

STATE OF COLORADO INSURANCE REQUIREMENTS

Vendor shall obtain and maintain, and ensure that each Subcontractor shall obtain and maintain, insurance as specified. All insurance policies required shall be issued by insurance companies as approved by the Auraria Higher Education Center (AHEC).

A. Workers' Compensation

Workers' compensation insurance as required by state statute, and employers' liability insurance covering all Vendor or Subcontractor employees acting within the course and scope of their employment.

B. General Liability

Commercial general liability insurance covering premises operations, fire damage, independent contractors, products and completed operations, blanket contractual liability, personal injury, and advertising liability with minimum limits as follows:

- i. \$1,000,000 each occurrence;
- ii. \$1,000,000 general aggregate;
- iii. \$1,000,000 products and completed operations aggregate; and
- iv. \$50,000 any one fire.

C. Automobile Liability

Automobile liability insurance covering any auto (including owned, hired and non-owned autos) with a minimum limit of \$1,000,000 each accident combined single limit.

D. Additional Insured

The State of Colorado and the Auraria Higher Education Center shall be named as additional insured on all commercial general liability policies (leases and construction contracts require additional insured coverage for completed operations) required of Vendor and Subcontractors.

E. Primacy of Coverage

Coverage required of Vendor and each Subcontractor shall be primary and noncontributory over any insurance or self-insurance program carried by Vendor or the Auraria Higher Education Center and the State of Colorado.

F. Cancellation

The above insurance policies shall include provisions preventing cancellation or non-renewal, except for cancellation based on non-payment of premiums, without at least 30 days prior notice to Vendor and Vendor shall forward such notice to AHEC within seven days of Vendor's receipt of such notice.

G. Subrogation Waiver

All insurance policies secured or maintained by Vendor or its Subcontractors shall include clauses stating that each carrier shall waive all rights of recovery under subrogation or otherwise against Vendor or Auraria Higher Education Center, the State, its agencies, institutions, organizations, officers, agents, employees, and volunteers.

H. Cyber/Network Security and Privacy Liability

Liability insurance covering civil, regulatory, and statutory damages, contractual damages, data breach management exposure, and any loss of income or extra expense as a result of actual or alleged breach, violation or infringement of right to privacy, consumer data protection law,

confidentiality or other legal protection for personal information, as well as State Confidential Information with minimum limits as follows:

- i. \$5,000,000 each claim; and**
- ii. \$10,000,000 general aggregate. Cyber liability insurance can be limited based on the total number of records being held by the Contractor.**
 - a. Less than 1,000,000 records - minimum limit \$1,000,000/\$2,000,000 per claim**
 - b. 1,000,001 - 3,000,000 records - minimum limit \$2,000,000/\$4,000,000 per claim**
 - c. Greater than 3,000,000 records - minimum limit \$5,000,000/\$10,000,000 per claim**

These limits grow throughout the life of the Contract. If the number of records grows over time, the minimum insurance limits must also grow.