

**CORNELL UNIVERSITY**  
**ACCESS WAIVER**

Whereas, \_\_\_\_\_, hereafter referred to as “Contractor” that has been invited to bid on the \_\_\_\_\_ Project.

Whereas, the Contractor needs access to the building and/or confined spaces described above which may involve the use of devices such as lifts, ladders, scaffolding, tripods, harnesses, etc. hereafter referred to as “devices” and

Whereas Cornell University is willing to provide such devices for use by the Contractor but only upon the Contractor’s assumption of all liability for any injuries resulting from the use of such devices; and

Whereas the Contractor recognizes the risks of using such devices, including but not limited to the failure of its employees to use personal protection equipment, malfunction of the equipment, and the lack of suitability of such equipment for a particular purpose, etc., and

Whereas the Contractor is willing to assume full responsibility for all liability arising out of Cornell’s provision of such devices, regardless of any fault of Cornell or defects in its equipment; and

Whereas the Contractor has agreed that it will make its own assessment of the condition of the equipment, the proper manner of use, and its suitability for the intended purpose, and will take all necessary steps to ensure that its employees will use the equipment properly and for its intended purpose.

NOW, THEREFORE, Contractor agrees to hold harmless and indemnify Cornell for any injury to Contractor or any of Contractor’s employees resulting from the use of the devices and for any claim, lawsuit, or judgment against Cornell arising out of the use by Contractor or any of Contractor’s employees, including all expenses incurred by Cornell defending against any such claim, regardless of any fault or negligence by Cornell. Cornell University will be added to the Contractor’s Comprehensive General Liability Insurance Policy by endorsement as an Additional Insured and evidence of such will be provided in the Contractor’s certificate of insurance.

\_\_\_\_\_  
COMPANY NAME

\_\_\_\_\_  
Individual’s Signature

\_\_\_\_\_  
Date