

Purchase Requisition # see below

MT. DIABLO UNIFIED SCHOOL DISTRICT
1936 Carlotta Drive
Concord, CA 94519

**AGREEMENT BETWEEN
MT. DIABLO UNIFIED SCHOOL DISTRICT
AND INDEPENDENT CONTRACTOR**

THIS AGREEMENT is made this 1st day of August, by and between the Mt. Diablo Unified School District (hereinafter "District") and Exploring New Horizons (hereinafter "Contractor").

District hereby engages Contractor to render services under the terms and conditions of this Agreement.

1. Performance of Services

(a) Contractor agrees to perform the services described on Exhibit "A" (hereinafter "Services") on page 5 of this Agreement as an independent contractor. Contractor will determine the means, manner, method, and details of performing the Services. Contractor shall be responsible for providing the materials, tools and transportation necessary for the performance of the services. Contractor may, at Contractor's own expense, use non-District employees to perform the Services under this Agreement. Subcontractors may be used only with the written approval of the District.

(b) Contractor represents that Contractor has the qualifications and ability to perform the Services in a professional manner, without the advice, control, or supervision of the District. Contractor shall be solely responsible for the professional performance of the services, and shall receive no assistance, direction, or control from District. Contractor shall have sole discretion and control of Contractor's services and the manner in which they are performed.

2. Compensation. District agrees to compensate Contractor for the performance of the services on the following basis:

Not to exceed \$ 299,495.13 for Services 114 - 0343 - 10 - 5895 \$ 27,322.00 R99686

99709 132 - 0343 - 10 - 5895 \$ 19,140.00 179 - 0343 - 10 - 5895 \$ 18,054.00 R100648

100848 142 - 0343 - 10 - 5895 \$ 41,250.00 181 - 0343 - 10 - 5895 \$ 34,093.00 R100551

99704 153 - 0343 - 10 - 5895 \$ 31,350.00 188 - 0343 - 10 - 5895 \$ 26,010.00 R99656

99817 154 - 0343 - 10 - 5895 \$ 44,370.00 196 - 0343 - 10 - \$ 12,546 * pending funding

99653 168 - 0343 - 10 - 5895 \$ 27,540.00 198 - 0343 - 10 - \$ 17,820.00 * pending funding

Budget Code

Budget Code

Check One: * Add: R105328 145-0343-10-5895 \$ 3885

Partial Payments: Contractor shall invoice District on a monthly basis or as agreed to for all hours worked pursuant to this Agreement.

Partial Payments: District shall make a payment per schedule detailed in Exhibit A. District Administrator will verify invoice indicating that all required services have been performed by each timeline.

Payment in Full: Contractor shall invoice District on completion of services. District Administrator will verify invoice indicating that all required services have been performed.

Contractor shall be responsible for all expenses incurred in association with the performance of the Services.

3. Term and Termination. This Agreement will become effective on August 14, 2017. This Agreement will terminate upon the completion of the Services or when terminated as set forth below.

Either party may terminate this Agreement at any time by giving thirty (30) days written notice to the other party. Should either party default in the performance of this Agreement or materially breach any of its provisions, the non-breaching party may terminate this Agreement by giving written notice to the breaching party. Termination shall be effective immediately on receipt of said notice.

<i>MDUSD School</i>	<i>Program Location</i>	<i>Program Dates</i>	<i># of days</i>	<i>Per Student Cost</i>	<i># Students</i>	<i># Teachers</i>	<i># Counselors</i>	<i>Guaranteed Min # of students</i>	<i>\$ Deposit</i>	<i>Deposit Due Date</i>
Monte Gardens	Loma Mar	September 25 - 29, 2017	5	\$330	102	4	11	92	\$30,360	9/4/17
Hidden Valley	Loma Mar	October 30 – November 3, 2017	5	\$330	105	4	11	95	\$31,350	10/9/17
Bancroft	Loma Mar	November 14-17, 2017	4	\$306	80	3	8	72	\$22,032	10/24/17
Valle Verde	Loma Mar	November 14-17, 2017	4	\$306	85	3	9	77	\$23,562	10/24/17
Mt. Diablo	Loma Mar	January 23-26, 2018	4	\$306	145	5	15	131	\$40,086	1/2/18
Woodside	Loma Mar	January 30 – February 2, 2018	4	\$306	46	2	5	41	\$12,546	1/9/18
Ygnacio Valley	Loma Mar	May 7-11, 2018	5	\$330	60	2	7	54	\$17,826	4/16/18
El Monte	Loma Mar	May 14-18, 2018	5	\$330	64	2	7	58	\$19,140	4/23/18
Pleasant Hill	Sempervirens	October 3-6, 2017	4	\$306	100	4	10	90	\$27,540	9/12/17
Strandwood	Sempervirens	October 16-20, 2017	5	\$330	105	4	11	95	\$31,350	9/25/17
Silverwood	Sempervirens	April 24-27, 2018	4	\$306	65	3	7	59	\$18,054	4/3/18
Holbrook Language Academy	Pigeon Point	May 23-25, 2018	3	\$259	12	1	6 (chaperones)	11	\$2,849	5/2/18