

RESOLUTION

Approving the Partial Settlement Agreement for Confession of Judgment Related to the Timber Systems Truss Repairs at Lincoln Park Middle School

WHEREAS, on June 15, 2010, the School Board approved Bid #1184, Work Scope #9 authorizing Administration to enter into an agreement between Independent School District #709 and Timber Systems, LLC for structural glue-laminated construction at Western Middle School, now known as Lincoln Park Middle School; and

WHEREAS, after construction was completed and following a heavy snow load during the 2013-2014 winter season, the trusses provided by Timber Systems, LLC were determined to be under-designed, and emergency snow removal efforts and truss bracket reinforcements were required; and

WHEREAS, Timber Systems, LLC has stipulated and agreed in a Confession of Judgment to reimburse the district for the costs incurred related to the emergency snow removal and defective truss repairs and will pay the cost of the permanent repairs; and

WHEREAS, ISD #709 has agreed that if Timber Systems, LLC pays the sum of \$40,667.00 by January 15, 2016, the District will not pursue collection proceedings against Timber Systems, LLC for said sum;

NOW THEREFORE, BE IT RESOLVED by the School Board of Independent School District No. 709, St. Louis County, State of Minnesota that the Partial Settlement Agreement for Confession of Judgment between Independent School District #709 and Timber Systems, LLC, is approved.