITIONAL INSURED MUST BE RECEIVED  
PRIOR TO COMMENCEMENT OF WORK**

**ALL CONTRACTS MUST INCLUDE THE FOLLOWING 1-9 LANGUAGE**

1. Contractor shall procure and maintain in force, for the entire duration of this Contract, insurance providing coverage for bodily injury and property damage which may arise out of the operations of the Contractor or his subcontractors, employees, agents, assigns or for anyone whose acts any of them may be liable. Such insurance shall have coverage limits equal to or greater than the minimum limits set forth herein
2. Contractor shall furnish to Klamath County an Accord 25-S certificate of insurance evidencing the existence of all insurance coverage(s) required by this contract prior to the commencement of any work.
3. **NOTICE OF CANCELLATION OR CHANGE.** There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without 30 days written notice from the Contractor or its insurer(s) to the County.
4. Contractor shall endorse the Contractor General Liability (CGL) to include Klamath County as an "additional insured", including coverage for products and completed operations, and a copy of this endorsement shall accompany each certificate. The additional insurance endorsement shall be CG2010\1985 edition or its equivalent.
5. Contractor's insurance shall be primary and not excess to, or contributory with any insurance coverage provided by Klamath County. Contractor's insurance shall be endorsed to provide project specific aggregate limits with respect to project covered by this contract.
6. CGL coverage, including products and completed operations coverage, shall be maintained from the date work commences until two years after the work has been completed.
7. If the work required by this contract or the location of the work specified in this contract constitutes an exposure to the employees of the contractor or his subcontractors under the U.S. Longshoremen and harbor Workers Act, The Jones Act, or under any laws, regulations or statutes that apply to maritime workers, the contractor shall ensure that proper coverage is purchased and maintained.
8. Contractor and all Subcontractors shall endorse the Worker's Compensation coverage to provide a "waiver of subrogation" in favor of Klamath County.
9. Contractor shall ensure that the County is provided with a renewal certificate at least fifteen (15) days prior to the expiration date of the coverage in the event that the original certificate expires prior to the scheduled termination of the Contract.

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❖ **Personal Services Contracts:** Used to contract for personal services such as consultants or trainers.

- a. Contracts should have the following:
- General Liability
    - Each Occurrence \$2,000,000
    - Aggregate \$4,000,000
    - Operations \$2,000,000
      - Products and Completed
    - Personal/Advertising Injury \$2,000,000
  - Auto Liability
    - Combined Single \$2,000,000
  - Workers' Compensation
    - Statutory Limits
    - Employers Liability
      - \$1,000,000
  - Indemnity Clause

❖ **Professional Services Contracts:** Used to contract for professional services such as attorney, architect, broker, engineer.

- a. Contracts should have the following:
- General Liability
    - Each Occurrence \$2,000,000
    - Aggregate \$4,000,000
    - Operations \$2,000,000
      - Products and Completed
    - Personal/Advertising Injury \$2,000,000
  - Auto Liability
    - Combined Single \$2,000,000
  - Workers' Compensation
    - Statutory Limits
    - Employers Liability
      - \$1,000,000
  - Professional Liability, If Applicable
    - Errors/Omission \$2,000,000
  - Indemnity Clause

❖ **Public Contracts:** This type of contract is used for the purchase of goods and services such as landscaping, light construction (building a fence), a new copier etc.

- a. Contracts should have the following:
- General Liability
    - Each Occurrence \$2,000,000
    - Aggregate \$4,000,000
    - Operations \$2,000,000
      - Products and Completed
    - Personal/Advertising Injury \$2,000,000
  - Auto Liability
    - Combined Single \$2,000,000
  - Pollution, If Applicable
    - Each Occurrence \$2,000,000
    - Aggregate \$4,000,000
  - Workers' Compensation
    - Statutory Limits
    - Employers Liability
      - \$1,000,000
  - Professional Liability, If Applicable
    - Errors/Omission \$2,000,000
  - Indemnity Clause

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❖ **Construction Contracts:** For construction and remodeling. To include heavy construction, right-of-way work, water or sewer repair, significant engineering or architectural work, bridge repair and road construction.

a. Contracts should have the following:

- General Liability
  - Each Occurrence \$5,000,000
  - Aggregate \$6,000,000
  - Operations \$5,000,000
    - Products and Completed
  - Personal/Advertising Injury \$5,000,000
- Auto Liability
  - Combined Single \$5,000,000
- Pollution, If Applicable
  - Each Occurrence \$5,000,000
  - Aggregate \$6,000,000
- Workers' Compensation
  - Statutory Limits
  - Employers Liability
    - \$1,000,000
- Professional Liability, If Applicable
  - Errors/Omission \$5,000,000
- Builders' Risk Insurance
  - Full amount of project to include earthquake and flood. Deductible no more than \$5,000
- Indemnity Clause

❖ **Lease Agreements:** Lease out county owned building to a third party.

a. Agreements should have the following:

- General Liability
  - Each Occurrence \$2,000,000
  - Aggregate \$4,000,000
  - Operations \$2,000,000
    - Products and Completed
  - Personal/Advertising \$2,000,000
- Workers' Compensation
  - Statutory Limits
  - Employers Liability
    - \$1,000,000
- Indemnity Clause
- Waiver of Subrogation Clause

❖ **Other types of insurance may be applicable to your contract as follows:**

- Garage Keepers** - This is needed when a contractor takes possession of your entity's vehicle.
- Aircraft Liability** - This is needed when a contractor is using an owned or non-owned aircraft to carry out your entity's contract.
- Aerial Application Liability** - This is required when your entity contracts for aerial spraying operations.
- Marine Protection & Indemnity** - This is required when the contractor is using watercraft of any type.
- Pollution & Asbestos Liability** - This is required when the contractor is involved in any activity which may involve the transport, application, disposal, use or handling of any hazardous material including asbestos and lead abatement.
- Special Event Insurance** - This is required for large groups or special events in a city/county facility or park.

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- ❖ **Commercial General Liability Insurance (CGL).** Commercial General Liability Insurance (CGL) shall be provided on an Occurrence Form with coverage limits as shown in this section below. Claims-made coverage and *Modified* occurrence forms are unacceptable.

Each Occurrence Limit:	\$2,000,000
General Aggregate Limit	\$4,000,000
Products/Completed Operations Limit:	\$2,000,000
Personal and Advertising Injury Limit	\$2,000,000

- ❖ **Commercial Pollution Liability Coverage (CPL).** Contractor and any Subcontractors whose work involves hazardous substance or pollutant remediation work shall provide CPL coverage. CPL coverage is required for abatement work involving but not limited to lead, asbestos, PCB;s and other hazardous materials.

CPL per occurrence limit	\$2,000,000
CPL per occurrence Aggregate Limit	\$4,000,000

- ❖ CPL will be endorsed to name Klamath County as an "Additional Insured" and coverage shall be provided on an Occurrence Form. Claims-made coverage is unacceptable.

- ❖ **Professional Liability Coverage.** Professional Liability Coverage covering any damages caused by an error, omission or any negligent or wrongful acts related to the services to be provided under this contract. Per occurrence (for all claimants for claims arising out of a single accident or occurrence) in the amount of \$2,000,000 and \$4,000,000 Professional Aggregate.

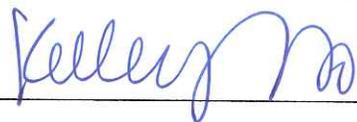
- ❖ **Right of Way Permit.** Contractor and any Subcontractors must provide proof of contractor's license and insurance in the amount equal to the state minimum required, found in OAR Chapter 812-003-0221, naming Klamath County Additional Insured.

**\*\*\*\*Any exemptions must be Approved by the BOCC**

DONE AND DATED this 2<sup>nd</sup> day of August, 2016.

Approved

Denied

  
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Chair

Approved

Denied

  
\_\_\_\_\_

Commissioner

Approved

Denied

  
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Commissioner