



Winter Weather: Hiring a Snow Removal Contractor

There are many issues to consider when hiring a snow removal contractor. Many property owners hire snow removal contractors thinking that they are reducing their liability. However, property owners can also be liable for the actions of a snow removal contractor if a number of risk management protections are not in place. This handout provides some risk control issues to consider that satisfy a property owner's duty to clear ice and snow from walkways and parking lots when snow removal contractors are hired to perform the work.

Certificates of Insurance from Snow Removal Contractor

	Yes	No	N/A
Are certificates of insurance obtained prior to having snow removal work accomplished?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are certificates of insurance reviewed to confirm that the snow removal contractor is obtaining liability coverage and adequate limits?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does the certificate of insurance include an "Additional Insured" endorsement including the Additional Insured endorsement number?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are Certificates of Insurance updated annually?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Formal, Written Contracts

Is there a written contract in place with the snow removal contractor?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has the contract been reviewed by an attorney familiar with contractual risk transfer best practices?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Have the contract requirements been reviewed with your professional insurance advisor to assure that hold harmless, indemnification, waivers of subrogation and workers' compensation exclusivity clauses satisfy insurer and state requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the contract clear on <i>exactly</i> what services are provided, such as who is responsible for: the decision to sand/salt, when access to the parking lot or property is limited, etc.?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does the contract include where snow will be piled (e.g., around light posts in a parking lot) but not so that when it thaws then refreezes to create icy conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does the contract contain a refreeze clause?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How will damage to property or surfaces be corrected?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Recordkeeping/Documentation

	Yes	No	N/A
Does the snow removal contractor provide treatment logs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has a meeting to review equipment to be used and the snow and ice removal plan taken place with the snow removal contractor?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
In the event of an incident, does the snow removal contractor have blank copies of an incident report form and have they been trained on how to complete the form?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



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