

**Bidding Requirements, Contract Forms and Conditions of the Contract**  
**ROLLING OWNER CONTROLLED INSURANCE PROGRAM INFORMATION**  
Section 00425B

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I. In compliance with Sections 151.003 – 153.009 of the Texas Insurance Code, the Owner hereby provides the following information to the Bidder/Contractor (the “ROCIP Information”) in electronic format on the following website addresses:

A. City of Austin Rolling Owner Controlled Insurance Program VII – ROCIP VII Insurance Manual, May 31, 2017 (“ROCIP VII Insurance Manual”) <http://www.austintexas.gov/page/bid-docs>

B. City of Austin Rolling Owner Controlled Insurance Program VII- ROCIP VII Claims Kit. (“ROCIP VII Claims Kit.”) <http://www.austintexas.gov/page/bid-docs>

C. City of Austin Capital Improvement Program ROCIP –Safety Manual – ROCIP Safety Policy and Procedures April 14, 2014 (“ROCIP Safety Manual”) <http://www.austintexas.gov/page/bid-docs>

D. ROCIP VII Program Master Insurance Policies & Endorsements (“ROCIP VII Master Policies”) <http://www.austintexas.gov/page/bid-docs>

E. ROCIP VII Excess Coverage Policies & Endorsements (ROCIP VII Excess Coverage Policies) <http://www.austintexas.gov/page/bid-docs>

F. City of Austin Project Manual Contract Documents (“Contract Documents”) <http://www.austintexas.gov/page/bid-docs>

1. Section 00410 Statement of Bidder’s Safety Experience
2. Section 00425A Insurance Cost Form
3. Section 00700 General Conditions
4. Section 00810 Supplemental General Conditions

II. ROCIP Program Compliance Information

A. Contact information, including phone number and email address, for:

1. the Program Administrator -

Marsh USA, Inc.  
Attention: Cindy Gibbens, Program Manager  
1717 Main Street, Suite 4400  
Dallas, Texas 75201  
303-308-4519

[austinwrapup.faxes@marsh.com](mailto:austinwrapup.faxes@marsh.com)

2. the Owner's Risk Manager -

Leslie Milvo, City of Austin Risk Manager  
City of Austin, One Texas Center  
505 Barton Springs Road, 10th Floor  
Austin, Texas 78704  
512-972-3245  
[leslie.milvo@austintexas.gov](mailto:leslie.milvo@austintexas.gov)

3. insurer's contact person for filing a claim for each type of insurance coverage provided in the program;

Liberty Mutual  
1-800-362-0000  
Account Number for ROCIP VI: 42404

ROCIP VII Claims Advocate  
Kevin McClelland  
Marsh USA, Inc.  
1717 Main St., Ste. 4400 Dallas, TX 75201  
Phone: 214-303-8330  
Fax: 214-303-8014

[kevin.mcclelland@marsh.com](mailto:kevin.mcclelland@marsh.com)

See ROCIP VII Claims Kit

B. the criteria for eligibility of enrollment into the Program:

See Section 00410 Statement of Bidder's Safety Experience  
See Section 00425A Insurance Cost Form  
See Section 00810 Supplemental General Conditions  
See ROCIP VII Insurance Manual  
See ROCIP VII Master Policies

C. a description of the Project site covered by the program coverages:

See ROCIP VII Insurance Manual Definitions Section – the Project site includes the (referenced Project Name) and adjacent or nearby areas where incidental operations are performed excluding permanent locations of any insured party, except the Owner.

See "Contract Documents" - The Project site is more particularly described in the Contract Documents, specifically including but not limited to the Project's Site Plan, which is available along with the Bid Documents in the City's Plan Room and on its Website.

D. a summary of insurance coverages to be provided to the contractor under the program, including:

1. the policy form number and issuing organization, if the policy is a standardized insurance policy or, if the policy is not standardized, a sample policy form;
2. per occurrence and aggregate limits of insurance coverages and any sub-limits that may apply;
3. term of coverages for each limit and sublimit, if any; and
4. any material endorsements to the insurance policy described above;

See Section 00810 Supplemental General Conditions  
See ROCIP VII Insurance Manual  
See ROCIP VII Master Policies  
See ROCIP VII Excess Coverage Policies

E. a summary of insurance coverages to be provided by the contractor;

See ROCIP VII Insurance Manual  
See Section 00810 Supplemental General Conditions

F. instructions on how to include or exclude costs of insurance provided by the program in the person's proposal for work on the construction project;

See Section 00425A Insurance Cost Form  
See Section 00810 Supplemental General Conditions

G. a description of the audit or claims procedures related to the program that may result in additional cost to a contractor, including the method of calculation for any assessment charged to a contractor related to the Owner's payment of a policy deductible and any other specific cost amounts; and

See Section 00425A Insurance Cost Form  
See ROCIP VII Claims Kit  
See ROCIP Safety Manual  
See ROCIP VII Insurance Manual  
See ROCIP VII Master Policies  
See Section 00810 Supplemental General Conditions

H. a description of a contractor's duties related to reporting:

1. payroll and retention of documentation; and
2. claims and participation in safety inspections and incident reporting.

See ROCIP VII Claims Kit  
See ROCIP Safety Manual  
See ROCIP VII Insurance Manual  
See Section 00700 General Conditions  
See Section 00810 Supplemental General Conditions

III CONTRACTOR MAY REQUEST COPY OF ROCIP INSURANCE POLICIES

A complete copy of the insurance policies that provides coverage for the contractor under the consolidated insurance program is posted online at the web address set forth above.

IV. The information required from the Owner may be requested in hard written copies or the Bidder/Contractor may use the Owner's internet website.

V. This Section 00425B will apply to an original construction contract with the Owner that is entered into on or after January 1, 2016. If a construction contract is entered into on or after January 1, 2016, the requirements in this Section 00425B apply to a related subcontract, purchase order contract, personal property lease agreement, consolidated insurance program, and insurance policy.

(Contractor and Subcontractor Affidavit, Signature Page, and Acknowledgment forms follow)

**VI. CONTRACTOR ROCIP INFORMATION TO BE PROVIDED BEFORE ENTERING CONSTRUCTION CONTRACT**

Prior to the Bidder/Contractor entering into a contract with the Owner, the Bidder/Contractor must acknowledge that it received the ROCIP Information. If the ROCIP Information is not provided, the Bidder/Contractor may elect not to enroll in ROCIP. If the Bidder/Contractor does not enroll in ROCIP, the Bidder/Contractor must provide the “Contractor Provided Insurance” required under Article 5 of the 00700 General Conditions and Paragraph 5.3.1 of the Section 00810 Supplemental General Conditions as a condition to continuing service under the Contract. If for any reason a Bidder/Contractor is not provided the ROCIP Information on a timely basis and the Owner subsequently provides the ROCIP Information to the Contractor, the Contractor may acknowledge its receipt and provide the Affidavit included in Section 00425B to the Owner prior to commencing Work on the Project. In submitting its bid, the Bidder/Contractor acknowledges receipt of the required ROCIP Information and represents that it has read and understands the ROCIP Information. In addition, the Bidder/Contractor is making its acknowledgment and representation specifically to comply with the requirements of Section 151.004 of the Texas Insurance Code.

Note: The Bidder must submit this Affidavit with its Bid.

**CONTRACTOR AFFIDAVIT OF RECEIPT AND PROVISION OF ROCIP INFORMATION**

As an authorized representative of the Bidder/Contractor, I acknowledge and agree that the Bidder/Contractor has received the required ROCIP Information referenced in Section 00425B of the Contract Documents for the referenced Project and has provided the ROCIP Information to the Owner. I certify that the representations and information in this Affidavit are true and correct to the best of my personal knowledge and belief and that I have made no willful misrepresentations in this Affidavit, nor have I withheld any relevant information. I am aware that the information given will be relied upon in entering into a subsequent Contract.

Bidder/Contractor:

\_\_\_\_\_  
(business entity name)

Name: \_\_\_\_\_

Printed Name: \_\_\_\_\_  
(Authorized Representative)

Date: \_\_\_\_\_, 20\_\_

**VII. ROCIP INFORMATION TO BE PROVIDED BY CONTRACTOR TO SUBCONTRACTORS AND SUB-SUBCONTRACTORS BEFORE ENTERING CONSTRUCTION SUBCONTRACT**

At least 10 days prior to the Subcontractor or Sub-subcontractor (being collectively and respectively referred to as the “Subcontractor”) entering into a contract with the Contractor or Subcontractor (being collectively and respectively referred to as the “Principal”) for the referenced Project, the Principal must provide the ROCIP Information to the Subcontractor and the Subcontractor must acknowledge that it received the ROCIP Information. If the ROCIP Information is not provided, the Subcontractor may elect not to enroll in ROCIP.

If the Principal does not provide the ROCIP Information to its Subcontractor and obtain the Affidavit of Receipt and Provision of the ROCIP Information from its Subcontractor prior to entering into the applicable subcontract or sub-subcontract, the Principal is responsible to the Subcontractor under Section 151.006 of the Texas Insurance Code for the actual cost of providing the insurance required under Article 5 of the 00700 General Conditions and Paragraph 5.3.1 of the Section 00810 Supplemental General Conditions.

If for any reason a Subcontractor is not provided the ROCIP Information on a timely basis and the Principal subsequently provides the ROCIP Information to the Subcontractor, the Subcontractor may acknowledge its receipt and provide the Affidavit included in Section 00425B to the Principal prior to commencing Work on the Project.

In submitting its bid for its subcontract or sub-subcontract, the Subcontractor acknowledges receipt of the required ROCIP Information and represents that it has read and understands the ROCIP Information. In addition, the Subcontractor is making its acknowledgment and representation specifically to comply with the requirements of Section 151.004 of the Texas Insurance Code.

(Affidavit Signature Page and Acknowledgment follows)

**Note: The following affidavit is a post-bid submittal and contract compliance requirement for each subcontract and sub-subcontracts of any tier entered into on this Project. A copy of each subcontractor affidavit must be provided to the Owner in accordance with the Owner’s instructions.**

SUBCONTRACTOR AFFIDAVIT OF RECEIPT  
AND PROVISION OF ROCIP INFORMATION

As an authorized representative of the Subcontractor, I acknowledge and agree that the Subcontractor has received the required ROCIP Information referenced in Section 00425B of the Contract Documents and has provided the ROCIP Information to the Principal. I certify that the representations and information in this Affidavit are true and correct to the best of my personal knowledge and belief and that I have made no willful misrepresentations in this Affidavit, nor have I withheld any relevant information. I am aware that the information given will be relied upon in entering into any subsequent subcontract.

Subcontractor:

\_\_\_\_\_  
(business entity name)

Name: \_\_\_\_\_

Printed Name: \_\_\_\_\_  
(Authorized Representative)

Date: \_\_\_\_\_, 20\_\_

**Note: This affidavit is a post-bid submittal and contract compliance requirement for each subcontract and sub-subcontracts of any tier entered into on this Project. A copy of each subcontractor affidavit must be provided to the Owner in accordance with the Owner's instructions.**