**EXHIBIT D**

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**LIQUIDATED DAMAGES**

**RFP-2017-CST-01**

**Center Stage Theater Lighting Upgrade**

1. **Findings:**
2. Delay will cause the college harm in several areas.
3. The lighting upgrade to be installed is critical to the educational mission of the college. The Work must be completed in time for Fall Term. If the date of completion is not met, the college cannot make arrangements for alternate temporary facilities and will lose tuition revenue related to programs to be taught in the building.
4. UCC staff time will have to be dedicated beyond the project scope to complete the Work.
5. Items of equipment for the project must be ordered in advance for delivery.
6. Costs to the college in the event of delayed completion are difficult to estimate but it is certain that the college will be damaged as recited above. The possible range of damages that may be actually incurred may vary widely depending upon the circumstances when the delay occurs, the length of the delay, and other factors.
7. Contractors proposing to perform the work must allow for a “worst case” damages scenario unless liquidated damages provide a reasonable basis to predict potential liability.
8. Early completion is only of nominal benefit to the college.
9. **Determination:**

Based upon the foregoing findings a daily rate for liquidated damages is computed as follows:

**Labor Costs -** Project Manager **$150/day**

**Tuition losses -** 400 credit-hours **$100/day**

**Overhead, Storage, and Misc.**  **$ 50/day**

**TOTAL $300/day**

1. **Schedule of Damages:**

All installation of the new wiring, equipment and drops into the classrooms and mechanical space *must be completed* by 9/8/17. The liquidated damages schedule will take effect as stated if this work is not completed by then at the rate of $300 per day for all remaining calendar days after September 8, 2017.

All equipment orders must be placed by the contractor not later than July 14, 2017 to ensure delivery not later than August 25th. The awarded contractor shall secure all equipment in order to comply with this time frame. The College will allow until close of business 9/8 to receive, install, and test the equipment.

1. **Signature:**

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Contractor Signature Date