

## SECTION 00 21 16

## RELEASE AND WAIVER AGREEMENT

CONTRACT No. WW-684

This Release and Waiver Of Liability (hereinafter the "Release") is entered into between the City and County of San Francisco through its Public Utilities Commission and \_\_\_\_\_, a Bidder.

**RECITALS**

1. The City and County of San Francisco through its Public Utilities Commission has issued Bid Documents for Contract No. WW-684 with a requirement that Bidders submit certain information to demonstrate their qualifications to perform the Work for the 45th Ave, 46th Ave, 47th Ave, Vicente St, Wawona St and Sloat Blvd Sewer Replacement.
2. In accordance with the Bid Documents, Bidder has submitted information pertaining to its qualifications, including a list of projects and project owners/owner representatives as references for its qualifications.
3. The City seeks candid comments on the Bidder's performance on the listed projects from the owners and the owners' representatives.

**RELEASE AND WAIVER**

Bidder hereby fully and forever releases, exonerates, discharges, and covenants not to sue, the City, its commissions and boards, officers and employees, and all individuals and entities furnishing comments on Bidder's performance, from and for, and does hereby waive, any and all claims, causes of action, demands, damages and any and all other liabilities of any kind or description, in law, equity, or otherwise, arising out of information furnished about Bidder's performance on the projects that Bidder has identified pursuant to Recital number 2, above.

**INTENDED BENEFICIARIES**

The City, its commissions and boards, officers and employees and all individuals and entities furnishing any information relating to Bidder's qualifications are intended beneficiaries of this Release and Waiver and are entitled to enforce its terms.

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Bidder's Authorized Representative

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Date

END OF SECTION