Appendix P: Insurance Guidance Document

PRIVATE FOREST ACCORD
GRANT PROGRAM

Private Forest Accord Grant Program
Insurance Requirements
Grantee Guidelines

Please be advised that PFA Grants strongly recommends applicants include premiums for general activity insurance types under "Indirect Costs" in your grant proposal. If your project requires additional specialized activity insurance coverage, these costs may also be allocated to the "Other Costs" category in the proposed Project Budget. For more information, refer to the "Insurance" section in the latest PFA Grant Guidelines.

The State of Oregon requires the Private Forest Accord (PFA) Grant Program grantee to have insurance commensurate with the grantee's activities. Under the Indemnity section of the grant agreement, the grantee promises to defend, hold harmless and indemnify the state related to the work they are doing under the grant agreement. Meeting insurance requirements assures fulfillment of this promise. Should a grantee cause a loss they are responsible for, the state is bound to pursue recovery from any available means under ORS 278.052. This may include the grantee's personal assets, such as equity in their home, savings, retirement, etc. The grantee is in harm's way by not having proper insurance, as is the state.

Insurance requirements are split into two categories: General Activity and Specialized Activity.

- **General activity insurance** refers to coverage considered best practices for organizations conducting activities often implemented by grantees.
- **Specialized activity insurance** refers to coverage types and amounts that fall outside activities normally funded by PFA GRANT PROGRAM.

The successful grantee must provide the Oregon Department of Fish and Wildlife (ODFW) proof of required insurance before grant funds will be disbursed.

The insurance industry offers many types of insurance that can be purchased as add-ons to an organization's existing commercial general liability policy. Other types of coverage need to be purchased as stand-alone policies. Grantees may purchase specialized coverage as a stand-alone policy or as an existing policy rider.

General Activity Insurance Requirements

General activity insurance requirements apply to all grantees. Grantees must ensure all contractors and consultants hired under these projects will also carry the minimum insurance types and amounts described in Table 1 below.

Table 1: General Activity Insurance Required for PFA GRANT PROGRAM Projects

Insurance Type	Minimum Amount
Workers' Compensation & Employers' Liability (for all employers)	Workers' Compensation: Amount required by ORS 656.017 —see Oregon's Workers Compensation Division for requirements Employers' Liability: $500,000 per occurrence

Insurance Type	Minimum Amount
Commercial General Liability	$1,000,000 per occurrence, $2,000,000 aggregate
Auto liability (may be included as an endorsement on a commercial general liability policy)	$1,000,000 combined single limit
Directors and Officers Coverage	Agreements between $0 - $1,000,000: $1,000,000 per claim Agreements above $1,000,000: Amount equal to the grant

Specialized Activity Insurance Requirements

Some projects carry a greater risk to the organization, organization's employees, volunteers, and the community. For projects in which the grantee performs specialized activities (see below), grantees will be required to meet the minimum General Insurance requirements (see Table 1) plus any required specialized insurance shown below.

On these more complex projects, grantees often contract the technical work out to experienced contractors. When contracting out the technical work, the grantee will only be required to meet the minimum ODFW insurance requirements, described in Table 1: General Insurance Required for PFA GRANT PROGRAM Projects. However, the grantee must ensure that any contractors, subcontractors, or subgrantees that are private entities performing work on the project are insured to the extent that similar insurance customarily carried by entities performing similar work is required. Table 2 below can be used as a guide for this situation. ODFW does not request proof of insurance from contractors, subcontractors, or subgrantees. However, ODFW encourages grantees to collect this information for their own protection.

Specialized insurance requirements are described below:

Table 2: Specialized Activity Insurance Types Required for PFA GRANT PROGRAM

Specialized Activity	Insurance Type(s)	Minimum Amount
Crime Protection Coverage: Handling granted money, has access to negotiable securities, has access to valuable state property or data	Employee Dishonesty or Fidelity Bond	Amount equal to the grant
Aircraft Aerial Application: Performing aerial application of chemicals, fertilizers, seed, etc.	Aircraft Aerial Application Liability (Required in addition to Aircraft Liability insurance)	Risk assessment completed by ODFW $500,000 combined single limit

Specialized Activity	Insurance Type(s)	Minimum Amount
Aircraft: Use of a manned air vehicle (including but not limited to plane, helicopter, glider, etc.).	Aircraft Liability	Risk assessment completed by ODFW $ limit required varies with type of work
All-Terrain Vehicle: Use of All Terrain Vehicle (ATV) or light utility vehicle (LUV).	Commercial General Liability—additional	Risk assessment completed by ODFW $ limit required varies with type of work
Boat: Transporting people on lakes, rivers, streams, or ocean in motorized boats.	Marine Liability Longshore/Harbormasters/Jones act work comp coverage (may be required)	Risk assessment completed by ODFW $ limit required varies with type of work
Construction or land moving equipment: Use of construction or land moving equipment (including but not limited to bulldozers, forklift, backhoe, etc.).	Commercial General Liability—additional	Risk assessment completed by ODFW $ limit required varies with type of work
Drone, etc.: Use of a drone, unmanned aircraft systems (UAS), and/or Unmanned Aerial Vehicle (UAV).	Drone/Unmanned Aircraft Systems (AS)/Unmanned Aerial Vehicle Liability	Risk assessment completed by ODFW $ limit required varies with type of work
Fire: Working with fire or incendiary devices that can spark, combust, or otherwise result in fire.	Commercial General Liability—additional	Risk assessment completed by ODFW $ limit required varies with type of work
Firearms or projectiles: Working with or around firearms or other projectile equipment (including but not limited to dart guns, flare guns, bows and arrows, etc.).	Commercial General Liability—additional	Risk assessment completed by ODFW $ limit required varies with type of work
Hazardous materials: Working with hazardous materials (not including materials used in the normal operation of equipment such as hydraulic fluid).	Pollution Liability	Risk assessment completed by ODFW $ limit required varies with type of work
Heavy power tools: Working with heavy power tools or other large sharp objects (including but not limited to chain saws, ax, jackhammers, plows, etc.).	Commercial General Liability—additional	Risk assessment completed by ODFW $ limit required varies with type of work
Heights: Working on/at heights greater than 30 feet tall (including but not limited to bridges, ladders, towers, vertical landscapes, etc.).	Commercial General Liability—additional	Risk assessment completed by ODFW $ limit required varies with type of work
Live animals: Working with live animals (including but not limited to horseback riding, live trap capture, live tagging, etc.).	Commercial General Liability—additional	Risk assessment completed by ODFW $ limit required varies with type of work

Specialized Activity	Insurance Type(s)	Minimum Amount
Moving large objects: Working with large objects that are manipulated and/or moved (including but not limited to cutting trees).	Commercial General Liability—additional	Risk assessment completed by ODFW $ limit required varies with type of work
Pesticides or herbicides: Applying pesticides or herbicides.	Pesticide or Herbicide Applicator Coverage	$250,000 per occurrence, $500,000 aggregate
Professional expertise: Projects in which employees or volunteers are working in a professional field requiring specialized knowledge and intellectual skills (examples: engineering, licensed educators). Does not include trade services.	Professional Liability	$1,000,000 per claim, $2,000,000 aggregate
Removal of water control structures: Removal or alteration of structures that hold back water on land or instream including dams, levees, dikes, tide gates, and other water control devices (does not include temporary diversion dams used solely to divert water for irrigation).	Commercial General Liability—additional	Risk assessment completed by ODFW $ limit required varies with type of work
Supervising minors, other clients: Having any kind of custodial care of minors or others in custodial care of the state. Example: Activities for unaccompanied minors.	Physical Abuse and Sexual Molestation Coverage	$1,000,000 per occurrence, $3,000,000 aggregate.
Transporting 15+ people: Transport of 15+ passengers in a bus/van per vehicle.	Auto Liability—additional	$5,000,000 combined single limit
Water: Swimming, snorkeling, wading or similar activity in water.	Commercial General Liability—additional	Risk assessment completed by ODFW $ limit required varies with type of work
Other Specialized Activity: Performing other activities that may have added risk.	Varies	Risk assessment completed by ODFW $ limit required varies with type of work

For any insurance questions related to the Private Forest Accord Grant Program, please contact the Grant Coordinator, Andy Spyrka, at Andrew.j.spyrka@odfw.oregon.gov or 503-871-2421.