Professional Indemnity Insurance Design and Construction/Installation

A FULL POLICY WORDING IS AVAILABLE ON REQUEST

Please complete and tick boxes as appropriate

In this proposal we use the term 'Principal' to mean any sole principal, partner, director or member of a Limited Liability Partnership.

Reference to 'Proposer' in this proposal shall include all names included under question 1 who will be the Insured in the insurance policy.

Please ensure that all relevant sections of the Proposal are completed

YOUR DETAILS

1 Name under which business/practice is conducted (including all trading names and subsidiaries).

Name	Date established

2 Addresses of all offices (including postcode).

a) Website Address www.

3 Description of business activities and provide details of any areas of specialism.

4 During the past 6 years, has the name of the Proposer been changed or has any amalgamation, acquisition or take-over taken place?

If 'Yes' give details

Yes ☐ No ☐

5 Give details below of all Principals, Partners, Directors and Members

Full name	Qualifications	Years in Industry	Number of years in this capacity with the Proposer

6 State number of other staff

Qualified* staff	Other Technical Staff	Administration / Others

* Qualified means:

a) A Fellow of Professional Member or Technical Members of the Royal Institution of Chartered Surveyors (RICS); or
b) A Fellow or Associate of the Incorporated Society of Valuers and Auctioneers (ISVA); or
c) A Fellow or Associate of the Architects and Surveyors Institute (ASI); or
d) A Fellow or Associate of the Faculty of Architects and Surveyors (FFAS); or
e) A Fellow or Associate of the Royal Institute of British Architects (RIBA); or
f) A Fellow or Associate of the Royal Incorporation of Architects in Scotland (RIAS); or
g) A Fellow or Associate of the Institution of Civil Engineers (MICE); or
h) A Fellow or Associate of the Institution of Structural Engineers (MIStructE).
i) A Chartered Engineer, Incorporated Engineer or Engineering Technician which is registered with the Engineering Council.
j) Any person which has at least five years appropriate technical experience and expertise in relation to the project or activity being undertaken.

7 a) Does the business/practice or any Principal act on behalf of, or undertake work for any firm, company or organisation in which the business/practice or any Principal has a financial interest?

Yes ☐ No ☐

b) Does any Principal perform an executive role or hold a position whereby he or she is able to make a major policy decision on behalf of such firm, company or organisation?

Yes ☐ No ☐

If 'Yes', in either case, give details (by separate note, if preferred)

BUSINESS ACTIVITIES, INCOME AND FINANCIAL CONTROLS

8 Give details of the five largest contracts undertaken in the past five years

Starting and Completion dates	Client / Project Name	Your Contract Value	Total Project Value	Description of contract & service provided
		£	£	
		£	£	
		£	£	
		£	£	
		£	£	
		£	£	

9 Give details of the five largest contracts expected to be undertaken in the next twelve months

Starting and Completion dates	Client / Project Name	Your Contract Value	Total Project Value	Description of contract & service provided
		£	£	
		£	£	
		£	£	
		£	£	
		£	£	
		£	£	

10 Does the Proposer undertake any work where the construction/installation is carried out outside the United Kingdom?

Yes ☐ No ☐

11 State total turnover for the last 4 years and an estimate for the current forthcoming year for work undertaken in:

Year End Date --/---- (MM/YYYY)	Previous year: 20__	Previous year: 20__	Previous year: 20__	Last year 20__	Current year estimate: 20__	Next year estimate: 20__
Territory						
UK	£	£	£	£	£	£
EU	£	£	£	£	£	£
USA/Canada	£	£	£	£	£	£
Australia	£	£	£	£	£	£
Middle East	£	£	£	£	£	£
Other	£	£	£	£	£	£
TOTAL	£	£	£	£	£	£

12 Please provide details of gross profit/loss for the last 5 years and expected profit/loss for the next financial year

Year	20____	20____	20____	20____	20____	Next year
Profit/Loss	£	£	£	£	£	£

13 a) State total turnover/fees in the last financial year (or estimated for forthcoming year if you are a new business) split between the following:

(Note: in this context 'construct' also includes install or fabricate)

Financial Year To / /	UK	USA/ Canada	Elsewhere*
(a) Turnover where the Proposer designs and constructs from their own design and provides full technical supervision	£	£	£
(b) Fees where the Proposer provides design, specification and technical supervision only, i.e. no construction work is performed by the Proposer	£	£	£
(c) Turnover where the Proposer constructs from others' design performed on behalf of the Proposer, e.g. design is subcontracted to architects or consulting engineers	£	£	£
(d) Turnover where the Proposer is responsible for construction but has no responsibility for design or technical supervision	£	£	£
(e) Fees where the Proposer provides Project Management, Management Contractor or supervision of construction services only, i.e. no design or construction is performed by Proposer	£	£	£
Other income (please specify)	£	£	£

* Where turnover/fees are declared under 'Elsewhere' please state countries and amounts involved

b) Is there likely to be any significant variation in the breakdown stated in 13a) for the forthcoming year?

Yes ☐ No ☐

If 'Yes', please provide details

14 Indicate which of the following services are performed by the Proposer by showing the percentage of gross income received during the past year

Architecture/Building	%	Interior Design, Fitting Out & Refurbishment			
Civil Engineering	%	Non-Structural	%	Structural	%
Cladding & Curtain Walling	%	Landscape Architecture			%
Electrical & Refrigeration Engineering	%	Marine Engineering including sea defences			%
Electronic Engineering	%	Mechanical Engineering			%
Flooring	%	Roofing			%
Glazing	%	Structural Engineering			%
Heating & Ventilating Engineering	%	Other (please provide details of the services performed in the text box below)			%

15 Approximate division of work undertaken by the Proposer in the last financial year (or estimated for forthcoming year or new practices):

Work Division / Area of Work	Turnover Split %
Housing Developments over 50 units – High Rise (above 4 storeys or 11m)	%
Housing Developments over 50 units – Low Rise	%
Housing Developments up to 50 units – High Rise (above 4 storeys or 11m)	%
Housing Developments up to 50 units – Low Rise	%
Modular Buildings (involving repetitive design)	%
Roads (ex motorways)	%
Motorways	%
Bridges, Tunnels & Mines	%
Car Parks	%
Car Parks – Multi-Storey	%
Basements, Foundations & Underpinning	%
Landfill	%
Marine – Dams, Harbours, Jetties & Offshore	%
Railways, Airports	%
Railways, Airports (not safety / bridges / trackside related / non airside)	%
Sewage, Water Schemes	%
Nuclear & Atomic	%
Ecclesiastical	%
Power plants	%
Renewable Energy (including energy from waste)	%
Chemical, Petrochemical & Refineries	%
Lifting Equipment	%
Manufacturing Plants, Mechanical Plant, Bulk Handling, Equipment, Production & Process Lines	%
Factory / Industrial – High Rise	%
Factory / Industrial – Low Rise	%
If you've declared any work in this section what percentage are buildings above 4 storeys or 11m	%

Air Conditioning for Clean Rooms	%
Hospitals and Nursing Homes	%
Children's Play Areas	%
Children's Play Areas – rectification only	%
Schools and Universities	%
Amusement Rides	%
Golf Course Design	%
Hotel, Leisure and Recreation (ex swimming pools)	%
Sports Surface	%
Swimming Pools	%
Restaurants & Pubs	%
Retail, Shops and Offices	%
If you've declared any work in this section what percentage are buildings above 4 storeys or 11m	%
Feasibility studies, reports, surveys	%
Others (please specify):	%
	% = 100%
What percentage of the Work Division / Areas of Work declared above results in or consists of;	%
- Aborted contracts?	%
- Housing Association contracts?	%
- Public Sector or Public Private Partnerships?	%
* Other	%

SUBCONTRACTORS & SUBCONSULTANTS QUESTIONNAIRE

16 In the last 6 years have you employed the services of subcontractors/subconsultants to undertake any work for you or on your behalf? Yes ☐ No ☐

If 'Yes' please advise the proportion of your fees paid to subconsultants subcontractors %

17 When engaging subcontractors/subconsultants does the Proposer

a) Maintain full rights of recourse against the subcontractor/subconsultant (i.e. the Proposer is able to sue in the event of negligence)? Yes ☐ No ☐

£

b) Always ensure your contracts with them are agreed on a back-to-back basis (i.e. the liability you have with your employer is the same as the liability your subcontractor/subconsultant has with you)? Yes ☐ No ☐

c) Validate the suitability of your subcontractors/subconsultants, at least annually? Yes ☐ No ☐

d) Ensure that subcontractors/subconsultants maintain Professional Indemnity Insurance? Yes ☐ No ☐

If 'Yes' to d state minimum limit of indemnity required

18 Does the Proposer have a clearly defined scope of services within their contract with any subconsultants/subcontractors?

Yes ☐ No ☐

19 Please describe your vetting procedures for subconsultants/subcontractors prior to appointment, including checks in respect of their Professional Indemnity Insurance, levels of solvency and any other due diligence undertaken on them?

20 Do you subcontract site supervision and/or building services?

Yes ☐ No ☐

If so, please provide details of how you monitor progress on site to ensure it is running to time and budget

RISK MANAGEMENT / CONTRACTING WITH CLIENTS

21 Does the Proposer work to a professional code of practice when providing design, supervision or technical services?

Yes ☐ No ☐

If 'Yes', provide details in the box below

22 Is the Proposer accredited to or in the process of becoming accredited to ISO 9001, ISO 14001, ISO 45001 Quality Systems or subject to any other form of external assessment or accreditation?

Yes ☐ No ☐

If 'Yes', give details below

23 Is the Proposer able to confirm that

a) work undertaken by all qualified and other technical staff is regularly reviewed by a Principal or qualified manager? Yes ☐ No ☐

b) no disciplinary action has been taken by any outside professional or regulatory body against any Principal or member of staff? Yes ☐ No ☐

c) written procedures or checklists are used for the professional activities undertaken? Yes ☐ No ☐

d) contracts or terms of acceptance are evidenced in writing, specify the work to be undertaken and the extent of the Proposer's responsibility? Yes ☐ No ☐

e) any changes to the scope of work are reflected in a written variation of the contract? Yes ☐ No ☐

f) records are kept of all contracts, subsequent variations to contracts, working papers, letters of engagement, client meetings and telephone calls retained for at least 7 years? Yes ☐ No ☐

g) diary systems, registers or other procedures are in operation to ensure that deadlines are met? Yes ☐ No ☐

h) a formal review of working procedures is undertaken at least annually? Yes ☐ No ☐

i) satisfactory written references are always obtained for new employees undertaking professional/technical services? Yes ☐ No ☐

j) all current projects on time and within budget and have all projects completed within the last 12 years been completed on time and within the agreed budget? Yes ☐ No ☐

If 'No' to any of the above, give details below.

24 Do you undertake any work that uses new or innovative techniques, materials or processes, including Modern Methods of Construction (e.g. Volumetric Construction, Pre-fabricated floor and roof cassettes, Timber Frames etc.)?

Yes ☐ No ☐

If 'Yes', please provide details below of the techniques, materials, processes or Modern Methods of Construction employed and explain how you determine if the associated risk is acceptable?

25 In the last 6 years what percentage of your contracts have contained the following provisions, please put a percentage split for each:

a) Unlimited liability %

b) Fitness for purposes or any other strict liability %

c) Consequential loss %

If you have agreed any of the above, please provide additional information including review and sign off procedures

26 Does the proposer enter into any fixed price or fixed term contracts? Yes [ ] No [ ]

If 'Yes', please provide details below

27 What percentage of your contracts do not use industry standard contracts? [ ] %

If you've declared such contracts, please advise the reasons for not using industry standard contracts below

28 Over the last 3 years on how many projects were you made responsible for the professional services undertaken by another third party by way of novation or similar type of arrangement?

29 In respect of the projects identified in Question 28, can you confirm what due diligence was undertaken on the professional services completed prior to liability being transferred to you.

30 When variations are made to contacts how are these managed and are variations always reflected in any subcontracts? Yes [ ] No [ ]

31 Does the Proposer enter into any Joint Ventures, Project Partnering Contracts or contracts of a similar nature? Yes [ ] No [ ]

a) If 'Yes', what due diligence do you carry out on any prospective Joint Venture partner?

Please provide details of any agreements in place below

CLAIMS EXPERIENCE AND YOUR INSURANCE REQUIREMENTS

32 Has any insurer in respect of the risks to which this proposal relates ever

a) declined a proposal, refused renewal or terminated an insurance? Yes [ ] No [ ]

b) required an increased premium or imposed special conditions? Yes [ ] No [ ]

If 'Yes' in either case, please provide details

33 Are the Partners or Principals, Directors or Officers or Members aware of any fraud or dishonesty or has any fraud or dishonesty been committed by any previous or current Partners or Principals, Directors, Officers, Employee or Member?

Yes [ ] No [ ]

If ‘Yes’ in either case, please provide details

34 a) Has any claim been made against the Proposer or any predecessors in business or any Principal, consultant or employee for neglect, error or omission in relation to your Professional Activities/business

Yes [ ] No [ ]

b) Has the Proposer or any predecessors in business or any Principal, consultant or employee incurred any other loss or expense which might be within the terms of cover?

Yes [ ] No [ ]

If ’Yes‘, in either case, give details below or attach a separate note if preferred

Date of claim or loss	Brief details of each claim or loss	Cost (if any) of claim paid or loss incurred	Estimated outstanding cost

c) What action has been taken to prevent a recurrence of the situation which gave rise to each claim or loss listed above?

35 Is any Principal, Partner, Director or Member after enquiry, aware of any circumstances which might

a) give rise to a claim against the Proposer or any predecessors in business or any of the present or former Principals?

Yes [ ] No [ ]

b) result in the Proposer or any predecessors in business or any of the present or former Principals incurring any losses or expenses which might be within the terms of this cover?

Yes [ ] No [ ]

c) otherwise affect the Company’s consideration of this insurance?

Yes [ ] No [ ]

If ’Yes‘, give details including maximum potential cost (by separate note if preferred)

36 Has any Principal, Partner, Director or Member ever;

- been charged, pending trial or convicted of a criminal offence other than a motoring offence or any other offence that is spent under the rehabilitations of Offenders Act 1974
- been declared bankrupt, insolvent, subject of an individual voluntary arrangement with creditors or in voluntary liquidation, a winding up administration order or administrative receivership, proceedings in the last 12 years
- been the subject of a County Court Judgment and / or ever been cited in any unsatisfied court judgments in the last 10 years.

Yes ☐ No ☐ If 'Yes' please provide details below

37 Has the Proposer any existing Professional Indemnity insurance in force? Yes ☐ No ☐

If 'Yes', state

a) name of insurer ☐ b) renewal date ☐

38 Limit of Indemnity required under this insurance?

£250,000 ☐ £500,000 ☐ £1,000,000 ☐ Other £ (please specify)

39 Limit of Indemnity required under this insurance?

Tick amount required £2,500 ☐ £5,000 ☐ Other £ (please specify)

40 Do you wish to pay your premium by monthly instalments?

Yes ☐ No ☐

ADDITIONAL INFORMATION

Use this space to provide further information in support of answers given to questions in this Proposal.
Please state question number clearly.

IMPORTANT NOTICES

Please read the following carefully before you sign and date the Declaration and Undertaking

IMPORTANT NOTICE CONCERNING YOUR DUTY TO MAKE A FAIR PRESENTATION OF THE RISK

Before the insurance policy takes effect the Insured have a duty to make a fair presentation of the risks to be insured under the insurance policy.

A fair presentation of the risk is one:

- which:
  - discloses to the Insurer every material circumstance which you know of or ought to know of; or
  - gives the Insurer sufficient information to put the Insurer on notice that it will need to make further enquiries for the purpose of revealing those material circumstances,
- which makes that disclosure referred to above in a manner which is reasonably clear and accessible to the Insurer; and
- in which every material representation as to a matter of fact is substantially correct, and every material representation as to a matter of expectation or belief is made in good faith.

A material circumstance is one that would influence the Insurer's decision as to whether or not to agree to insure you and, if so, the terms of that insurance. If you are in any doubt as to whether a circumstance is material you should disclose it to the Insurer.

A copy of the proposal should be retained by you for your own records.

FINANCIAL OR TRADE SANCTIONS

Intact Insurance UK Limited is unable to provide insurance in circumstances where to do so would be in breach of any financial or trade sanctions imposed by the United Nations or any government, governmental or judicial body or regulatory agency.

HOW WE USE YOUR INFORMATION

Intact Insurance is committed to ensuring that your privacy is protected.

For a full explanation of how we use the information we collect about you, how you can contact us if you wish to exercise your rights and the procedure that we have in place to safeguard your privacy please visit:
www.intactinsurance.co.uk/privacy-notice/

DECLARATION AND UNDERTAKING

I/We declare that the statements and particulars contained in the proposal form:

- which is a statement of fact, is substantially correct, and
- which is a matter of expectation or belief, is made in good faith.

If any such facts, expectations and/or beliefs materially change before the insurance policy takes effect I/we undertake to provide details of all such changes to the Insurer in order to comply with my/our obligation to provide a fair presentation of the risk to be insured under the insurance policy.

For the purposes of making this proposal for insurance, I/we agree that the Intermediary (which I/we have appointed to advise in relation to this policy) is acting on my/our behalf and not as an agent of the Insurer.

Signature (Principal)		Date	
On behalf of* *insert name of firm			

This insurance will not commence until the Insurer has indicated acceptance of the Proposal. The Insurer reserves the right to decline
any Proposal.