



TOKIO MARINE  
HCC



# Professional Liability Insurance

Architects, Engineers, Surveyors,  
Consultants and Construction Managers

**Since 1986, Tokio Marine HCC – Professional Lines Group has been a leading underwriter of professional liability insurance for the following classes of business:**

- Architects and engineers
- Land surveyors
- Contractors
- Design / build firms
- Geotechnical engineers
- Construction managers
- Environmental consultants
- Testing laboratories
- Landscape architects
- Forensic experts / consultants
- Technical consultants
- Scientists



## Professional Liability Insurance

Architects, Engineers, Surveyors, Consultants and Construction Managers

### Our Staff

Tokio Marine HCC – Professional Lines Group consists of engineers, attorneys and insurance professionals who are focused on serving the professional liability needs of firms involved in design and construction. Our staff's prior experience in the engineering, design and construction fields is an asset in our underwriting and to our policyholders.

### About Professional Lines Group

The Professional Lines Group, a member of Tokio Marine HCC, provides protection against claims arising from professional negligence, which can lead to financial losses, expensive litigation and staggering jury awards. Our Architects and Engineers division is one of the nation's leading providers of professional liability insurance for architects, engineers and contractors. We also provide professional liability insurance for scientists and technical consultants involved in fields related to design, construction and analysis. Through our Employment Practices Liability Insurance, we provide protection for an employer against claims made by employees, former employees or prospective employees alleging among other things, harassment, discrimination, wrongful

termination, and more. We also offer Miscellaneous Professional Liability for all kinds of professionals, businesses and consultants and underwrite the most diverse and complex types of coverage to help keep your budget and operations intact.

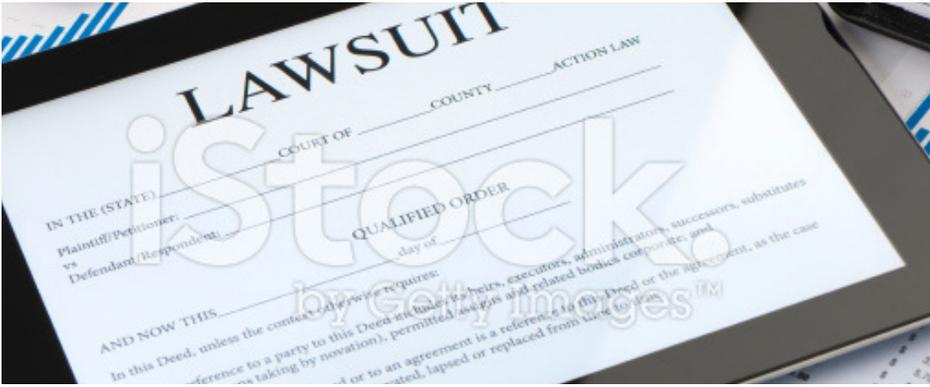
### Claims Handling

Our goal is to protect design and construction professionals through expert claims handling. In the event that defense counsel is required, local Tokio Marine HCC – Professional Lines Group approved attorneys will be retained to protect the policyholder's interests. These attorneys are carefully screened by us and have proven experience in the defense of design professionals in a particular locale. Tokio Marine HCC – Professional Lines Group's Head of Claims oversees the work done by defense counsel.

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### Why Professional Lines Group

- Now in our fourth decade of insuring professionals in design and construction
- "A++" (Superior) by A.M. Best Company, Inc. with a Financial Size Category of XV – admitted and surplus lines capability
- Knowledgeable underwriting with engineers, attorneys and insurance professionals on staff
- Comprehensive policy form that can be tailored to meet your needs
- Our website [tmhcc.com](http://tmhcc.com) contains a risk management library
- Tokio Marine HCC – Professional Lines Group's diverse group of insurance products includes liability insurance for architecture, engineering and contracting risks, a broad variety of miscellaneous classes (MPL) and employment practices (EPL).



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### **Professional Services Liability with a Broad Definition of Professional Services**

The policy includes a broad definition of professional services, including coverage for firms who are involved in BIM and LEED consulting.

### **Pollution Legal Liability**

The policy includes Coverage Part B which covers pollution legal liability arising out of professional services. The policy form does not contain asbestos or lead exclusions.

### **Network Security and Privacy Liability Coverage**

Optional coverage for claims arising from professional services and involving the following: transmission of a computer virus, failure to prevent unauthorized access to, or use of, data containing confidential information of others and failure to control access to the insured's computer or network.

### **Supplemental Coverages - payments are outside the limit of liability and are not subject to the deductible**

**Disciplinary Proceedings** - reimbursement to the insured for legal fees and expenses of up to \$7,500 incurred in responding to a disciplinary proceeding.

**ADA, FFHA and OSHA Proceedings** - reimbursement to the insured for legal fees and expenses of up to \$15,000 incurred in responding to a regulatory or administrative proceeding.

### **Insured Expense Reimbursement -**

reimbursement to the insured for up to \$300 per day for each insured person (up to \$7,500 per policy period) who attends legal proceedings or trial in connection with the defense of a claim at the Company's request.

### **Coverage for Punitive or Exemplary Damages**

The policy provides coverage for punitive or exemplary damages where allowed by law.

### **Innocent Insured Coverage**

The dishonest, criminal, fraudulent, malicious or intentional wrongful acts exclusion does not apply to any Insured person who did not participate in or have knowledge of such conduct or violation.

### **Project Policy Excess Coverage**

The policy provides excess coverage over other professional liability insurance available to the insured for a specific project.

### **Spousal and Domestic Partner Coverage**

The policy extends coverage to spouses or domestic partners of insureds for claims arising from a wrongful act committed by an insured.

### **Equity Interest Coverage**

The policy will respond to claims brought by an entity where the insured or the insured's spouse has less than 49 percent ownership interest.

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### **Waiver of Subrogation Coverage**

The insurance carrier waives the right to recover against the insured's client to the extent that the insured had, prior to a claim, a written agreement with the client to waive such subrogation rights.

### **Contract, Temporary or Leased Personnel Coverage**

Contract, temporary and leased professionals providing professional services under the direction of the insured are included in coverage under this policy.

### **Joint Venture Coverage**

The policy includes coverage for your legal liability arising from professional services provided by a joint venture.

### **Worldwide Coverage**

The policy provides worldwide coverage provided suit is brought in the U.S., its possessions or territories, or Canada. Indemnification for defense costs in other countries can be considered on a case by case basis.

### **Optional Extended Reporting Periods**

At the policyholder's choice, subject to certain conditions, they can purchase an extended reporting period endorsement. The cost of the optional extended reporting period is built into the policy form. The pricing is as follows: 12 months at 100% of the expiring premium; 24 months at 150% of the expiring premium; and 36 months at 185% of the expiring premium.



### **Design / Build Coverage**

The architects and engineers policy includes coverage for your professional services when you undertake a design / build project, both as the subconsultant to the contractor or as the lead design / build firm. If you become heavily involved in undertaking projects as the lead design / build firm or you are a contractor with professional exposures, our contractors professional liability policy form is tailored for your unique professional exposures.

### **Mediation Deductible Credit**

If the policyholder and Tokio Marine HCC – Professional Lines Group agree to mediation (see definition of mediation in the policy form) and the claim is resolved via mediation, your deductible obligation is reduced by 50 percent subject to a maximum reduction of \$15,000.

### **No Exclusion for Copyright or Trademark Infringement**

The policy does not include an exclusion for inadvertent copyright or trademark infringement in the course of providing professional services.

### **Retired or Former Officers, Directors, Partners and Employees Coverage**

The policy provides coverage for retired or former officers, directors, partners or employees of the policyholder while that person acted within the scope of his or her duties for the policyholder. Leased professionals providing professional services under the direction of the policyholder are automatically included for coverage.

### **No Exclusion for Bankruptcy**

The policy does not contain an exclusion if the insured files for bankruptcy.

### **Circumstance Reporting**

Tokio Marine HCC – Professional Lines Group policy includes coverage for incidents / situations that you report to us which later develop into a claim. Tokio Marine HCC – Professional Lines Group is a strong proponent of early reporting of claims and circumstances so that we can proactively assist our policyholders. After all, it is in the event of a claim that you have to have confidence in your professional liability carrier.

## Contact us

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**Submissions can be sent to**  
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tmhcc.com

A member of the Tokio Marine HCC group of companies

*To Be a **Good Company***