

**Board of Trustees of the University of Oregon**

**Seconded Motion: Authorization to Enter into License Agreement**

Whereas, private philanthropists wish to donate to student-athletes at the University of Oregon (the "UO" or "University") with a 29,000 square foot state-of-the-art sports performance center and equipment room within the Casanova Center;

Whereas, the new performance center will utilize relevant known scientific data in order to maximize well-being and performance of student-athletes at the UO while also providing increased operational capability and storage space;

Whereas, the renovation of the Casanova Center to create the sports performance center will be supported by private philanthropy with no impact on the University's operating budget;

Whereas, Phit, LLC ("Phit") wishes to enter into a License Agreement (the "Agreement"), attached hereto as Exhibit A, with the University for the space described therein for the purpose of designing and constructing the sports performance center;

Whereas, the Agreement stipulates that the license will commence on November 1, 2015 and will cease on the earlier of August 31, 2016 or when the performance center is completed and the licensed area is turned over for the benefit of the University;

Whereas, the Agreement stipulates that sub-contracts will be open for bid as appropriate and that prevailing wages applicable to UO will apply;

Whereas, Sections 1.7.2 and 1.9 of the University of Oregon's Policy on the Retention and Delegation of Authority requires approval by the Board of Trustees (the "Board") for the execution of instruments relating to real property where the anticipated value exceeds \$5,000,000 and for the acceptance of a gift of real estate and/or gifts that create obligations on the part of the University for which there is no established funding source, respectively; and,

Whereas, the Finance and Facilities Committee has referred this matter to the full Board as a seconded motion;


Now, therefore, the Board of Trustees of the University of Oregon hereby:

1. Authorizes the President or his designee(s) to take all actions necessary and proper to enter into the License Agreement, attached hereto as Exhibit A, with Phit, LLC for purposes of managing the construction of a sports performance center within the Casanova Building;
2. Authorizes acceptance of any gift of property (real or personal) to the University from Phit, LLC which would come in the form of any increased value to the leased property; and,

3. Authorizes all prior actions taken on behalf of the University related to the acceptance and use of the aforementioned property.

VOTE: Voice Vote Recorded – Ayes carried (no dissention)

DATE: September 11, 2015

Recorded by the University Secretary: 

**EXHIBIT A**

*To save paper and electronic file size, Exhibit A is redacted from this publication and can be found in section 4.1 of the September 10, 2015 Finance and Facilities Committee materials.*