

CONTRACTOR CONTROLLED SOLAR INSURANCE PROCEDURES MANUAL CSIP



**Presented By:
Swinerton Builders
and
Arthur J. Gallagher & Co.
Insurance Brokers of California, Inc.**

SAMPLE MANUAL



Arthur J. Gallagher & Co.

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Introduction

Swinerton Builders sponsors a Contractor Controlled Solar Insurance Program (CSIP) for this project providing General Liability and Excess Liability for all eligible and enrolled parties of every tier.

For an outline of the coverages provided by the CSIP and other insurance requirements, please refer to Attachment A or Work Order Insurance Addendum of your subcontract agreement. Please provide a copy of the Attachment A or Work Order Insurance Addendum to all of your sub tier subcontractors for their information.

Please note that the coverages provided by the CSIP program are designated to cover you only while you are actively engaged in construction activities at the [XXXXX Solar](#) site. Therefore it is imperative that you maintain your own insurance coverage for **off-site operations**.

Subcontractors of any tier shall require their respective vendors, suppliers, off-site fabricators, material dealers, truckers, drivers and others, who merely transport, pick-up, deliver or carry materials, personnel, parts or equipment to or from the project site to maintain insurance in the form and with the limits as specified in the Subcontract Attachment A or Work Order Insurance Addendum – Insurance Requirements.

This manual is only for informational purposes regarding the administrative procedures required for this program. You are contractually required to adhere to these procedures in Attachment A or Work Order Insurance Addendum of your subcontract agreement. This manual is not a contract document.

Participation in the CSIP is mandatory but not automatic. Each Eligible Contractor must follow the enrollment procedures as outlined in this manual.

Program Eligibility

All qualified subcontractors of any tier whose employees perform actual on-site labor are **required** to participate in the CSIP Program and follow through with the online enrollment process and participant responsibilities as noted throughout this Manual.

Coverage Trigger

Coverage will begin the date you begin work at the site and is contingent on completing the online enrollment through the Arthur J. Gallagher Contractor Portal (see separate on-line instructions). Once your enrollment has been completed you will receive a Certificate of Insurance confirming the coverage from Arthur J. Gallagher (AJG). **It is your responsibility to complete and upload all enrollment materials before you begin work on the project.** Failure to supply all requested insurance documents will result in a flat 2% charge against your entire contract amount. You are also responsible for ensuring that any lower tier subcontractors you hire are also enrolled online before they begin their work at the project site. If you or your lower tier subcontractors have not completed the online enrollment and received confirmation of enrollment from Arthur J. Gallagher, no coverage will be afforded.

Ineligible Parties

Subcontractors who present an exceptionally hazardous exposure or risk to the job site may not be eligible to participate, at Swinerton's discretion. It is your responsibility to contact Arthur J. Gallagher (AJG) and confirm your eligibility before you begin work on the project.

Not everyone will be a participant. For example, the following are ineligible for the program. Subcontractors of any tier that are:

- Vendors, Suppliers, Surveyors, Consultants, Architects/Engineers, Guard Services, Material dealers, Hazardous Abatement Contractors, Off-site fabricators with no on-site installation, Others who merely transport, pick up, deliver or carry materials, personnel, parts or equipment or any other items or persons to or from the project site, and Temporary labor services that would traditionally supply you with temporary labor (where workers' compensation coverage is provided for those employees by the temporary agency). This situation needs to be reviewed on an individual basis.

If you are uncertain whether your firm will be a participant in this program, or wish confirmation of your eligibility, please contact the AJG Administrator listed in the Personnel Directory.

Swinerton will coordinate the program at the project site. Arthur J. Gallagher will be administering the program from their offices. A complete contact list is in the back of this Manual.

CSIP Enrollment Responsibilities Flow Chart

	Action Item	Responsibility
1	<input type="checkbox"/> Distribute CSIP Manual to prospective bidders or subcontractors.	Swinerton
2	<input type="checkbox"/> Send Attachment A or Work Order Insurance Addendum and CSIP Manual to your Insurance Agent/Broker for assistance, if necessary, in completing the CSIP Online Enrollment Process.	Subcontractor
3	<input type="checkbox"/> Distribute Attachment A or Work Order Insurance Addendum and CSIP Manual to prospective lower tier bidders/subcontractors.	Subcontractor
4	<input type="checkbox"/> Complete the Online Enrollment process through the Arthur J. Gallagher Wrap Up Contractor Portal prior to any on-site work and ensure all lower tier subcontractors complete the Online Enrollment process prior to any on-site work.	Subcontractor
5	<input type="checkbox"/> Send Insurance Certificate to Swinerton in accordance with the Attachment A or Work Order Insurance Addendum - Insurance Requirements of the Subcontract Agreement.	Subcontractor
6	<input type="checkbox"/> Ensure that enrollment is completed through the Arthur J. Gallagher Wrap Up Contractor Portal online for you and your lower tier subcontractors. Failure to comply will result in a 2% charge against your contract value.	Subcontractor
7	<input type="checkbox"/> Confirm all site subcontractors' and/or lower-tier subcontractor(s) enrollment in CSIP program.	AJG
8	<input type="checkbox"/> Certificate of Insurance and policy copies issued to CSIP participant.	AJG
9	<input type="checkbox"/> Advise your Insurance Agent/Broker of insurance coverages provided by CSIP so that proper notice can be made to your current insurers.	Subcontractor Lower-tier subcontractor

CSIP Enrollment Instructions

Every CSIP participant must complete the Online Enrollment process through the AJG Wrap Up Contractor Portal: <https://ajg.vuewrapup.com/contractorportal> Enrollment instructions are attached separately and also available online:

<http://www.swinerton.com/subcontractors/contractor-controlled-insurance-programs>

Please contact [Suzette Sliper](#) at [415-288-1634](tel:415-288-1634) if you have any questions regarding the completion of the online enrollment. Please keep in mind that the CSIP coverage includes:

- **General Liability limits of** \$5,000,000/\$5,000,000/\$5,000,000 for all insureds combined, with the limits specific to the [XXXXX Solar](#) Project.
- **Excess limits of** \$20,000,000 for all insureds combined, with such limits specific to the [XXXXX Solar](#) Project, for premises operations and \$20,000,000 for completed operations.
- **Ten years completed operations tail** with project specific limits.

Please keep in mind the following:

- Each of your lower-tier subcontractors must complete the Online Enrollment **PRIOR** to starting work on-site;
- The CSIP does **NOT INCLUDE** automobile coverage (including trucks and licensed equipment) or tools and equipment;
- The CSIP does **NOT INCLUDE** Workers' Compensation for employees working at the [XXXXX Solar](#) Project. It is the sole responsibility of each enrolled party to report accidents/claims involving worker's compensation claims to their own insurers.
- The CSIP provides General Liability only for operations at the [XXXXX Solar](#) Project. Operations of each subcontractor of any tier at other locations are **NOT COVERED** by the CSIP.
- Your general liability insurance credit will be based on a **\$2,000,000 each occurrence** limit, so you may need to include a portion of your excess liability coverage to meet this requirement. If you do not have Excess liability policy, please contact AJG.
- If your current insurance program contains a deductible or SIR, you will need to include a deductible premium as it applies to the payroll or revenue on this project. If you do not supply this information, a 2% rate against contract value will apply.

Each CSIP Participant will need to review and acknowledge the following Enrollment Disclosures as part of their online signature:

As noted in this Manual, Swinerton will purchase General Liability and Excess Coverages for the benefit of participating subcontractors. In exchange for this benefit, the undersigned agrees as follows:

- The submitted information accurately reflects the total projected insurance costs (for bidder and all subcontractors) that would apply if my regular insurance program were to provide coverage for this work.
- I agree that Swinerton will apply the above insurance deducts based on subcontractor's normal cost of insurance. This deduct will be taken from a submitted pay application. If necessary, Swinerton will require payroll for the undersigned and their subcontractors to calculate and process an accurate insurance deduct.
- Any and all returns of premium, dividends, discounts, or other adjustments to any WRAP-UP policy is assigned, transferred and set over absolutely to Swinerton Builders. This assignment pertains to the policies as now written and as subsequently modified, rewritten or replaced including any additional amounts or coverages as a result thereof. Rights of cancellation of all insurance policies provided to Subcontractors of any tier by Swinerton Builders are also assigned to them. This assignment is only valid for Insurance policies whose premiums have been paid by Swinerton Builders on behalf of such Subcontractors of any tier.
- Subcontractor enrolled in the WRAP-UP policy will be responsible for its proportionate share of the insurance deductibles of \$1,000-\$25,000 per occurrence for General Liability, if determined the subcontractor is liable for the associated claim.
- Insurance coverage under the WRAP-UP is contingent on a properly completed online Enrollment with information that is accurately represented by the subcontractor(s). Arthur J. Gallagher will provide each enrolled subcontractor with written confirmation of coverage.

Insurance Credit Calculation

The online enrollment must be completed before any on-site work can begin. Subcontractor and all sub-tier subcontractors must submit the following:

- General Liability Insurance Policy Declarations Page and Rating Page
- Excess Liability Insurance Policy Declarations Page and Rating Page

CREDIT CALCULATIONS when Insurance Costs included in bid/contract:

Subcontractor's first payment will be reduced by the estimated cost of their General and Excess liability coverages as determined by Arthur J. Gallagher via a credit calculation as a cost of the work. Your Rate and Declarations pages will be required from your General Liability and Excess Liability Policies. A credit calculation will be made at the time of enrollment based on estimated payroll or contract value. When your work is complete, a final adjustment will be made based on your final payroll or contract value.

RATES:

The rates used in a Subcontractor's credit calculations will be the rates in effect at the time of their bid and verified with the insurance policy rate and declarations pages. The rates used in the Subcontractor's credit calculations will not be adjusted upwards or downwards as their insurance renews during the course of their contract unless their bid/contract value adjusts accordingly.

If your umbrella/excess coverage is flat rated (non-auditable premium), we will use 10% of your General Liability rate to calculate your insurance cost for this coverage

NON-COMPLIANCE:

Failure to supply all requested insurance documents within 5 days from the date of the email request to provide this information, will result in a flat 2% charge against your entire contract amount. Any revisions to an estimated initial calculation will be made at the time of final calculation. If no documents are received by the time final calculation is made and after 5 days of the email request for the final information, the 2% charge against contract value will be calculated and considered final with no revisions made afterwards.

LOWER TIERS:

It is your responsibility to ensure your lower-tiers are in compliance with the requirements of the manual. Your lower-tier subcontractors must also enroll on-line and submit their requested information when notice is provided to them.

If you hire any lower tier subcontractors, their insurance costs will be deducted from your subcontract and it is your responsibility to pass along the costs to them.

Accident Reporting and Claims Procedures

GENERAL LIABILITY CLAIMS

1. **If an injury is involved, the Subcontractor's superintendent must immediately arrange for first aid** or other required medical treatment for the injured party.
2. **All Incidents, regardless of severity**, shall be reported immediately to the Job Site Contact and On-site Safety Coordinator and **reported to Swinerton Risk Management**.
3. **The Subcontractor's superintendent must complete a General Liability Loss Notice** for each accident and file with the Swinerton Job Site Office.
4. Swinerton team will immediately forward to Swinerton Risk Management for handling.
5. **Any Court Summons, legal documents or other correspondence must be immediately referred to Swinerton Risk Management Department and Swinerton Legal Department by registered mail.** Additional questions concerning suit papers should be referred to Swinerton Risk Management Department.



XXXXX SOLAR

SUBCONTRACTOR INCIDENT REPORT FORM

Today's Date: **Incident Type:** Injury to Third Party Property Damage

Subcontractor Claim Contact Name:
Title: Phone: E-Mail:

Incident Narrative:

Date of Incident: **Time of Incident:**

Photos Available? YES NO
Photos Retained By:
Title: Phone: E-Mail:

Police Report Taken? YES NO

Officer's Name: Badge Number:
Police Report Number: Jurisdiction:

Names of Potentially Involved Subcontractors:

Were there Witnesses?
Witness #1: Phone: E-Mail:
Witness #2: Phone: E-Mail:
Witness #3: Phone: E-Mail:

Injured Person: **Address:**
Phone:
Nature of Injury:

Owner of Damaged Property: **Address:**
Phone:
Description of Damaged Property:

Signature of Person Completing Form: _____
Company: _____

Definitions For Purposes Of This Manual

General Contractor:	Swinerton Builders
Project:	XXXXX Solar Project Address
Site:	The areas designated in writing by Swinerton Builders in a contract document for performance of the Work and such additional areas as may be designated in writing by Swinerton Builders for Contractor's use in performance of the Work. The Project Site shall also include (1) field offices, (2) property used for bonded storage of material for the Project approved by Swinerton Builders, (3) staging areas dedicated to the Project. Items 1 through 3 must be approved by the CSIP Insurer and listed in the CSIP Policy
Off-Site Exposures:	Offices, shops, warehouses, factories, or similar locations away from the designated project site that have not been approved by the CSIP Insurer and listed on the CSIP Policy <u>ARE NOT COVERED.</u>
Contract:	The agreement between <u>Swinerton Builders and the Subcontractor.</u> The terms "Contract" and "Agreement" are used interchangeably.
Subcontractor of Any Tier:	The person, firm or corporation with whom Swinerton has entered into Agreement to perform the Work. Or the Person or entity who has a contract with a Swinerton Subcontractor to perform any of the Work at the Site.
Work:	Operations, as fully described in the Contract, performed at or emanating directly from the XXXXX Solar Project.
Insured:	Subcontractors of any tier which have an executed subcontract agreement and which have received written confirmation of coverage by Arthur J. Gallagher. The following are not insureds under this WRAP-UP- Vendors, suppliers, material dealers, off-site fabricators and others who merely transport, pick up, deliver or carry materials, personnel, parts or equipment or any other items or persons to or from the Project Site, et al.
Insurers:	Commercial General Liability Insurance: <i>Houston Casualty Company</i> Excess Liability Insurance: <i>Ironshore Specialty</i> <i>Great American Assurance Company</i>

Personnel Directory

PROJECT MANAGER:

xxxxxx
xxxxxx@swinerton.com

PROJECT CONTACT:

Project Administrator
xxxxxx@swinerton.com

CSIP SAFETY DIRECTOR:

Greg Tate
Swinerton Incorporated
2300 Clayton Road
Concord, CA 94520
(415) 940-3364

RISK MANAGEMENT:

John Capener
Swinerton Incorporated
2300 Clayton Road
Concord, CA 94520
(925) 602-6478

Michelle Luster
Swinerton Incorporated
2300 Clayton Road
Concord, CA 94520
(925) 602-6417

**Insurance Broker & Contact
ENROLLMENT/ADMINISTRATION:**

Suzette Cole, Program Manager
Arthur J. Gallagher
1255 Battery Street,
Suite 450 San
Francisco, CA 94111
(415) 288-1634
Suzette_Cole@ajg.com

Stefanie Fernando, Project Administrator
Arthur J. Gallagher
1255 Battery Street,
Suite 450 San
Francisco, CA 94111
(415) 288-1614
Stefanie_Fernando@ajg.com

GENERAL LIABILITY CLAIMS:

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(925) 602-6401
lsakotani@swinerton.com