



Connecticut State University System

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BR 08-70

RESOLUTION

concerning

APPROVAL OF PROPOSED CLAIM SETTLEMENT REGARDING CONSTRUCTION OF THE ADANTI STUDENT CENTER AT SOUTHERN CONNECTICUT STATE UNIVERSITY

December 11, 2008

- WHEREAS, On June 26, 2003, Haynes Construction Company (“Haynes”) was awarded the contract to construct the Adanti Student Center, and
- WHEREAS, The project was delayed due to several issues, and
- WHEREAS, Haynes filed a formal claim for arbitration in excess of \$10 million on July 24, 2007, and
- WHEREAS, The parties thereafter agreed to enter into nonbinding mediation, and
- WHEREAS, Mediation was conducted on November 20, 2008, and
- WHEREAS, All parties involved agreed to settle for the amount of \$3,750,000, and
- WHEREAS, \$1.5 million of the settlement amount is proposed to be paid from the Series D CHEFA bond issue (from which the project was originally funded), and \$2.25 million is proposed to be provided from SCSU unrestricted funds, therefore be it
- RESOLVED, That the Board of Trustees for the Connecticut State University System approves the proposed settlement amount of \$3,750,000 to Haynes Construction Company, contingent upon the understanding that this settlement amount includes all claims that have been and may be in the future asserted against the State in connection with the project, and contingent upon approval by the Commissioner of the Department of Public Works, the Office of the Attorney General, and the Office of Policy and Management, and be it further
- RESOLVED, That the Board of Trustees approves the proposed funding sources and amounts as enumerated in this Resolution.

A Certified True Copy:

David G. Carter, Sr.
Chancellor