



## Legislation Text

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**File #:** 24660, **Version:** 1

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### **Fiscal Note**

The proposed indemnification language has been reviewed by the City's Risk Manager. The City's risk exposure is increased by this clause, but the exposure is covered by insurance, subject to its terms and conditions.

### **Title**

Approving the patent indemnity language contained in the contract with the Department of Veterans Affairs beginning October 1, 2011.

### **Body**

Resolution, ID 24235, enactment number RES-11-00920 approved a new contract for the City to provide fire protection services. The new contract contains language on patent indemnity which states:

"Patent indemnity. The contractor shall indemnify the Government and its officers, employees and agents against liability, including costs, for actual or alleged direct or contributory infringement of , or inducement to infringe, any United States or foreign patent, trademark, or copyright, arising out of the performance of this contract, provided the Contractor is reasonably notified of such claim and proceeding."

Veteran Affairs will not remove the language and City Attorney and Risk Manager are requesting acceptance of this contract language.

WHEREAS, the City Council approved a new contract with the Department of Veterans Affairs.

NOW, THEREFORE, BE IT RESOLVED, that the Council approve the patent indemnity language as included in this resolution.

BE IT FURTHER RESOLVED, that the Clerk and Mayor are authorized to sign the contract containing this language.