MODELING SPREADSHEET AGREEMENT

BETWEEN

CAVANAUGH MACDONALD CONSULTING, LLC
(“LICENSOR”)

AND

OMAHA SCHOOL EMPLOYEES’ RETIREMENT SYSTEM
(“LICENSEE”)

For and in consideration of the fees identified in Exhibit A, the MODELING SPREADSHEET is delivered to LICENSEE in the form of Excel® Spreadsheet.

The MODELING SPREADSHEET, including the text, structure, sequence, organization, overall look and feel of screen displays and reports generated by such SPREADSHEET, is protected by copyright to the maximum extent permitted by law.

All data, formulas, titles, headings, instructions and other information contained in the MODELING SPREADSHEET other than the underlying Excel® software is proprietary to LICENSOR and is to be treated by LICENSEE as CONFIDENTIAL. LICENSEE agrees not to use any such CONFIDENTIAL information for any purpose other than the generation of reports in the ordinary course of using the MODELING SPREADSHEET. LICENSEE also agrees not to disclose any such CONFIDENTIAL information to any third person without prior written consent of LICENSOR.

Every aspect of the MODELING SPREADSHEET that is not publicly disclosed by LICENSOR, in its marketing materials or otherwise, is maintained by LICENSOR as a trade secret. Disclosure to LICENSEE or any other person subject to any obligation of confidentiality
does not constitute public disclosure. Unauthorized use or disclosure by LICENSEE is strictly prohibited by law.

LICENSOR does not claim any interest in information entered into the MODELING SPREADSHEET by or for LICENSEE, or in data generated in screen displays or printed reports on the basis of information entered into MODELING SPREADSHEET by or for LICENSEE. However, the manner in which LICENSOR’S information is manipulated by the MODELING SPREADSHEET is proprietary to LICENSOR, and LICENSEE agrees not to reverse engineer any aspect of the MODELING SPREADSHEET.

LICENSEE further agrees to notify LICENSOR promptly upon learning of any unauthorized use or disclosure, whether by an employee of LICENSEE, A Board member, or by any third party.

LICENSEE may not sublicense the MODELING SPREADSHEET or any portion thereof or use the MODELING SPREADSHEET for the purpose of running reports or calculations for anyone other than LICENSEE. LICENSEE may make copies of the MODELING SPREADSHEET for internal use solely by LICENSEE.

LICENSOR may, in its sole discretion, license MODELING SPREADSHEET to any pension plan referred to LICENSOR by LICENSEE. In such an event, LICENSOR shall, in its sole discretion, determine the functionality of the MODELING SPREADSHEET for the referred Licensee. Any royalties or fees paid by the referred Licensee shall belong solely to LICENSOR.
LICENSOR:

Cavanaugh Macdonald Consulting, LLC

By:

Date: July 2, 2019

LICENSEE:

Omaha School Employees’ Retirement System

By:

Date:
EXHIBIT A

FEES

The cost of the SPREADSHEET (basic valuation model is $6,500 for the most recent valuation results for 2019, as set out in a letter dated March 21, 2019). Such fees for the MODELING SPREADSHEET (valuation model) shall be billed in accordance with the terms of the actuarial services contract between the Omaha School Employees’ Retirement System and Cavanaugh Macdonald Consulting, LLC.

Any LICENSEE requested enhancements made to the MODELING SPREADSHEET beyond the basic valuation model will be billed at actual time charges to the LICENSEE. Fixed fees may be billed, in lieu of actual time charges, if both the LICENSOR and LICENSEE agree to the amount.