



Greater Austin Contractors  
& Engineers Association

## FIELD OPPORTUNITY

Observer's Name \_\_\_\_\_

Observer's Company \_\_\_\_\_

Phone Number \_\_\_\_\_ Cell \_\_\_\_\_

Date of Field Visit \_\_\_\_\_ Time \_\_\_\_\_

Project Company \_\_\_\_\_

Project Name \_\_\_\_\_

Project Location \_\_\_\_\_

- Yes, I read, understand, and signed the attached Assumption of Risk, Release, and Indemnification Agreement.
- Yes, I have the required safety equipment.  
hard hat, safety vest, safety glasses, closed toe shoes
- Yes, I have seen the required safety video and understand it.

Signatures:

Site Observer \_\_\_\_\_ Date \_\_\_\_\_

Site Supervisor \_\_\_\_\_ Date \_\_\_\_\_

**Provide this form and the attached form to the Site Supervisor upon arrival.**

Observer's initial \_\_\_\_\_



**GREATER AUSTIN CONTRACTORS & ENGINEERS ASSOCIATION**  
**ASSUMPTION OF RISK, RELEASE AND INDEMNIFICATION AGREEMENT**  
**FOR JOB SITE VISITATION PROGRAM**

WHEREAS, the Greater Austin Contractors & Engineers Association (hereinafter “ACEA”) has established a voluntary program of various construction job site visits, inclusive of any and all product fabrication plants, work sites or professional offices (hereinafter “Construction work site”) for interested professionals and other individuals (hereinafter “Construction Site Observer”) ACEA Member interested in learning about the commercial and residential construction industry in Central Texas; and,

WHEREAS, ACEA has a Mission Statement which includes the desire to promote the business interests of those who design and build the infrastructure of the Central Texas area by working with the local political subdivisions and promoting all ACEA Members as good citizens within this Community; therefore, its Members desire to help and encourage those individuals who wish to learn about construction techniques, the creation of construction products and various construction practices by direct observation; and,

WHEREAS, each Construction Site Observer, as a visitor to the Construction work site selected by the ACEA Member agrees to expressly waive all liability claims against ACEA, its members, the site location owner and the General Contractor and the sub-Contractors working thereon.

NOW THEREFORE, ACEA and the Construction Site Observer expressly agree as follows:

Each Construction Site Observer by visiting a construction site with a Member of ACEA hereby expressly agrees to use ordinary care while visiting the construction work site and also assumes the risk of personal injury, property damage, or other loss caused by any contractor, fabricator, manufacturer and/or the property owner related to the operation of the Construction Site, including, without limitation:

- (a) Noise from any construction equipment (it being specifically understood that such equipment is located on or near the construction site).
- (b) Noise caused by General and/or Sub-Contractors located on or near the construction site.
- (c) Injuries caused by any and all pesticides, herbicides and/or other relevant construction chemicals that may be in use on or near the construction site.
- (d) Injuries caused by any and all tools, whether powered or handheld, that is being used on or near the construction site.
- (e) Injuries caused by any and all construction materials located on or near the construction site.
- (f) Injuries caused by any and all construction equipment located on or near the construction site.
- (g) Injuries caused directly or indirectly by any contractor, sub-contractor or their employees, independent contractors or agents which occurs on or near the construction site.

Observer’s initial \_\_\_\_\_

Each such Construction Site Observer by his or her signature below personally verifies that they have previously attended a Public Safety Course or other form of professional training designed to instruct an individual about work site safety issues and potential areas of danger at a work site. The Construction Site Observer also acknowledges that the ACEA Member, the site location owner and the General Contractor and the sub-Contractors working thereon are all relying on the Construction Site Observer's statement discussed above. The Construction Site Observer also agrees to utilize the ACEA Member's safety equipment and/or provide his or her own safety equipment as delineated in the attached Exhibit "A" in order to insure their own safety at the visitation site.

Each such Construction Site Observer expressly agrees that neither the ACEA Member; any successor to the ACEA Member; the ACEA itself, as well as its Officers, directors, employees and/or agents; the General Contractor and/or the Sub-Contractors: as well as the Owners of the Construction Site or their successors, successors-in-title, or assigns; any entity managing the Construction Site; any Officer, Director or Partner of any of the foregoing, or any Officer or Director of any Partner of the Construction Site Owner, the General Contractor or Sub-Contractors or the ACEA Member or the Greater Austin Contractors & Engineers Association. for purpose of this Section, the "Released Parties" shall be liable to any Construction Site Observer, claiming any loss, injury, damage based upon, due to, arising from, directly or indirectly, or otherwise related to the visit with a Member of ACEA to a Construction Site, even if such loss, damage or injury is caused in whole or in part by the negligence of any of the Released Parties. **EACH CONSTRUCTION SITE OBSERVER HEREBY AGREES TO HOLD HARMLESS THE RELEASED PARTIES FROM AND AGAINST ANY AND ALL SUCH CLAIMS AS SET FORTH IN THE PRECEDING SENTENCE BY THE CONSTRUCTION SITE OBSERVER AND HIS OR HER HEIRS OR ASSIGNS WITH RESPECT TO THE VISIT TO A CONSTRUCTION SITE WITH A MEMBER OF ACEA FOR ANY INJURY, LOSS, OR DAMAGE, WHETHER KNOWN OR UNKNOWN, FORESEEN, OR UNFORESEEN, ARISING FROM OR RESULTING FROM, DIRECTLY OR INDIRECTLY, ACTS OR OMISSIONS OF THE RELEASED PARTIES, EVEN IF CAUSED IN WHOLE OR IN PART BY THE NEGLIGENCE OF THE RELEASED PARTIES.**

**THE FOREGOING RELEASE AND INDEMNITY IS INTENDED TO RELEASE AND INDEMNIFY THE RELEASED PARTIES FROM AND AGAINST THEIR OWN NEGLIGENCE AS PER THE ATTACHED FIELD OPPORTUNITY FORM.**

Agreed to on this the \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Construction Site Observer

Witnessed: \_\_\_\_\_  
ACEA Member

\_\_\_\_\_  
PRINTED NAME of Construction Site Observer

BY MY SIGNATURE BELOW I AFFIRMATIVELY STATE THAT I HAVE RECEIVED WORK SITE SAFETY INSTRUCTION PRIOR TO MY SITE VISIT.

\_\_\_\_\_  
Construction Site Observer

\_\_\_\_\_  
Date

Observer's initial \_\_\_\_\_