

Agreement for Joint Operation and Management Medford Higher Education Building

This Joint Operation and Management Agreement of the RCC/SOU Higher Education Center (HEC) , herein after referred to as "O&M Agreement", is entered into as of September 1, 2008, by and between Rogue Community College District, herein referred to as "RCC" and Southern Oregon University, herein referred to as "SOU". RCC and SOU hereby agree as follows:

SECTION 1. PURPOSE OF O&M AGREEMENT

RCC and SOU have entered into a Tenancy in Common Agreement dated December 15, 2006, to jointly design, build, own, and manage a joint educational facility in Medford, Oregon. This O&M Agreement (referred to as the "OEM Agreement" in the Tenancy in Common Agreement) and Attachments will define and set forth the continuing relationship between the parties with respect to the use, maintenance, and management of the facility as set forth in Section 2 below.

SECTION 2. SCOPE OF O&M AGREEMENT

The terms of this O&M Agreement and the Tenancy in Common Agreement shall govern the rights and liability of RCC and SOU with respect to the RCC/SOU Medford Higher Education Center. The following areas define and set forth the relationship between RCC and SOU for the use, maintenance and management of the facility and are included as attachments and made a part of this O&M Agreement.

- A. Allocation of Space Between the Owners and Designation of Common Space
- B. License to Use Other Owners' Dedicated Space
- C. Management of Each Owner's Dedicated Space
- D. Annual Property/Building Operation Plans and Budgets
- E. Management of Common Space
- F. Emergency Repairs
- G. Management Fees
- H. Management Decisions Requiring Special Approval
- I. Provisions Regarding Upkeep, Repairs and Maintenance of the Property/Building and Alterations and Improvements to the Building Including Custodial, Utilities, and Data Requirements
- J. Signage on the Property/Building
- K. Apportionment of Ongoing Operating Expenses, Taxes and Assessments, and Revenues from Operations
- L. Restrictions on the use of the Premises, Hours of Operation, Subleasing, Disposition of Hazardous Materials, and Other Items of Importance
- M. Emergency Building Closure Process

- N. Student Discipline and Code of Conduct
- O. Bulletin Boards and Posting
- P. Dispute Resolution
- Q. Building Security
- R. Closed Circuit TV
- S. Access Control
- T. Crisis Planning
- U. IT/Media
- V. Hazardous Materials
- W. Marketing/Public Relations
- X. Food Service/Vending
- Y. Mail and Shipping/Receiving
- Z. Copiers
- AA. Insurance

This O&M Agreement, attachments and the operating budget shall be reviewed annually by the HEC Operations Team which is comprised of agreed-upon representatives from RCC and SOU. This review shall begin in January prior to the beginning of the next fiscal year. In order for both institutions to include it in their individual institution's general budget, the HEC operating budget shall be completed by the April preceding the start of the next fiscal year. However, changes to the agreement can be made at any time via addition, deletion or modification of the attachments. Any amendments/attachments to this O&M Agreement must be in writing and approved by the designated parties of RCC and SOU. Any written mailed documentation for the O&M, as well as the Tenancy in Common, agreements shall be addressed as follows:

For RCC:

Chief Financial Officer/Dean of College Services
Rogue Community College
3345 Redwood Highway
Grants Pass, OR 97527

For SOU:

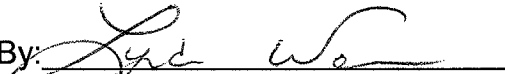
Vice President for Finance and Administration
Southern Oregon University
1250 Siskiyou Boulevard
Ashland, OR 97520


IN WITNESS WHEREOF, Rogue Community College District and Southern Oregon University have executed this O&M Agreement effective as of the date first written above.

Rogue Community College District

Southern Oregon University

The State of Oregon, acting by and through the Oregon State Board of Higher Education on behalf of Southern Oregon University

By: 
Lynda Warren
Chief Financial Officer

By: 
Craig Morris
Vice President - Finance and Administration