

Zimbra

rocio.villarreal@co.hidalgo.tx.us

RE: HDR Commissioners' Court Approval - Pacheco Koch

From : John Niesen <John.Niesen@hdrinc.com>

Fri, Jan 12, 2018 09:46 AM

Subject : RE: HDR Commissioners' Court Approval - Pacheco Koch**To :** Charles Comiskey <charles.comiskey@bch-insurance.com>, Rocio Villarreal <rocio.villarreal@co.hidalgo.tx.us>**Cc :** oscar.garcia <oscar.garcia@jacobs.com>, DMartin@porterhedges.com, Matthew Peterson <Matthew.T.Peterson@hdrinc.com>, Mike Brenchley <Mike.Brenchley@hdrinc.com>

Thank you.

I received an email from Morrison+Hershfield, building envelope consultant, yesterday saying they, too, are unable to obtain pollution coverage. This may be an issue as we vet these smaller firms.

John Niesen, RA, LEED ID+C
D 972.960.4183 M 214.587.2596

hdrinc.com/follow-us

From: Charles Comiskey [mailto:charles.comiskey@bch-insurance.com]**Sent:** Friday, January 12, 2018 8:23 AM**To:** Niesen, John <John.Niesen@hdrinc.com>; Joshua J. Jezek <jjezek@pkce.com>; 'Palmer, Tami' <Tami@mclaughlinbrunson.com>; Rocio Villarreal <rocio.villarreal@co.hidalgo.tx.us>**Cc:** oscar.garcia@jacobs.com; DMartin@porterhedges.com; Peterson, Matthew <Matthew.T.Peterson@hdrinc.com>; Brenchley, Mike <Mike.Brenchley@hdrinc.com>**Subject:** RE: HDR Commissioners' Court Approval - Pacheco Koch

As the risk to Hidalgo is slight, I have no objection to this request.

Charles E. Comiskey
CPCU, CIC, CPIA, CRM, PWCA, CRIS, CCM, CMIP
President, RiskTech, Inc.
Mail: 2626 Sutton Court, Houston, TX 77027
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From: Niesen, John [mailto:John.Niesen@hdrinc.com]**Sent:** Thursday, January 11, 2018 2:14 PM**To:** Joshua J. Jezek; Charles Comiskey; 'Palmer, Tami'; Rocio Villarreal**Cc:** oscar.garcia@jacobs.com; DMartin@porterhedges.com; Peterson, Matthew; Brenchley, Mike**Subject:** RE: HDR Commissioners' Court Approval - Pacheco Koch

Pacheco Koch's insurer, which is also WJHW's insurer, is not able to comply with the requested requirement for pollution insurance coverage. Requiring this of a professional services firm is a unique request that only Terracon has ever had to provide. The other companies were either large, such as HDR, and/or had much more "pull" with their insurers and could finagle coverage.

Per Matt Peterson, HDR's insurance manager, Professional liability provides coverage for negligent acts while performing professional services. If for some reason a negligent professional creates a pollution event, their

professional liability policy will cover it. By law it will be primary and non-contributory because it arose out of their professional services.

We formally request that Hidalgo County waive pollution coverage for these two firms so that we can enter into agreements with them and keep on schedule to complete our SD work in less than 1 month.

John Niesen, RA, LEED ID+C
D 972.960.4183 M 214.587.2596

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From: Joshua J. Jezek [<mailto:jjezek@pkce.com>]
Sent: Wednesday, January 10, 2018 4:08 PM
To: 'Charles Comiskey' <charles.comiskey@bch-insurance.com>; 'Palmer, Tami' <Tami@mclaughlinbrunson.com>
Cc: oscar.garcia@jacobs.com; DMartin@porterhedges.com; Niesen, John <John.Niesen@hdrinc.com>
Subject: RE: HDR Commissioners' Court Approval - Pacheco Koch

Looping in John

Joshua J. Jezek, PE, CFM, LEED® AP BD+C - Pacheco Koch
O: 972.235.3031 ▪ M: 940.368.1784 ▪ jjezek@pkce.com

From: Charles Comiskey [<mailto:charles.comiskey@bch-insurance.com>]
Sent: Wednesday, January 10, 2018 3:02 PM
To: 'Palmer, Tami'
Cc: Joshua J. Jezek ; oscar.garcia@jacobs.com; DMartin@porterhedges.com
Subject: RE: HDR Commissioners' Court Approval - Pacheco Koch
We have never asked for primary & noncontributory status on PK's professional liability coverage. It is requested on PK's [pollution liability coverage](#).

From: Palmer, Tami [<mailto:Tami@mclaughlinbrunson.com>]
Sent: Wednesday, January 10, 2018 12:10 PM
To: Charles Comiskey
Cc: jjezek@pkce.com; oscar.garcia@jacobs.com; DMartin@porterhedges.com
Subject: RE: HDR Commissioners' Court Approval - Pacheco Koch
Good Afternoon,

Attached is a letter from XL Catlin explaining why the primary & non-contributory endorsement cannot be added to the professional/pollution liability.

Thank you,
Tami

Tami Palmer | Sr. Account Manager
(214) 323-4602 | Tami@mclaughlinbrunson.com

Begin forwarded message:

From: Charles Comiskey <charles.comiskey@bch-insurance.com>
Date: January 9, 2018 at 11:20:56 AM CST
To: "'Chandler, Stephanie'" <chandler@mclaughlinbrunson.com>
Cc: "Oscar Garcia (oscar.garcia@jacobs.com)" <oscar.garcia@jacobs.com>, "David Martin (DMartin@porterhedges.com)" <DMartin@porterhedges.com>, "jjezek@pkce.com" <jjezek@pkce.com>
Subject: RE: HDR Commissioners' Court Approval - Pacheco Koch

Ms. Chandler, please ask why they cannot add the primary and noncontributory endorsement. Literally ever other entity involved in the County of Hidalgo project has done so.
Charles E. Comiskey
CPCU, CIC, CPIA, CRM, PWCA, CRIS, CCM, CMIP
President, RiskTech, Inc.