MINUTES OF THE JUNE 16, 2006 MEETING
OF THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ALABAMA

The Board of Trustees of The University of Alabama met in Sellers
Auditorium of the Bryant Conference Center on the campus of The University of
Alabama June 16, 2006. Trustee Joseph C. Espy III chaired the meeting. Michael
A. Bownes served as Secretary.

On roll call, the following Trustees were present:

Dr. Joseph B. Morton, State Superintendent of Education

The Honorable Angus R. Cooper II, Trustee from
the First Congressional District

The Honorable Marietta M. Urquhart, Trustee from
the First Congressional District

The Honorable Joseph C. Espy III, Trustee from
the Second Congressional District

The Honorable James W. Wilson III, Trustee from
the Second Congressional District

The Honorable Vanessa Leonard, Trustee from
the Third Congressional District

The Honorable John Russell Thomas, Trustee from
the Third Congressional District

The Honorable Finis E. St. John IV, Trustee from
the Fourth Congressional District

The Honorable Peter L. Lowe, Trustee from
the Fifth Congressional District

The Honorary Joe H. Ritch, Trustee from
the Fifth Congressional District
The Honorable Paul W. Bryant, Jr., Trustee from the Sixth Congressional District

The Honorable John J. McMahon, Jr., Trustee from the Sixth Congressional District

The Honorable Karen P. Brooks, Trustee from the Seventh Congressional District

The Honorable John H. England, Jr., Trustee from the Seventh Congressional District

The Honorable Andria S. Hurst, Trustee from the Seventh Congressional District

The following Trustees were unable to attend:

The Honorable Bob Riley, Governor

The Honorable Sidney L. McDonald, Trustee from the Fourth Congressional District

The meeting also was attended by: Chancellor Malcolm Portera; UA President Robert E. Witt; UAB President Carol Z. Garrison; UAH President Frank Franz; staff members from the Office of the Chancellor, the three campuses, and the UAB Health System. Also in attendance were Student Representatives to the Board of Trustees Justice D. Smyth IV from UA, David R. Shulman from UAB, and Mital Modi from UAH. Faculty Representative to the Board in attendance was: Dr. John B. Vincent from UA.

Chairman Espy welcomed the new Faculty and Student Representatives who were in attendance.

Kellee Reinhart, Vice Chancellor for System Relations, introduced Adam Jones from The Tuscaloosa News, Stephen Dawkins from The Crimson White,
Transit System. This morning they continued their meeting with the presentation of the Annual Consolidated Capital Projects and Facilities Report for UA, UAB, UAH, and University Hospital as required by Board Rule 415.

In accordance with the Committee’s desire to review the Annual Reports during the summer, a resolution approving them will be considered at the September meeting.

The Committee thoroughly reviewed and approved all 14 resolutions.

After discussion, and on motion of Trustee Bryant, seconded by Trustee Urquhart, the Board adopted the following resolutions separately and severally, with Trustee Brooks abstaining on the Lakeside Dining Facility resolution:

* * * * * * * * * * * *

Authorizing execution of Construction Contract and approving Final Budget for Lakeside Dining Facility at UA (Stage IV)

RESOLUTION

WHEREAS, on April 7, 2005, The Board of Trustees of The University of Alabama approved the top three ranking architectural firms according to Board Rule 415 and authorized University Officials to proceed with negotiations for the construction of the Lakeside Dining Facility (the “Project”) on the campus of The University of Alabama; and

WHEREAS, on June 16, 2005, the Board approved the Project Scope increase to include the completion of the lower level as social space and increased the Project Budget from $9,000,000 to $10,628,120; and

WHEREAS, the subcommittee of the Physical Properties Committee approved the revised renderings for Stage III in April 2006; and

WHEREAS, The University of Alabama requests the Board’s approval to revise the Project Budget from $10,628,120 to $13,421,300; and
WHEREAS, competitive bids were received on May 16, 2006 for Package A – Shell with an additive alternate for Package B – Fit-up and Hudak and Dawson Construction Co., Inc. was declared the lowest responsible bidder with a base bid of $3,796,000; and

WHEREAS, the University desires to accept Hudak and Dawson Construction’s Base Bid of $3,796,000 plus Alternates 1, 2, 3 and 4, totaling $6,540,600 for a total contract award of $10,336,600; and

WHEREAS, the funding for this project will be from a future Revenue Bond Issue; and

WHEREAS, officials at the University have determined that the Board will incur certain costs in connection with the acquisition, construction, and installation of the Project prior to the issuance of the Bonds, and the Board intends to allocate a portion of the proceeds of the Bonds to reimburse the Board for certain of the costs incurred in connection with the acquisition, construction and installation of the Project paid prior to the issuance of the Bonds; and

WHEREAS, the final budget for the Project is established as follows:

<table>
<thead>
<tr>
<th>BUDGET</th>
<th>FINAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction</td>
<td>$10,991,810</td>
</tr>
<tr>
<td>Contingency</td>
<td>$549,572</td>
</tr>
<tr>
<td>Architect/Engineer Fee</td>
<td>$1,187,483</td>
</tr>
<tr>
<td>Programming Architect</td>
<td>$31,000</td>
</tr>
<tr>
<td>Project Management Fee</td>
<td>$173,120</td>
</tr>
<tr>
<td>Furniture, Fixtures and Equipment</td>
<td>$260,000</td>
</tr>
<tr>
<td>Telcomm/Data/Security</td>
<td>$50,000</td>
</tr>
<tr>
<td>Other (survey, testing, inspection, etc.)</td>
<td>$178,315</td>
</tr>
<tr>
<td>TOTAL PROJECT COST</td>
<td>$13,421,300</td>
</tr>
</tbody>
</table>

* Includes proposed contract award of $10,336,600 plus $655,210 for site related activities.

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that:

1. Robert E. Witt, President, or Lynda Gilbert, Vice President for Financial Affairs and Treasurer or those officers named in the most recent Board Resolutions granting signature
authority for The University of Alabama, be and each hereby
is authorized to act for and in the name of the Board of
Trustees in executing the aforementioned contract with
Hudak and Dawson Construction Co., Inc.

2. The final budget for the Project as stipulated above is hereby
approved.

3. The University is authorized to proceed with the final bidding
and contract award for the Project within the approved final
Project Budget.

4. The University of Alabama does hereby declare that it intends
to allocate a portion of the proceeds of the Bonds to
reimburse the Board for expenses incurred after the date that
is no more than 60 days prior to the date of the adoption of
this resolution, but prior to the issuance of the Bonds in
connection with the acquisition, construction, and installment
of the Project. This portion of this resolution is being adopted
pursuant to the requirements of Treasury Regulations Section
1.150-2(e).

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