

MANDATORY MINIMUM INSURANCE REQUIREMENTS – *Community Development Block Grant Projects*
I-A BG8068/26 Rockville Single Family Rehabilitation Program; I-B BG8106/26 Community Reach of Montgomery County, Inc.; I-C; BG8107/26 Habitat for Humanity Metro Maryland, Inc.; I-D BG8108/26 Rockville Housing Enterprises (RHE)

Prior to the execution of the Contract by the County, the Contractor must obtain, at their own cost and expense, the following *minimum* (not maximum) insurance coverage with an insurance company/companies licensed to conduct business in the State of Maryland and acceptable to the Division of Risk Management. This insurance must be kept in full force and effect during the term of this Contract, including all extensions. The insurance must be evidenced by a certificate of insurance, and if requested by the County, the Contractor shall provide a copy of the insurance policies and additional insured endorsements. The minimum limits of coverage listed below shall not be construed as the maximum as required by contract or as a limitation of any potential liability on the part of the Contractor to the County nor shall failure to request evidence of this insurance in any way be construed as a waiver of Contractor's obligation to provide the insurance coverage specified. The Contractor's insurance shall be primary with the County's being non-contributory. In lieu of the Contractor maintaining pollution liability coverage directly, the Contractor may satisfy this requirement by ensuring that any subcontractor performing construction or environmental work maintains the required pollution liability insurance and provide its subcontractors' certificate(s) of insurance evidencing such coverage.

Commercial General Liability (all projects)

A minimum limit of liability of **one million dollars (\$1,000,000) per occurrence and two million dollars (\$2,000,000) in the aggregate** for bodily injury, personal injury and property damage coverage per occurrence including the following coverages:

- Contractual Liability
- Premises and Operations
- Independent Contractors & Subcontractors
- Products and Completed Operations

Business Automobile Liability (I-A BG8068/26; I-B BG8106/26; I-D BG8108/26)

A minimum limit of liability of **one million dollars (\$1,000,000) combined single limit**, for bodily injury and property damage coverage per occurrence including the following:

- Owned automobiles
- Hired automobiles
- Non-owned automobiles
- Loading and unloading

Workers' Compensation/Employers' Liability

Meeting all statutory requirements of the State of Maryland Law and with the following minimum Employers' Liability limits:

- Bodily Injury by Accident - \$100,000 each accident**
- Bodily Injury by Disease - \$500,000 policy limits**
- Bodily Injury by Disease - \$100,000 each employee**

Professional Liability

The Contractor must maintain professional liability insurance with limits of not less than **one million dollars (\$1,000,000) per claim**, covering errors, omissions, and negligent acts arising out of program administration, underwriting, income eligibility determinations, mortgage and lien documentation, construction scope development, inspection services, environmental and historic compliance activities, Davis-Bacon or federal labor standards monitoring, and approval of contractor payments performed under this Contract. Coverage must remain in effect for a minimum of three (3) years after completion of the Contract.

Cyber Liability

The Contractor must maintain cyber liability insurance with limits of not less than **one million dollars (\$1,000,000) per claim**, covering data breaches, unauthorized access, or other security incidents involving personally identifiable information and confidential information collected, maintained, or transmitted in connection with this Contract, including but not limited to federal tax returns, income verification documentation, mortgage and lien records, immigration verification documentation, payroll records, and federal compliance documentation, whether maintained in electronic or physical form. The policy shall expressly provide, but not be limited to coverage for the following: (i) the unauthorized use or access of a computer system; (ii) the defense of any regulatory action involving a breach of privacy; (iii) failure to protect confidential information (personal and commercial information) from disclosure; (iv) notification costs, whether or not required by statute; (v) network security liability; (vi) defense costs; and (vii) privacy liability.

Pollution Liability (I-A BG8068/26; I-B BG8106/26; I-D BG8108/26)

The Contractor must ensure that any contractor or subcontractor performing construction, rehabilitation, roof replacement, lead testing, lead remediation, or other environmental compliance activities maintains pollution liability insurance with limits of not less than **one million dollars (\$1,000,000) per occurrence**. Coverage must include bodily injury, property damage, environmental contamination, lead-based paint exposure, mold, asbestos (if encountered), and costs associated with cleanup, remediation, and disposal arising out of construction or rehabilitation activities performed under this Contract.

Crime Insurance (Employee Dishonesty / Theft of Funds)

The Contractor must maintain crime insurance, including employee dishonesty coverage, with limits not less than the amounts specified below, each stated as **per occurrence**, covering loss of County or federal grant funds, including Community Development Block Grant (CDBG) funds, resulting from theft, fraud, embezzlement, forgery, or other dishonest acts of the Contractor's employees or agents. **The policy must name Montgomery County, Maryland as loss payee.**

Minimum required limits by project:

- I-A BG8068/26 – Rockville Single Family Rehabilitation Program: **one hundred thousand dollars (\$100,000) per occurrence**
- I-B BG8106/26 – Community Reach of Montgomery County, Inc.: **eight thousand five hundred forty-six dollars (\$8,546) per occurrence**
- I-C BG8107/26 – Habitat for Humanity Metro Maryland, Inc.: **sixty thousand dollars (\$60,000) per occurrence**
- I-D BG8108/26 – Rockville Housing Enterprises (RHE): **ninety-four thousand four hundred fifty-four dollars (\$94,454) per occurrence**

If a single policy is provided covering all projects, the minimum limit must be not less than **two hundred sixty-three thousand dollars (\$263,000) per occurrence**.

Subcontractor Requirements

Contractor shall require all subcontractors to obtain, and maintain, insurance with limits equal to, or greater than, those limits required within the Contract as applicable to the Project.

Additional Insured

Montgomery County, Maryland, its elected and appointed officials, officers, consultants, agents and employees, must be included as an additional insured on an endorsement to Contractor's **commercial general, automobile insurance**, and **contractor's excess/umbrella** insurance policies, if used to satisfy the Contractor's minimum insurance requirements under this contract, for liability arising out of contractor's products, goods and services provided under this Contract. The stipulated limits of coverage above shall not be construed as a limitation of any potential liability of the Contractor. Coverage pursuant to this Section shall not include any provision that would bar, restrict, or preclude coverage for claims by Montgomery County against Contractor, including but not limited to "cross-liability" or "insured vs insured" exclusion provisions.

Policy Cancellation

Should any of the above policies be cancelled before the expiration date thereof, written notice must be delivered to the County in accordance with the policy provisions.

Certificate Holder

Montgomery County, Maryland
Department of Housing and Community Affairs / Katherine Canales
1401 Rockville Pike, 4th Floor
Rockville, MD 20852

CERTIFICATE OF INSURANCE REVIEW FORM

Date: _____

PLEASE REVIEW THE FOLLOWING INFORMATION AND ATTACHMENTS TO THIS FORM FOR (CHECK ONE):

<input type="checkbox"/> PRE-BID REQUIREMENTS	<input checked="" type="checkbox"/> CONTRACT REQUIREMENTS
---	---

ATTACHMENTS: (CHECK AS APPROPRIATE)

<input type="checkbox"/> CERTIFICATE OF INSURANCE				
<input checked="" type="checkbox"/> INSURANCE REQUIREMENTS SPECIFIED IN:	<input type="checkbox"/> RFP	<input type="checkbox"/> IFB	<input checked="" type="checkbox"/> CONTRACT	<input type="checkbox"/> AMENDMENT
RFP/IFB/CONTRACT #:	1184965	CONTRACT VALUE:	\$263K	
NAME OF CONTRACTOR:	The Mayor and Council of Rockville			
SERVICES PROVIDED:	Community Development Block Grant Projects - I-A, BG8068/26, Rockville Single Family Rehabilitation Program; I-B, BG8106/26, Community Reach of Montgomery County, Inc.; I-C, BG8107/26, Habitat for Humanity Metro Maryland, Inc.; I-D, BG8108/26, Rockville Housing Enterprises (RHE)			
AGENCY/DIVISION:	Housing & Community Development			
CONTRACT MANAGER:	Katherine Canales	PHONE #:	FAX:	

<input checked="" type="checkbox"/> THE ATTACHED SCOPE OF SERVICES REQUIRES THE FOLLOWING INSURANCE COVERAGE REQUIREMENTS:	<input type="checkbox"/> THE ATTACHED CERTIFICATE OF INSURANCE:		
	MEETS REQUIREMENTS	DOES NOT MEET REQUIREMENTS	RECOMMEND WAIVER
<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY \$1,000,000 / \$2,000,000	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY \$1,000,000	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> WORKERS' COMPENSATION & EMPLOYERS' LIABILITY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> PROFESSIONAL LIABILITY \$1,000,000	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> CYBER LIABILITY \$1,000,000	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> POLLUTION LIABILITY (I-A BG8068/26; I-B BG8106/26; I-D BG8108/26) \$1,000,000	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> CRIME \$263,000 (or individual per project)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> ADDITIONAL INSURED	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> NOTICE OF CANCELLATION PER POLICY PROVISIONS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PLEASE LIST THE REASON(S) FOR WAIVER, IF APPLICABLE, IN THE COMMENTS SECTION BELOW.

Comments:

PREPARED/APPROVED: Molly Banks _____ Date _____

INSURANCE SECTION, DIVISION OF RISK MANAGEMENT

Based on Risk Management's recommendation, I approve a waiver of the above-checked items.

Approved by Contracting Officer, Procurement: _____ Date: _____

PMMD-62R

Copy to Procurement