

CONTRACTOR PROGRAM COMPARISON CHART

Professional Liability and Pollution Liability Policies	New Policy Form	Old Policy Form
Rectification coverage	Yes	No
Coverage available on a fully retroactive basis	Automatic after 5 years continuous coverage	On an exception basis
Punitive, exemplary or multiplied damage awards	All claims	Wrongful act claims
Defendants' reimbursement	\$500 per day/\$10,000 maximum	\$300 per day/\$7,500 maximum
ADA and FHA coverage	Expanded to include OSHA actions	No coverage for OSHA actions
Automatic coverage for LEED consultants and interior designers	Yes	Added by endorsement
Pollution incident coverage	Includes mold and fungi claims	No
Negligence included in definition of wrongful acts	No	Yes
Free pre-claims assistance	All claims except rectification claims	All claims
Transportation of pollutants coverage	Yes	No
Non-owned disposal site coverage	Yes	No
Exclusions	New Policy Form	Old Policy Form
Contractual liability	Does not apply in a foreign jurisdiction where liability is predicated only in contractual liability except to the extent that the insured agrees to pay consequential or liquidated damages.	The foreign jurisdiction exception does not apply.
Product liability	Coverage applies to software created or modified as part of a professional service and products manufactured and installed by the insured during the course of their operations.	Coverage applies to software created or modified as part of a professional service.
Permissible equity interest in a project	49%	25%
Asbestos exclusion	No	Activities prior to 1/1/90
Bankruptcy exclusion	No	Yes
Mold exclusion	No	Yes
Silica and respirable dust exclusion	No	Yes
Job safety exclusion	Yes	No
Temporary work exclusion	Yes	No
Conditions	New Policy Form	Old Policy Form
Other insurance	Payments by other insurance policies do not satisfy the SIR payment requirement. This insurance is primary for liability assumed under an insured client contract.	These provisions were not in the policy.
Extended report period	We must receive insured's election to purchase within 60 days of the termination of coverage or their right to coverage is forfeited.	The forfeiture component of the provision was not included in the policy.
Liberalization provision	Yes	No