

## Settlement Agreement

Whereas, the Construction and Planning Unit of the General Services Division of the State of South Carolina contracted with Melloul-Blamey Construction SC, Ltd. for the New South Carolina Veteran's Cemetery in Anderson, South Carolina ("project").

Whereas, during the course of the project certain disputes arose concerning the entitlement of additional compensation for water wells and the assessment of liquidated damages.

Whereas, the General Services Division and Melloul-Blamey submitted these disputes to the State Engineer acting as the Chief Procurement Officer for the General Services Division for a final decision.

Whereas, prior to the hearing on the merits, the General Services Division and Melloul-Blamey reached an agreement to resolve all outstanding issues between them concerning the project on the following basis:

General Services Division withdraws its claim for liquidated damages against Melloul-Blamey and does not owe Melloul-Blamey any additional compensation on the project either related to the base scope of work and any approved or unapproved change orders. General Services Division is considered to have paid Melloul-Blamey in full for the project.

Melloul-Blamey withdraws its claim for additional compensation related to the water wells. On or before May 8, 2009, Melloul-Blamey will deliver to the General Services Division all requested final close out documents. Melloul-Blamey is considered to have been paid in full for the project.

It is agreed that the above terms are agreed upon by the General Services Division and Melloul-Blamey and constitute a final resolution of all known claims regarding the project.

It is agreed that any dispute regarding this agreement shall be governed and resolved pursuant to Section 4.5 of the Standard Supplementary Conditions 00811-OSE as amended, edition 07/01.

It is agreed that this Settlement Agreement will be submitted to the State Engineer, acting as the Chief Procurement Officer for final approval and will become effective upon his signature.

WE SO MOVE AND AGREE

The General Services Division

BY: Tom McHenry  
ITS: Project Manager

Office of the Governor

BY: [Signature]  
ITS: Director of Administration

Melloul-Blamey Construction SC Ltd.

BY: [Signature]  
ITS: V.P.

I APPROVE

John St. C. White  
John St. C. White  
South Carolina State Engineer  
Chief Procurement Officer  
April 28, 2009