

**EXHIBIT F**  
**ITB-FAC-2021-01 -- North Parking Lot Landslide Repair**  
**DETERMINATION AND FINDINGS FOR LIQUIDATED DAMAGES**

**1. Findings:**

- A. Delay will cause the college to incur additional expenses for project management, project monitoring, and other project related requirements.
- B. The repairs to be made are critical to the educational mission of the college. The repairs will contribute directly to the safety of all College affiliated persons and those in the General Public who access our Campus for various reasons. It is imperative that we keep our liability for any potential safety breach to an absolute minimum, as we prepare for a return to a Campus-based learning and work environment this coming Fall Term 2021. If the date of completion is not met, the college will incur significant risk.
- C. Early completion is of nominal benefit to the college.
- D. 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 herein. 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.
- E. Liquidated Damages are not calculated as a "penalty" and are meant only to cover basic additional project related expenses due to the unscheduled lengthening of the project.
- F. 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.

**2. Determination:**

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

<b>Labor Costs</b>	
Construction Management	\$400/day
Project Manager	\$75/day (one hour)
Capital Projects Manager	<u>\$75/day (one hour)</u>
<b>Sub-total</b>	<b>\$550/day</b>
<b>Consultants</b>	
Estimated 1+ hour/day	<u>\$200</u>
<b>Sub-total</b>	<b>\$200/day</b>
<b>Overhead, Storage, and Misc.</b>	
Estimated	\$100/day
<b>Sub-total</b>	<b><u>\$100/day</u></b>
<b>TOTAL</b>	<b><u>\$850/day</u></b>

**3. Damage Schedule:**

- A. Total cost per calendar day assessable as Liquidated Damages as follows:
  - **\$450 per day** for the first seven (7) calendar days after **August 31, 2021**, including any written extensions.
  - **\$900 per day** for the subsequent fourteen (14) calendar days after **September 14, 2021**, including any written extensions.
  - **\$1,250 per day** for all remaining calendar days after **September 29, 2021**, including any written extensions.

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Contractor Signature

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Date