CONTRACTUAL AGREEMENT BETWEEN

DISTRICT AND CONTRACTOR FOR

TEMPORARY INFORMATION TECHNOLOGY PROFESSIONAL SERVICES

This contract is made on the 1st day of October 2019, by and between Beaufort County School District (BCSD) and 22nd Century Technologies, Inc. (Contractor).

The Project is to provide temporary information technology professional services per the specifications, terms and conditions of IFB 20-008.

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 Invitation for Bid (IFB) #20-008 solicitation and the Contractor response to the IFB shall be made part of the Contract as if incorporated therein.

2. **SCOPE OF WORK.** The contractor shall provide temporary information technology professional services for BCSD to meet requirements within the BCSD IFB #20-008 solicitation.

3. **TERM.** This Agreement shall commence on October 1, 2019 and the base term of the agreement shall be for five (5) years, expiring September 30, 2024. Extensions beyond September 30, 2024 require approval of the BCSD Superintendent.

4. **COMPENSATION**. Contractor shall be compensated an amount not to exceed the maximum fee schedule shown in Exhibit A of this Agreement.

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. **TERMINATION FOR DEFAULT.** Should termination for default occur, BCSD reserves the right to procure like services in the open market, charging the Contractor with any excess costs.

8. **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 22nd Century Technologies, Inc., 220 Davidson Avenue, Suite 118, Somerset, NJ 08873.

9. **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:

22nd Century Technologies, Inc.	Beaufort County School District
By: _____	By: _____
Eva Gaddis-McKnight, Administrator	Frank J. Rodriguez, Superintendent

Exhibit A

MAXIMUM FEE SCHEDULE

Labor rate in Exhibit A includes all travel and additional costs.

Percentage discount from established pre-set maximum Fixed Price: **0%**

CATEGORY	Level	Bid	No Bid	Hourly Rate
IT Laborer	Entry	X		$15.00
	Intermediate	X		$20.00
	Advanced	X		$25.00
AV/IWB Installer	Entry	X		$15.00
	Intermediate	X		$45.00
Desktop Technician	Entry	X		$25.00
	Intermediate	X		$45.00
	Advanced	X		$65.00
Systems Administrator	Entry	X		$50.00
	Intermediate	X		$75.00
	Advanced	X		$100.00
Systems Engineer	Entry	X		$125.00
	Intermediate	X		$200.00
	Advanced	X		$300.00
Network Administrator	Entry	X		$50.00
	Intermediate	X		$75.00
	Advanced	X		$100.00
Network Engineer	Entry	X		$125.00
	Intermediate	X		$200.00
	Advanced	X		$300.00
Database Administrator	Entry	X		$100.00
	Intermediate	X		$175.00
	Advanced	X		$250.00
IT Security Engineer	Entry	X		$100.00
	Intermediate	X		$200.00
	Advanced	X		$275.00
Technical Writer	Entry	X		$75.00
	Intermediate	X		$100.00
	Advanced	X		$125.00
Business Analyst	Entry	X		$100.00
	Intermediate	X		$150.00
	Advanced	X		$200.00

Exhibit A (continued)

CATEGORY	Level	Bid	No Bid	Hourly Rate
Training Specialist	Entry	X		$75.00
	Intermediate	X		$100.00
	Advanced	X		$125.00
Telecommunications Administrator / Engineer	Entry	X		$125.00
	Intermediate	X		$165.00
	Advanced	X		$200.00
Web Developer	Entry	X		$50.00
	Intermediate	X		$75.00
	Advanced	X		$100.00