Insurance Specifications: During Construction

ALL INSURANCE CARRIERS MUST BE A.M. BEST’S RATED AT LEAST A VIII* 

The Certificate Holder with rights of direct notice must be National Equity Fund, Inc.
Note: Each Certificate/Binder must include a producer contact name, phone number and email address.

*Certain investors may require a higher rating.

PARTNERSHIP POLICIES

A. Builder’s Risk/Property

Policy Limit: Replacement Cost equal to completed construction value
Note: On rehabilitation projects, the building value (shell) is to be included in the Builder’s Risk policy OR a separate policy must be secured for the shell of the building. (worksheet attached)

- No Coinsurance unless there is an Agreed Amount Endorsement
- Must use Completed Value Form (Non Reporting)
- Individual investors may have additional requirements

Perils: “Special Causes” of direct physical loss subject to the policy terms, conditions, and exclusions

Coverage must include:
- Debris Removal
- Ordinance & Law Coverage
- Individual investors may have additional requirements

Flood Insurance: Mandatory for property within A and V Zones. NEF reserves the right to require flood insurance for property in shaded X Zones (formerly B Zone), X Zones (formerly C Zone), D Zone (undetermined risk areas) and property not mapped by FEMA.

Earthquake Insurance: May be required if project in earthquake-prone area (Zone 3 or 4). NEF will determine requirement based on seismic evaluation.

Deductible: Not to exceed $5,000

Extensions: Soft Costs plus Loss of Rents
If occupied during construction, a permission to occupy endorsement is required.
B. **Mechanical Breakdown/Boiler & Machinery**

Only applies to central systems and/or elevators per code. Total Building Value Limit is $Comprehensive Form, including Mechanical Breakdown.

C. **Commercial General Liability** - Primary Coverage

Minimum Limits:  
- $2,000,000  Aggregate Limit  
- $1,000,000  Personal & Advertising Injury  
- $1,000,000  Each Occurrence  
- $50,000  Fire Damage

- Maximum $5,000 Deductible or Retention  
- Permission to Occupy Endorsement is required if partial occupancy during construction.  
- Individual investors may have additional requirements.

D. **Excess/Umbrella Liability**

Excess/umbrella liability coverage is required only if the operating entity (the “Partnership”) that legally owns the Project (either as an LP or a LLC) is an Additional Insured on the General Partner’s General Liability Master Policy, which combines exposures for operations and/or vacant properties for the subject project plus other projects.

- Approval for lower Excess Limits will be restricted.  
- National Equity Fund, Inc. (“NEF”) will consider:
  - Use  
  - Location  
  - Size of Project when evaluating such requests
D. Excess/Umbrella Liability (required by certain investors or by National Equity Fund, Inc. (“NEF”) based on combined exposures for operations)

CONTRACTORS’ POLICIES

A. Commercial General Liability - Primary Coverage
Minimum Limits:  $2,000,000  Aggregate Limit
$1,000,000  Products/Completed Operations Aggregate
$1,000,000  Contract
$1,000,000  Personal & Advertising Injury
$1,000,000  Each Occurrence
$50,000  Fire Damage

- Maximum $10,000 deductible or retention
- XCU (Explosion/Collapse/Underground)
- Mandatory Additional Insured: Project Limited Partnership/LLC

B. Automobile Liability
$1,000,000
Individual investors may have additional requirements.

C. Workers’ Compensation
Limit:  Statutory as per applicable state laws
Employers’ Liability:  $100,000  Each Accident
$500,000  Disease - Policy Limit
$100,000  Disease - Each Employee

D. Excess/ Umbrella Liability
Minimum Limit:  $5,000,000 Occurrence/$5,000,000 Aggregate

E. Payment & Performance Bond OR Letter of Credit
SURETY MUST BE A.M. BEST’S RATED AT LEAST A VIII

ARCHITECTS’ POLICIES

A. Professional Liability
Minimum Limit:  $1,000,000 Occurrence/$1,000,000 Aggregate

Coverage notes:
1. Executed contracts may not limit liability to architect fees.
2. Architect design for NEW construction with hard costs greater than $20 million will require increased Professional Liability coverage limit in an amount approved by Insurance Risk Management.
3. Applicable to the project Architect and any Civil, Structural, Mechanical, Plumbing and Electrical Engineer that has executed a contract directly with the Project Partnership.
B. **Workers’ Compensation**

Limit: Statutory as per applicable state laws
Employers’ Liability: $100,000 Each Accident
$500,000 Disease - Policy Limit
$100,000 Disease - Each Employee

**ENVI RONMENTAL CONSULTANTS**

**Phase I or II Contracted Services**

**Professional Liability (Errors & Omissions)**

**Minimum Limit:** $1,000,000 Occurrence/$1,000,000 Aggregate

Certificate of Liability must stipulate the following:

Description of Operations Section: Professional Liability coverage has no exclusions for negligence in the performance of nature of operations.

Legal review must address:

- Consultant’s contract for terms and conditions, including restriction of Professional Liability Limits

  **Coverage note:** Environmental Consultant’s contract shall not limit the consultant’s Professional Liability to an amount less than $1 million (i.e. NEF will not accept any language that would permit the consultant to limit its liability to the fee or a specified amount less than the minimum limit set forth above).
**Construction Period Property Insurance Coverage Worksheet**

<table>
<thead>
<tr>
<th>I. Hard Costs</th>
<th>Values</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A) Building Shell (Existing Building)</td>
<td>$ __________</td>
</tr>
<tr>
<td>$65 per sq. ft. x ________ sq. ft. (1st floor and above)</td>
<td></td>
</tr>
<tr>
<td>(B) Direct Construction Costs</td>
<td>$ __________</td>
</tr>
<tr>
<td>Site Improvements</td>
<td>$ __________</td>
</tr>
<tr>
<td>Construction Contingency</td>
<td>$ __________</td>
</tr>
<tr>
<td>Materials Temporarily Stored Off Site</td>
<td>$ __________</td>
</tr>
<tr>
<td>Completed Value = (A+B)</td>
<td>$ __________</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>II. Soft Costs of Construction</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(C) Include Project Financial Projections amounts during construction period for:</td>
<td></td>
</tr>
<tr>
<td>Construction Period Interest</td>
<td>$ __________</td>
</tr>
<tr>
<td>Taxes</td>
<td>$ __________</td>
</tr>
<tr>
<td>Insurance</td>
<td>$ __________</td>
</tr>
<tr>
<td>Architect's/Engineer's Supervision Fees</td>
<td>$ __________</td>
</tr>
<tr>
<td>Financing Fees</td>
<td>$ __________</td>
</tr>
<tr>
<td>Lease Up</td>
<td>$ __________</td>
</tr>
<tr>
<td>Marketing</td>
<td>$ __________</td>
</tr>
<tr>
<td>Rent Loss</td>
<td>$ __________</td>
</tr>
<tr>
<td>Soft Costs Limit (total)</td>
<td>$ __________</td>
</tr>
<tr>
<td>Total Insurable Values I &amp; II</td>
<td>$ __________</td>
</tr>
</tbody>
</table>

**The above worksheet is to used as a guide in determining appropriate building values during the course of construction. Consult your insurance representative to determine the appropriate factors needed to determine proper building values.**