**Section 800.400 Indemnity**

If any loss, damage, destruction, injury or death occurs to any person or property as a result of or in the course of the performance by recipient of its obligations under the contract, (including acts or omissions of a contractor) whether intentional or unintentional, recipient agrees to indemnify and hold harmless the State from any and all liability of State which may result from any such loss, damage, destruction, injury or death, including all related costs and legal fees; provided, however, that recipient is not obligated to indemnify and hold harmless the State from liability for injury or death when the injury or death is caused by the negligence or intentional act of an employee or agent of the State.