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APS 7001 - Insurance and Indemnification Requirements for Use of Facilities by Non-University Groups

PDF Version

Policy Profile

Policy Title:	Insurance and Indemnification Requirements for Use of Facilities by Non-University Groups
APS Number:	7001
Effective:	July 1, 2014
Approved by:	President Bruce D. Benson
Responsible University Officer:	Vice President and Chief Financial Officer
Responsible Office:	University Risk Management (URM)
Policy Contact:	University Risk Management (URM)
Supersedes:	Facilities Use by Non-University Groups ? Insurance Requirements dated January 1, 2009
Last Reviewed/Updated:	July 1, 2014
Applies to:	All campuses

Policy Snapshot

Brief Description: Sets forth insurance and indemnification requirements for the use of university facilities by *non-university groups*.

Reason for the Policy: Mitigate potential property loss and liability issues related to use of University facilities by *non-university groups*, also referred to as third parties.

I. Introduction

The university is committed to responsible stewardship of university resources, and employees are expected to ensure that university property, funds, data and technology are used appropriately. This policy governs agreements permitting short-term use, typically lasting less than 30 days,[1] of university facilities by *non-university groups*. The university must enter a *use agreement* with the third party, and the agreement must include the provisions stated herein.

II. Policy Statement

A. CONTRACT FOR USE OF UNIVERSITY FACILITIES
   1. Prior to any *non-university group* conducting activities on university property, a *use agreement* must be signed between the university and the *non-university group* for the use of university-owned or controlled facilities, whether or not a usage fee is charged.
   2. Unless an exemption has been granted pursuant to Section II.C below, the *use agreement* must include an indemnification and hold harmless clause that requires the *non-university group* to indemnify and hold harmless the Regents of the University of Colorado, its officers, administrators, agents, employees, and students from and against any and all claims or demands or damages in any way arising from the use of university facilities. Indemnification shall not be limited and shall include any liability or payment (including costs and attorney?s fees) by reason of any damages or bodily injury (including death) sustained by any person or persons or on account of damage to property, including the loss or use thereof arising out of or in connection with the use.

B. INSURANCE REQUIREMENTS
   1. The *non-university group* must provide the following insurance:
      a. General Liability coverage with limits of not less than $1,000,000 combined single limit.
      b. Where applicable, auto coverage for owned and non-owned auto liability with limits of not less than $1,000,000.
      c. Where applicable, workers? compensation coverage at required statutory limits.
      d. Where the *non-university group* will distribute, or will contract with the university to distribute, alcoholic beverages on university premises, Host Liquor Liability insurance with limits of not less than $1,000,000.[2]
   2. The Office of University Risk Management reserves the right to require additional specific insurance and limits at the time of the *use agreement*.
   3. All insurance policies shall name the Regents of the University of Colorado, a body corporate, as additional insured.
   4. The certificate Holder shall be: The Regents of the University of Colorado,

University Risk Management, 1800 Grant Street, Suite 700, Denver, CO 80203-1187. Certificates must be provided at the time the *use agreement* is executed and shall be sent via e-mail to: URM@CU.EDU.

5. Policies shall be primary to all other coverage that may be concurrently in effect.
6. All policies shall be underwritten by a company licensed to do business in the State of Colorado.

C. EXEMPTIONS

1. The Office of University Risk Management may grant requests to waive requirements stated in this policy, for example, where a *non-university group* is legally prohibited from agreeing to an indemnification provision.

III. Procedures, Forms, Guidelines and Resources

A. **Resources**

1. University Risk Management ? University Events with Alcohol
2. Campus Risk Management Offices Contact Information
3. Information about the Tenant User Liability Insurance Program (TULIP)

IV. Definitions

A. *Italicized terms* used in this Administrative Policy Statement are defined in the Administrative Policy Statement Glossary or, if specific to this policy, are defined below:

1. *Non-university groups* are organizations or entities that are not organizational units and not created by an organizational unit to carry out official University of Colorado business; also referred to as ?third parties.?
2. *Use agreement* is a written contract between the university and the user that defines the terms and benefits to each party for use of university facilities.

V. History

- Amended/Renamed: July 1, 2014 as Insurance and Indemnification Requirements for Use of Facilities by Non-University Groups
- Amended: January 1, 2009 as Use of Facilities by Non-University Groups - Insurance Requirements
- Initial Policy Effective: February 17, 1987

VI. Key Words

3rd party, alcohol, certificate, COI, contract, facilities, hold harmless, indemnification, indemnify, liability, liquor, non-university, outside, rent, room, third party, use

1. Questions about whether a particular use qualifies as ?short-term? should be directed to the campus office of risk management.
2. *Non-university groups* seeking to procure the insurance required by Section II.B.1 may consult the university?s webpage on the university?s Tenant User Liability Insurance Program (TULIP), available here http://www.cu.edu/risk/special-event-insurance

Attachments:
Video:
Images:
Groups audience:
Office of Policy and Efficiency (OPE)

Source URL: https://www.cu.edu/ope/efficiency-and-effectiveness/presidents-task-force-efficiency/aps-7001-facilities-use-non