



Reference: 1438 / KVCC Nutter Hall Renovations / Electronic Documents

Prospective Bidders,

Should your company wish to obtain electronic versions of the BID-DOCUMENTS (Drawings & Specifications), for the above referenced project, please sign and return a .pdf copy of the NOTICE OF AGREEMENT FOR ELECTRONIC PLANS & SPECIFICATIONS by **return email to both:**

Charles Earley, Principal at charles@lewisandmalm.com and
Jim Tatgenhorst, Architect at jim@lewisandmalm.com

Upon receipt of the above mentioned, completed agreement document, we will provide you with a DropBox link for downloading purposes. DropBox links cannot be forwarded.

Please contact Lewis + Malm Architecture, 124 Main Street, Bucksport, Maine 04416,
Telephone: (207) 469-7440 for more information.

Notice of Agreement for Electronic Plans and Specifications

In accepting and utilizing any drawings, reports and data on any form of electronic media generated and furnished by the Architect, the Recipient agrees that all such electronic files are instruments of service of the Architect, who shall be deemed the author, and shall retain all common law, statutory law and other rights, without limitation, including copyrights.

The Recipient agrees not to reuse these electronic files, in whole or in part, for any purpose other than for the Project. The recipient agrees not to transfer these electronic files to others without the prior written consent of the Architect. Should the Recipient use web-based methods, such as an FTP or Sharepoint site, allowing other parties to access the electronic documents, said access shall be managed/controlled by the Recipient by means of requiring applicants to register prior to accessing the electronic documents. The Recipient further agrees that Architect shall have no responsibility or liability to Recipient or others for any changes made by anyone other than the Architect or for any reuse of the electronic files without the prior written consent of the Architect.

In addition, the Recipient agrees, to the fullest extent permitted by law, to indemnify and hold harmless the Architect, its officers, directors, employees and sub-consultants (collectively, Consultant) against all damages, liabilities or costs, including reasonable attorneys' fees and defense costs, arising from any changes made by anyone other than the Architect or from any use or reuse of the electronic files without the prior written consent of the Architect.

Under no circumstances shall delivery of electronic files for use by the Recipient be deemed a sale by the Architect, and the Architect makes no warranties, either express or implied, of merchantability and fitness for any particular purpose. In no event shall the Architect be liable for indirect or consequential damages as a result of the Recipient's unauthorized use or reuse of the electronic files.

Signature of Recipient of Electronic Plans & Specifications
1438 / KVCC Nutter Hall Renovations

Date

Please PRINT Recipient's Name

Recipient's Email

Return signed/dated .pdf of this page by email to both:

Charles Earley, Principal at charles@lewisandmalm.com and
Jim Tatgenhorst, Architect at jim@lewisandmalm.com