

Santa Clara Valley Water District Well Ordinance Program

WELL PERMIT INSURANCE REQUIREMENTS

Please refer to the insurance requirements listed below.

Without limiting the Permittee's indemnification of, or liability to, the Santa Clara Valley Water District ("District"), the Permittee must provide and maintain at its own expense, during the term of any active well permit issued to the Permittee, or as may be further required herein, the following insurance coverages and provisions:

Permittee must provide its insurance broker(s)/agent(s) with a copy of these requirements and warrants that these requirements have been reviewed by Permittee's insurance agent(s) and/or broker(s), who have been instructed by Permittee to procure the insurance coverage required herein.

In addition to certificates, Permittee must furnish District with copies of original endorsements affecting the required coverage. The certificates and endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. In the event of a claim or dispute, District has the right to require Permittee's insurer to provide complete, certified copies of all required pertinent insurance policies, including endorsements affecting the required coverage.

Permittee must, at its sole cost and expense, procure and maintain the following insurance coverage(s) until the work authorized under the permit has been completed and inspected.

Required Coverages

1. **Commercial General/Business Liability Insurance** with coverage as indicated:

\$1,000,000 per occurrence / **\$1,000,000** aggregate limits for bodily injury and property damage

2. **Workers' Compensation and Employer's Liability Insurance**

Statutory California Workers' Compensation coverage covering all Permittee's work.
Employer Liability coverage for not less than \$1,000,000 per occurrence.

General Requirements

With respect to all coverages noted above, the following additional requirements apply:

1. **Additional Insured Endorsement(s)** Permittee must provide an additional insured endorsement for Commercial General/Business Liability and Business Automobile liability coverage naming the **Santa Clara Valley Water District, its Directors, officers, employees, and agents, individually and collectively**, as additional insureds, and must provide coverage for acts, omissions, etc. arising out of the named insureds' activities and work.

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2. **Primacy Clause:** Permittee's insurance must be primary with respect to any other insurance which may be carried by the District, its officer, agents and employees, and the District's coverage must not be called upon to contribute or share in the loss.
3. **Cancellation Clause Revision:** The Insurance **MUST** contain an endorsement providing **30 days notice of cancellation, (10 days notice for non-payment of premium) to the District.** **NOTE: The standard wording in the ISO Certificate of Insurance is not acceptable.**
4. **Acceptability of Insurers:** All coverages must be issued by companies admitted to conduct business in the State of California, which hold a current policy holder's alphabetic and financial size category rating of not less than A- V, according to the current Best's Key Rating Guide or a company of equal financial stability that is approved by the District's Risk Management Administrator.
5. **Amount of Liability not Limited to Amount of Insurance:** The insurance procured by Permittee for the benefit of the District must not be deemed to release or limit any liability of Permittee. Damages recoverable by the District for any liability of Permittee must, in any event, not be limited by the amount of the required insurance coverage.
6. **Waiver of Subrogation:** Permittee agrees on to waive subrogation against the District to the extent any loss suffered by Permittee is covered by any Commercial General Liability policy, Automobile policy, or Workers' Compensation policy, described in **Required Coverages** above. Permittee agrees to advise its broker/agent/insurer about this provision and obtain any endorsements, if needed, necessary to ensure the insurer agrees.
7. **Non-compliance:** The District reserves the right to void any permits issued to the Permittee in the event of material noncompliance with the insurance requirements outlined above.
8. **Please mail the certificates and endorsements to:**

**Well Ordinance Program
Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, CA 95118**

Or email to: wellpermits@valleywater.org

If your insurance broker has any questions please advise him/her to call Mr. David Cahen, District Risk Management Administrator at (408) 265-2607, extension 2213.