

Bringing you real solutions to real claims

TAILGATE TALK



Saved by the CERT!

Apex General Contracting was performing a remodeling project in a single family residence. One evening during the course of the project, a fire broke out resulting in fire and smoke damage throughout the home. The homeowner's carrier estimated the damage at \$159,000. It was determined that the fire started due to the negligence of a painting contractor hired by Apex. The painting sub had left oily rags in a trash can which combusted

Prior to this project, Apex had secured from the painting subcontractor a certificate of insurance, a contract with defense and indemnification language and an additional insured endorsement. This gave the claims department the ability to tender the loss to the painter's general liability carrier. The painter's carrier accepted the tender and resolved the loss with the homeowner's carrier. As a result of this successful tender, Apex's carrier did not have to pay anything toward the resolution of this claim.



A-1 General Contracting was constructing a single family home. A drywall sub stepped onto a piece of sub-flooring that was not nailed down properly and injured his leg. An infection developed in his leg resulting in an extended hospital stay and medical bills in excess of \$25,000. It was determined that the sub's injury was a result of the framers negligence for failure to properly nail the sub-flooring.

Prior to this project, A-1 had secured from the framing subcontractor a certificate of insurance, a contract with defense and indemnification language and an additional insured endorsement. This enabled the claims department to tender this loss to the framer's general liability carrier. The framer's carrier accepted the tender and took over the defense of this claim. As a result of the successful tender, A-1's carrier did not have to pay any defense costs or contribute to the settlement of this claim.

Protect yourself and your loss history by securing from all your subcontractors:

- Contracts with Defense and Indemnification Language and Additional Insured requirements
- Certificates of Insurance with limits equal to your own that evidence you as an Additional Insured
- Copy of actual Additional Insured Endorsements