**Section 886.330 Indemnification**

The loan recipient, rather than the Agency, shall assume the entire risk, responsibility and liability for any and all loss or damage to property owned by the loan recipient, the Agency, or third persons, and any injury to or death of any persons (including employees of the loan recipient) caused by or arising out of, or occurring in connection with, the execution of any work, contract or subcontract arising out of the loan. The loan recipient shall indemnify, save harmless and defend the State and the Agency from all claims for any such loss, damage, injury or death. However, a loan recipient's execution of a loan agreement, or implementation of an approved project, does not, in itself, render the loan recipient an owner or operator for purposes of 415 ILCS 5/22.2(h)(2), or under regulations promulgated pursuant to 415 ILCS 55/8 (35 Ill. Adm. Code 620). The loan recipient shall require any contractor or subcontractor engaged by the loan recipient to agree in writing to look solely to the loan recipient for performance of its contract or subcontract with the loan recipient and for satisfaction of any and all claims arising under the contract or subcontract.