

**LIABLILITY DISCLAIMER FOR CRANE RIGGING AND OPERATIONS
 (“DISCLAIMER”)**

Between Trachte, Inc. (“Trachte”) and
_____ **(“Contractor”)**
_____ **Purchase Order No.**

Trachte, Inc. (“Trachte”) has engaged the party identified above (the “Contractor”) for crane rigging or crane operations services.

Trachte manufactures modular pre-fabricated buildings, shelters and large format enclosures (“Building(s)”) that are designed to be shipped in a pre-assembled state. Trachte Buildings are designed and manufactured to accommodate specific crane rigging and operation plans and instructions which are incorporated into a Guide Sheet for Offloading Placement and Anchoring or similar document (“Guide Sheet”).

As part of and in consideration of its contract with Trachte, Contractor agrees as follows:

1. Contractor shall comply with the Guide Sheet and related instructions while providing crane rigging or crane operations services relating to the placement of Trachte Building(s). It shall be Contractor’s responsibility to have a copy of the Guide Sheet available when designing or performing services, as Trachte employees or representatives may not be present when Contractor is providing services. Contractor shall also be responsible for clarifying any ambiguous or incomplete instructions from the Guide Sheet.
2. Neither Trachte, nor any of its subsidiaries or affiliates provide or maintain liability insurance for personal injury or property damage suffered by individuals, business entities, groups, organizations, spectators or others who may participate or be located in proximity to crane rigging or operation activities and Contractor shall be responsible for providing any such coverage.
3. Contractor hereby releases and forever discharges Trachte, it subsidiaries, their officers, directors and employees, from any and all actions, claims, damages, losses and injuries which may be sustained by Contractor, its officers, directors, employees, sub-contractors or third parties, due to or arising from Contractor’s crane rigging or crane operations services.
4. Contractor hereby indemnifies and holds Trachte, it subsidiaries, their officers, directors and employees, harmless from any and all actions, causes of action, claims, lawsuits and demands, including costs and attorneys fees incurred in defense thereof, for property damage or personal injury suffered by third parties due to, or arising from, Contractor’s failure to provide crane rigging or crane operations services that are in compliance with either the Guide Sheet or modifications thereto approved in writing by Trachte.

5. Notwithstanding the instructions contained in the Guide Sheet, Contractor, whether acting alone or in conjunction with third parties other than Trachte, is responsible for addressing all other conditions, circumstances, and actions necessary to perform a safe and successful crane lift (including but not limited to weather, topography, site conditions or traffic), and Trachte shall have no duty or obligation with regard to Contractor's decisions, except as specifically stated in the Guide Sheet.

6. No modification or deviation to the Guide Sheet shall be effective or binding upon Trachte and shall not alter the release, discharge or indemnity set forth in this disclaimer except as agreed to in writing by an authorized Trachte employee. Contracted third parties that are supervising the setting of a Building are not authorized to approve changes. Such modification shall describe the modification or deviation.

7. This Disclaimer is incorporated into and is an integral part of Trachte's Purchase Order, Terms and Conditions and the Contract between Trachte and Contractor.

Consent to Guide Sheet Revision

Trachte and Contractor hereby agree to revise the Guide sheet and crane rigging or operations plans and instructions as follows (if necessary, attach separate sheet describing modifications on deviations in detail):

Trachte, Inc. _____ (Contractor)

By: _____ (Print Name)
 Title: _____
 (Authorized Trachte Employee Only)

By: _____ (Print Name)
 Title: _____