

INSURANCE--WORK ON A GOVERNMENT INSTALLATION (MAR 2007)

(a) General. The Seller shall, at its own expense, provide and maintain during the entire performance period of this subcontract the following kinds and at least the minimum amounts of insurance:

Type	Minimum Amount
Workers' Compensation	As required by applicable federal and state workers' compensation and occupational disease statutes
Employer's Liability	\$1 million each accident, \$1 million each employee, \$1 million policy limit for disease
Commercial General Liability (occurrence basis)	Bodily injury liability of at least \$1 million per occurrence
Automobile Liability (covering any automobile)	Minimum of \$500,000 per person and \$1 million per occurrence for bodily injury and \$500,000 per occurrence for property damage

(b) Aircraft Insurance. When aircraft are used in performing the subcontract, the Seller must also maintain aircraft public and passenger liability insurance. Coverage shall be at least \$200,000 per person and \$500,000 per occurrence for bodily injury, other than passenger liability, and \$200,000 per occurrence for property damage. Coverage for passenger liability bodily injury shall be at least \$200,000 multiplied by the number of seats or passengers, whichever is greater.

(c) No later than ten calendar days after award and before beginning work under this subcontract on site at the Y-12 National Security Complex, the Seller must submit to the Subcontract Administrator a certificate of liability insurance (Acord form 25 or equivalent) certifying that the required insurance has been obtained. All insurers on the certificate must have an A.M. Best Company financial strength rating of "B" or higher. The certificate must:

- (1) include the number of this subcontract,
- (2) identify BWXT Y-12, LLC as the certificate holder,
- (3) state that BWXT Y-12, LLC and the U.S. Department of Energy have been added as Additional Insureds on all liability policies other than workers' compensation, and
- (4) certify that required policies obligate the insurer to provide the certificate holder 30 days written notice if any required policy is canceled before its expiration date.

(d) A replacement certificate must be submitted if a required policy expires before completion of the work.

(e) The Seller waives subrogation under all liability policies against BWXT Y-12, LLC and the U.S. Department of Energy.

(f) The Seller must provide written notice to the Subcontract Administrator 30 days before modification or cancellation of any required coverage.

(g) None of the requirements for insurance in this clause limits or qualifies liabilities or obligations assumed by the Seller under this subcontract.

(h) The Seller shall include this clause, modified to identify the parties, in lower-tier subcontracts that require work on site at Y-12 NSC. At least five days before entry of each such subcontractor's personnel into Y-12, the Seller shall furnish (or ensure that there has been furnished) to the Subcontract Administrator a certificate of liability insurance, meeting the requirements of paragraphs (a), (b), and (c) above, for each such subcontractor.

(End of clause)