

ROLLING OWNER CONTROLLED INSURANCE PROGRAM INFORMATION

Section 00425B

- I. In compliance with Sections 151.003 – 153.009 of the Texas Insurance Code, the Owner hereby provides the following information to the Bidder/Contractor (the "ROCIP Information") in electronic format on the following website addresses:
- A. City of Austin Rolling Owner Controlled Insurance Program VIII – ROCIP VIII Insurance Manual, January 18, 2023 ("ROCIP VIII Insurance Manual")
<https://www.austintexas.gov/page/capital-procurement-resources>
 - B. City of Austin Rolling Owner Controlled Insurance Program VIII - ROCIP VIII Claims Kit. ("ROCIP VIII Claims Kit.") <https://www.austintexas.gov/page/capital-procurement-resources>
 - C. City of Austin Capital Improvement Program ROCIP – Safety Manual - ROCIP Safety Policy and Procedures October 2022 ("ROCIP Safety Manual")
<https://www.austintexas.gov/page/capital-procurement-resources>
 - D. ROCIP VIII Program Master Insurance Policies & Endorsements ("ROCIP VIII Master Policies") <https://www.austintexas.gov/page/capital-procurement-resources>
 - E. ROCIP VIII Excess Coverage Policies & Endorsements (ROCIP VIII Excess Coverage Policies) <https://www.austintexas.gov/page/capital-procurement-resources>
 - F. City of Austin Project Manual Contract Documents ("Contract Documents")
<https://www.austintexas.gov/page/capital-procurement-resources>
 - 1. Section 00410 Statement of Bidder's Safety Experience
 - 2. Section 00425A Insurance Cost Form
 - 3. Section 00700 General Conditions
 - 4. Section 00810 Supplemental General Conditions

II. ROCIP Program Compliance Information

- A. Contact information, including phone number and email address, for:

1. The Program Administrator -

Marsh USA, Inc.
Attention: Susan Baggett, Program Manager
1717 Main Street, Suite 4400
Dallas, Texas 75201
214-683-9948
austinwrapup.faxes@marsh.com

2. The Owner's Risk Manager -

Leslie Milvo, City of Austin Risk Manager

P.O. Box 1088
Austin, Texas 78767-8845
512-972-3245
leslie.milvo@austintexas.gov

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3. Insurer's contact person for filing a claim for each type of insurance coverage provided in the program;

Liberty Mutual
1-800-362-0000
Account Number for ROCIP VIII: 6067424

ROCIP VIII Claims
Advocate: Kevin McClelland
Marsh USA, Inc.
1717 Main St., Ste. 4400
Dallas, TX 75201
Phone: 214-303-8330

kevin.mcclelland@marsh.com

See ROCIP VIII Claims Kit

- B. The criteria for eligibility of enrollment into the Program:

See Section 00410 Statement of Bidder's Safety Experience
See Section 00425A Insurance Cost Form
See Section 00810 Supplemental General Conditions
See ROCIP VIII Insurance Manual
See ROCIP VIII Master Policies

- C. A description of the Project site covered by the program coverages:

See ROCIP VIII Insurance Manual Definitions Section – the Project site includes the (referenced Project Name) and adjacent or nearby areas where incidental operations are performed excluding permanent locations of any insured party, except the Owner.

See "Contract Documents" - The Project site is more particularly described in the Contract Documents, specifically including but not limited to the Project's Site Plan, which is available along with the Bid Documents in the City's Plan Room and on its Website.

- D. A summary of insurance coverages to be provided to the contractor under the program, including:

1. the policy form number and issuing organization, if the policy is a standardized insurance policy or, if the policy is not standardized, a sample policy form;
2. per occurrence and aggregate limits of insurance coverages and any sub-limits that may apply;
3. term of coverages for each limit and sublimit, if any; and
4. any material endorsements to the insurance policy described above;

See Section 00810 Supplemental General Conditions
See ROCIP VIII Insurance Manual
See ROCIP VIII Master Policies
See ROCIP VIII Excess Coverage Policies

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- E. A summary of insurance coverages to be provided by the contractor;

See ROCIP VIII Insurance Manual
See Section 00810 Supplemental General Conditions

- F. Instructions on how to include or exclude costs of insurance provided by the program in the person's proposal for work on the construction project;

See Section 00425A Insurance Cost Form
See Section 00810 Supplemental General Conditions

- G. A description of the audit or claims procedures related to the program that may result in additional cost to a contractor, including the method of calculation for any assessment charged to a contractor related to the Owner's payment of a policy deductible and any other specific cost amounts; and

See Section 00425A Insurance Cost Form
See ROCIP VIII Claims Kit
See ROCIP Safety Manual
See ROCIP VIII Insurance Manual
See ROCIP VIII Master Policies
See Section 00810 Supplemental General Conditions

- H. A description of a contractor's duties related to reporting:

1. payroll and retention of documentation; and
2. claims and participation in safety inspections and incident reporting.

See ROCIP VIII Claims Kit
See ROCIP Safety Manual
See ROCIP VIII Insurance Manual
See Section 00700 General Conditions
See Section 00810 Supplemental General Conditions

- III. CONTRACTOR MAY REQUEST COPY OF ROCIP INSURANCE POLICIES - A complete copy of the insurance policies that provides coverage for the contractor under the consolidated insurance program is posted online at the web address set forth above.

- IV. The information required from the Owner may be requested in hard written copies or the Bidder/Contractor may use the Owner's internet website.

- V. This Section 00425B will apply to an original construction contract with the Owner that is entered into on or after January 1, 2016. If a construction contract is entered into on or after January 1, 2016, the requirements in this Section 00425B apply to a related subcontract, purchase order contract, personal property lease agreement, consolidated insurance program, and insurance policy.

(Contractor and Subcontractor Affidavit, Signature Page, and Acknowledgment forms follow)

Bidding Requirements, Contract Forms and Conditions of the Contract

VI. CONTRACTOR ROCIP INFORMATION TO BE PROVIDED BEFORE ENTERING CONSTRUCTION CONTRACT

Prior to the Bidder/Contractor entering into a contract with the Owner, the Bidder/Contractor must acknowledge that it received the ROCIP Information. If the ROCIP Information is not provided, the Bidder/Contractor may elect not to enroll in ROCIP. If the Bidder/Contractor does not enroll in ROCIP, the Bidder/Contractor must provide the "Contractor Provided Insurance" required under Article 5 of the 00700 General Conditions and Paragraph 5.3.1 of the Section 00810 Supplemental General Conditions as a condition to continuing service under the Contract. If for any reason a Bidder/Contractor is not provided the ROCIP Information on a timely basis and the Owner subsequently provides the ROCIP Information to the Contractor, the Contractor may acknowledge its receipt and provide the Affidavit included in Section 00425B to the Owner prior to commencing Work on the Project. In submitting its bid, the Bidder/Contractor acknowledges receipt of the required ROCIP Information and represents that it has read and understands the ROCIP Information. In addition, the Bidder/Contractor is making its acknowledgment and representation specifically to comply with the requirements of Section 151.004 of the Texas Insurance Code.

Note: This affidavit is a post-bid submittal and must be submitted by the Bidder before entering construction contract.

CONTRACTOR AFFIDAVIT OF RECEIPT AND PROVISION OF ROCIP INFORMATION

As an authorized representative of the Bidder/Contractor, I acknowledge and agree that the Bidder/Contractor has received the required ROCIP Information referenced in Section 00425B of the Contract Documents for the referenced Project and has provided the ROCIP Information to the Owner. I certify that the representations and information in this Affidavit are true and correct to the best of my personal knowledge and belief and that I have made no willful misrepresentations in this Affidavit, nor have I withheld any relevant information. I am aware that the information given will be relied upon in entering into a subsequent Contract.

Solicitation Number: _____ (to be filled in by Contractor)

Bidder's full name and entity status:

(Name/Signature of Authorized Official)

Title

Date

VII. ROCIP INFORMATION TO BE PROVIDED BY CONTRACTOR TO SUBCONTRACTORS AND SUB-SUBCONTRACTORS BEFORE ENTERING CONSTRUCTION SUBCONTRACT

At least 10 days prior to the Subcontractor or Sub-subcontractor (being collectively and respectively referred to as the "Subcontractor") entering into a contract with the Contractor or Subcontractor (being collectively and respectively referred to as the "Principal") for the referenced Project, the Principal must provide the ROCIP Information to the Subcontractor and the Subcontractor must acknowledge that it received the ROCIP Information. If the ROCIP Information is not provided, the Subcontractor may elect not to enroll in ROCIP.

If the Principal does not provide the ROCIP Information to its Subcontractor and obtain the Affidavit of Receipt and Provision of the ROCIP Information from its Subcontractor prior to entering into the applicable subcontract or sub-subcontract, the Principal is responsible to the Subcontractor under Section 151.006 of the Texas Insurance Code for the actual cost of providing the insurance required under Article 5 of the 00700 General Conditions and Paragraph 5.3.1 of the Section 00810 Supplemental General Conditions.

If for any reason a Subcontractor is not provided the ROCIP Information on a timely basis and the Principal subsequently provides the ROCIP Information to the Subcontractor, the Subcontractor may acknowledge its receipt and provide the Affidavit included in Section 00425B to the Principal prior to commencing Work on the Project.

In submitting its bid for its subcontract or sub-subcontract, the Subcontractor acknowledges receipt of the required ROCIP Information and represents that it has read and understands the ROCIP Information. In addition, the Subcontractor is making its acknowledgment and representation specifically to comply with the requirements of Section 151.004 of the Texas Insurance Code.

(Affidavit Signature Page and Acknowledgment follows)

***SUBCONTRACTOR AFFIDAVIT OF RECEIPT AND PROVISION OF ROCIP
INFORMATION***

As an authorized representative of the Subcontractor, I acknowledge and agree that the Subcontractor has received the required ROCIP Information referenced in Section 00425B of the Contract Documents and has provided the ROCIP Information to the Principal. I certify that the representations and information in this Affidavit are true and correct to the best of my personal knowledge and belief and that I have made no willful misrepresentations in this Affidavit, nor have I withheld any relevant information. I am aware that the information given will be relied upon in entering into any subsequent subcontract.

Subcontractor: _____

Solicitation Number: _____

Sub-Contractor's full name and entity status:

(Name/Signature of Authorized Official)

Title

Date

Note: This affidavit is a post-bid submittal and contract compliance requirement for each subcontract and sub-subcontracts of any tier entered into on this Project. A copy of each subcontractor affidavit must be provided to the Owner in accordance with the Owner's instructions.