



# 2022 PERFORM Claims Data



## Introduction

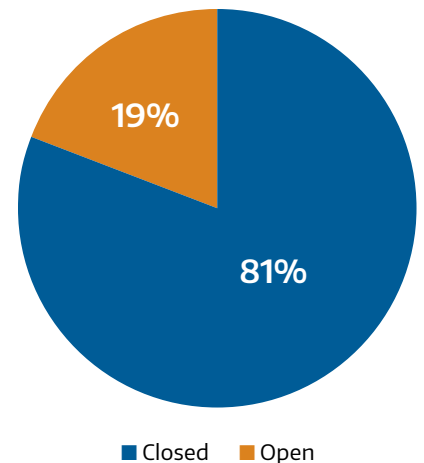
Berkley Construction Professional is pleased to provide you with claim information about our contractor professional and pollution business. We have collected this claims data since 2016 to provide you with what we believe is credible and relevant loss experience.

Without a doubt, mitigation has caused us some issues, but we are happy to report that the majority of these losses, attributable to heavy civil infrastructure work utilizing the design-build project delivery method and awarded on a lump-sum basis prior to completion of the design (Fast-Track), have not necessitated any reevaluation of the portfolio-wide pricing strategy we maintain across our current book of business. As a result, we are more selective of project risk in this particular market segment.

In addition, it is worth noting that our claims arise out of a wide variety of a contractor's activities. While we historically expected most claims activity to be of a design nature, whether self-performed or delegated, the litigation environment has expanded as shown by the data. It is important to review your professional liability insurance today to ensure that it responds appropriately to the new environment of broad professional liability exposures.

Berkley Construction Professional will continue to provide you with the resources that allow you and your clients to make the most informed decision when purchasing contractor professional and pollution insurance.

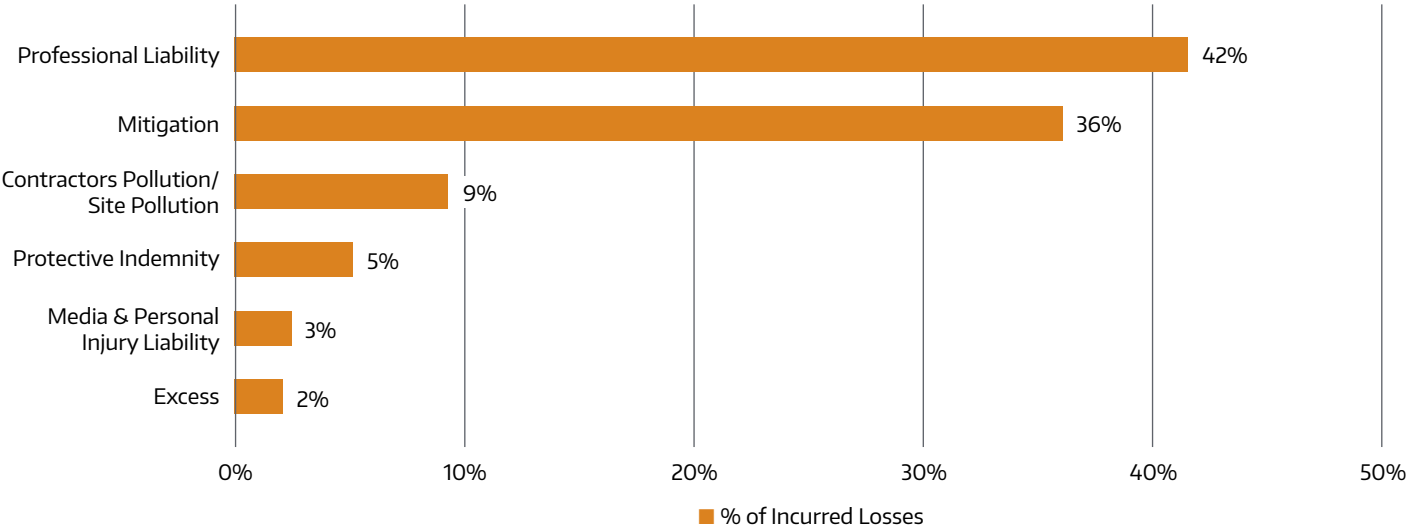
## Total Reported Matters



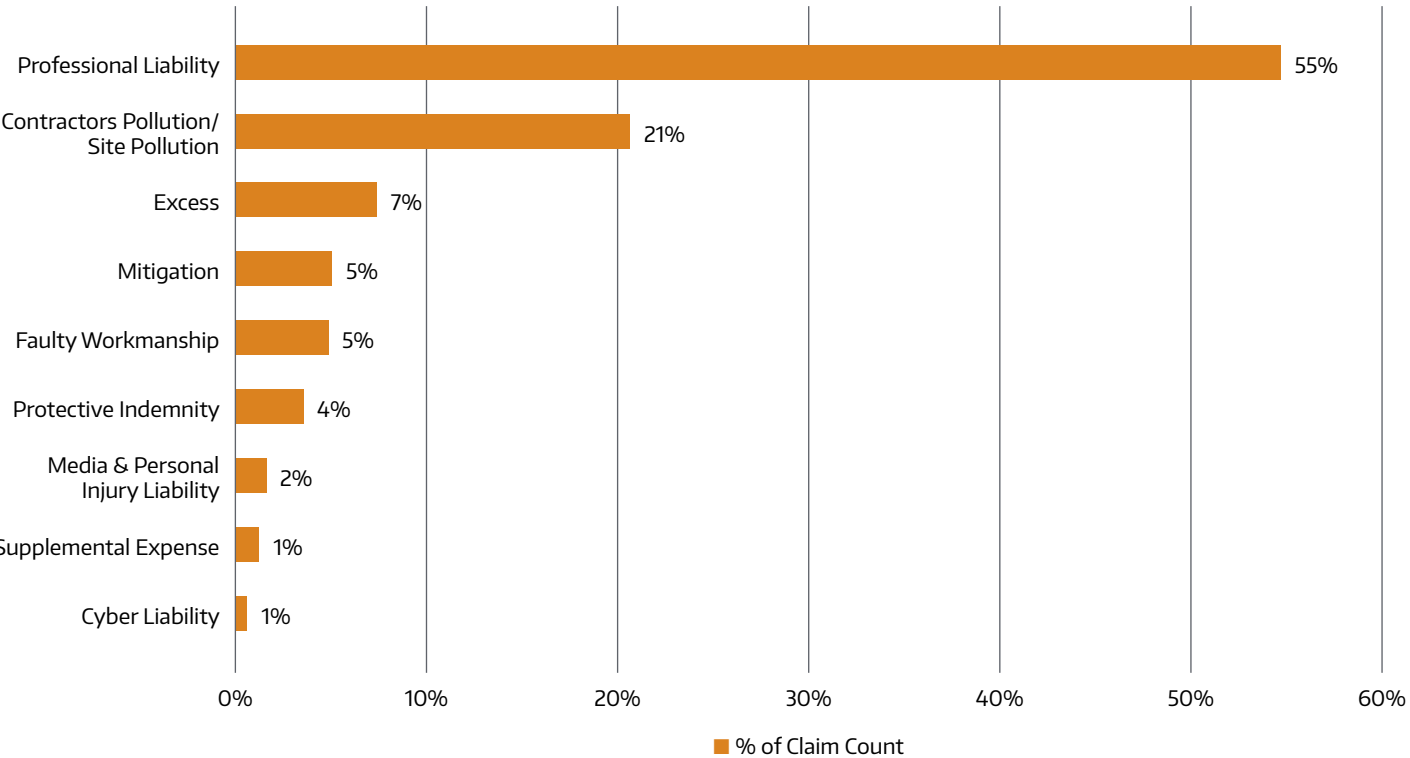
**This data represents all PERFORM claims and circumstances reported to Berkley Construction Professional from January 2016 to September 2022.**



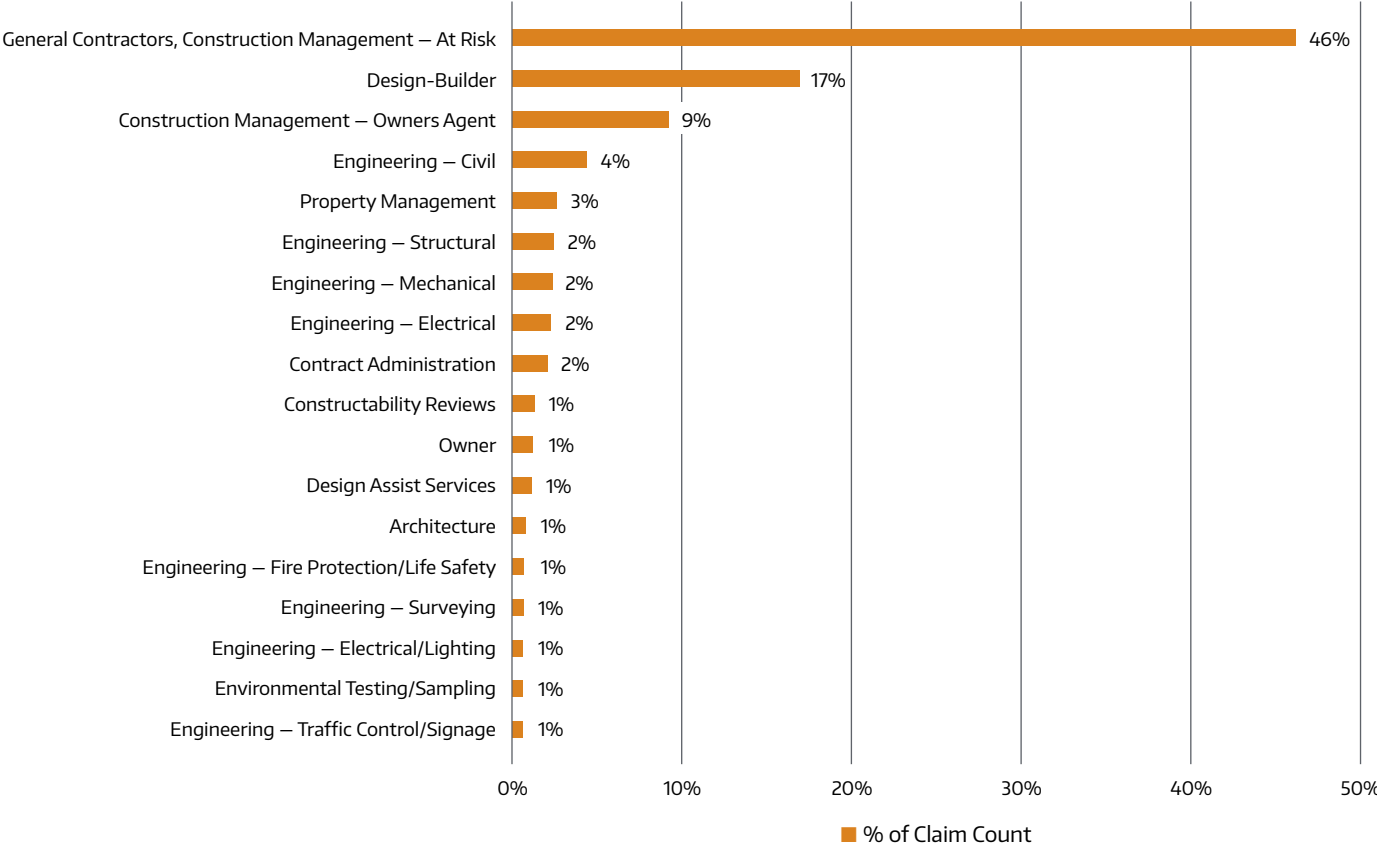
**Type of Claims – Incurred Losses**



**Type of Claims – Claim Count**



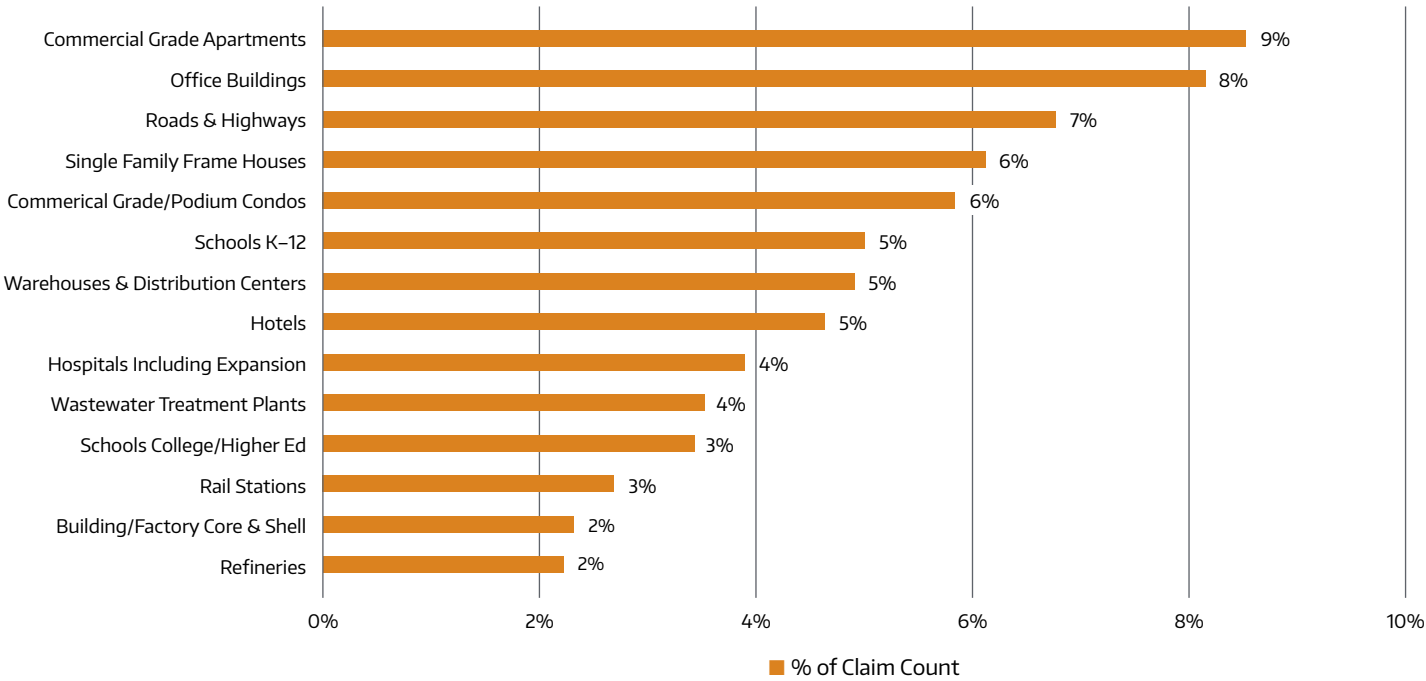
## Claims by Nature of Insured's Contract



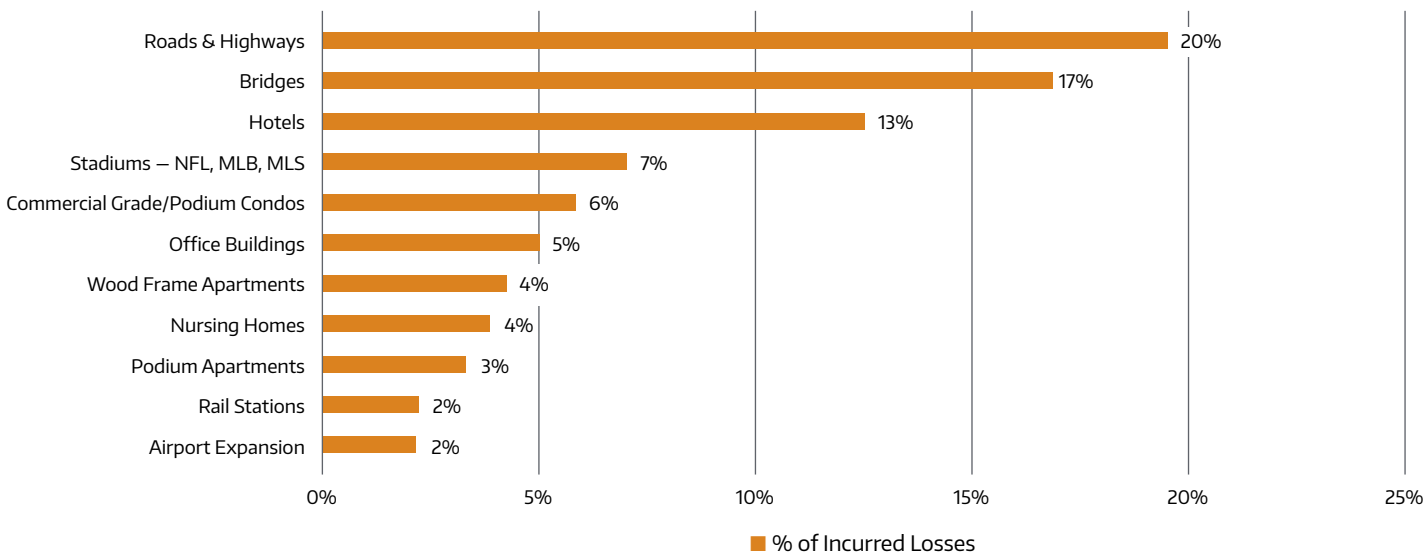
## Claims by Insured Service



**Top Claims by Project Type – Claim Count**



**Top Claims by Project Type – Incurred Losses**



## Our Distinct Products Meet the Needs of the Construction Industry

### PERFORM

The PERFORM policy provides Contractors Professional and Pollution Liability Insurance. It combines professional, protective and pollution coverages and provides separate insuring agreements for each of the exposures that share the policy aggregate limit.

### OPUS Offers

OPUS (Owners Protective Policy) offers protection in the event of a significant economic loss. The policy sits excess of the annual professional liability policies of design professionals and other consultants performing professional services on the project owners' behalf. The policy can also be excess of a project specific professional liability policy written for the architect or design firm.

### HARMONY

HARMONY is a follow-form excess liability and indemnity policy that can be used to provide excess insurance. It attaches to any combination of Contractors professional or pollution insuring agreements, including Protective, Professional, Pollution, Biological Pollution, Site Pollution, Cyber, Media and Personal Injury, Mitigation and other insuring agreements; and any combination of Owner's professional or pollution insuring agreements, including Protective Professional Indemnity, Protective Contractor's Pollution, Third Party Claim Defense and Indemnity, Primary Contractor Pollution Liability Wrap-Up, Site Pollution and other insuring agreements. The HARMONY policy can be purchased for both annually renewable policies and project specific purposes.

### About Berkley Construction Professional

At Berkley Construction Professional, we transform uncertainty into opportunity so our clients can confidently build a better tomorrow. Our experienced underwriters deliver innovative, creative professional and pollution liability solutions for contractors and project owners. We respond quickly with customized coverages that fulfill the needs of our brokers and their clients. We offer practical risk management guidance and high-quality, results-oriented claims handling provided by our dedicated in-house claims professionals. Our mission is to relentlessly protect our clients' work, reputation and dreams.

Berkley Construction Professional is a division of Berkley Alliance Managers, a member company of W. R. Berkley Corporation, whose insurance company subsidiaries are rated A+ (Superior) by A.M. Best Company.

### Contact us

**Ed Sheiffele**

Executive Vice President  
esheiffele@berkleycp.com  
973.775.7492

**Dennis Baez**

Senior Vice President  
dbaez@berkleycp.com  
347.813.1074

**Peter Brooks**

Senior Vice President  
pbrooks@berkleycp.com  
720.360.7500

**Chris McQueen**

Senior Vice President  
cmcqueen@berkleycp.com  
770.910.1015

**David Pacifici**

Senior Vice President  
dpacifici@berkleycp.com  
818.291.6231

**Colleen Kennedy**

Vice President  
ckennedy@berkleycp.com  
267.532.6346

**Annie Buelow**

Senior Underwriter  
abuelow@berkleycp.com  
312.705.1128

**Courtney (Fowler) Preston**

Senior Underwriter  
cfowler@berkleycp.com  
770.910.1020

**Lauren Taylor**

Senior Underwriter  
lataylor@berkleycp.com  
212.822.3396

**Sean Brown**

Underwriter  
sebrown@berkleycp.com  
973.775.3368

**Vaishali Desai**

Underwriter  
vdesai@berkleycp.com  
770.910.1026

**Ashley Harrell**

Underwriter  
aharrell@berkleycp.com  
312.340.3458

**Nick Johnston**

Underwriter  
njohnston@berkleycp.com  
973.775.3374

**Peter Clarke**

Executive Vice President  
W/R/B Underwriting  
peclarke@  
wrbunderwriting.com  
+44.0.203.943.9062

### Berkley Construction Professional

412 Mt. Kemble Avenue | Suite G50  
Morristown, NJ 07960  
berkleycp.com

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