



## City Council Policy: CP020 - Insurance Liability Clause in Consultant Contracts

Effective Date: January 21, 1991

Amends:

Approved By: City Council

### I. SCOPE

### II. PURPOSE

A. To insure that, when reviewed and approved by Council, consultants' contracts include provisions for insurance covering the City from claims arising out of the performance of the contract.

### III. RESPONSIBILITY

A. City Administrator and Involved Department Head

### IV. DEFINITIONS

### V. POLICY

A. Consultant shall take out and maintain worker's compensation insurance covering all employees of the consultant who shall perform any of the obligations of the consultant hereunder, whether or not such insurance is required by the laws of the State governing the employment of any employee. If any employee is not subject to the worker's compensation laws, coverage shall be of the same extent as though such employee were subject to such laws. The policy for such insurance shall be in such form and issued by such insurer as shall be satisfactory to the City.

B. The consultant, its agent, representatives and employees shall also secure and maintain professional liability insurance for protection from claims arising out of the performance of this Contract. Such insurance shall provide protection from claims arising out of the Contract, caused by an error, omission, or act of the consultant or its employees, agent or representatives. Such professional liability insurance will provide for coverage in such an amount and for such periods as shall be satisfactory to the City and, further, shall be in such form issued by such insurer as shall be satisfactory to the City.

C. The Consultant shall indemnify the City, its administrators, its officials, and its employees, and shall hold them harmless, against all claims, suits, causes of action, judgments, or damages, including reasonable attorney's fees and costs, arising out of or resulting from the performance of this Contract by the Consultant or its employees, agents, servants, or representatives, whether arising from the negligence or otherwise, of Consultant, its employees, agents, servants, or representatives.

### VI. PROCEDURES