

SUBCONTRACT AGREEMENT

AS4000-1997 General Conditions of Contract

PROJECT: Sydney Metro West Station Development

CONTRACT VALUE: \$45,000,000 (Forty-Five Million Dollars)

PRINCIPAL: Transport for NSW

HEAD CONTRACTOR: BuildCorp Construction Pty Ltd

SECTION 15 - INSURANCE REQUIREMENTS

15.1 Public Liability Insurance

The Subcontractor shall effect and maintain Public Liability insurance for an amount of not less than TWENTY MILLION DOLLARS (\$20,000,000) per occurrence and in the aggregate, with a maximum deductible of TEN THOUSAND DOLLARS (\$10,000).

The policy must include:

- (a) Principal Indemnity Extension naming the Principal as an insured party
- (b) Cross Liability clause
- (c) Waiver of Subrogation in favour of the Principal

15.2 Products Liability Insurance

Products Liability insurance of not less than TWENTY MILLION DOLLARS (\$20,000,000) in the aggregate for any one period of insurance.

Maximum excess: \$10,000. Principal Indemnity extension required.

15.3 Workers Compensation Insurance

The Subcontractor shall maintain Workers Compensation insurance as required by the Workers Compensation Act 1987 (NSW) with a limit of not less than FIFTY MILLION DOLLARS (\$50,000,000). Common Law extension required.

Employer Indemnity insurance must be current for the duration of the works.

15.4 Professional Indemnity Insurance

Where the Subcontractor provides design services, Professional Indemnity insurance of not less than TEN MILLION DOLLARS (\$10,000,000) per claim and in the aggregate shall be maintained. Maximum deductible: \$25,000.

Coverage to be maintained for 7 years after practical completion.

15.5 Motor Vehicle Insurance

Comprehensive Motor Vehicle insurance covering all vehicles used in connection with the Works for an amount of not less than FIVE MILLION DOLLARS (\$5,000,000) per occurrence. Maximum excess: \$2,000.

15.6 Contract Works Insurance

Contract Works (Construction All Risks) insurance for the full replacement value of the Works including materials on and off site, being not less than FIFTY MILLION DOLLARS (\$50,000,000). Maximum deductible: \$50,000.
Waiver of Subrogation clause required in favour of the Principal.

15.7 Evidence of Insurance

Prior to commencing work on site, the Subcontractor shall provide the Head Contractor with Certificates of Currency for all insurances required under this clause. Certificates must be issued by APRA-licensed insurers only.
Failure to maintain required insurances is grounds for immediate termination.

SCHEDULE B - INSURANCE SUMMARY

Coverage Type	Minimum Limit	Max Excess	Extensions
Public Liability	\$20,000,000	\$10,000	PI, CL, WoS
Products Liability	\$20,000,000	\$10,000	PI
Workers Compensation	\$50,000,000	Statutory	EI
Professional Indemnity	\$10,000,000	\$25,000	-
Motor Vehicle	\$5,000,000	\$2,000	-
Contract Works	\$50,000,000	\$50,000	WoS

Legend: PI = Principal Indemnity, CL = Cross Liability, WoS = Waiver of Subrogation, EI = Employer Indemnity