

EXHIBIT “E”

INSURANCE REQUIREMENTS

- Certificate Holder: Embrey Builders, LLC
- Required endorsements to the policies are to be attached to the Certificate(s) of Insurance.
- Certificate(s) of Insurance and required endorsements shall be uploaded to Embrey’s Insurance Monitoring Service per the Subcontract.
- All Policies Must Be Endorsed to Include a Notice of Cancellation as Required per State Minimums
- Subcontractor shall be responsible for any deductibles or self-insured retentions in connection with the insurance policies and coverages required under this subcontract.
- Insurance shall be from an insurance company or companies qualified to do business in the state where the Project is located with an A.M. Best Financial Strength Rating of no less than A- and a Financial Size not less than VII, or equivalent financial strength and size rating from similar financial ratings agencies acceptable to Contractor.
- The Insurance requirements in this section can be provided by a combination of subcontractor’s primary and excess liability policies.
- Additional Insured Endorsements are required for General Liability, and Automobile coverage, and on Umbrella if it is not follow-form, and Waiver of Subrogation Endorsements are required for all General Liability, Automobile, Worker’s Compensation, and Umbrella coverages below.
 - The Additional Insureds listed below require ISO forms CG2010 and CG2037 (10-01 or 07-04 editions) or their equivalents, except Lender(s) for which CG2018 is an acceptable form.
 - Must name the following Additional Insureds:
 - Embrey Builders, LLC;
 - Embrey Partners, LLC;
 - Owner whose name is
 - _____;
 - Lender(s) whose name(s) is(are)
 - _____, and
 - Equity Partner(s) whose name(s) is(are)
 - _____.

GENERAL LIABILITY

Minimum Limits:

- \$ 2,000,000 General Aggregate per Project
- \$ 1,000,000 Products-Completed Operations Aggregate
- \$ 1,000,000 Each Occurrence
- \$ 1,000,000 Personal | Advertising

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Coverage should include:

- Premises Operations (including x-c-u),
- Independent contractors, Insured Contract,
- Broad Form Property Damage,
- Personal and Advertising Injury,
- Occurrence form,
- Aggregate Limits to apply per project,
- Deductibles may not exceed \$10,000 without prior written approval of Contractor and must be disclosed on the certificate.
- Policy shall be Primary and Non-Contributory and shall be endorsed to include Completed Operations coverage.
- Policy shall name owner and contractor as additional insured
- Policy shall be maintained for 3 years following final completion

Coverage cannot include:

- Modification of the "insured contract" definition
- Exclusion barring coverage for injury to employees
- Professional services exclusions broader than CG 22 79.
- Insured v. Insured exclusion, except as limited to claims by Named Insureds against other Named Insureds.

BUSINESS AUTOMOBILE

Minimum Limits:

- \$1,000,000 Combined Single Limit,
OR
- \$250,000/\$500,000/\$250,000 Split Liability Limits

Coverage must include:

- Owned
- Non-Owned
- Hired Car Coverage

WORKER’S COMPENSATION-EMPLOYER’S LIABILITY

Worker’s Compensation

Statutory Limits: The word statutory means that the benefits allowed under the state of the project’s location workers’ compensation law will be paid by the insurer. Must endorse policy with Waiver of Subrogation form, WC 00 03 13, in favor of Additional Insureds.

- Policy MUST include proprietor, partners and/or executive officers.
- Alternative policies to W.C. Insurance are not acceptable.
- Group health insurance may not be substituted for workers’ compensation.
- Under the Worker’s Compensation coverage no waiver of worker’s compensation coverage by Subcontractor or its subcontractors will be acceptable.

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Employer’s Liability

Minimums Limits:

- Employer Liability \$ 1,000,000
 - Accident per Person \$ 1,000,000
 - Disease-Policy Limit \$ 1,000,000
 - Disease per Person \$ 1,000,000
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- Policy MUST include proprietor, partners and/or executive officers.
 - Alternative policies to W.C. Insurance are not acceptable.
 - Group health insurance may not be substituted for workers’ compensation.
 - Under the Worker’s Compensation coverage no waiver of worker’s compensation coverage by Subcontractor or its subcontractors will be acceptable.

POLLUTION LIABILITY INSURANCE

If the Work includes mechanical, electrical, or plumbing work and/or environmental remediation, Subcontractor shall maintain Contractors Pollution Liability insurance on an occurrence form with limits specified below. Coverage shall include bodily injury and property damage, clean-up, and containment of any pollutants which may escape, migrate, or disperse resulting from Subcontractor’s performance of Work under the Contract.

Required for Demolition and Site Work/paving/Earthwork contracts.

Minimum Limits:

- \$3,000,000 Each Occurrence
- \$3,000,000 General Aggregate
- Occurrence Form

PROFESSIONAL LIABILITY INSURANCE

If the Work includes design or engineering services to complete the Work, Subcontractor shall maintain Professional Liability (Contractors Errors & Omissions) insurance with limits specified below. Coverage shall include bodily injury, property damage, and monetary loss which may result from Subcontractor’s fault design, engineering, or construction management services.

PROFESSIONAL LIABILITY INSURANCE	
TABLE 0	
MINIMUM LIMITS	\$1,000,000 Each Occurrence \$1,000,000 General Aggregate
TRADE	Demolition, Fire Sprinkler, Soil/Concrete Testing, HVAC, Plumbing, Electrical

This policy shall have a retroactive date prior to the performance of any professional services to be provided under this Agreement and shall remain in effect throughout the design and construction of the project and extending until the earlier of (a) 10 years after the date of the Agreement or (b) all claims against seller shall be time-barred by applicable law.

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UMBRELLA/EXCESS LIABILITY INSURANCE

Coverage must include:

- Employers Liability
- Commercial General Liability
- Business Automobile Liability

Umbrella/Excess Liability Follow Form;

Requires Submission of:

- Declaration Page;
- Schedule of Underlying Insurance; and
- Follow Form Policy Language

Umbrella/Excess Liability Policy must include the above-listed Additional insured must also apply on a Primary & Non-Contributory basis, and Waiver of Subrogation requirements as required in underlying insurance.

UMBRELLA/EXCESS LIABILITY INSURANCE	
TABLE 3	
MINIMUM LIMITS	\$10,000,000 Each Occurrence \$10,000,000 General Aggregate
TRADE*	Cranes (Owner, Operator)

**If multiple trades are contracted via one contract, higher values prevail.*

UMBRELLA/EXCESS LIABILITY INSURANCE	
TABLE 2	
MINIMUM LIMITS	\$5,000,000 Each Occurrence \$5,000,000 General Aggregate
TRADE*	Concrete, Demolition, Drywall/Metal Framing, Electrical, Fire Sprinkler, HVAC, Plumbing, Retaining/Sea Walls, Roofing, Sitework/Paving/Earthwork, Stucco, Trusses/Framing, Underground Utilities.

**If multiple trades are contracted via one contract, higher values prevail.*

UMBRELLA/EXCESS LIABILITY INSURANCE	
TABLE 1	
MINIMUM LIMITS	\$2,000,000 Each Occurrence \$2,000,000 General Aggregate
TRADE*	Alarm/Video Surveillance, Appliances, Awnings, Brick Pavers, Cabinet Installers, Carpet/Vinyl, Ceramic Tile, Doors and Hardware, Electric Car Recharging Stations, Elevator, Entry Gates, Exercise Equipment, Granite Countertops, Fencing, Fireplace Installation/Supplies, Garage Doors, Gutters, Insulation, Interior Wood Stairs, Irrigation, Landscaping, Masonry, Lightweight Gypcrete, Millwork, Mirrors and Shower Glass, Painting, Passive Ventilation, Pesticide Soil Treatment, Railing/Screens, Security, Sidewalks, Soil/Concrete Testing, Surveyor, Swimming Pool, Trash Chutes, Waterproofing, Windows/Glass Sliding Door, and Welding/Steel Stairs.

**If multiple trades are contracted via one contract, higher values prevail.*

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UMBRELLA/EXCESS LIABILITY INSURANCE TABLE 0	
MINIMUM LIMITS	\$1,000,000 Each Occurrence \$1,000,000 General Aggregate
TRADE*	Cleaning, Erosion Control/Silt Fencing, Fire Extinguishers, Fountain, Luminous Ceilings, Molding/Interior Trim, Signage, Site/Indoor Lighting, Stereo/TV Installation, Tennis Court, Wallpaper Hangers, Water Submetering, Window Treatments

**If multiple trades are contracted via one contract, higher values prevail.*