STATE OF SOUTH CAROLINA **COUNTY OF RICHLAND**	)	**BEFORE THE CHIEF PROCUREMENT OFFICER FOR CONSTRUCTION**
IN THE MATTER OF: CONTROVERSY **COLLEGE OF CHARLESTON**	)	**CASE NO. 2009-016** **ORDER APPROVING AGREEMENT**
vs.	)	**POSTING DATE:**
BRANTLEY CONSTRUCTION COMPANY, LLC **SIMONS CENTER FOR THE ARTS EXPANSION** **STATE PROJECT NO. H15-9570-PG**	)	**SEPTEMBER 9, 2009**

This matter is before the Chief Procurement Officer for Construction (CPOC) pursuant to a request from the College of Charleston (College) under the provisions of §11-35-4230 of the South Carolina Consolidated Procurement Code ("the Code"), for an administrative review of a contract controversy with Brantley Construction LLC regarding schedule delays, timely preparation of Requests for Proposals and Change Order (CO) Requests and application of Liquidated Damages (LD). On September 7, 2009, the CPOC received a letter from the College dated August 12, 2009 notifying the CPOC that the College had resolved its differences with Brantley and withdrawing its request for resolution of a contract controversy. The College's letter is attached as Exhibit 1.

DECISION

For the foregoing reason, the CPOC dismisses the request for an administrative review filed by the College of Charleston.

John St. C. White
Chief Procurement Officer
For Construction

9 sept 09
Date

Columbia, South Carolina

EXH. #1

COLLEGE of CHARLESTON

August 12, 2009

Mr. John White, PE.
State Engineer
1201 Main Street, Suite 600
Columbia, SC. 29201

Subject: Resolution of Contract Controversy, College of Charleston
State Project #H15-9570, Simons Center for the Arts
Expansion

Dear Mr. White:

The letter is to notify your office that the Contract Controversy between the College of Charleston and Brantley Construction LLC has been resolved. It is the Agency's opinion that there was sufficient benefit in cost savings to all parties thereby bring all issues to a fair and equitable close. Therefore, we desire to withdraw our previous request for contract dispute resolution thereby closing all proceedings regarding this matter.
A copy of chance order 11 is attached resolving CCD 2 and 3 for your records.

For additional information or resolution of any questions, please contact Ken Foreback at 843-953-7343 or e-mail: ForebackK@CofC.edu.

Sincerely,

John A. Cordray, Jr.
Deputy Director of Engineering

Cc. Phil Gerald, Project Manage, State Engineers Office