

Amendment No. 5 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

The Committee on Transportation offered the following:

**Amendment**

On page 2, lines 6-16,  
remove from the bill: all of said lines

and insert in lieu thereof:

(2) Notwithstanding the provisions of subsection (1), if an architect, engineer, general contractor, subcontractor, sub-subcontractor, or materialman or any combination thereof provides service to or for a public agency, the agency may require in a construction contract with such party that such party indemnify and hold harmless the agency, its officers and employees, and the agency's consultants and design professionals from liabilities, damages, losses, and costs, including, but not limited to, reasonable attorney's fees, to the extent caused by the negligence, recklessness, or intentionally wrongful conduct of such party and other persons employed or utilized by such party in the performance of the contract.