

[RULE 7440]

NEW CONSTRUCTION: Constructing

Protection and Guarantees

1. Surety Bonds

Following the award of a contract for construction of a new school project, the contractor shall secure, at his/her own expense, an approved Labor and Material Payment Bond and an approved Performance Bond required to insure full and faithful adherence to the terms and conditions of the contract documents.

2. Working Conditions at Project

The contractor shall be responsible, at his/her own expense, for initiating, maintaining, and supervising safety precautions and programs in connection with a construction project. The contractor shall take all reasonable precautions for the safety and well being of all the employees on the project, as well as other persons who are involved in the construction project. The contractor shall comply with all applicable laws, rules, regulations, and orders of any public authority, having jurisdiction, for the safety and well-being of persons employed or otherwise involved in the project. Furthermore, sanitary conveniences and accommodations shall be provided and maintained for the use of employees, and others involved in the project, as may be necessary to comply with the requirements and regulations of the Maryland State Department of Health and/or of other agencies having jurisdiction.

3. Adjustments and Corrections

For a period of one calendar year subsequent to acceptance and/or occupancy of a new school project, the contractor, at his/her own expense, shall be responsible for remedying construction deficiencies or omissions, with respect to workmanship and materials, when such work or materials do not meet terms and specifications of the contract documents or any addenda thereto.

4. Insurance during Construction

During the span of the construction project, the contractor shall, at his/her own expense, secure and maintain the following insurance coverage in amounts or limits to be determined:

- a. Builders' Risk Insurance for the full contract amount against the perils of fire, extended coverage, vandalism, and malicious mischief; policies are to be written in the name of the Board of Education, the State of Maryland, and the contractor.
- b. Worker's Compensation including employer's Liability Insurance.
- c. Comprehensive General Liability Insurance for claims resulting from bodily injury, including death of one or more persons, and for claims resulting from injury to, or destruction of property.
- d. Comprehensive Automobile Liability Insurance for claims resulting from bodily injury including death of one or more persons, and injury to, or destruction of property, arising out of the use of any automobile in the performance of this contract.
- e. Social Security coverage as required by Federal law and Unemployment Insurance as required by Maryland law.
- f. Blanket Fidelity Insurance to cover all employees.
- g. Boiler and Machinery Insurance for damage resulting from explosion, written jointly in the name of the Board of Education, the State of Maryland, and the contractor.

During the span of a construction project, the subcontractors shall, at their own expense, secure and maintain such coverage as the contractor and architect may jointly require.

Rule
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Superintendent of Schools