

**INSURANCE REQUIREMENTS FOR  
COMMERCIAL FILMING, VIDEOTAPING AND STILL PHOTOGRAPHY AT  
AUTHORITY- OWNED OR CONTROLLED SITES**

**GENERAL REQUIREMENTS**

**Acceptability of Insurers:** Insurance shall be placed with licensed insurers admitted to transact business in California, and shall have a current A.M. Best's rating of no less than B+.

**Acceptability of Documentation:** The Authority shall make the final determination as to whether the documentation submitted by the Permittee conforms to the requirements set forth herein.

**Claims:** Permittee agrees to notify Authority of any claim by a third party or any incident or event that may give raise to a claim arising from the performance of this Contract.

**Deductibles or Self-Insured Retentions:** Any deductibles or self-insured retentions shall be set forth on the Certificate of Insurance and shall be subject to the review and approval of the Authority Risk Manager, who shall have the sole discretion to require Permittee's insurer to reduce or eliminate such deductibles or self-insured retentions as respects the Authority, or require the Permittee provide a financial guarantee satisfactory to the Authority guaranteeing payment of losses and related investigations, claims administration, and defense expenses.

**Delivery:** All evidence of required insurance coverage shall be delivered to the Public Information Officer at the address specified in section 2.1 of the Procedures for Commercial Filming, Videotaping and Still Photography at Housing Authority-owned or Controlled Sites (Procedures). All certificates and endorsements are to be received and approved by the Risk Manager in sufficient time before work commences to permit Permittee to remedy any deficiencies.

**Exceptions:** Any exception to or deviation from the requirements listed herein, requires the advance written approval of the Risk Manager.

**Indemnity Coverage:** Coverage shall not extend to any indemnity coverage for the active negligence of the additional insured in any case where the agreement to indemnify the additional insured would be invalid under subdivision (b) of Section 2782 of the California Civil Code.

**Primary Insurance:** Required insurance coverage shall be "primary" as it pertains to the Authority, its officers, officials and employees. Any insurance or self-insurance maintained by the Authority, its officers, officials and employees is wholly separate from the Permittee's insurance and in no way relieves the Permittee from its responsibility to provide insurance.

**Term of Coverage.** Required insurance certificates shall show coverage as of the Commencement Date and for at least **90** days after the date of Permit Activities Completion. If the policy coverage is written on a claims-made form, the "Retro Date" shall be shown and shall

be before the Commencement Date. It is Permittee's responsibility to ensure the required insurance certificates and endorsements provided to the Authority are current.

**Reservation of Right to Adjust Requirements.** If, during the term of this Contract or any extension thereof, there is a material change in the scope of work, or there is a material change in the equipment to be used in the performance of the scope of work that will add additional exposure, the Authority reserves the right to adjust the types of insurance required and/or the monetary limits of liability for the insurance coverage currently required herein, if, in the Authority's Risk Manager's reasonable judgment, the type or amount of insurance carried by the Permittee has become inadequate.

**Subcontractors.** Use of subcontractors must be preapproved by the Authority. Permittee shall include all subcontractors as insureds under its policies or shall furnish separate insurance certificates and endorsements for each subcontractors in a manner and in such time as to permit the Authority to approve them before subcontractors' work begins. All coverages for subcontractors shall be subject to all of the requirements stated herein.

## **REQUIRED INSURANCE COVERAGE**

### **Workers Compensation Insurance**

**Coverage Requirements:** Workers Compensation coverage is required of all Permittees with employees. The insurance requirement may be waived for Permittees with no employees provided the Permittee provides a Certificate of Exemption from Workers' Compensation Laws (form to be provided by the Authority).

**Proof of Coverage (Permittees with Employees):** Permittees with employees shall provide one of the following:

- Certificate of Workers' Compensation Insurance; *or*
- Certificate of Consent to Self-Insure issued by the Director of Industrial Relations.

**Proof of Coverage (Single-Person Permittees without Employees):** Workers' compensation insurance is not required for single-person Permittees (i.e., those without employees). Single-person Permittees must complete a Certificate of Exemption from Workers' Compensation Laws (form to be provided by the Authority).

### **Employers' Liability Insurance**

**Coverage Requirements:** Employers' Liability coverage is required of all Permittees with employees.

**Coverage Limits:** EL Coverage required in limits of not less than:

- \$1,000,000 each accident (insurer to pay no more than \$1,000,000 for claims arising from a single accident, regardless of the number of employees injured); and

- \$1,000,000 each employee for disease (no single employee to recover more than this limit for an employment-related disease claim); and
- \$1,000,000 aggregate policy limit for disease (insurer to pay no more than this amount for all employees injured by disease).

Coverage limits can be attained by individual policies or by combining primary and umbrella policies.

**Proof of Coverage (Permittees with Employees):** Permittees with employees shall provide one of the following:

- Certificate of Employers' Liability Insurance; *or*
- Certificate of Consent to Self-Insure issued by the Director of Industrial Relations.

**Proof of Coverage (Single-Person Permittees without Employees):** Employer's Liability insurance is not required for single-person Permittees (i.e., those without employees). Single-person Permittees must complete a Certificate of Exemption from Employer's Liability Insurance Requirement (form to be provided by the Authority).

### **Commercial General Liability**

**Coverage Requirements:** Commercial General Liability (CGL) coverage is required wherever the Authority is at risk of third-party claims that may arise out of Permittee's work or presence on Authority premises. Such coverage shall include premises liability, contractual liability, products and completed operations liability, personal injury, cross liability coverage and employment practices liability. Permittee shall provide an endorsement adding the Authority, its officers, officials and employees as additional insureds. Merely listing the Authority as an additional insured on the Certificate of Insurance itself is not sufficient unless approved by the Authority's Risk Manager. The endorsement shall not exclude Products/Completed Operations coverage.

**Coverage Limits:** CGL coverage is required in limits of not less than \$1,000,000 per occurrence for all covered losses, unless increased by the Risk Manager in accordance with section 2.2(a)(2) of the Procedures. If the insurance contains a general aggregate limit, the limit shall apply separately to the Permit Site or shall be no less than \$2,000,000, unless increased by the Risk Manager in accordance with section 2.2(a)(2) of the Procedures. Coverage limits can be attained by individual policies or by combining primary and umbrella policies.

**Proof of Coverage:** Permittees shall provide both of the following:

- Certificate of Insurance naming the Authority as the Certificate Holder and including a waiver of all rights of subrogation against the Authority, its officers, officials and employees, for losses paid under the terms of the policy that arise from the work performed by the named insured for the Authority; *and*

- Endorsement adding the Authority, its officers, officials and employees as additional insureds and not excluding Products/Completed Operations coverage. The endorsement shall include the policy number.

### **Automobile Liability**

**Coverage Requirements:** Automotive Liability (AL) coverage is required only when vehicles are used in the performance of Permittee's work. It is not required for simple commuting unless the Authority is paying mileage. However, compliance with California law requiring automobile liability insurance is a contractual requirement. A Permittee who is required to show proof of AL coverage and who owns no automobiles shall obtain an endorsement to the Permittee's General Liability policy that provides coverage for non-owned and hired automobiles.

**Coverage Limits:** AL coverage is required in limits of not less than \$500,000 combined single limit per accident for bodily and property damage covering Auto Symbol 1 (Any Auto) unless increased by the Risk Manager in accordance with section 2.2(a)(2) of the Procedures. If the Permittee is only using borrowed, hired or leased vehicles in connection with the Permittee's work, Permittee may request, in writing, a waiver of the automobile liability requirement for coverage of Auto Symbol 1 (Any Auto) and provide evidence of auto liability coverage for non-owned and hired autos. Coverage limits can be attained by individual policies or by combining primary and umbrella policies.

**Proof of Coverage:** Permittees shall provide both of the following:

- Certificate of Insurance naming the Authority as the Certificate Holder and including a waiver of all rights of subrogation against the Authority, its officers, officials and employees, for losses paid under the terms of the policy that arise from the work performed by the named insured for the Authority; *and*
- Endorsement adding the Authority, its officers, officials and employees as additional insureds and not excluding Products/Completed Operations coverage. The endorsement shall include the policy number.

Effective: January 2013