

2016 AASHTO SOC- Contracts Bonds and Warranty Requirements

Last Modified: 05/09/2016

1. Demographics:

Name	Title	Organization	Email address (if you wish to receive results)
Joe Squire	State Construction & Materials Engineer	Oregon DOT	joe.squiere@odot.state.or.us
Julie Kliewer	Assistant State Engineer, Construction & Materials Engineer IV	Arizona Department of Transportation	jkliewer@azdot.gov
Clint Bishop	State Construction Engineer	Ohio DOT	clint.bishop@dot.state.oh.us
Richard Chisolm	Construction Engineer	Mississippi DOT	rchisolm@mdot.ms.gov
Kevin Christensen	Construction Engineer	Montana Department of Transportation	kechristensen@mt.gov
Cal J. Gendreau	Construction Engineer	North Dakota DOT	cgendrea@nd.gov
Andy Long	State Construction Engineer	Wyoming Department of Transportation	andy.long@wyo.gov
Mark Miller	Director Construction Management	Indiana DOT	mrmiller@indot.in.us
George Raymond	Asst. Director of Operations	Oklahoma DOT	graymond@odot.org
Darren Hazlett	Hazlett	Texas Department of Transportation	darren.hazlett@txdot.gov
Michael McGrath	Deputy Chief Engineer for Construction	MassDOT	michael.a.mcgrath@state.ma.us
jeff elliott		SCDOT	steagallrt@scdot.org
Al Balluch	Supervising Engineer	New Jersey Department of Transportation	al.balluch@dot.nj.gov
Ryan Griffith	Transportation Engineering Director	Kentucky Transportation Engineer	ryan.griffith@ky.gov
Scott Lawry	Proposal Management Section Chief	Wisconsin Department of Transportation	scott.lawry@dot.wi.gov
Claude Oie	State Construction Engineer	Nebraska Department of Raods	Claude.oie@nebraska.gov
David Sadler	Director, Office of Construction	Florida Department of Transportation	david.sadler@dot.state.fl.us
Ed Kasper, P.E.	Assistant Contracts Engineer	Iowa Department of Transportation	
Susan Eiseman	Assist Bureau Chief of Construcion	Kansas Department of Transportation	eiseman@ksdot.org
Teresa Schlaffer	Business Process Analyst	Nevada Department of Transportation	tschlaffer@dot.state.nv.us
Anthony Sprague	Construction Group Chief	AK DOT PF	
Todd Steagall	Director of Construction	South Carolina DOT	steagallrt@scdot.org
Jamie Ho	Construction and Maintenance Engineer	Hawaii DOT	jamie.ho@hawaii.gov
J. Darby Clayton	Regional Construction Engineer	WVDOT	J.Darby.Clayton@wv.gov
Matthew R. Weaver, P.E.	Contractor Evaluation Engineer	PennDOT, Bureau of Project Delivery, Highway Delivery Division, Contract Management Section	matweaver@pa.gov
Ali Shakeri	Program Manager	DDOT	ali.shakeri@dc.gov
Joseph S. Robinson	Construction Quality Assurance Section Chief	PennDOT	josrobinso@pa.gov
Ryan Griffith	TE Director, Division of Construction	Kentucky Transportation Cabinet	ryan.griffith@ky.gov
Joseph S. Robinson	Construction Quality Assurance Section Chief	PennDOT	josrobinso@pa.gov

Name	Title	Organization	Email address (if you wish to receive results)
Joe Squire	State Construction & Materials Engineer	Oregon DOT	joe.squiere@odot.state.or.us
Julie Kliewer	Assistant State Engineer, Construction & Materials	Arizona Department of Transportation	jkiewer@azdot.gov
Clint Bishop	Engineer IV	Ohio DOT	clint.bishop@dot.state.oh.us
Richard Chisolm	State Construction Engineer	Mississippi DOT	rchisolm@mdot.ms.gov
Kevin Christensen	Construction Engineer	Montana Department of Transportation	kechristensen@mt.gov
Cal J. Gendreau	Construction Engineer	North Dakota DOT	cgendrea@nd.gov
Andy Long	State Construction Engineer	Wyoming Department of Transportation	andy.long@wyo.gov
Mark Miller	Director Construction Management	Indiana DOT	mrmiller@indot.in.us
George Raymond	Asst. Director of Operations	Oklahoma DOT	graymond@odot.org
Darren Hazlett	Hazlett	Texas Department of Transportation	darren.hazlett@txdot.gov
Michael McGrath	Deputy Chief Engineer for Construction	MassDOT	michael.a.mcgrath@state.ma.us
jeff elliott		SCDOT	steagallrt@scdot.org
Al Balluch	Supervising Engineer	New Jersey Department of Transportation	al.balluch@dot.nj.gov
Ryan Griffith	Transportation Engineering Director	Kentucky Transportation Engineer	ryan.griffith@ky.gov
Scott Lawry	Proposal Management Section Chief	Wisconsin Department of Transportation	scott.lawry@dot.wi.gov
Claude Oie	State Construction Engineer	Nebraska Department of Raods	Claude.oie@nebraska.gov
David Sadler	Director, Office of Construction	Florida Department of Transportation	david.sadler@dot.state.fl.us
Ed Kasper, P.E.	Assistant Contracts Engineer	Iowa Department of Transportation	
Susan Eiseman	Assist Bureau Chief of Construcion	Kansas Department of Transportation	eiseman@ksdot.org
Teresa Schlawfer	Business Process Analyst	Nevada Department of Transportation	tschlawfer@dot.state.nv.us
Anthony Sprague	Construction Group Chief	AK DOT PF	
Todd Steagall	Director of Construction	South Carolina DOT	steagallrt@scdot.org
Jamie Ho	Construction and Maintenance Engineer	Hawaii DOT	jamie.ho@hawaii.gov
J. Darby Clayton	Regional Construction Engineer	WVDOT	J.Darby.Clayton@ww.gov
Matthew R. Weaver, P.E.	Contractor Evaluation Engineer	PennDOT, Bureau of Project Delivery, Highway Delivery Division, Contract Management Section	matweaver@pa.gov
Ali Shakeri	Program Manager	DDOT	ali.shakeri@dc.gov
Joseph S. Robinson	Construction Quality Assurance Section Chief	PennDOT	josrobinso@pa.gov
Ryan Griffith	TE Director, Division of Construction	Kentucky Transportation Cabinet	ryan.griffith@ky.gov
Joseph S. Robinson	Construction Quality Assurance Section Chief	PennDOT	josrobinso@pa.gov
Statistic		Value	
Total Responses		29	

2. U.S State:

#	Answer	Response
1	Alabama	0
2	Arizona	1
3	Arkansas	0
4	California	0
5	Colorado	0
6	Connecticut	0
7	Delaware	0
8	District of Columbia	1
9	Florida	1
10	Georgia	0
11	Idaho	0
12	Illinois	0
13	Indiana	1
14	Iowa	1
15	Kansas	1
16	Kentucky	1
17	Louisiana	0
18	Maine	0
19	Maryland	0
20	Massachusetts	1
21	Michigan	0
22	Minnesota	0
23	Mississippi	1
24	Missouri	0
25	Montana	1
26	Nebraska	1
27	Nevada	1
28	New Hampshire	0
29	New Jersey	1
30	New Mexico	0
31	New York	0
32	North Carolina	0
33	North Dakota	1
34	Ohio	1
35	Oklahoma	1
36	Oregon	1
37	Pennsylvania	3
38	Rhode Island	0
39	South Carolina	2
40	South Dakota	0
41	Tennessee	0
42	Texas	1
43	Utah	0
44	Vermont	0
45	Virginia	0
46	Washington	0
47	West Virginia	1
48	Wisconsin	1
49	Wyoming	1
50	Puerto Rico	0
51	Alaska	1
52	Hawaii	1
53	I do not reside in the United States	0
	Total	28

Statistic	Value
Min Value	2
Max Value	52
Mean	30.11
Variance	196.77
Standard Deviation	14.03
Total Responses	28

3. Construction Program:

Calendar Year 2015 Construction Program (\$)	Calendar Year 2015 Construction Program (# of Projects)
385000000	125
500,328,695	147
2,094,106,634	715
383261046.95	132
300,000,000	113
596000000	165
1000000000	600
905,000,000	325
5,160,172,559	837
1,300,000,000	400
989,000,000	377
557,700.000	57
960,000,000	663
1400000000	370
500	199
2,797,766,000	448
350,000,000	50
1,500,000,000	360
150,000,000	32
5,700,000,000	643
100,000,000	25
5,700,000,000	643
960,154,262.67	636
2,400,000,000	
Statistic	Value
Total Responses	24

4. Does your State require a performance bond?

#	Answer	Response	%
1	Yes	26	100%
2	No	0	0%
	Total	26	100%

Statistic	Value
Min Value	1
Max Value	1
Mean	1.00
Variance	0.00
Standard Deviation	0.00
Total Responses	26

5. Is the value of the Performance Bond always equal to the contract amount?

#	Answer	Response	%
1	Yes	24	92%
2	No, please describe:	2	8%
Total		26	100%

No, please describe:

We require the amount of the bond for R/W Clearance contracts to be the bid amount or the engineer's estimate amount, whichever is greater.

Exception is P3 contracts which are bonded at a rate lower than the total contract value.

Statistic	Value
Min Value	1
Max Value	2
Mean	1.08
Variance	0.07
Standard Deviation	0.27
Total Responses	26

6. Is there a contract size threshold for requiring performance bonds?

#	Answer	Response	%
1	Yes, please describe:	7	27%
2	No	19	73%
Total		26	100%

Yes, please describe:

Required on contracts over \$20,000

\$200,000

Projects greater than \$100,000

Department has the statutory authority to waive for contracts

\$100,000

Contracts over \$25,000 require performance and payment bonds.

More than \$100,000

Statistic	Value
Min Value	1
Max Value	2
Mean	1.73
Variance	0.20
Standard Deviation	0.45
Total Responses	26

7. Does your state have a line item for Performance Bond?

#	Answer	Response	%
1	Yes	5	19%
2	No	21	81%
	Total	26	100%
Statistic		Value	
Min Value		1	
Max Value		2	
Mean		1.81	
Variance		0.16	
Standard Deviation		0.40	
Total Responses		26	

8. Which of the following responses best represents your state policy regarding Surety approval of contract changes:

#	Answer	Response	%
1	Surety approval always required for any change order.	3	12%
2	Surety approval sometimes required for change orders of a certain magnitude.	4	15%
3	Surety approval never required.	19	73%
	Total	26	100%
Statistic		Value	
Min Value		1	
Max Value		3	
Mean		2.62	
Variance		0.49	
Standard Deviation		0.70	
Total Responses		26	

9. What are the criteria for Surety approval of change orders?

Text Response	
rarely used, example in recent years is a differing site condition required added work that was about 50% of original contract and involved new plan/spec not contemplated at bid time	
Contract change over \$10,000.00	
Dollar amount	
Surety approval required for changes over 25% of the original contract amount - includes cumulative amount. This is per statute.	
Statistic	Value
Total Responses	4

10. Which of the following represents your policy regarding the integrity of sureties? (Select all that are appropriate)

#	Answer	Response	%
1	We require an acceptable A.M. Best rating.	9	35%
2	US Department of Treasury approved listing.	7	27%
3	Independent review and verification as necessary.	6	23%
4	Other, please explain:	8	31%
Other, please explain:			
Surety must be a "responsible surety" approved by the state			
Must be registered through the Oklahoma Department of State and licensed through the Oklahoma Insurance Department.			
Authorized to do business in State			
Surety Company is approved by the Florida Office of Insurance Regulation (http://www.floir.com/companysearch/)			
Kansas Commissioner of Insurance has authorized to do business in Kansas			
Licensed to sell bonds in Hawaii.			
A corporate surety, legally authorized to transact business in the State and satisfactory to the Secretary.			
Statistic	Value		
Min Value	1		
Max Value	4		
Total Responses	26		

11. Have you experienced recent issues with fraudulent surety bond submissions?

#	Answer	Response	%
1	Yes, please explain:	1	4%
2	No	25	96%
	Total	26	100%

Yes, please explain:

Had one case where a bond form was sold to a contractor from a fictitious "bond Agent" resulting in the bond being worthless when the Department defaulted the contractor and tried to call upon the named surety.

Statistic	Value
Min Value	1
Max Value	2
Mean	1.96
Variance	0.04
Standard Deviation	0.20
Total Responses	26

12. Does your state policy prohibit a surety from proposing the same contractor in default situations?

#	Answer	Response	%
1	Yes	5	19%
2	No	21	81%
	Total	26	100%

Statistic	Value
Min Value	1
Max Value	2
Mean	1.81
Variance	0.16
Standard Deviation	0.40
Total Responses	26

13. Comments:

Text Response

Bonding company acts as PM in these instances

If the Department solicits bids for the remainder of the work or completion of the project, the defaulted contractor is not eligible to submit a proposal.

We currently have projects that allow a defaulted Contractor to work for the Surety. Our newer projects leave the use of the defaulted Contractor by the Surety up to NJDOT.

Bond form explicitly states that defaulted contractor will not be allowed to be the completion contractor.

Statistic	Value
Total Responses	4

14. For major projects (exceeding \$500 million), has the availability of surety bonds been an issue?

#	Answer	Response	%
1	Yes, please explain:	2	17%
2	No	10	83%
	Total	12	100%

Yes, please explain:

KYTC has had 1 project >\$500 million and there were some comments and concerns, but ultimately 100% bond was required. The low bidder complied.

Normally contractors will form a joint venture to meet the bonding requirements.

Statistic	Value
Min Value	1
Max Value	2
Mean	1.83
Variance	0.15
Standard Deviation	0.39
Total Responses	12

15. Provide the link of information regarding your bond program:

Text Response

<http://www.oregon.gov/ODOT/HWY/CONSTRUCTION/constructionmanual/cm08.pdf>

<http://azdot.gov/docs/business/2008-standards-specifications-for-road-and-bridge-construction.pdf>

http://www.mdt.mt.gov/other/webdata/external/const/specifications/2014/division_100.pdf Section 108.09

<https://www.dot.nd.gov/divisions/environmental/docs/supspecs/2014StandardSpecifications.pdf>

<http://iga.in.gov/legislative/laws/2015/ic/titles/008/articles/023/> Article IC -8-23-9-8

<ftp://ftp.dot.state.tx.us/pub/txdot-info/des/spec-book-1114.pdf>

<http://www.massdot.state.ma.us/Portals/8/docs/prequalContractors/PrequalApplication081715.pdf>

http://www.scdot.org/doing/construction_standardspec.aspx

<http://www.state.nj.us/transportation/eng/specs/2007/spec150.shtm#s151>

see section 103.05--

<http://transportation.ky.gov/Construction/StdSpecsWSupplSpecs/2012%20Standard%20Spec%20with%200Supp%20July%202015.pdf>

<http://wisconsin.gov/rdwy/stnds-spec/ss-01-00.pdf>

NDOR

<http://www.dot.state.fl.us/programmanagement/Implemented/SpecBooks/July2016/Files/716eBook.pdf>

provided link to specification has language regarding bond requirements and insurance requirements.

This next link will take to reader to the FDOT forms library where you can access the bond forms:

<http://www.dot.state.fl.us/proceduraldocuments/>

<http://www.ksdot.org/Assets/wwwksdotorg/bureaus/burConsMain/specprov/2015/103.pdf>

www.scdot.org/doing/standardspecs

http://www.capitol.hawaii.gov/hrscurrent/Vol02_Ch0046-0115/HRS0103D/HRS_0103D-0324.htm

N/A

Statistic	Value
Total Responses	17

16. Is there anything else about performance bonds that you would like to add?

Text Response	
The link is to our spec book. Please see Item 3.	
No	
Statistic	Value
Total Responses	2

17. Does your State utilize warranty bonds?

#	Answer	Response	%
1	Yes	10	38%
2	No	16	62%
	Total	26	100%
Statistic		Value	
Min Value		1	
Max Value		2	
Mean		1.62	
Variance		0.25	
Standard Deviation		0.50	
Total Responses		26	

18. What does the warranty bond cover?

#	Answer	Response	%
1	The entire project.	2	20%
2	Specific items.	8	80%
	Total	10	100%
Statistic		Value	
Min Value		1	
Max Value		2	
Mean		1.80	
Variance		0.18	
Standard Deviation		0.42	
Total Responses		10	

19. What, if any, is the duration of the warranty period?

Text Response	
2 to 4 years	
two to seven years, depending on the specific item	
Varies - 3 year bond on microsurface & ultra thin bonded wearing coarse, have used 5 year pavement warranties	
2 years	
3-5 years	
1 to 3 years depending on the work covered	
5-10 years	
5-10	
Up to 9 years on select projects	
Duration varies (e.g., 60 months for asphalt pavement when specified)	
Statistic	Value
Total Responses	10

20. How is the value established for the bond?

#	Answer	Response	%
1	Entire project value.	3	30%
2	Specific item value.	7	70%
	Total	10	100%
Statistic		Value	
Min Value		1	
Max Value		2	
Mean		1.70	
Variance		0.23	
Standard Deviation		0.48	
Total Responses		10	

21. Provide the link of information regarding your bond program:

Text Response	
see standard spec on line for bridge coatings, durable striping	
varous supplemental specifications at	
http://www.dot.state.oh.us/Divisions/ConstructionMgt/OnlineDocs/Pages/ProposalNotesSupplementalSpecificationsandSupplements.aspx	
http://www.in.gov/dot/div/contracts/standards/book/sep15/4-2016.pdf . Section 411 & 414	
ftp://ftp.dot.state.tx.us/pub/txdot-info/cmd/cserve/specs/2004/spec/ss3150.pdf	
none	
Does not exist	
http://wisconsin.gov/rdwy/stndspec/ss-01-00.pdf	
N/A	
Statistic	Value
Total Responses	8

22. Is there anything else about warranty bonds that you would like to add?

Text Response	
no	
We have had one or 2 warranty bonds in the past but we don't use them as a matter of practice. We only have warranty on one type of project. This is only microsurfacing. So the link shown is the warranty microsurfacing spec. We have a new 2014 spec book and no one has asked for the warranty microsurfacing spec in the 2014 format. The link is for our 2004 spec book.	
Warranty bonds are utilized only on Design Build projects, not Bid Build projects.	
No	
I answered this question under the assumption that it was for the warranty of certain items and is used very little, mostly on unusual items. The department also requires a payment bond that is also equal to the performance bond of a contract. So in total the department requires both a payment bond and a performance bond that when combined is double the value of the contract.	
FDOT does not require warranty bonds but does require contractors to warrant their work for certain work (i.e., asphalt for 3 years after final acceptance, concrete pavement for 5 years, etc.). This is done by not requiring a warranty bond but making the contractor's continued qualification with FDOT dependent upon the performance of their work.	
These are used in very rare situations.	
Warranties are only used with Design Build projects in SC	
Some project we require it	
Statistic	Value
Total Responses	10

23. Does your State stipulate minimum Insurance levels?

#	Answer	Response	%
1	Yes	24	96%
2	No	1	4%
	Total	25	100%
Statistic		Value	
Min Value		1	
Max Value		2	
Mean		1.04	
Variance		0.04	
Standard Deviation		0.20	
Total Responses		25	

24. Please list the categories, and minimum limits:

Text Response

general

Please see attached pdf. (see email)

General Aggregate Limit	\$2,000,000	Products - Completed Operations	Aggregate
Limit	\$2,000,000	Personal and Advertising Injury Limit	\$1,000,000
Each Occurrence Limit	\$1,000,000		

A. Commercial General Liability Insurance. Obtain commercial general liability insurance with a general aggregate limit of \$2,000,000; an occurrence limit of \$1,000,000; and products and completed operations limit of \$1,000,000. The policy must name the State of Montana, its agents, employees, and officers as an additional named insured. B. Owners and Contractors Protective Liability Insurance.

Obtain an Owner's and Contractor's Protective (OCP) liability insurance policy for all work to be done, on behalf of the owner (State of Montana, the Department, and its agents, employees and officers) to be submitted with the contract when executed, with a general aggregate limit of not less than \$2,000,000 and an occurrence limit of not less than \$1,000,000.

Commercial General Liability \$1,000,000 minimum Commercial Automobile Liability \$1,000,000 minimum Workers Compensation coverage required by the state

Workers Comp Commercial General Liability 1,000,000 per occurrence & 2,000,000 general aggregate Umbrella 1,000,000 per occurrence & 1,000,000 aggregate Business Auto Liability 500,000 combined single unit Unemployment Insurance

Commercial General : Aggregate \$2M, Each Occurrence \$1M Business Auto: \$1M per accident Railroad Protective Liability: \$2M per occurrence, aggregate \$6M Owners & Contractors Protective Liability: \$1M per occurrence, aggregate \$3M

Minimum of \$1 million for each occurrence and aggregate limit of \$2 million. Policy must be project specific.

Commercial General Liability Insurance Not Less Than: \$1,000,000 each occurrence -----

----- Business Automobile Policy Not Less Than: \$600,000 combined single limit -----

----- Workers' Compensation Not Less Than: Statutory ----- All Risk

Builder's Risk Insurance (For building-facilities contracts only) 100% of Contract Price

Contractor's Public Liability Insurance - not less than \$500,00 Contractor's Property Damage Liability Insurance - Not less than \$500,000

Workers Comp \$500,000 General Liability \$2,000,000 Auto \$1,000,000 Umbrella \$5,000,000

See below

1) Commercial General Liability-Occurrence form – not less than \$2,000,000 General aggregate, \$2,000,000 Products & Completed Aggregate, \$1,000,000 Personal & Advertising, \$1,000,000 each occurrence. 2) Automobile Liability- \$1,000,000 per accident 3) Employers Liability: a) \$100,000 Each Accident Bodily Injury b) \$500,000 Policy limit Bodily Injury by Disease c) \$100,000 Each Employee Bodily Injury by Disease 4) The insurance required above must be evidenced by a Certificate of Insurance and this Certificate of Insurance must contain one of the following statements: a) "policy contains no deductible clauses." b) "policy contains _____ (amount) deductible property damage clause but company will pay claim and collect the deductible from the insured." 5) KENTUCKY WORKMEN'S COMPENSATION INSURANCE. The contractor shall furnish evidence of coverage of all his employees or give evidence of self-insurance by submitting a copy of a certificate issued by the Workmen's Compensation Board.

TABLE 107-1 REQUIRED INSURANCE AND MINIMUM COVERAGES TYPE OF INSURANCE MINIMUM LIMITS REQUIRED[1] 1. Commercial general liability insurance endorsed to include blanket contractual liability coverage.[2] \$2 million combined single limits per occurrence with an annual aggregate limit of not less than \$4 million. 2. Workers' compensation. Statutory limits 3. Employers' liability insurance. Bodily injury by accident: \$100,000 each accident Bodily injury by disease: \$500,000 each accident \$100,000 each employee 4. Commercial automobile liability insurance covering all contractor-owned, non-owned, and hired vehicles used in carrying out the contract.[2] \$1 million-combined single limits per

See <http://www.transportation.nebraska.gov/ref-man/specbook-2007.pdf>.

The limits of coverage shall not be less than \$1,000,000 for each occurrence and not less than a \$5,000,000 annual general aggregate, inclusive of amounts provided by an umbrella or excess policy. Link to standard specifications above has pertinent language regarding the types of insurance coverage required.

General Liability, Including: \$500,000 Each Occurrence Contractual Liability, Products and Completed Operations \$250,000 Each Occurrence or - COMBINED SINGLE LIMIT* Occurrence	BODILY INJURY Independent Contractors PROPERTY DAMAGE BODILY INJURY AND PROPERTY DAMAGE \$750,000 Aggregate	\$500,000 Aggregate \$250,000 Aggregate \$750,000 Each \$750,000 Aggregate
<p>(1) "Commercial General Liability" insurance in an amount a minimum of \$1,000,000 each occurrence, \$2,000,000 aggregate for bodily injury and property damage combined, and \$2,000,000 aggregate for products and completed operations. The Secretary may increase these limits or require an umbrella policy on specific projects. As a minimum, the Commercial General Liability Policy shall contain the following coverages:</p> <p>hazards); <input type="checkbox"/> Premises indemnification obligations); and <input type="checkbox"/> Products <input type="checkbox"/> Contractors (if liability endorsement or otherwise)</p> <p>to provide coverage for Contractor's operations on Railroad right-of-way if Project involves work on Railroad right-of-way. This coverage is required in addition to Railroad Protective Liability insurance under subsection 107.11. (2) "Automobile Liability" insurance in an amount a minimum of \$1,000,000 each occurrence for bodily injury and property damage combined and that covers Owned, Hired, and Non-Owned vehicles. (3) "Worker's Compensation" and "Employer's Liability" insurance that complies with K.S.A. 44-532, related statutes, and amendments thereto.</p> <p>The limits depends on the contract. Types would be E&O, Vehicles, Building, Workers Comp, Builders Risk, Marine</p> <p>Workers' Compensation. The Contractor shall obtain worker's compensation insurance for all persons whom they employ in carrying out the work under this contract. This insurance shall be in strict conformity with the requirements of the most current and applicable State of Hawaii Worker's Compensation Insurance laws in effect on the date of the execution of this contract and as modified during the duration of the contract. (2) Auto Liability. The Contractor shall obtain Auto Liability Insurance covering all owned, non-owned and hired autos with a Combined single Limit of not less than \$1,000,000 per occurrence for bodily injury and property damage with the State of Hawaii named as additional insured. Refer to SPECIAL CONDITIONS for any additional requirements. (3) General Liability. The Contractor shall obtain General Liability insurance with a limit of not less than \$2,000,000 per occurrence and in the Aggregates for each of the following: (a) Products - Completed/Operations Aggregate, (b) Personal & Advertising Injury, and (c) Bodily Injury & Property Damage</p>		
Statistic		Value
Total Responses		20

25. Provide the link of information regarding your bond program:

Text Response
http://azdot.gov/docs/business/2008-standards-specifications-for-road-and-bridge-construction.pdf http://www.dot.state.oh.us/Divisions/ConstructionMgt/OnlineDocs/Specifications/2013CMS/100/107.htm http://www.mdt.mt.gov/other/webdata/external/const/specifications/2014/division_100.pdf (107.13) https://www.dot.nd.gov/divisions/environmental/docs/supspecs/2014StandardSpecifications.pdf http://www.in.gov/dot/div/contracts/standards/book/sep15/1-2016.pdf . Section 103.04 Insurance requirements are in Item 3 of the Spec Book. Previously provided link. http://www.scdot.org/doing/construction_standardspec.aspx http://www.state.nj.us/transportation/eng/specs/2007/spec150.shtm#s152 http://wisconsin.gov/rdwy/stndspec/ss-01-07.pdf#ss107 Article 1107.02: http://www.iowadot.gov/erl/current/GS/content/1107.htm http://www.ksdot.org/Assets/wwwksdotorg/bureaus/burConsMain/specprov/2015/2015%20DIVISION%20100-FINAL.pdf http://hidot.hawaii.gov/highways/files/2014/05/Spec05-pro-st-S107f_Legal_Relations_and_Responsibility_to_Public_dated_5-5-14.pdf

Statistic	Value
Total Responses	12

26. Is there anything else about insurance requirements that you would like to add?

Text Response	
All certificates are reviewed by Risk Management before execution of contract. see page 20-23 of the 2007 standard spec	
No	
Insurance company or the agent also has to be licensed in Hawaii.	
Insurance certificate names the State as an additional insured party and saved harmless, and proving property damage and public liability insurance is adequate to cover any loss that might accrue. When railroad insurance is required, minimum insurance levels are specified.	
Statistic	Value
Total Responses	5

27. Does your state require separate insurance policies such as (select all that apply):

#	Answer	Response	%
1	Owners and Contractors Protective insurance, please describe what / when / value:	13	57%
2	Builders Risk Insurance, please describe what / when / value:	8	35%
3	Other:	6	26%
4	No	8	35%

Owners and Contractors Protective insurance, please describe what / when / value:	Builders Risk Insurance, please describe what / when / value:	Other:
		pollution Railroad Protective Liability when necessary.
Contractor's Protective Public Liability Insurance and property damage liability Insurance - each no less than \$500,000		Railroad Protective liability and property Damage liability Insurance = Amount set i Special Provisions
		Pollution, Marine and Railroad http://www.transportation.nebraska.gov/ref-man/specbook-2007.pdf
Railroad Protective Insurance/ working over railroad tracks/\$5 - \$10 million		No "separate" policy required. Included in general liability. See specification referenced and linked in previous question.
no	no	
described above	no	
See previous question and Item 3 in Spec Book Professional liability required on Design Build projects, \$3,000,000	See previous question and Item 3 in Spec Book required on some Design Build projects, amount varies	

<p>When the Contract includes the construction of a railroad grade crossing, railroad overpass or underpass structure, or any other work or operations within the limits of the railroad right-of-way, including any encroachments thereon from work or operations in the vicinity of the railroad right-of-way, you shall, in addition to the insurance coverage required pursuant to 7-13.2 above, procure and maintain Railroad Protective Liability Coverage (ISO Form CG 00 35) where the railroad is the Named Insured and where the limits are not less than \$2,000,000 combined single limit for bodily injury and/or property damage per occurrence, and with an annual aggregate limit of not less than \$6,000,000. The railroad shall also be added along with the Department as an Additional Insured on the policy/ies procured pursuant to subsection 7-13.2 above.</p>	<p>Don't require but most contractors get it.</p>	
<p>Marine, for the value of the cargo, Vehicle, for State mandatory amounts</p>	<p>Special Contracts can require Builders Risk to cover unwarranted portions of the contract.</p>	
<p>No</p>	<p>yes, at the beginning of the project for the full replacement value of the project.</p>	
<p>As specified for municipal projects.</p>		
<p>Statistic</p>	<p>Value</p>	
<p>Min Value</p>	<p>1</p>	
<p>Max Value</p>	<p>4</p>	
<p>Total Responses</p>	<p>23</p>	

28. Provide the link of information regarding your bond program:

Text Response	
http://www.mdt.mt.gov/other/webdata/external/const/specifications/2014/division_100.pdf - 107.13 http://www.massdot.state.ma.us/Portals/8/docs/construction/1995Mspecs.pdf This question should be about insurance not bond N/A	
Statistic	Value
Total Responses	4

29. Is there anything else about other insurance policies that you would like to add?

Text Response	
http://www.state.nj.us/transportation/eng/specs/2007/spec150.shtm#s152	
Statistic	Value
Total Responses	1

30. Does your state have experience with other insurances such as (select all that apply):

#	Answer	Response	%
1	Owner-controlled insurance (wrap-up) projects	2	12%
2	Partner-controlled insurance	0	0%
3	Other forms of wrap-up insurance that provide coverage for multiple parties	1	6%
4	No	14	82%
Other forms of wrap-up insurance that provide coverage for multiple parties			
no			
Statistic			Value
Min Value			1
Max Value			4
Total Responses			17

31. Do you have anything else you would like to share? Comments on effectiveness are welcome!

Text Response

Greg Williams is helped gather the information for this survey.

Past history with effectiveness of bonding companies has varied dramatically when we have had to have the bonding company take over a project. Some companies have been very proactive and good to work with in completing the project whereas others are very difficult and argue about what the scope of work is to complete projects. We have also found the notification process on extra work orders to be lacking to the point where when the bonding company took over the project they had no idea about the number of outstanding EWO's that were processed for a project even though we paid the increased bond cost.

All our requirements are in our Specifications.

Owner-controlled insurance was evaluated as a pilot but has been discontinued.

Statistic	Value
Total Responses	4