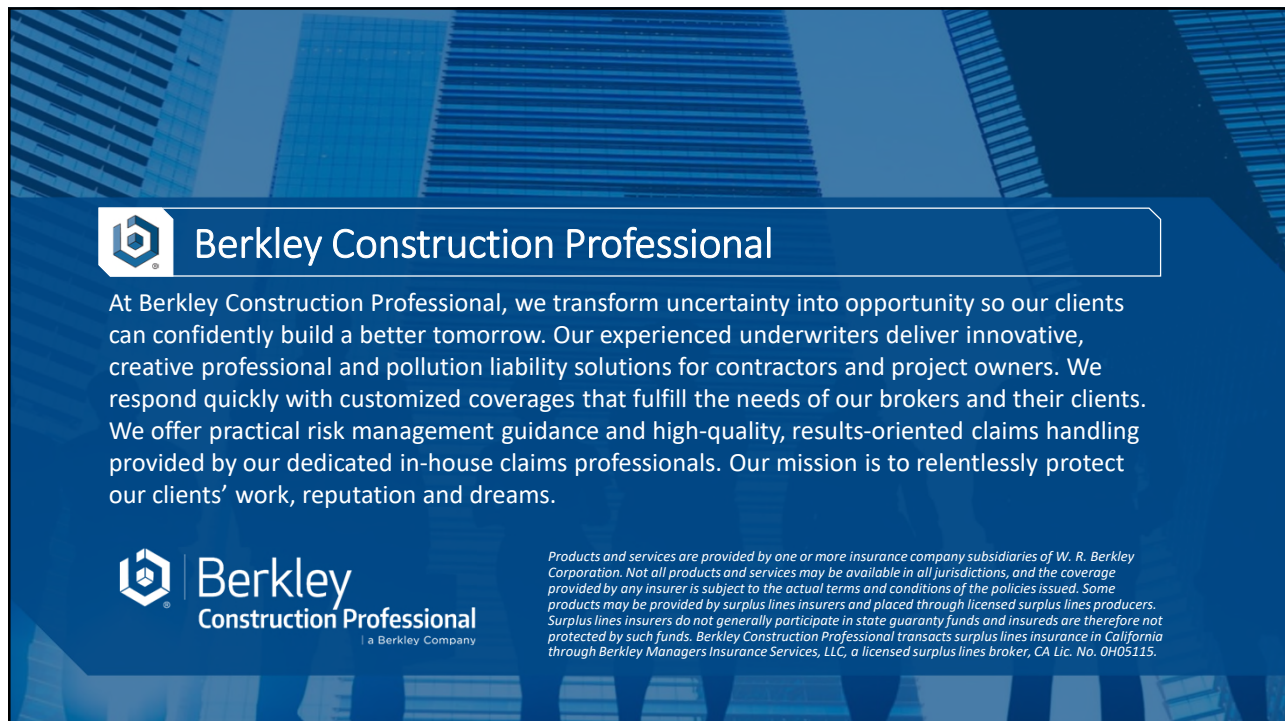




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Legal Notice

Information provided by Berkley Construction Professional is for general interest and risk management purposes only and should not be construed as legal advice nor a confirmation of insurance coverage. As laws regarding the use and enforceability of the information contained herein will vary depending upon jurisdiction, the user of the information should consult with an attorney experienced in the laws and regulations of the appropriate jurisdiction for the full legal implications of the information.

Practice management recommendations should be carefully reviewed and adapted for the particular project requirements, company standards and protocols established by the construction professional.

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Presented by



Colleen Kennedy, CPCU, RPLU, AU
Vice President

- Accomplished professional liability underwriting leader with nearly 20 years in the service of the construction and design professional sectors with experience representing both small specialty and large global carriers.
- Holds multiple industry designations, including CPCU, AU, AINS, AIS, ASLI, and RPLU.
- Licensed in Pennsylvania as both a Property & Casualty and Surplus Lines insurance agent.
- Bachelor's degree in Crime, Law and Justice from The Pennsylvania State University.



Ashley Harrell, CRIS
Assistant Vice President

- Underwrites commercial construction professional liability risks for contracting firms of all sizes, as well as owners of commercial construction projects
- Currently pursuing the Chartered Property Casualty Underwriter (CPCU) designation
- Graduate of Michigan State University, East Lansing, with a Bachelor of Arts degree in Advertising



Joseph Shields, P.E.
Assistant Vice President,
Director of Construction Professional Risk Management

- 15+ years experience with construction project management across healthcare, higher education, and infrastructure
- Licensed professional engineer in Virginia
- Bachelor's degree in civil engineer from the University of Pittsburgh



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Presentation Outline

- Who needs this coverage?
- Why is this coverage necessary?
- How does the coverage work?
- What is the value?
- Coverage Highlights
- Underwriting Criteria



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Who needs this coverage?



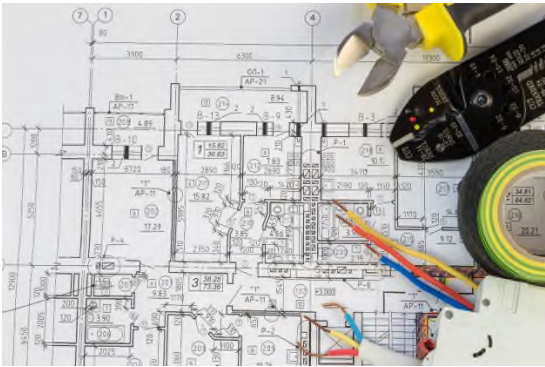
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Need or Problem



- Constriction of the A&E market:
 - Nuclear Verdicts
 - Social inflation
 - Actual inflation
- Rising Cost of Capacity
- Decreased Availability of Capacity
- Limits can be eroded by claims from other projects, or 3rd party claimants
- No defense coverage for 3rd party claims made directly against the owner
- No limits in control of the owner

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What does OPPI cover?


- Protective Professional Indemnity
- Protective Pollution Coverage
- Third Party Claim Defense and Indemnity

Let's start with...what is professional liability?


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What is Professional Liability (PL)?



An Act, Error, or Omission defined against A Standard of Care



“Reasonable” Professional Standard of Care



Acts as a benchmark for measurement against when considering a professional liability cause of action

An act, error, or omission in the performance of “Professional Services” by or on behalf of the Named Insured.

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Causes of Professional Liability Loss

- Economic Damages, like:
 - *Cost overruns from change orders*
 - *Accelerated costs from project delays*
- Bodily Injury / Property Damage
 - *If caused by a PL loss.*
- Mold / Pollution Conditions
 - *If caused by a PL loss.*

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Sample Owner's Protective Professional Claim

Land Surveyor incorrectly marks the property line.

↓

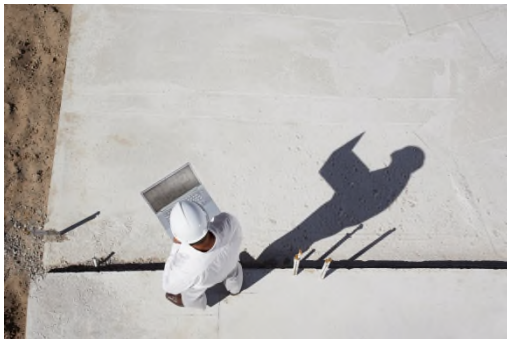
Foundations have been poured, encroaching on neighbor's property.

↓

Owner brings suit against the responsible land surveyor.

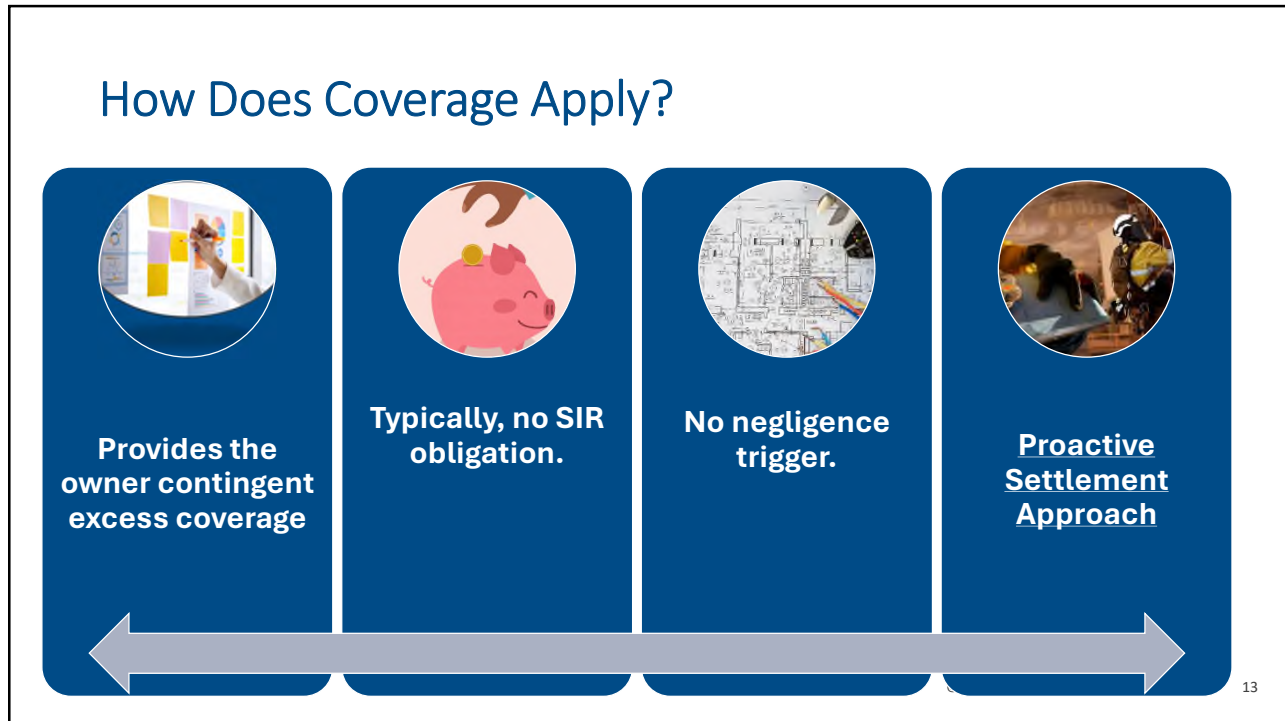
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Surveyor's PL policy limit has been exhausted by payments made on other claims.



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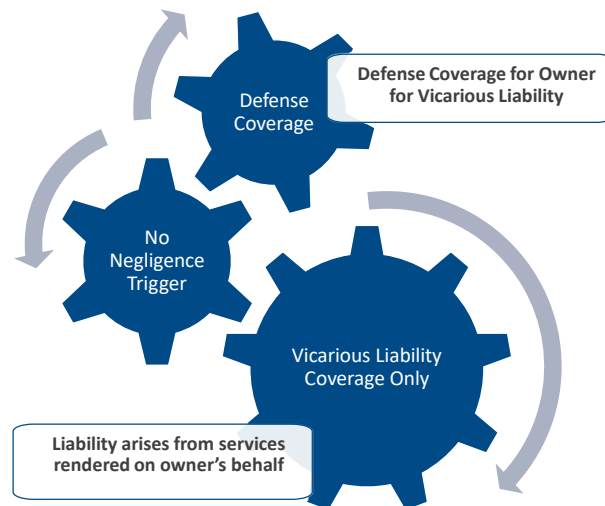
How Does Coverage Apply?



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3rd Party Claim Defense and Indemnity Coverage



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Other Examples of an Owner's Economic Loss



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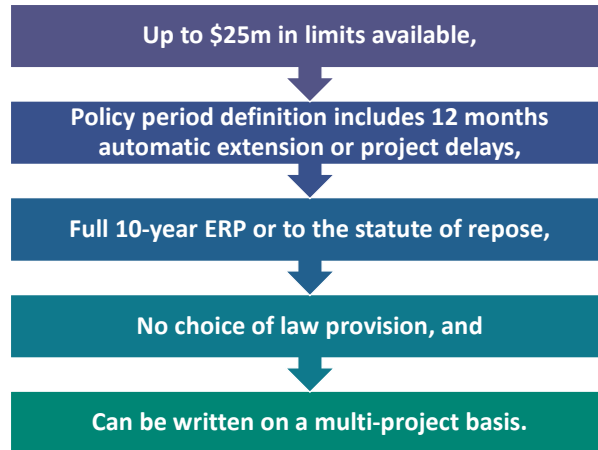
What is the Value Proposition?

- Competitively Priced, ***Dedicated*** Limits
 - Prices vs. PSPL and underlying design professional limit capacity crunch
 - Limits are in the name and control of the owner
 - No coverage for design professionals or contractors.
- Provides primary defense coverage for 3rd party claims arising from vicarious liability
- Proactive Settlement Approach
 - Ensures owner can recover more quickly

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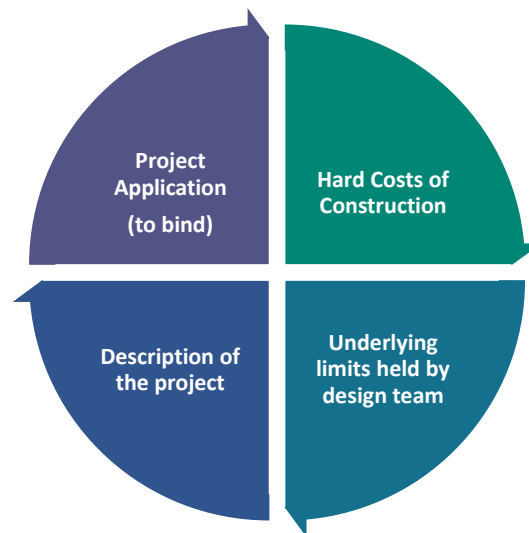
Coverage Highlights



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Underwriting Criteria



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Why Berkley Construction Professional?

- We understand project risks,
- Experienced underwriters, situated nationwide,
- Stability and leadership,
- Solution-driven, dedicated claims managers,
- Solid financial standing.



A policy you won't need a magnifying glass to read!

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Visit our Website:

BCP is solely dedicated to serving the professional and pollution liability insurance needs of the construction industry



<https://berkleycp.com/risk-management>

BCP is at the forefront of educating and identifying potential professional liability hazards of the construction industry and providing innovative solutions to the industry

Claim Scenarios



These claim scenarios provide insight into instances where a claim may occur and the lessons learned

At A Glance Claim Scenarios

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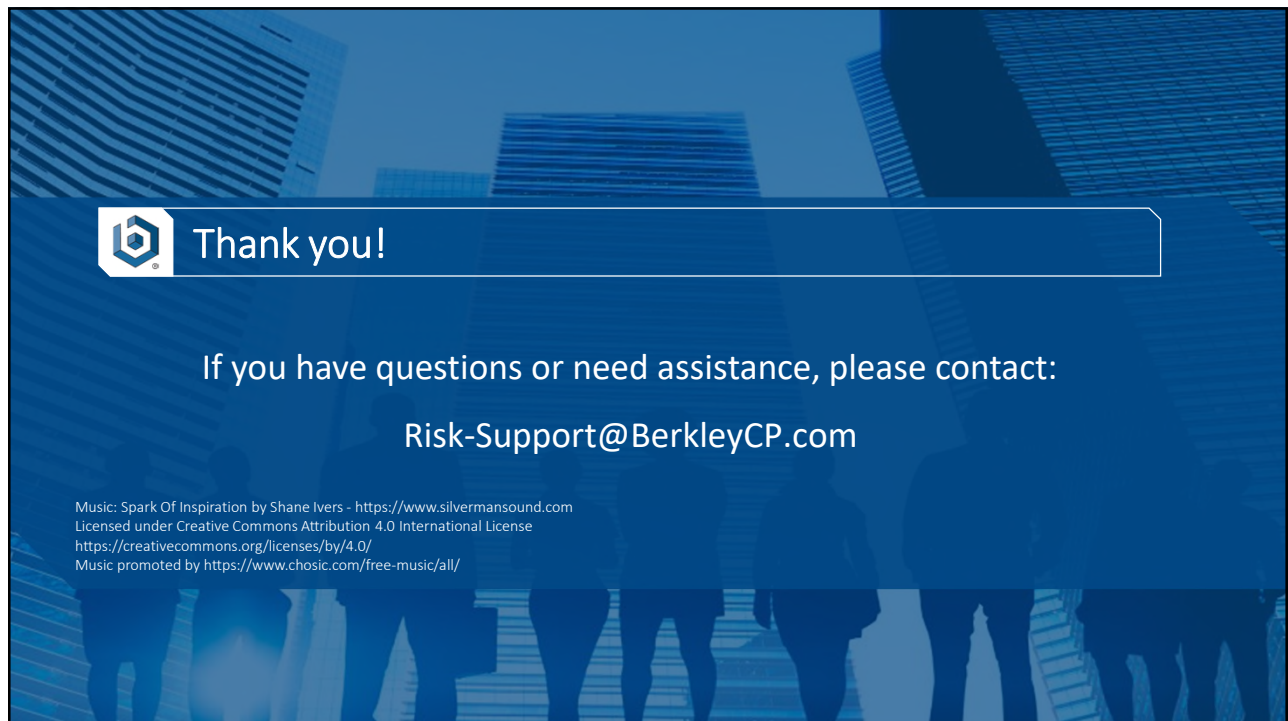
Questions?


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 Thank you!

If you have questions or need assistance, please contact:
Risk-Support@BerkleyCP.com

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