



**ARIZONA DEPARTMENT OF ADMINISTRATION  
RISK MANAGEMENT DIVISION**

**Request for Exception to [R2-10-301](#)  
(please select at least one)**

**Contractual Limitation of Liability  
Indemnification/Hold Harmless  
Additional Insured  
Waiver of Subrogation**

**Please attach contract documents and identify language requiring an exception.**

"Agency" refers to all State of Arizona Agencies, Boards, Commissions, and Universities.

<b>CONTRACT, LEASE, OR OTHER WRITTEN AGREEMENT INFORMATION</b>		
Agency:		
Request Date:	Vendor Name:	
Title:		Number:
Effective Date:	Term:	Value:
Section(s) referencing Limitation of Liability:		
Sections(s) referencing Indemnification / Hold Harmless:		
Section(s) referencing Additional Insured and/or Waiver of Subrogation:		
<b>Descriptions</b>		
<input type="checkbox"/> Performing a service for the Agency (with or without delivery of a product) such as software, hardware, consultant services, advisory, managerial, etc...		
<input type="checkbox"/> Product only (no services) such as material transfer, loan of personal property, etc.		
<input type="checkbox"/> Grant/Disbursement of Funds		
<input type="checkbox"/> Patents/Copyrights		
<input type="checkbox"/> Lease, Permit, License, Patent (pertaining to land or transfer of land to the State)		
<input type="checkbox"/> Other - Describe:		

## ASSERTIONS

1. *represents the contract negotiations have reached an impasse. The contract, lease, or other written agreement is (check all that apply):*  
*A Sole Source*  
*Impractical to Bid*  
*Other - Describe:*
2. *represents the contract, lease, or other written agreement is critical to the Agency's mission and is in the best interest of the State.* **Initial here:**
3. *represents the contract, lease, or other written agreement addresses economical and/or efficiency of performance needs of the Agency.* **Initial here:**
4. *represents it has evaluated the potential risk of loss created by these exceptions. Those risks identified are as follows:*  
*Check all that apply. If a box is checked, then provide a brief explanation.*
- Financial losses.
  - Bodily injury or property damage losses.
  - Losses due to inoperability of machinery or systems.
  - Losses due to non-collection or non-disbursement of funds.
  - Losses due to unauthorized access due to lack of effective encryption or use of other security measures.
  - Losses due to infringement of Intellectual Property and/or Copyright.
  - Losses related to reliance on inaccurate subscription data.
- Explanation:
5. Check ONE of the following:
- There are NO insurance provisions applicable to this agreement.
  - There ARE insurance requirements (attach copy), and the Agency asserts that NO exceptions have, or will be made to such provisions, nor will the Agency fail to secure Certificates of Insurance in full compliance with such provisions. The State Risk Management Office reserves the right to review any Certificates of Insurance at any time in conjunction with any authority granted.
  - There ARE insurance requirements (attach copy), and there ARE exceptions to such requirements being requested.

6.	<p>_____ agrees that this exception permits the Agency to enter into a contract, lease, or other written agreement pursuant to <a href="#">A.A.C. R2-10-301</a>, subject to <a href="#">A.R.S. § 41-621</a>. The Agency further acknowledges and understands this authorization is limited by these Statutes and may provide a limited remedy subject to law. The information provided within this form is limited and the State Risk Management Office reserves the right to request additional information and/or additional documentation.</p>	Initial here: <input style="width: 50px; height: 20px;" type="text"/>
7.	<p>_____ acknowledges that it may be exposed to uninsured losses, including, but not limited to:</p> <ul style="list-style-type: none"> <li>a. Regulatory Requirements <b>Examples:</b> Credit Monitoring, Regulatory Fines</li> <li>b. Consequential or Indirect Damages <b>Examples:</b> Data Loss, Business Continuation / Interruption</li> <li>c. Breach of Contract <b>Examples:</b> Delay, Non-performance, Contract property perils</li> </ul>	Initial here: <input style="width: 50px; height: 20px;" type="text"/>

The signature below certifies that the Agency has examined this document, finds the above **ASSERTIONS** to be correct, and that this transaction is for a valid public purpose.

Agency Director Signature: \_\_\_\_\_

Date: \_\_\_\_\_ Print Name & Title: \_\_\_\_\_

***As of 8/1/2023 Risk Management Approvals will be sent via email on a separate document.***