

ADDENDUM 3
12/17/2024

QUESTIONS/ANSWERS

1. Do the following sections apply to this agreement? It was unclear which boxes were checked:

XIX. Indemnification (Not applicable to State or Local Governments)

The CONTRACTOR, acting as an independent CONTRACTOR, shall hold COG harmless from and shall be solely responsible, where found liable, for the payment of any and all claims for loss, personal injury, death, property damage, or otherwise, arising out of any act of omission or negligence of its employees or agents in connection with the performance of this work.

The above section does / does NOT apply to this agreement.

The CONTRACTOR or other party shall indemnify and hold COG harmless from and shall be solely responsible, for the payment of any and all claims for loss, personal injury, death, property damage, infringement or misappropriation of any third party's intellectual property rights, violation of privacy, confidentiality or otherwise, arising out of any act of omission or negligence of its employees or agents in connection with the performance of the work under this [agreement or memorandum of understanding].

(Not applicable to State or Local Governments)

Yes, Both sections apply to this agreement and should read:

XIX. Indemnification (Not applicable to State or Local Governments)

The CONTRACTOR, acting as an independent CONTRACTOR, shall hold COG harmless from and shall be solely responsible, where found liable, for the payment of any and all claims for loss, personal injury, death, property damage, or otherwise, arising out of any act of omission or negligence of its employees or agents in connection with the performance of this work.

The above section does **DOES** DOES NOT apply to this agreement.

XXIII. The CONTRACTOR or other party shall indemnify and hold COG harmless from and shall be solely responsible, for the payment of any and all claims for loss, personal injury, death, property damage, infringement or misappropriation of any third party's intellectual property rights, violation of privacy, confidentiality or otherwise, arising out of any act of omission or negligence of its employees or agents in connection with the performance of the work under this [agreement or memorandum of understanding]. (Not applicable to State or Local Governments)

The above section does **DOES** DOES NOT apply to this agreement.