



## Equitable Access Participating Publisher Purchase Agreement

**Parties:** This purchase agreement is between the University of California, Davis and \_\_\_\_\_, effective \_\_\_\_\_.

**Term:** The term of this agreement shall commence on the Effective Date and run for until the June 30, 2021. Following the Initial Term, the Agreement may be extended by written mutual agreement. UC's obligation to proceed is conditioned upon the appropriation of state, federal and other sources of funds not controlled by UC ("Funding"). UC will have the right to terminate the Agreement without damage, penalty, cost or further obligation in the event that through no action or inaction on the part of UC, the Funding is withdrawn.

**Termination:** Either party may terminate this agreement with ninety (90) days notices. If there is a course in which users are utilizing the materials and that course extends beyond the termination date or expiration date of this agreement, the terms of this Agreement shall continue to apply to the materials until the conclusion of the course.

**Pricing:** All digital content will be paid at the rate of \$ \_\_\_\_\_ per enrolled student. All print content will be paid at the rate of \$ \_\_\_\_\_ per enrolled student.

**Census Reporting:** Within five (5) business days after the final Add/Drop date for the course, Vital Source will report on the number of enrolled students per course, excluding students who have opted out of the program for all digital course materials.

**Invoicing and Payment:** \_\_\_\_\_ will invoice UC Davis for all print course materials at the time of delivery. UC Davis will pay such invoice within thirty (30) days of the invoice date and will be responsible for any taxes in connection with its resale and/or distribution of products to users.

**Print Returns:** UC Davis will have the right return overstock print versions of course materials in accordance to \_\_\_\_\_ standard return policies for printed course materials for the life of the edition. \_\_\_\_\_ will issue credit within 30 days of receiving the print versions at their return location.

University of California Terms and Conditions of Purchase and Appendix – Data Security and Privacy apply to this agreement. These terms and conditions and appendix can be viewed at:

- <https://memorialunion.ucdavis.edu/data-security>
- <https://memorialunion.ucdavis.edu/terms-conditions>