

Thompson Consulting Services

ITEM	SECTION
13.1	<p>13.1 In order to protect the City from liabilities associated with on-site activities, transportation, inherent CERCLA liabilities involving disposal, the CONTRACTOR should supply its own labor, transportation, and dispose of the waste at only EPA-permitted disposal facility. The CONTRACTOR agree to assume generator status and be responsible for preparing and signing all manifests related to the CITY'S household hazardous collection and/or disposal facility. [CONTRACTOR scope is for monitoring and documentation. CONTRACTOR is not responsible for directing, handling, or managing the waste stream and cannot assume liability for such activities.]</p>
13.2 (13.2.1; 13.2.2; 13.2.3)	<p>13.2 CONTRACTOR agrees to and shall defend, indemnify, and hold the City, its employees, officers, and legal representatives (collectively, "the City") harmless for all claims, causes of action, liabilities, fines and expenses (including, without limitation, attorney's fees, court costs, and all other deferred costs and interest), for injury, death, damage, or loss to persons or property sustained in connection with or incidental to performance under this agreement including, without limitation, those caused by:</p> <p>13.2.1 CONTRACTOR'S and/or its agents, employees, officers, directors, or SUBCONTRACTORS' actual or alleged negligence or intentional acts or omissions;</p> <p>13.2.2 The CITY and CONTRACTOR'S actual or alleged concurrent negligence, whether CONTRACTOR is immune from liability or not; and</p> <p>13.2.3 The CITY'S and CONTRACTOR'S actual or alleged strict products liability or strict Statutory liability, whether CONTRACTOR is immune from liability or not.</p>
14.1	<p>14.1 The CONTRACTOR, its predecessors, successors, and assigns hereby release, relinquish, and discharge the CITY, its agents, employees, officers, and legal representatives from any liability arising out of the CITY'S-CONTRACTOR'S sole and/or concurrent negligence and/or the CITY'S strict products liability or strict statutory liability for any injury, including death or damage to persons or property where such damage is sustained in connection with or arising out of deficient or negligent performance under this Contract.</p>

TLC Engineering

SECTION	ITEM	REASON
	TLC has No Expectations to Any Part of this RFP.	