As per your request, [INSERT DESIGN PROFESSIONAL FIRM NAME] is prepared to provide [CONTRACTOR NAME] with copies of its Building Information Model (“BIM”) files for the above mentioned project. However, it is expressly understood that the BIM files are being issued only as supplemental information for convenience to the Contractor. BIM files, like any electronic data, transferred in any manner or translated from the system and format used by all of the design professionals on this Project (“Design Team”) to another system or format are subject to errors and modifications that may affect the accuracy and reliability of the data, and, in addition, that electronic data may be altered or corrupted whether inadvertently or otherwise. As a result, no representations or warranties, whether expressed or implied, as to the accuracy of the BIM files transferred are made herein. As the accuracy of the BIM files cannot be warranted or guaranteed, it is issued as supplemental information only and must be read in conjunction with the contract documents, and the to the extent there are any discrepancies between the BIM files and the contract documents, the physical contract documents must be relied upon.

The BIM files provided by the Design Team under the terms of this Agreement are the proprietary information and property of the Design Team, who shall maintain all copyright and intellectual property rights in the BIM files. All BIM files shall be treated as confidential and are not to be disclosed to or shared with others without the Design Team’s written consent. The use of the BIM files for any other purpose other than for supplemental information for convenience in the bidding process is prohibited.

By signing the release below you are acknowledging that 1) [INSERT OWNER’S NAME] (“Owner”) and the Design Team shall be held harmless from any and all claims, liabilities, damages, losses, or expenses arising out the contractor’s use of the BIM files and cannot be held responsible for any errors or omissions within the BIM files, 2) the BIM files are to be read in conjunction with all construction documents, addenda and supplemental contract documents, and 3) the BIM files are not to be used for fabrication or construction of any kind.

[DESIGN FIRM] REPRESENTATIVE: ____________________________ DATE: _________________

ACCEPTED BY: ____________________________________________ DATE: _________________

[CONTRACTOR NAME]:  ______________________________________