

SECTION 00 45 16

RELEASE AND WAIVER AGREEMENT

**PAUL AVENUE, WOOLSEY STREET AND SALINAS AVENUE
PAVEMENT RENOVATION AND SEWER REPLACEMENT
(San Francisco Public Works Contract No. 1000015860)**

This Release and Waiver Of Liability (hereinafter the "Release") is entered into between
The City and County of San Francisco through San Francisco Public Works and
_____, a Bidder.

RECITALS

1. The City and County of San Francisco through its Department of Public Works has issued Bid Documents for Contract No. 1000015860 with a requirement that Bidders submit certain information to demonstrate their qualifications to perform the Work for the PAUL AVENUE, WOOLSEY STREET AND SALINAS AVENUE PAVEMENT RENOVATION AND 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.

Signature of Bidder or Authorized Representative

Title

Bidder's Name

Date

END OF SECTION