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С	ommonwealtl	n of Massach	nusetts	
Massachusetts D	Department of	Transportati	on - Highway	Division

Office of Construction Contracts – Suite 6260 Ten Park Plaza, Boston, MA 02116 MassDOTspecifications@dot.state.ma.us

Proposal No.

INSURANCE FORMS FOR EXECUTION OF CONTRACT

INSTRUCTIONS: There are two sets of Forms for Execution of Contract – Contractors and Insurance. On the Insurance forms, Contractors should electronically enter their information as identified on the Performance Bond and Payment Bond. These forms should subsequently be sent electronically to any insurance companies that will be providing the Performance Bond, Payment Bond, Workers' Compensation, and Certificate of Liability Insurance.

Insurance companies should complete the required sections of the applicable forms electronically as noted in the following checklist, and then print, sign by hand (wet signature), scan, and email the completed forms to the Contractor. Original copies with wet signatures and seals affixed must also be returned by mail to the Contractor, and subsequently submitted by the Contractor by mail to the Office of Construction Contracts along with the Contractor forms.

Contractors should sign where required on the Performance and Payment Bonds and return all Insurance forms together with the Contractor forms electronically by email for execution of contract to the Office of Construction Contracts within fourteen (14) calendar days. Failure of the Contractor to properly complete or return any Insurance or Contractor Forms for Execution of Contract within fourteen calendar days of the contract award will result in a delay of the execution of the contract¹. Original copies of the Insurance forms with wet signatures and seals affixed must also be submitted by the Contractor to the Office of Construction Contracts. Per the Notice of Contract Award, these contract forms for execution are available on www.bidx.com

BEFORE RETURNING INSURANCE FORMS, PLEASE CHECK THE FOLLOWING:

(Contractor) Fill in the company name. Select Option 1, 2, or 3 based on the business structure or state of organization. For both in-state and out-of-state Limited Liability Companies and/or Joint Ventures, select and complete Option 1. For other in-state companies, complete Option 2. For other out-of-state companies, complete Option 3. (Contractor) Enter the insurance company name(s), and the contract amount in text and numerals. Enter the Contract Execution Date. (Contractor) Contractor must sign bottom portion and affix corporate seal (if applicable). Surety must sign and affix the Surety seal where indicated.
/MENT BOND - One Original Repeat all the instructions in 1. Performance Bond. Licensed Massachusetts Resident Agent must sign and affix its Surety seal.

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¹ Section 3.05 of the Standard Specifications of Highways and Bridges states: the prepared Contract forms, bond forms and certificate of insurance forms will be sent with notification of award to the successful bidder who shall execute and deliver the Contract and furnish the required surety to the Department within fourteen calendar days after the date of the notice of award.

3.		VER OF ATTORNEY (SAMPLE) - One Original (To be provided by Insurance Company) The same information must appear on Power of Attorney as on the Performance and Payment Bonds contained within the Insurance forms, including the name and address. Date on the Power of Attorney must be prior to or on the Contract Execution Date.
		Date on the Femore of Attention made be prior to or on the Contract Exception Date.
4.	INS	URER'S AFFIDAVIT AS TO WORKERS' COMPENSATION - One Original
••		Enter name and address and check the appropriate box as a producer or agent in the voluntary insurance market, or a prime or sub-contractor which is insured for workers' compensation, and write the company name.
		Enter the effective date, prime or sub-contractor name, insurance company name, and insurance policy number(s). Effective date must be before the Notice to Proceed date.
		Sign and enter the title of the authorized representative, agent, or signatory. Ensure the affidavit is notarized on the form in the space provided. Notary date must be on or after the Contract Execution Date and before the Notice to Proceed date.
5.	CEF	RTIFICATE OF LIABILITY INSURANCE - One Original
		Insurance Carriers must be authorized to write business in the Commonwealth of Massachusetts or approved by the Massachusetts Commissioner of Insurance and have a minimum AM Best Rating of A IX unless approved in writing by MassDOT.
		Ensure that the "Massachusetts Department of Transportation" and applicable railroads are listed as additional insured for general liability, automobile liability, umbrella liability, and any others as applicable. Insurance limits are stated in the construction contract standards.
		Waiver of Subrogation must be provided in favor of MassDOT on general liability, automobile liability, umbrella liability, and worker's compensation policy.
		On projects which require Railroad Insurance, Railroad Protective Liability Insurance and Protective Property Damage Liability Insurance shall be obtained in the amount specified in the contract railroad special provisions on behalf of the name of the railroad company(ies).
		On projects which have pay items for either testing or removal of asbestos, asbestos insurance is required. If asbestos insurance is required, the Contractor and the Massachusetts Department of Transportation shall be named as additional insureds.
		Ensure the Contract Number is included in the Certificate Description of Operations / Locations / Vehicles.
		The Policy Effective Dates in the Coverages section must be on or after the Contract Execution Date and before the Notice to Proceed date.
		Certificates of Insurance must be provided naming the following entities as Certificate Holders: o Massachusetts Department of Transportation; 10 Park Plaza, Suite 4160; Boston, MA 02116 o Additional Entities may be required depending on contract
		Notice of Cancellation on all lines of required coverage mailed directly to MassDOT 30 days prior to

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Insurance companies should complete the required sections of the applicable forms electronically and then print, sign, scan, and return to the Contractor by email.

Original copies with wet signatures and seals affixed must also be mailed to the Contractor.

cancellation, the policy must be so endorsed. An "endeavor to provide notice" may not be included.

Please contact the Office of Construction Contracts with questions at <u>MassDOTspecifications@dot.state.ma.us</u>.

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1. PERFORMANCE BOND

Know all men by these presents, that

	(Contractor Name),
	☐ [OPTION 1 – LLC or JV] a(Type of Business Structure)
	registered to do business in the Commonwealth of Massachusetts under MGL Chapter 156C and having a usual place of business in
	(Contractor Town/City), (Contractor State), as principal, and
	(00.11.200. 03.20), 3.0 p.1.10.p.s., 2.1.2
	or
	☐ [OPTION 2 – In-State Contractor] a (Type of Business Structure) duly organized under the laws of the Commonwealth of Massachusetts and having a usual place of business in (Contractor Town/City), Massachusetts, as principal, and
	or
	☐ [OPTION 3 – Out-of-State Contractor] a
Additio	onal Notes:
	(Insurance Companies)
as sur the su	ety, are held and firmly bound upon the Massachusetts Department of Transportation in
\$	(Contract Amount in Text)
\$	(Contract Amount in Numerals)
Trans _l respec	money of the United States of America, to be paid to the Massachusetts Department of portation, for which payments, well and truly to be made, we bind ourselves, our ctive heirs, executors, administrators, successors and assigns, jointly and severally, firmly se presents.
Transı constr	Whereas, the said principal has made a contract with the Massachusetts Department of contraction, bearing date of (Contract Execution Date) for the uction of Contract (State Contract Number) (Project Name).

Now the condition of this obligation is such that if the principal shall well and truly keep and perform all the undertakings, covenants, agreements, terms and conditions of said contract on its part to be kept and performed during the original term of said contract and any extensions thereof that may be granted by the Massachusetts Department of Transportation, with or without notice to the surety, and during the life of any guaranty required under the contract, and

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shall also well and truly keep and perform all the undertakings, covenants, agreements, terms and conditions of any and all duly authorized modifications, alterations, changes or additions to said contract that may hereafter be made, notice to the surety of such modifications, alterations, changes or additions being hereby waived, then this obligation shall become null and void; otherwise it shall remain in full force and virtue.

In the event that the contract is abandoned by the Contractor, or is terminated by the Massachusetts Department of Transportation, under the provisions of Sec. 8.12 of the Standard Specifications for Highways and Bridges, said surety hereby further agrees that, if required in writing by the Massachusetts Department of Transportation, said surety shall take such action as is necessary to complete said contract.

	In witness whereof we hereunto set our hands and seals this	
	(Contract Execution Date)	
Princip	al	
		_ (Contractor Name)
	X	_ (Authorized Signature)
		(Name of Authorized Signatory)
		Corporate Seal
Surety		
		(Surety Name)
	X	(Surety Authorized Signature)
		(Surety Name of Authorized Signatory)

Corporate Seal

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2. PAYMENT BOND

Know all men by these presents, that

	(Contractor Name),
□ [OPTION 1 – LLC or JV] a registered to do business in the Commonwealth of Mass 156C and having a usual place of business in(Contractor Town/City](Contractor State), as principal,	sachusetts under MGL Chapter),
or	
☐ [OPTION 2 – In-State Contractor] aduly organized under the laws of the Commonwealth of usual place of business inMassachusetts, as principal, and	Massachusetts and having a
or	
☐ [OPTION 3 – Out-of-State Contractor] a	(Contractor State) and sachusetts and having a usual tor Town/City),
Additional Notes:	
as surety, are held and firmly bound upon the Massachusetts E the sum of	(Insurance Companies) Department of Transportation in
\$	(Contract Amount in Text)
\$	(Contract Amount in Numerals)
lawful money of the United States of America, to be paid to the Transportation, for which payments, well and truly to be made, respective heirs, executor administrators, successors and assignly these presents.	we bind ourselves, our
Whereas, the said principal has made a contract with th Transportation, bearing date of (State Contract N	(Contract Execution Date) for the
	(Project Name).

Now the condition of this obligation is such that if the principal shall pay for all labor performed or furnished and for all materials used or employed in said contract and in any and all duly authorized modifications, alterations, extensions of time, changes or additions to said contract that may hereafter be made, notice to the surety of such modifications, alterations, extensions of time, changes or additions being hereby waived, the foregoing to include any

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other purposes or items set out in, and to be subject to, the provisions of Massachusetts General Laws, (Ter. Ed.), Chapter 30, Section 39A as amended and Chapter 149, Section 29 as amended, then this obligation shall become null and void; otherwise it shall remain in full force and virtue.

	In witness whereof we hereunto set our hands and seals this		
	(Contract Execution Date)		
Princip	pal	(Contractor Name)	
	x	_ ,	re)
		Corporate Se	
Surety			
	X	(Surety Authorized	Signature)
		(Surety Name of Authorized Sign	atory)
		Corporate Se	eal
1.	Name and Address of Agent or Agency receiving commission	on this Bond.	
		(Agent or Agency)	Corporate Seal
		(Address)	
		(Address)	
2.	Name and Address of Resident Agent, if any, of Surety, or oth Surety to Whom Notice should be sent (Must be completed by		
		(Agent)	Corporate Seal
		(Address)	
		(Address)	

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3. POWER OF ATTORNEY (SAMPLE)

a corporation duly organized principal office in <u>(office locorporation organized and exprincipal office in (office locorganized under the laws of the corporation organized under the laws of the corporation of the laws of the corporation of the corporation of the corporation during the corporation of the corporation</u>	PRESENTS, THAT(insurance cor and existing under laws of the State of cation) _, and(insurance compan- xisting under the laws of the State of cation), and(insurance compan- the State of(state) _, and having its y make, constitute and appoint:	of <u>(state)</u> , and having its y) Insurance Company a <u>(state)</u> and having its y) Insurance Corporation,
	(name(s) of attorney)	
and as its act and deed, bond each of said Companies, as s permitted by law, regulation,)-in-Fact, to make, execute, seal and do or other writings obligatory in the number of suretyship as a contract or otherwise, provided that number this authority shall exceed the contract or otherwise.	ature of a bond on behalf of are or may be required or so bond or undertaking or
of the following Resolutions a	ey is granted and is signed by facsimil adopted by the Boards of Directors of Insurance Company at meetings d Insurance Corporation	Insurance
President, any Assistant Vice or-any of them hereby is auth named in the given Power of undertakings and all contract	y two of the President, any Senior Vice President, the Secretary or any Assinorized to execute a Power of Attorne Attorney to execute on behalf of the sof surety, and that each or any of the such Power of Attorney and to attack	stant Secretary be, and each by qualifying the attorney Company bonds, nem hereby is authorized to
may be affixed to any such P and. any such Power of Attor seal shall be binding upon the	ED, that the signature of such officers lower of Attorney or to any certificate rney or certificate bearing such facsime Company when so affixed and in the tof surety to which it is attached."	relating thereto by facsimile, nile signatures or facsimile
CORPORATE SEAL	By: X	CORPORATE SEAL
	By: X	<u> </u>
IN WITNESS WHEREOF, Company and hereunto affixed, and these p this day of	Insurance Company _ Insurance Corporation have caused presents to be signed by their authoriz ,	/, Insurance I their official seals to be zed officers this

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On this day of	, before me,	a Notary Public per	sonally appeared
	of	Inter	national Insurance
Company and	·	of	Insurance
Company and	,,	of	Insurance Company
personally known to me; what above Power of Attorney as	0 ,		, ,
act and deed of their respec		wicagea sala ilistial	nent to be the voluntary
l,, t	the duly elected	of	
Insurance Company do her a Power of Attorney given b International Insurance Cor and effect.	eby certify that the abo by said North Americar	ove and foregoing is Specialty Insuranc	s a true and correct copy of se Company, Washington
IN WITNESS WHEREOF, I	have set my hard and	affixed the seals of	the Companies this

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4. INSURER'S AFFIDAVIT AS TO WORKERS' COMPENSATION INSURANCE

l,	(Signatory Name), of	(Company) am:
\square an authorized representa Company (a producer 2 in th	ative of e voluntary market)³	Insurance
\square an authorized agent of $_$ (an agent in the voluntary m	narket, authorized to sign on	Insurance Company behalf of a producer)²
\square an authorized signatory (an insured of a producer in	of the involuntary market pool)	, the Prime Contractor
\square an authorized signatory (an insured of a producer in	of the involuntary market pool,	, the Sub-Contractor group, or otherwise insured) ³
insured for Workers' Compensation Company Name) Insurance Company	(Contractor Name), n insurance with under Policy No[s].	the Prime or Sub-Contractor, is (Insurance (Policy Number[s]),
pursuant to the attached Certificate General Laws, Chapter 152 and St and Bridges of the Highway Divisio	ubsection 7.05A of the Standa	ard Specifications for Highways
	X	(Signature)
		(Signatory Title)
preceding or attached document in	of identification, which was/we (Evidence of Identification), to my presence, and who swor	ere o be the person who signed the re or affirmed to me that the
contents of the document are truth	ul and accurate to the best o	f their knowledge and belief.
	X_ Notary Sign	ature
	Notary Print Commission	ted Name n Expiration Date:

² A producer is an insurance company that provides insurance policies directly, not an insurance agent.

³ For Prime or Sub-Contractor companies insured through the voluntary market, this Affidavit must be completed by the insurer or an authorized agent of the insurer.

⁴ If the Prime or Sub-Contractor is insured through the involuntary insurance market, a pool, such as the Worker's Compensation Inspection and Rating Bureau, or is otherwise insured they may provide a Certificate of Insurance and this Affidavit which may be signed by an authorized signatory (company officer) of the Prime or the Sub-Contractor.

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5. CERTIFICATE OF LIABILITY INSURANCE

*** END OF DOCUMENT ***



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s)

CE	ertificate holder in lieu of such endors	seme	nt(s).							ge .ee			
PRO	DUCER				CONTACT NAME:								
					PHONE	. Ext):		FAX (A/C, No):					
					E-MAIL								
					ADDRESS: INSURER(S) AFFORDING COVERAGE NAIC								
					INSURER(S) AFFORDING COVERAGE NAT								
INSU	RED				INSURER B:								
					INSURE								
					INSURE								
					INSURE	RE:							
					INSURE								
CO	VERAGES CER	TIFIC	CATE	NUMBER:				REVISION NUMBER:					
IN CI	HIS IS TO CERTIFY THAT THE POLICIES DICATED. NOTWITHSTANDING ANY REERTIFICATE MAY BE ISSUED OR MAY KOLUSIONS AND CONDITIONS OF SUCH	QUIF	REMEN AIN,	NT, TERM OR CONDITION (THE INSURANCE AFFORDS	OF ANY	CONTRACT THE POLICIES	OR OTHER D S DESCRIBED	OCUMENT WITH RESPEC	T TO V	HICH THIS			
INSR	TYPE OF INSURANCE	ADDL	SUBR		DELIVI	POLICY EFF	POLICY EXP	LIMIT	<u> </u>				
LTR	GENERAL LIABILITY	INSR	WVD	POLICY NUMBER		(MM/DD/YYYY)	(WIWI/DD/YYYY)	EACH OCCURRENCE	\$				
	COMMERCIAL GENERAL LIABILITY							DAMAGE TO RENTED	\$				
	CLAIMS-MADE OCCUR				l			PREMISES (Ea occurrence) MED EXP (Any one person)	\$				
	CEAINIO-INIABE COOK							PERSONAL & ADV INJURY	\$				
								GENERAL AGGREGATE	\$				
	GEN'L AGGREGATE LIMIT APPLIES PER:							PRODUCTS - COMP/OP AGG	\$				
	POLICY PRO- JECT LOC							TROBUGIO COMITACI NOC	\$				
	AUTOMOBILE LIABILITY							COMBINED SINGLE LIMIT (Ea accident)	\$				
	ANY AUTO							BODILY INJURY (Per person)	\$				
	ALL OWNED SCHEDULED AUTOS							BODILY INJURY (Per accident)	\$				
	HIRED AUTOS NON-OWNED AUTOS							PROPERTY DAMAGE (Per accident)	\$				
	A0100							(r or doordorn)	\$				
	UMBRELLA LIAB OCCUR EXCESS LIAB CLAIMS-MADE							EACH OCCURRENCE	\$				
	DED RETENTION\$								\$				
	WORKERS COMPENSATION							WC STATU- OTH- TORY LIMITS ER	Ψ				
	AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE							E.L. EACH ACCIDENT	\$				
	OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	N/A						E.L. DISEASE - EA EMPLOYEE					
	If yes, describe under DESCRIPTION OF OPERATIONS below								\$				
	R.R. PROTECTIVE PUBLIC LIABILITY AND							EACH OCCURRENCE	\$				
	R.R. PROTECTIVE PROPERTY DAMAGE LIABILITY							AGGREGATE	\$				
	5 G6 9 GHC G`@5 6 =@HM							ÒŒPÁJÔÔWÜÜÒÞÔÒŒÕÕÜÒÕŒ√Ò	Å Å				
DESC	DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)												
CE	RTIFICATE HOLDER				CANO	ELLATION							
CERTIFICATE HOLDER					SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE								

ACORD 25 (2010/05)