

TOWN OF CLARKSTOWN
HOLD HARMLESS AGREEMENT

To the fullest extent provided by law, the Contractor and all of its employees and agents agrees to protect, defend, indemnify and hold the Town of Clarkstown and its officers, employees, and agents and save it harmless from and against any and all losses, penalties, damages, settlements, costs, charges, and professional fees or other expenses or liabilities of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind and character in connection with or arising directly or indirectly out of this agreement and/or the performance thereof. Without limiting the generality of the foregoing, any and all claims, etc., relating to personal injury, death, damage to property, defects in materials or workmanship, or any other violation of any applicable statute, ordinance, administrative order, rule or regulation or decree of any Court, shall be included in the indemnity hereunder, with the exception of claims, if any, caused by the sole negligence of the Town of Clarkstown.

The Contractor agrees to name the Town of Clarkstown an additional insured on its liability insurance policies by way of policy endorsement and provide the Town with Certificates of Insurance or other evidence of insurance as may be required by the Town.

Company Name _____

By: _____
(Signature)

Print Name & Title: _____

State of New York)
) ss. :
County of Rockland)

On the _____ day of _____, in the year _____, before me, the undersigned, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that executed the same in capacity, and that by signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

Apprenticeship Training / Project Labor Agreement Requirements

By way of Town Board Resolution dated July 18, 2023, the Town Board promotes the use of both Project Labor Agreements and apprenticeship training programs. That resolution follows in order to clarify the Town's requirements of contractors and sub-contracts.

WHEREAS, by Resolution No. 156-2010, adopted March 16, 2010, the Town Board rescinded Resolution 532-2009 and clarified its position with respect to the use of both Project Labor Agreements and apprenticeship training programs, and

WHEREAS, the Town Board now wishes to broaden the scope of the application of Project Labor Agreements/apprenticeship training programs to include field and ballpark projects; and conduct feasibility studies and implement the use of Project labor Agreement in Public Works Contract involving multiple trades for projects excess of \$4,000,000 in circumstance where doing so would be cost effective as demonstrated by the feasibility study, and

NOW, THEREFORE, be it RESOLVED, that the Clarkstown Purchasing Agent is hereby directed to incorporate the following language in the bid documents for said Public Works Contracts which replaces the existing language, to wit: "FURTHER RESOLVED, that the term "Public Works Contract," for the purposes of this resolution, shall mean any contract to which the Town of Clarkstown shall be a signatory which involves the construction, reconstruction, improvement, rehabilitation, installation, alteration, renovation, demolition of any building, facility, physical structure, field, ballpark, highway or bridge, including drainage projects, with a value in excess of \$250,000.00, and be it

FURTHER RESOLVED, that the Town shall also, as permitted by Section 222 of New York State Labor Law, conduct feasibility studies and implement the use of Project Labor Agreements in Public Works Contracts involving multiple trades for \$4,000,000 in circumstances where doing so would be cost effective as demonstrated by a feasibility study. To that end, the Town will undertake a feasibility study for such public works contracts meeting the aforesaid threshold limits to determine benefits, if any, that would accrue to the Town by the implementation of a PLA. If such benefits are found, such as promotion of work site harmony, prevention of costly delays resulting from strikes and lockouts, and provision for a dispute resolution mechanism to resolve labor and jurisdictional disputes, the PLA will be in the bid documents and the acceptance by the bidder will become a condition of the bid."

Bidder Company Name _____

By: _____(Signature)

Print Name & Title: _____