

## Hamburg Township

### CONTRACTOR WAIVER OF LIABILITY & WORKERS' COMPENSATION (LOW-RISK)

Contractor: \_\_\_\_\_

Date of Event: \_\_\_\_\_

Time of Event: \_\_\_\_\_

Location of Event: \_\_\_\_\_

I/We, \_\_\_\_\_, hereby acknowledge and agree that Contractor's relationship with Hamburg Township is and shall continue to be that of an independent contractor. Contractor is not an employee or agent of Hamburg Township, and no liability or other benefits of any kind, such as unemployment or workers compensation, retirement, insurance benefits, tenure rights or tax withholdings shall be made by or accrue to Contractor. In the event that Contractor is a sole proprietor and has not purchased Workers Compensation Insurance, Contractor hereby accepts full responsibility for any accidents or injuries to himself/herself while operating on or about the premises of Hamburg Township as an independent contractor. Furthermore, Contractor hereby acknowledges and accepts that if Contractor has any employees that will be working on-site on or about the premises of Hamburg Township, Contractor has an obligation to purchase and maintain Workers Compensation Insurance, and in the event that he/she does not, hereby accepts full responsibility for any accidents or injuries to his or her employees while operating on or about the premises of Hamburg Township. Contractor is not authorized to enter into or sign any agreements or make any representations to third parties that are binding upon Hamburg Township.

Contractor

---

---

Address:

---

---

Below are samples of what we call different hazard levels for contractors. That doesn't mean that other contractors don't fall into these categories, or these may move categories depending on the work being done. I will say that the minimum requirement for contractors has always been Workers Comp, \$1M of General Liability, and Auto if they use any in their line of work. For some Members, they have opted out of requiring Workers Comp for sole proprietors, but I would talk with your Work Comp carrier about a form them can complete for that, otherwise you will be charged for that exposure.

Low Hazard might include supply vendors, artisan type contractors such as carpenters, plumbers (no digging or trenching), painters, and small repair type contractors.

Medium Hazard would include staffing companies, roofers, plumbing with minor digging, cement contractors, grading of land, landscapers, building maintenance and cleaning contractors.

High/Special Hazard includes excavation and underground contractors, road contractors, erection and welding projects, all major building or parks and recreation playground construction and renovation, all infrastructure construction and renovation, including removal of contaminants or pollutants, and all Cyber liability exposures.

As for the limits, I offer the attached Matrix as a sample. I'd be happy to work with the Township to come up with a custom one for you, which I have done a lot with various Members. It truly is up to the Township on what they want to require of contractors, I just caution you to be consistent with the requirements so you aren't sued for discriminating against one contractor.

## SPECIAL EVENTS INSURANCE REQUIREMENTS MATRIX

| Required Insurance, Waiver Documents, and Limits   |                               |                                   |                                |                                      |                               |                  |
|--|-------------------------------|-----------------------------------|--------------------------------|--------------------------------------|-------------------------------|------------------|
| EVENT TYPE   | Hold<br>Harmless<br>Agreement | General<br>Liability<br>Insurance | Auto<br>Liability<br>Insurance | Workers<br>Compensation<br>Insurance | Liquor Liability<br>Insurance | Special Hazard   |
| Private Party (family picnic, etc.)  | X                             |                                   |                                |                                      | \$1,000,000*                  | Depends on Event |
| Non-profit Groups<br>Low/Med Hazard  | X                             | \$1,000,000                       |                                |                                      | \$1,000,000*                  | Depends on Event |
| For-profit Businesses<br>Low/Med Hazard events   | X                             | \$1,000,000                       | \$1,000,000                    | Statutory                            | \$1,000,000*                  | Depends on Event |
| Low/Med-Hazard Event<br>(attendance > 1000)  | X                             | \$3,000,000                       | \$3,000,000                    | Statutory                            | \$3,000,000*                  | Depends on Event |
| High/Special Hazard Event<br>(1000 < attendance < 5000)  | X                             | \$3,000,000                       | \$3,000,000                    | Statutory                            | \$3,000,000*                  | Depends on Event |
| High/Special Hazard Event<br>(attendance > 5000)   | X                             | \$5,000,000                       | \$5,000,000                    | Statutory                            | \$3,000,000*                  | Depends on Event |
| * Required if money is exchanged IN ANY WAY between sponsor and participants for alcoholic beverages. (liquor license is required) |                               |                                   |                                |                                      |                               |                  |