CONTRACTUAL AGREEMENT BETWEEN

DISTRICT AND CONTRACTOR FOR

GROUNDS MAINTENANCE (NON-ATHLETIC) SERVICES

This contract is made on the 1st day of July 2021, by and between Beaufort County School District (BCSD) and Brightview Landscape Services, Inc. (Contractor).

The Project is to acquire all services, materials, and equipment to provide Grounds Maintenance (Non-Athletic) Services for BCSD.

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 and all terms and conditions within the BCSD Best Value Bid (BVB) #21-034 solicitation and the Contractor proposal in response to the BVB shall be made part of the Contract as if incorporated therein.

2. **SCOPE OF WORK.** The contractor shall provide all services, materials, and equipment necessary for Grounds Maintenance (Non-Athletic) services for BCSD to meet requirements within the BCSD Best Value Bid (BVB) #21-034 solicitation. The contractor shall be responsible for the following groups:

   Battery Creek Group
   Bluffton 3 Group
   Hilton Head Island Group
   Daufuskie Group

3. **TERM.** This Agreement shall commence on July 1, 2021 and the base term of the agreement shall be for approximately three (3) years, ending June 30, 2024. BCSD has the option to extend the Contract for two (2) additional one (1) year terms. Extensions beyond the five (5) year period require approval of the BCSD Superintendent.

4. **COMPENSATION**. BCSD shall pay the Contractor, per Exhibit A (Price Sheet), Four Hundred Seven Thousand Thirty-Four Dollars ($407,034.00) annually, or Thirty Three Thousand Nine Hundred Ninety Dollars and Fifty Cents ($33,919.50) monthly.

Annual price adjustments shall be in accordance with Sections 7.1.18, 7.1.19, and 7.1.20 of the BCSD BVB #21-034 solicitation.

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 BrightView Landscape Services, Inc., 184 Simmonsville Road, Bluffton, SC 29910.

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:

BrightView Landscape Services, Inc.

By: Todd Chesnut

Todd Chesnut,

Senior Vice President

Beaufort County School District

By: _____

Dr. Frank Rodriguez,
Superintendent

Exhibit A

PRICE SHEET

BATTERY CREEK GROUP

Battery Creek High School
Broad River Elementary School
Robert Smalls International Academy
J.S. Shanklin Elementary School
District Educational Services Center

BATTERY CREEK GROUP ANNUAL COST **$164,109.00**

BLUFFTON 3 GROUP

May River High School
River Ridge Academy
Pritchardville Elementary School
Okatie Elementary School

BLUFFTON 3 GROUP ANNUAL COST **$95,445.00**

HILTON HEAD ISLAND GROUP

Hilton Head Island High School
Hilton Head Island Middle School
Hilton Head Island Elementary School
Hilton Head Island School for Creative Arts
Hilton Head Island Early Childhood Center

HILTON HEAD ISLAND GROUP ANNUAL COST **$127,880.00**

DAUFUSKIE ISLAND GROUP

Daufuskie Elementary

DAUFUSKIE ISLAND GROUP ANNUAL COST **$19,600.00**

TOTAL ANNUAL COST	**$407, 034.00**