

AGREEMENT

THIS AGREEMENT is made and entered into this 6th day of February 2005, by and between

COLLABORATIVE FOR HIGH PERFORMANCE SCHOOLS
142 Minna Street, 2nd Floor
San Francisco, CA 94105

hereinafter called the Contractor, and the

OHLONE COMMUNITY COLLEGE DISTRICT
43600 Mission Boulevard
Fremont, California 94539-0390
(510) 659-6000

hereinafter called the District.

WITNESSETH:

WHEREAS, Contractor has special expertise in Sustainable Building Maintenance & Operations Training Material Development and Training Course Delivery.

WHEREAS, the District desires the services of the Contractor;

The parties agree as follows:

1. The period of this agreement shall be from February 1, 2005 through March 3, 2006.
2. The contractor shall provide the scope of work as identified on Exhibit A attached to this agreement.
3. The District shall pay the Contractor a fixed fee of \$11,000.

Payment shall be made by the District after completion of the services based on scope of work and upon the submittal of an invoice to the District approved by the Dean of Entrepreneurial Programs.

4. The District shall not be liable to the Contractor for personal injury or property damage sustained by her/him in the performance of this contract, whether caused by herself/himself, the District, its officers, agents or employees, or by any third person.
5. The Contractor shall indemnify, hold harmless, and defend the District, its Board of Trustees,

its officers, its employees, and representatives from and against all liability, loss, cost, and obligation on account or arising from the negligent acts or omission of the contractor in the performance of the services herein provided.

6. While performing service hereunder, the Contractor is an independent contractor and not an officer, agent, or employee of the District.
7. We reserve the right to cancel this offering at our discretion.
8. Neither party shall assign this agreement nor any part thereof without the written consent of the other party.

WITNESS the parties hereto the day and year first above written.

-Contractor-

COLLABORATIVE FOR HIGH
PERFORMANCE SCHOOLS

By _____
Charles Eley
Title: President

Date: _____

-District-

OHLONE COMMUNITY
COLLEGE DISTRICT

By _____
Leta Stagnaro
Title: Dean, Entrepreneurial Programs

Date: _____