

LEASING
EXHIBIT D – INSURANCE REQUIREMENTS

**Brownsville Navigation District
INSURANCE REQUIREMENTS
Level Two**

These requirements are applicable to lessees who meet the following criteria and who have employees who are not officers or family members:

- All business types
- Lease sites of 5 acres or less (all sites for a particular lessee will be combined for comparison to this qualification)
- Lessees who do not operate terminals
- Lessees who do not perform ship breaking/recycling or commercial ship maintenance repairs
- Lessees who do not receive, process or store scrap materials
- Lessees who do not handle hazardous materials

Workers' Compensation	
a. Employer's Liability	\$1,000,000 limit
b. Longshoremen and Harbormaster's Act (if applicable)	Statutory
c. Jones Act (if applicable) <small>Jones Act coverage may be included in the P & I policy, if required.</small>	\$1,000,000

Comprehensive General Liability	
Comprehensive General Liability including Broad Form Liability, Personal Injury Liability, Contractual Liability, Products/completed operations Liability and including coverage for:	
(1) Explosion, collapse, and underground, and	
(2) For goods, vessels and property of whatever description belonging to others while in the care, custody, and control of the lessee	
An acceptable option would be Warehouse Legal and/or Wharfingers Legal Liability coverage.	
a. Bodily Injury	\$ 1,000,000 Each occurrence
b. Property Damage	\$ 2,000,000 Each aggregate
c. Alternate to a. & b.	Combined single limit of \$ 2,000,000

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Comprehensive Automobile Liability		
a. Bodily Injury	\$ 1,000,000 each person	\$ 1,000,000 each occurrence
b. Property Damage	\$ 1,000,000 each occurrence	
c. Alternate to a. & b.	Combined single limit of \$ 1,000,000	
Automobile Liability Coverage to include any auto.		

Protection and Indemnity (P & I)	
If a vessel is to be used by the lessee, P & I must be provided to include the vessel and the crew.	\$1,000,000 limit

Pollution Liability Insurance		
If applicable, the following types of Pollution Liability Insurance are required depending on operations:		
Environmental Site Liability		\$ 1,000,000 Each occurrence
Water Pollution Liability		\$ 1,000,000 Each occurrence

Proof of Insurance Required

Certificates of insurance and endorsements must be submitted to the District’s Real Estate Services Department as proof of insurance.

Additional Insured, Waiver of Subrogation and Notice of Cancellation or Change Endorsements

All policies shall be endorsed to name the Brownsville Navigation District d/b/a Port of Brownsville 1000 Foust Road, Brownsville, TX 78521 as an additional insured and shall be endorsed to require that the insurance will not be cancelled or changed without giving the District 30 days’ prior written notice. All policies must be endorsed with a Waiver of Subrogation in favor of the District.

Endorsements Required

Copies of endorsements regarding deductible and/or self-insurance and the required additional insured and notice of cancellation or change notices must be submitted. Copies of all endorsements that limit coverage or impose exclusions to coverage must also be submitted.

Notes

The above minimum requirements may be covered exclusively by primary insurance or may be covered by a combination of primary and umbrella liability insurance.

Each Lessee is responsible for any and all damage to their property, whether that property is owned, non-owned, hired, leased, borrowed, loaned or rented.

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The District reserves the right to request a copy of any and all insurance policies for review.

The requirements and limits in this document are acceptable for the lessee at the time of the preparation of the lease. The District reserves the right to amend these requirements in agreement with policy.