



From: Coachella Valley Public Cemetery District
To: Vendors and Business Partners
Re: Memo - Conducting Business on District Property
From: Joshua Bonner, General Manager

October 24, 2023

Valued Partners,

At the May 2023 planning session, the Coachella Valley Public Cemetery District ("District") Board of Trustees directed our staff to review the current insurance and liability waiver requirements for vendors and outside entities conducting for-profit business on District property. This memo outlines the results of that review and how it will affect your business.

Background

The District maintains various vendor relationships with private organizations that play a crucial role in supporting our community's needs. Examples of these partners include funeral homes, headstone vendors, horse and carriage transport, and other essential service providers. While these vendors operate independently of the District, their services are indispensable to our community.

Historically, we have required service contractors involved in construction or maintenance on District grounds to furnish proof of insurance and sign liability waivers as part of their contractual service agreements. These agreements serve multiple purposes:

- They define the relationship between external contractors and the District.
- They establish clear parameters of liability while working on District property.
- They ensure that vendors have adequate insurance coverage to protect themselves and the public in the event of a legal claim.

However, these insurance and liability requirements have not been consistently applied to all industry sectors. In particular, they have not been extended to funeral service-related vendors conducting work on District property, even though some of these activities involve inherent risks, such as:

- Operating commercial vehicles on District property.
- Utilizing live animals for contracted services.
- Operating heavy machinery on District property.
- Handling bulky items on District property.

This list is not exhaustive, but it illustrates the need to standardize insurance and liability requirements across all vendors who wish to conduct for-profit business on District property. This change is supported by the District's Special District Risk Management Authority (insurance provider).

Board Action

At the October 13, 2023, Board meeting, the District's Board of Trustees approved the following provision in the District's General Rules and Regulations policy:

District Office: 82925 Avenue 52 | Coachella, CA 92236

Telephone: 760-398-3221 | **Email:** info@cvcpcd.org | **Website:** www.CoachellaCemetery.org



All for-profit private organizations (“Vendors”) wishing to conduct business on District property must complete a “LIABILITY WAIVER AND RELEASE AGREEMENT” form and submit all applicable proof of insurance requirements. The form is available at the District administrative office. The document, along with proof of insurance, must be completed, fully executed, received, and approved/filed by District staff prior to conducting business on District grounds. A copy of the form will be returned to you for your records when approved by District management. LIABILITY WAIVER AND RELEASE AGREEMENT forms must be completed by each individual company or organization conducting business on District grounds. The document does not extend privileges to business partners, subcontractors, or others performing work outside of those in the direct employment of the organization(s) listed on the document and accompanying insurance policies. The District reserves the right to periodically request updates (documents) from Vendors establishing that they are maintaining the required insurance. Delivery services whose sole purpose is the pickup and/or drop-off of mail or packages are exempt from this policy.

Required Action

All vendors and outside entities conducting for-profit business on District property must complete the following steps by January 13, 2023, to continue operating on District property:

- Complete the attached "Liability Waiver and Release Agreement."
- Provide the required proof of insurance documentation, which should include a General Liability insurance coverage of no less than \$2,000,000 per occurrence for bodily injury, personal injury, and property damage. If Commercial General Liability Insurance or another form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this Agreement, or it shall be twice the required occurrence limit.
- Add the District as an additional insured on your General Liability insurance policy, including a waiver of subrogation endorsement and primary and non-contributory endorsement in favor of the District.

Submit the "Liability Waiver and Release Agreement," along with proof of insurance and additional insured documentation, to the District office for our records by January 13, 2023.

Conclusion

If you have received this memo, or believe you may be subject to the provisions described herein, please contact the District office as soon as possible at (760) 398-3221. If you believe you've been included incorrectly in this policy or have any questions or concerns, please contact the District General Manager for further discussion.

We would like to emphasize our gratitude for the vital services provided by all our vendors and partners in assisting the community during times of loss. We deeply value this partnership and appreciate your dedication. We trust that these changes will strengthen our collaborations and ensure a safe and professional environment for all businesses, the District, and the community.

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