

**New York State Weatherization Assistance Program
Policies and Procedures Manual**

Section: 2.00 Weatherization Program Administrative Requirements

Sub Section:

2.03 Insurance Requirements

The subgrantee shall purchase and maintain such insurance as will protect the subgrantee and HCR from claims set forth below which may arise out of or result from the subgrantee's operations or performance of the work, whether such operations be conducted by the subgrantee or by a subcontractor or anyone directly or indirectly employed or acting as an agent by either for whose act any may be liable. HCR must always be identified as a named insured, Subgrantees must also require their subcontractors to carry these levels of insurance. Coverage must be provided for the following:

- Claims under Worker's Compensation, disability benefit and other similar employee benefit acts;
- Claims for damages because of bodily injury, occupational sickness or disease, or death of its employees;
- Claims for damages because of bodily injury, sickness or disease, or death of any person other than its employees;
- Claims for damages insured by personal injury liability coverage which are sustained (a) by any person as a result of an offense directly or indirectly related to the employment of such person by the subgrantee, or (b) by any other person;
- Claims for damages, other than to the work itself, because of injury to or destruction of tangible property, including loss of use resulting there from;
- Claims for damages because of bodily injury or death of any person or property damage arising out of the ownership, maintenance or use of any motor vehicle; and
- Claims for damages due to loss of money or other property sustained through any fraudulent or dishonest acts committed by any board members (officers) or employers.

The insurance required by this section shall be written for not less than any limits of liability specified below, or required by law, whichever is greater. Such insurance shall also include contractual liability insurance applicable to the subgrantee's obligations as provided for in the agreement between HCR and the subgrantee.

1. Workers' Compensation Limits
 - (a) State..... Statutory
 - (b) Applicable Federal (e.g., Longshoremen's)..... Statutory
 - (c) Employer's Liability..... \$500,000 to Unlimited

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2. Comprehensive General Liability (including Premises - Operations; Independent Contractor's Protective; Products and Completed Operation Broad Form Property Damage)
- (a) Bodily Injury (each occurrence)..... \$500,000*
 - (b) Property Damage (each occurrence) \$500,000*
 - (c) Fire and Lightning Coverage \$ _____

*Instead of the \$500,000 per occurrence limits in (a) and (b), the Contractor may opt to obtain \$1,000,000 Single Limit Liability coverage for bodily injury and property damage.

3. Completed Operations and Products Liability shall be maintained for two years after final payment.

4. Comprehensive Automobile Liability

- (a) Bodily Injury
 - (1) Each person Statutory
 - (2) Each occurrence..... Statutory
- (b) Property Damage (each occurrence) Statutory

5. Fidelity Bond

A Blanket Employee Honesty Bond shall be maintained with HCR as a named insured with a blanket rider for non-compensated board members (officers) in an amount which represents the larger of the following two figures: a minimum of \$100,000 or 30% of the total single-year budget amount.

Umbrella Liability Insurance: Commercial Excess Liability Insurance in the amount of \$1,000,000.

This provides additional coverage when the limits of insurance on an underlying policy are exceeded. It protects when existing liability insurance policies cannot cover all expenses. Standard business liability coverage will take care in most situations but umbrella liability insurance will help ensure beyond standard coverage. It's a requirement for participation in many utility programs.

Pollution Occurrence Insurance

HCR requires that all subgrantees and their subcontractors carry Pollution Occurrence Insurance (POI). If the subgrantee or subcontractor does not have POI, they must defer all work that may bring them in contact with lead paint or dust until they have secured the proper insurance. Heating System Contractors working exclusively on boilers are not required to have POI insurance.