

M E M O R A N D U M

V-B

To: Board of School Directors  
From: Scott C. Etter, Esquire  
Date: September 6, 2016  
Re: Mid-State Construction settlement

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You are being asked to approve and execute a General Release with Mid-State Construction, the general contractor for (relatively) recent work on and about Memorial Field.

By way of brief background, work commenced in or about mid-2013, and was mostly complete by mid-2014. After much prodding by District staff and the project architect, the punch list was generally completed in mid-2015.

Thereafter, Mid-State presented the District with a final bill that was approximately \$35,000. District personnel objected to that amount, believing that its own costs had increased as a result of Mid-State's delays in completing the project. After a few proposals and counterproposals, the parties have agreed to a payment of \$23,500 to resolve the dispute.

The District, as part of the settlement, will give up any claims that it may have against Mid-State in the future (for this project). We do not ordinarily like to do that, but given the passage of time (two plus years) since the project was generally complete, and the type of project, we do not believe that there are likely to be any issues. Still, it is something of which you should be aware.

Please contact me if you have any questions.

SCE

C: Randy L. Brown  
Ed Poprik