

# Mountain West Digital Library

## Member Agreement

This Member Agreement (the “**Agreement**”) is entered into as of the Effective Date, by and between the Member named below and the University of Utah on behalf of its unit, J. Willard Marriott Library, on behalf of the Mountain West Digital Library.

### Definitions

“**Effective Date**” is the date that this Agreement has been signed by MWDL and Member, and a fully signed copy has been delivered to the J. Willard Marriott Library at the University of Utah.

“**Member**” is a memory institution accepted for membership in the Program (defined below) by MWDL.

Mountain West Digital Library (“**MWDL**”) is a collaboration of memory institutions, such as libraries, archives, and museums. MWDL was founded by the Utah Academic Library Consortium and is hosted at the University of Utah J. Willard Marriott Library. The University of Utah is MWDL’s fiscal agent.

### Nature of the Collaboration

MWDL instituted the member program (the “**Program**”) described in the Member Program Description, available at <http://mwdl.org/getinvolved/memberprogram.php> and as modified from time to time by the MWDL governance board (the “**Member Program Description**”). The Member Program Description is incorporated into this Agreement as if fully set forth herein. As more fully described in the Member Program Description, MWDL and Member wish to work together to help memory institutions share our region’s cultural and scientific heritage.

Member agrees to abide by the provisions of the Member Program Description (the current copy of which is attached hereto) and to pay the membership dues and set-up fee(s) for the Program described in Exhibit A attached hereto and incorporated herein by this reference.

Member’s membership in the Program shall be for the term of membership described in Exhibit A.

### Termination and Dispute Resolution

Termination of this Agreement is governed by the Member Program Description. Conflicts will be resolved through mediation. The venue for all dispute resolution shall be Utah. Utah law governs.

### Signing of the Agreement

The Agreement may be executed in two or more counterparts through the exchange of electronic (e.g., pdf) or facsimile signatures, each of which will be an original and, together, will constitute one

and the same agreement. A signed copy of the Agreement delivered by email, facsimile, or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Agreement.

**Signatures**

**UNIVERSITY OF UTAH**  
**On behalf of its unit, J. Willard Marriott Library,**  
**on behalf of the Mountain West Digital Library**

By: \_\_\_\_\_

By: \_\_\_\_\_

Name:

Name:

Title: Dean,  
J. Willard Marriott Library

Title: MWDL Program Director,  
J. Willard Marriott Library

Signature Date:

Signature Date:

**MEMBER**

\_\_\_\_\_

By: \_\_\_\_\_

*(Authorized Signatory)*

Name:

Title:

Signature Date:

Member: \_\_\_\_\_ MWDL Director: \_\_\_\_\_  
(initials) (initials)

## Mountain West Digital Library Exhibit A to Member Agreement

*(Membership Dues, Set-Up Fees, and Term of Membership)*

### Member

Name: \_\_\_\_\_

### Term of Membership

- Start date: \_\_\_\_\_; End date: June 30, 2016  
 Start date: \_\_\_\_\_; End date: December 31, 2016

### Invoicing and Payments

MWDL will send an invoice to Member. Payment of membership dues and set-up fees is due within 30 days of start date.

### Repository #1

Name: \_\_\_\_\_

OAI baseURL: \_\_\_\_\_

#### Harvesting set-up

- Already harvested by MWDL (no set-up fee if joining by January 1, 2016)  
 New request for harvest (\$2000 set-up fee)

#### Annual Member Dues and Set-up Fees

- Start date July 1, 2015: \$5000  
 Start date between July 2 and Dec. 31, 2015: \$6000  
 Start date January 1, 2016: \$7500  
 Start date after January 1, 2016: \$7500 plus set-up fee of \$2000

### Repository #2

Name: \_\_\_\_\_

OAI baseURL: \_\_\_\_\_

#### Harvesting set-up

- Already harvested by MWDL (no set-up fee if joining by January 1, 2016)  
 New request for harvest (\$2000 set-up fee)

#### Annual Member Dues and Set-up Fees

- Start date July 1, 2015: \$2500  
 Start date between July 2 and Dec. 31, 2015: \$3000  
 Start date January 1, 2016: \$3750  
 Start date after January 1, 2016: \$3750 plus set-up fee of \$2000