



INTERNATIONAL BOUNDARY & WATER COMMISSION  
**CADD/ELECTRONIC FILE TRANSFER AGREEMENT**

Project: \_\_\_\_\_ Contract Number: \_\_\_\_\_

Contractor: \_\_\_\_\_

Contractor's Address: \_\_\_\_\_

Authorized Agent's Email: \_\_\_\_\_

Authorized Agent's Phone Number: \_\_\_\_\_

*As per your request, electronic files are being provided as a convenience and use related to the project listed above, subject to the following terms and conditions:*

We make no representation as to the compatibility of these files with your hardware or your software beyond the specified release of the referenced specifications.

Data contained on these electronic files are part of our instruments of service and shall not be used by you for any purpose other than as a convenience for the referenced project without express written permission from USIBWC. The undersigned agrees to use the files solely for use on this project. Any other use or reuse by you or by others will be at your sole risk and without liability or legal exposure to USIBWC. You agree to make no claim and hereby waive, to the fullest extent permitted by law, any claim or cause of action of any nature against USIBWC, our employees, agents or sub-consultants that may arise out of or in connection with your use of the electronic files.

You, your company, and any of its employees or agents, may not license, distribute, or transfer the electronic files, in whole or in part, to any other person, firm, corporation, or agency without prior consent from USIBWC.

Furthermore, you shall, to the fullest extent permitted by law, indemnify and hold harmless against all damages, liabilities or costs, including reasonable attorneys' fees and defense costs, arising out of or resulting from your use of these electronic files.

These electronic files are not construction documents. Differences may exist between these electronic files and corresponding contractual hard copy/pdf construction documents. We make no representation regarding the accuracy or completeness of the electronic files you receive. In the event that a conflict arises between the hard copy/pdf drawings prepared by us and the electronic files, the hard copy/pdf drawings shall govern. You are responsible for determining if any conflicts exist. By your use of these electronic files, you are not relieved of your duty to check, confirm and coordinate all dimensions and details, take field measurements, and verify field conditions. Site conditions may have changed since the date of the hard copy/pdf drawings.

Because information presented on the electronic files can be modified, unintentionally or otherwise, we reserve the right to remove all indicia of ownership and/or involvement from each electronic display.

Under no circumstances shall delivery of the electronic files for use by you be deemed a sale by us, and we make no warranties, either express or implied, or merchantability and fitness for any particular purpose. In no event shall we be liable for any loss of profit or any consequential damages as a result of your use or reuse of these electronic files.

*Agreed by Contractor's Authorized Agent:*

\_\_\_\_\_  
Printed Name of Contractor's Authorized Agent

\_\_\_\_\_  
Contractor's Authorized Agent's Title

\_\_\_\_\_  
Signature of Contractor's Authorized Agent

\_\_\_\_\_  
Date Signed



File Agreement Dated: \_\_\_\_\_ Contractor: \_\_\_\_\_

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.



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**CADD/ELECTRONIC FILE TRANSFER AGREEMENT  
INSTRUCTIONS**

*Complete this form whenever AutoCAD files are provided to a Contractor.*

*In accepting AutoCAD files from us, you are acting as an authorized agent of your company.  
Both you and your company are bound by the terms and conditions listed.*

This form is different than most of USIBWC's forms. USIBWC will complete all but the items in blue below. The Contractor's representative shall complete the items in blue, print the completed form to pdf, and return the form to USIBWC.

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**Project:** Enter name of USIBWC project.

**Contract Number:** Enter USIBWC contract number. If AutoCAD files are being provided to a CM Contractor, enter the construction contract number. If AutoCAD files are being provided to an A&E Contractor, enter their task order number.

**Contractor:** Name of USIBWC's Contractor.

**Contractor's Address:** Enter your company's mailing address only.

**Authorized Agent's Name:** Enter your name.

**Authorized Agent's Title:** Enter your position title.

**Signature of Contractor's Representative:** Insert scanned or digital signature.

**Date:** Enter date form signed.

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The project, contract number, date signed, and company will transfer from page 1.

Either list all individual AutoCAD files or provide an attached file of the directory list of all files provided.