



## OPUS

### Protective Professional Indemnity Insurance for Owners



#### OPUS Offers

OPUS (Owners Protective Policy) offers protection in the event of a significant economic loss. The policy sits excess of the annual professional liability policies of design professionals and other consultants performing professional services on the project owners' behalf. The policy can also be excess of a project specific professional liability policy written for the architect or design firm.

#### OPUS Covers

OPUS is a project specific professional and pollution indemnity policy that provides separate insuring agreements that share a policy aggregate limit for each of the following exposures:

- Protective Professional Indemnity
- Protective Contractor's Pollution
- Third-Party Claim Defense and Indemnity

#### Has Your Owner/Client ...

- Hired a Design team/Architect
- Hired a General Contractor
- Hired a Construction Manager
- Hired a Geotechnical Engineer

#### Target Project Types

- Commercial
- Institutional
- Infrastructure
- Residential (excluding single-family residential)

#### Why Owners Protective Coverage?

OPUS protects an owner against economic loss due to the following issues with subcontracted professional(s):

- Insufficient design professional limits
- Bankruptcy
- Encumbered or exhausted design professional limits due to other claims
- No design professional insurance
- Cost overruns
- Delayed project completion

#### Limits of Liability

- Limits up to \$25 million

#### Coverage Highlights

- Proactive settlement approach for both the Protective Professional and Protective Pollution coverages via the Settlement Provisions of the policy
- Absence of the word negligence in the Insuring Agreements
- Broadened scope of covered Professional Services:
  - Coverage for design services in connection with maintenance and operations during the Extended Reporting Period
  - Corrective design services performed during Extended Reporting Period
  - Project accounting covered as professional services

(Coverage Highlights continued on the next page.)



## Coverage Highlights (continued)

- Full 10 year extended reporting period (ERP) or to the statute of repose
- No self-insured retention (SIR) obligation under the Protective Professional Indemnity and Protective Contractor's Pollution Insuring Agreements
- Policy Period Definition includes 12 months automatic extension for project delays
- No Choice of Law Condition
- Supplemental Coverages:
  - ADA and FHA Defense Expense
  - Corporate Reputation Rehabilitation
  - Protective Claim Bankruptcy Litigation Expense Reimbursement
  - Building Information Modeling – Extra Expense

## Additional Coverage Options

- Pollution can either be deleted, included as Protective only, or offered as primary on a wrap up basis if desired
- Multi-project policy for multi-year term can be offered on select project types with reinstatement of limits option available

## About Berkley Construction Professional

At Berkley Construction Professional, we transform uncertainty into opportunity so our clients can confidently build a better tomorrow. Our experienced underwriters deliver innovative, creative professional and pollution liability solutions for contractors and project owners. We respond quickly with customized coverages that fulfill the needs of our brokers and their clients. We offer practical risk management guidance and high-quality, results oriented claims handling provided by our dedicated in-house claims professionals. Our mission is to relentlessly protect our clients' work, reputation and dreams.

Products and services described above are provided through various surplus lines insurance company subsidiaries of W. R. Berkley Corporation and offered through licensed surplus lines brokers. Not all products and services may be available in all jurisdictions, and the coverage provided by any insurer is subject to the actual terms and conditions of the policies issued. Surplus lines insurance carriers do not generally participate in state guaranty funds and insureds are therefore not protected by such funds.

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