CORNELL UNIVERSITY
ACCESS WAIVER

Whereas, _____, hereafter referred to as "Designer" has entered into a contract with Cornell University to provide design services in connection with the _____.

Whereas, the Designer 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 Designer but only upon the Designer's assumption of all liability for any injuries resulting from the use of such devices; and

Whereas the Designer 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 Designer 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 Designer 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, Designer agrees to hold harmless and indemnify Cornell for any injury to Designer or any of Designer's employees resulting from the use of the devices and for any claim, lawsuit, or judgment against Cornell arising out of the use by Designer or any of Designer'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 Designer's Comprehensive General Liability Insurance Policy by endorsement as an Additional Insured and evidence of such will be provided in the Designer's certificate of insurance.

NAME OF DESIGNER

_____

_____
Date