

10-14-2014

## 2014 October 14 -- Agenda

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# UConn

UNIVERSITY OF CONNECTICUT

*Board of*



# TRUSTEES

VOL. 145 OCTOBER 14, 2014

## **SPECIAL MEETING**

### **UNIVERSITY OF CONNECTICUT BOARD OF TRUSTEES EXECUTIVE COMMITTEE**

#### **AGENDA**

University of Connecticut  
President's Office Conference Room  
Albert Gurdon Gulley Hall  
Storrs, Connecticut


October 14, 2014

Call to order at 4:00 p.m.

1. Executive Session anticipated to discuss preliminary drafts and notes that the University has determined that the public interest in withholding such documents clearly outweighs the public interest in disclosure.
2. Purchase and Collaboration Agreement with FEI
3. Adjournment

October 14, 2014

TO: Executive Committee of the Board of Trustees

FROM: Mun Y. Choi, Provost 

RE: Approval and Resolution to Enter into Instrument Purchase Agreement and Research Collaboration Agreement between University of Connecticut and FEI Company

RECOMMENDATION:

That the Executive Committee of the Board of Trustees: (1) approves the Instrument Purchase Agreement and the Research Collaboration Agreement (each as described hereinafter) between the University of Connecticut (“UConn”) and FEI Company (“FEI”) and (2) authorizes the execution of certain amendments to such agreements, as described below. The Executive Committee has been asked to approve these agreements before the next scheduled Board of Trustees meeting, but these agreements will be reported to the full Board of Trustees at the next meeting.

BACKGROUND:

The University intends to enter into a strategic partnership with FEI, a world leader in electron microscopy. As part of this partnership, UConn will purchase five state-of-the-art instruments from FEI for \$12,000,000. These purchases will be paid from Tech Park bond funds included in the “Project Budget for Technology Quadrant Phase III- Innovation Partnership Building (Design: \$162,300,000)” approved by the Board of Trustees on August 6, 2014. FEI will contribute at least \$12,782,747 (cash and in-kind) which includes two high-tech instruments, the salary for a full-time facility scientists, a half-time field service engineer, a part-time Chief Scientist, graduate student fellowships, \$2,000,000 in sponsored research support and many other benefits including training for our faculty and students. This partnership will give UConn one of the most advanced Microscopy and Materials Characterization facilities in the nation. The UConn-FEI Center of Excellence in Microscopy will be heavily used by our industrial partners and faculty, and will help the University forge new partnerships and successfully compete for highly competitive federal grants. This suite of instruments will be housed in the Innovation Partnership Building (IPB) at the UConn Technology Park.

To support this endeavor, UConn will need to enter into the following two agreements with FEI:

- 1) Instrument Purchase Agreement. Under this agreement, UConn will purchase five instruments from FEI at a total cost \$12,000,000. It is contemplated that three instruments will be purchased by June 30, 2015 and that the remaining purchases will be made before October 31, 2017. FEI will contribute another two instruments with a cumulative value of at least \$2,887,373. These seven instruments will be warranted for at least four years, with FEI contributing extended warranty coverage and service discounts valued cumulatively at \$1,412,374.
- 2) Collaboration Agreement. Under this agreement, FEI will contribute cash and in-kind services to support advanced microscopy and materials characterization research at UConn. The value of these contributions is estimated to be at least \$8,483,000. UConn will be responsible for other costs of the

collaboration, including the provision of laboratory space and instrument service contracts after year four of the agreement (subject to the discounts in the Instrument Purchase Agreement).

EXECUTIVE COMMITTEE OF THE BOARD OF TRUSTEES RESOLUTIONS:

“Upon due consideration, the Executive Committee of Board of Trustees hereby approves the Instrument Purchase Agreement and the Research Collaboration Agreement between the University of Connecticut and the FEI Company and authorizes the Executive Vice President for Administration and Chief Financial Officer and/or the Provost to execute the Instrument Purchase Agreement and the Research Collaboration Agreement on behalf of the University.

Further, the Board of Trustees authorizes the Executive Vice President for Administration and Chief Financial Officer and/or the Provost to execute amendments to the Instrument Purchase Agreement and the Research Collaboration Agreement on behalf of the University, so long as such amendments would not increase University expenditures under the Instrument Purchase Agreement beyond \$12,000,000.”