



**CONTRACTUAL AGREEMENT BETWEEN
DISTRICT AND CONTRACTOR FOR
CATALOG DISCOUNT FOR ATHLETIC UNIFORMS,
SUPPLIES & EQUIPMENT**

This contract is made on the 18th day of December 2017, by and between Beaufort County School District (BCSD) and School Specialty, Inc. (Contractor).

The Project is to establish a catalog discount contract for the purchase of new athletic uniforms, supplies, and equipment via catalog and on-line ordering.

The parties hereto do agree as follows in consideration of the mutual promises, covenants and agreements as hereinafter set forth.

- 1. TERMS AND CONDITIONS.** Contractor certifies that the scope of work/specifications as they apply to all terms and conditions within the BCSD Best Value Bid (BVB) #18-012 solicitation and the Contractor proposal in response to the RFP shall be made part of the Contract as if incorporated therein.
- 2. SCOPE OF WORK.** The Project is to establish a catalog discount contract for the purchase of new athletic uniforms, supplies, and equipment via catalog and on-line ordering. Contractor shall provide a maximum percentage discount off the vendor's catalog price and must distinguish discounted contract prices on websites for on-line ordering. Contractor shall maintain a website available for all end users to access for on-line ordering.
- 3. TERM.** This Agreement shall commence on December 18, 2017 and the base term of the agreement shall be for three (3) years, expiring December 17, 2020. BCSD has the option to renew the Agreement for two (2) one (1) year terms. Extensions beyond the five (5) year period require approval of the BCSD Superintendent.
- 4. COMPENSATION.** BCSD shall pay the contractor in accordance with Exhibit A (Bidding Schedule).

5. **INDEPENDENT CONTRACTOR.** The relationship of the Parties hereto shall at all times be that of independent contractor. Nothing in this relationship will create an employer-employee relationship, association, joint venture, partnership, or other form of legal entity or business enterprise between the Parties, their agents, employees or affiliates.
6. **DISPUTE RESOLUTION.** All disputes between the parties hereto under this Agreement must be resolved pursuant to the procedures of the Procurement Code of BCSD.
7. **NOTICES.** All notices, consents, approvals and the like required to be given hereunder shall be given in writing to BCSD at P.O. Drawer 309, Beaufort, S.C. 29901-0309 or to such other address as BCSD shall designate. All notices to the Contractor shall be given to School Specialty, Inc., Attn: Amy Fuss, Bids Department at W6316 Design Drive, Greenville, WI 54942.
8. **WHOLE AGREEMENT.** This document, together with all subordinate and other documents incorporated by reference herein, will constitute the entire agreement between the parties with respect to the subject contained herein, supersedes all prior agreements and understandings, whether written or oral, and may only be modified by an amendment executed in writing by both parties.

The Parties hereto have duly executed this Agreement on the date first set forth above.

AGREED:

School Specialty, Inc.

By: Amy Fuss

Amy Fuss,
Assistant Secretary

Beaufort County School District

By: Jeffrey C. Moss

Jeffrey C. Moss,
Superintendent

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**BIDDING SCHEDULE
CATALOG DISCOUNT**

Catalog List Price less 39% Discount in the School Specialty Physical Education & Recreation Catalog / Sportime.

Catalog items listed as “Net Price” are not eligible for any discounts. Also excluded are any items with the notation “No other discounts apply”.

Shipping charges are included in the catalog price.