

The logo for ASCE Member Advantages, featuring the ASCE logo and the text "MEMBER ADVANTAGES" in a blue box.

ASCE | MEMBER
ADVANTAGES

A close-up photograph of several people's hands working together on a table covered with architectural blueprints. One person is pointing at a drawing, another is using a pencil, and another is using a calculator. The scene is brightly lit, suggesting an office or construction site environment.

THE MISSING PIECE IN COMPLETE BUSINESS PROTECTION

PROFESSIONAL LIABILITY INSURANCE PROGRAM

THE POSSIBILITY OF BEING SUED IS A REALITY FOR ALL ENGINEERS.

Even if your name is cleared, the time taken away from work, not to mention the financial impact of defending yourself in a legal dispute, can be taxing.

For over 30 years, the ASCE Professional Liability Program has provided high-quality coverage at special ASCE members-only group rates offering protection from negligent acts, errors, and omissions.

For questions, contact an ASCE Professional Liability specialist at **(888) 619-1908**.

ASCE Professional Liability Program Highlights

As an ASCE member, you'll enjoy many valuable program features*, including:

- A broad variety of coverage limits available to fit your firm's unique needs.
- Deductible Reduction Options available that could reduce your deductible by up to 50%
- Risk Management Hotline providing legal support, including contract review, from an experienced attorney
- Subcontractor Coverage adds "Subcontractor" to the definition of Insured
- Payment for state licensing board or governmental regulatory body defense costs
- Risk Management Premium Credits available
- Access to cost-effective premium financing
- Representation by knowledgeable defense attorneys
- Loss of earnings reimbursement
- Strong, secure insurance carriers
- Automatic claims-made with optional prior-acts coverage for qualifying firms
- Competitive rates
- PLUS, optional Cyber Insurance available for qualifying firms

* Available to qualifying firms; subject to underwriting

Innovative Features¹

- Reputation Management coverage — reimbursement of expenses for public relations costs
- Privacy Breach coverage
- Drone coverage
- Specific Project/client coverage

¹Availability may vary by state. Available to customers on a case-by-case basis, subject to underwriting approval.





Additional Information on Select Features*

DEDUCTIBLE REDUCTION OPTIONS

We want to give our clients every chance to save money, so we offer a variety of ways insureds can reduce their deductible. Some examples are:

- **Reduction** if a claim is settled through mediation or arbitration
- **Reduction** if the firm meets certain risk management conditions for the professional services from which the claim originated

PROJECT/CLIENT SPECIFIC COVERAGE ENDORSMENT

Coverage available by endorsement for specific project/client engagements subject to underwriting approval.

BOARD CERTIFIED CREDIT

Members of the ASCE who obtain CEC Specialty Board Certification qualify for a premium reduction.

*Available on a case-by-case basis; subject to underwriting approval. Refer to the policy for details of features that apply.

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BROAD RANGE OF COVERAGE LIMITS

Recognizing the need among ASCE members for a Professional Liability Insurance Program with a wide selection of limits, we offer extensive coverage options—including excess coverage for qualifying firms—enabling you to obtain the coverage that's right for you.

EXPERT DEFENSE ASSISTANCE

The ASCE Professional Liability Program not only helps you pay your defense costs and other claim expenses, up to your limits of liability, but also retains experienced legal counsel to represent you. Plus, the insured has a right to consent to settle.

RECOVER LOST EARNINGS

If your attendance is required at a qualifying trial, hearing, or arbitration proceeding, you will be reimbursed up to \$500 per day for lost earnings.*

DISCIPLINARY COMPLAINT COVERAGE

If you are ever brought before a state licensing board or governmental regulatory body, the ASCE Professional Liability Program will reimburse you for defense costs. This coverage is included at no additional cost to you.*

*Subject to sub-limit



Lawyers have years of experience in professional liability for architects and engineers, construction contracts, and risk reduction

AUTOMATIC CLAIMS-MADE WITH PRIOR ACTS AVAILABLE

The ASCE Professional Liability Program is claims-made coverage, meaning you're protected from claims made during the policy period, as long as you didn't know of a potential claim before your coverage effective date. If you had liability insurance previously and meet the necessary underwriting requirements, you may be eligible to purchase prior-acts coverage—extending coverage to claims resulting from acts which occurred prior to the policy's issuance (and after its retroactive date).

PREMIUM FINANCING

To help meet your particular budget and financial needs, you may be eligible for premium financing with competitive Annual Percentage Rates (APRs). Financing services for qualifying firms are available through IPFS Corporation.

ASCE PRICING ADVANTAGE

ASCE negotiates competitive rates for its members. It then saves you even more money through special premium calculations. First, your premium is based on your annual gross billings to fairly reflect your risk. Second, your premium is step-rated, taking into account the number of years you have continuously maintained claims-made coverage.

CARRIERS YOU CAN TRUST

The ASCE Professional Liability Program is underwritten by carriers with a long history in the industry. Because both are rated "A" (excellent) for financial stability by A.M. Best Company, you can relax knowing you'll have support you can rely on when it matters most.

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Effective Risk Management

In order to protect your professional reputation, you must effectively manage risks. Proactive risk management involves maintaining clear and consistent documentation, working with trusted contractors, and making sure quality control measures are followed for each step of a project.

The first professional risk you face will most likely begin with one of your clients. Maintaining proper paper trails throughout the entirety of your client relationship creates a solid base of communication for all parties involved, so it is worth your time to create clear and consistent documentation.

A few examples are as follows:

- Use written status memos over the course of each project. This will provide a solid point of reference if a claim arises.

- Include a schedule of payments within your written agreements. This will leave no room for speculation or accusation, as all parties involved will have agreed upon the payments ahead of time.
- Use written scope of service letters for all projects exceeding more than \$500 in billable fees. This will eliminate questions if there is an inquiry into the validity of bills for services provided to a client.
- Maintain a file that includes copies of all correspondence, including summaries of verbal conversations, plus all written and text or email conversations. This record will help all parties involved if any questions arise throughout the project.

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- Beyond creating and managing thorough documentation, you must also find trusted contractors. At the beginning of a project, take time to research the history of the contractors who might work with you. Examine their past claims history, if any, and identify potential scenarios where similar issues could arise in the course of your project.
- Basic procedural actions can make all the difference in risk management. Ensure that all parties involved are following proper quality control procedures. Also, be mindful of your limitations. Don't perform a service outside of your area of expertise or make agreements that you may not be able to fulfill.
- Make sure to promptly report all claims, potential claims, and incidents to your insurance company. If other parties in a project become engaged in a dispute about a project, report this as a potential claim as soon as you become aware of the dispute, even if no demands or allegations have been made against you or your company.

In short, document, document, document, as this is a key factor in risk management.



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Do your firm's procedures include these risk management practices?

- Meet and exceed your state's required continuing education hours
- Utilize written scope of service letters for all projects with more than \$500 in billable fees
- Perform construction phase inspection on plans and designs to verify intent of use
- Use limitation of liability language in your written agreements
- Make use of written status memos throughout the job
- Examine the job experience of other professionals and contractors to ascertain potential problems
- Require all other professionals on a project to carry comparable Professional Liability Insurance
- Maintain written quality-control procedures, including secondary design review

If not, now is the time to establish these policies to help reduce your risk.

ALREADY COVERED?

Even if you have Professional Liability Insurance in place, it may not meet all of your firm's unique needs. We urge you to review the ASCE Professional Liability Program to see how it compares.



(888) 619-1908 | engineers@ASCEinsurance.com | ASCEinsurance.com

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