

# **JBH ENVIRONMENTAL, INC.**

**ASBESTOS REMOVAL & REINSULATION**

**194 Atlantic Avenue  
Garden City Park, NY 11040**

**Phone: {516} 741-1777**

**Fax: {516} 741-5807**

June 13, 2003

Mr. Rajappan Radhakrishnan, Director  
NYC Department of Environmental Protection  
Bureau of Air, Noise and Hazardous Materials  
Asbestos and Lead Control Program  
59-17 Junction Blvd-8<sup>th</sup> floor  
Elmhurst, NY 11373



*Mike & Virginia  
fyi  
Krish  
6/16/03*

RE: WTC-ARB

Dear Mr. Radhakrishnan;

As you are aware the WTC indoor air quality contract has come to an early end. JBH Environmental, invoicing has only reached \$1,931,558.00. According to the requirements of our contract we need to obtain a \$50 Million general liability, \$1 Million umbrella for autos and a Fidelity policy.

The costs of these policies were based on a minimum premium which was based on the sum of the contract. Being the contract fell well-short of the projected amount our cost percentile for insurance has changed, leaving JBH Environmental, Inc. with a sizeable cost burden. We strongly feel that we should not have to be responsible for this burden.

Our breakdown is as follows:

Contract amount: \$4,595,600.00 @ a cost rate of 3.5% equaling an amount of \$160,486.00.

Actual invoicing: \$1,931,558.00 @ 3.5% brings us to only \$67,604.00

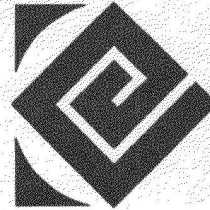
This leaves us with an additional amount of \$93,242.00 which we strongly feel is due to us in a form of a change order issued through this contract.

This has been an issue for JBH since the beginning of this contract and has been discussed with DEP and EPA at length.

In closing we would like to add that there have been many issues that have concerned us with additional and unnecessary costs on this project ( i.e. additional disposal, cleaning less than 5 apartments per day, multiple locations, returning to apartments to pick up additional items added to the list for disposal) but this issue is the most costly and damaging hardship to JBH and cannot be overlooked.

Sincerely

  
James Booth-Vice President



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EDUCATION  
PROGRAMS

3/21/03

Quad B

John

1235  
~~277~~  
274  
1509  
1299  
2+2  
209  
140

1235  
274  
1509

924  
153  
220  
1300  
27  
16  
43

70 schedule

105

191

400 checks

275 & 295 Greenwich - They have the  
schedule 3/31/

275 - 4/1 - 4/4 } 51 apts.  
295 - 4/6 - 1 -

130 water

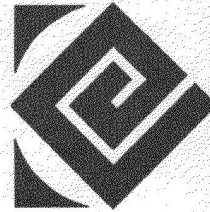
one HVAC

for 1 1/2 day  
work

50 pine

one day work  
reinspedit

45 wall &



ACADEMY OF  
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EDUCATION  
PROGRAMS

3/17/03 John

Test & clean 1028

Test only

Response

Td Most of the people are more

48 back - wait

- NO body called & cancelln

140 units in

(B)

| Exhaust | HJNC  |        |
|---------|-------|--------|
| 31,200  | 5,900 | 37,100 |

(1) 45 Wall street

2/13/03 (2) 130 Water street x (NO) (John) —

(3) 50 Pine street (John)

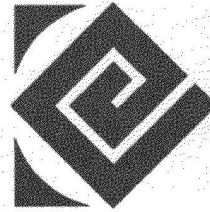
(4) 50 Warren street x c<sup>no</sup> (John) (261 Broadway)  
~~295 Broadway~~

(5) 261 Broadway (John) /

(6) 295 Greenwich st /

(7) 275 Greenwich st /

(8) ~~130 Water street /~~



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PROGRAMS

3/6/03

Quad B

cole

John — schedule for 3 weeks.

1462

348 letters were mailed.

912  
550

Call JBH only five floors.

Completed 931 848

Test only

Total not completed 583 — Test only 155

1514

56 Ed cancellations

# apts scheduled for next week —

78

139  
18

52

**CONTRACT CHANGE**

DEP Form 409N

**CONTRACT AND CONTRACT CHANGE NUMBER**

WTC Indoor Dust Cleaning Program C.O. 1

**COMPTROLLER'S REGISTRATION NUMBER**

CT 826 20030010736

|                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                     |                                 |
|-------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|---------------------------------|
| <b>BUDGET LINE</b><br>B.C. W005/OBJ 600                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>CONTRACT ID and DESCRIPTION</b><br>WTC-AMB Monitoring of Apts in Vicinity of WTC |                                 |
| <b>CONTRACTOR'S NAME AND ADDRESS</b><br>Cole Consulting Corp., 2269 Saw Mill River Road, Elmsford, NY 10523                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>PIN</b><br>82603WTCIAMB                                                          | <b>FMS PROJECT ID</b><br>826 NA |
| <b>CONTRACT AWARD AMOUNT</b><br>\$2,358,375                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>DESIGN FIRM (if applicable)</b>                                                  |                                 |
| <b>ITEM NUMBER</b>                                                                                                            | <b>DESCRIPTION OF WORK</b><br>ATTACH ADDITIONAL SHEETS IF NECESSARY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>CONTRACTOR'S PROPOSAL</b>                                                        | <b>AUTHORIZED COST</b>          |
|                                                                                                                               | <p>This change order is being advanced pursuant to the Declaration of Emergency signed by Commissioner Christopher O. Ward on May 7, 2002. On May 13, 2002, written approval was provided by the Corporation Counsel, and on May 28, 2002 written approval was provided by the Comptroller.</p> <p>This Change Order shall provide an administrative fee of \$97.50 per apartment, an amount equal to 3 hours of Project Monitor time, under the same terms and conditions of the contract. This fee is limited to a maximum of 1650 apartments. The contractor shall comply with the cancellation policy implemented by USEPA on November 26, 2002, and shall confirm appointments 24 hours in advance.</p> <p style="text-align: center;">1599</p> | \$160,875                                                                           | \$160,875                       |
| <b>TOTAL = Interim(if any) or Forced (if any) PLUS Final (if any) or Revised (if any) otherwise TOTAL = This Change Order</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | \$160,875                                                                           | \$160,875                       |
| <b>PREVIOUS AMOUNT REGISTERED FOR THIS CHANGE (if any)</b>                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                     | \$0                             |
| <b>AMOUNT REQUIRED FOR REGISTRATION OF THIS CHANGE</b>                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                     | \$160,875                       |

- The Contractor shall sign 4 copies of this form, and together with 4 copies of the Contractor's detailed cost proposal, send it to the Agency Contact for this Contract within seven calendar days of receipt of this proposed contract change.
- If the total amount of the extra work (excluding credit change orders) issued for the contract exceeds 10% of the contract amount or \$100,000, whichever is greater, or exceeds previous BOE/ODC/MOC Approvals, the Agency must obtain approval from the Mayor's Office of Construction or the Mayor's Office of Contracts (as applicable) in order to award extra work.
- When a price is agreed to between the Commissioner's authorized representative and the Contractor, and all required approvals have been obtained, the Contractor shall be issued a contract change to proceed with the work. Contractor shall not proceed with this work until issued a contract change or otherwise directed by the Commissioner.
- Any payments for extra work must be requisitioned separately from payments for work required under the original contract.
- All Construction and Construction-Related work is subject to post-audit by the Department's Engineering Audit Officer and the Comptroller's Chief Engineer.

|                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1) CONTRACTOR'S APPROVAL</b><br><br>Submitted above is my Cost Proposal for the Contract Change. Contractor hereby certifies that the cost and pricing data submitted are accurate, complete and current.<br><br>Contractor's Signature:<br>Title: <u>PRESIDENT</u> Date: <u>1/29/03</u><br><hr/> <b>2) CONTRACTOR AGREES WITH "AUTHORIZED COST"</b><br>Contractor's Signature:<br>Title: <u>PRESIDENT</u> Date: <u>1/29/03</u> | <b>3) DEPARTMENT'S APPROVAL</b><br><br>This Change is approved and the contractor/consultant is directed to proceed. Payment will be made as provided herein.<br><br><input type="checkbox"/> On a Time and Material Basis Not-to-Exceed the Authorized Cost<br><input type="checkbox"/> On a Unit Price Basis Not-to-Exceed the Authorized Cost<br><input checked="" type="checkbox"/> At the Authorized Cost<br><br>Authorized Signature:<br>Title: <u>Asst. Comm.</u> Date: <u>2/11/03</u> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

EP4

1462

— 1594

912 ✓

→ ~~class~~ / class & Test  
93                      730

55

235

**125 (excluding changes)**

**19 ( For 912 Apartments)**

1 (for 41 HVAC)

127

256

210

319

**Amt** **52**

139  
5251 - 24 + 27

Amt \$

Amt 6

**Amt 18**

Amt 2

**Amt** **2**

**Amt** **2**

**Amt** **2**

**Amt** **5**

**Amt** **2**

235

Amt 4

1/15/03

Zone B

PII

Andy

HVAC - DJIT

cole is hiring his own people -

44 units

45 wall street

13,000

units

- Report for 45

1664 2 way off

158.0

As per Andy

whole bldg request - about  
55 Liberty - mgmt is clearing  
HVAC

50 Pine - nothing

105 Dame - 140 units

400 chunk 30 units

295 Green - 50 } 50

275 Green - 14 } 50

250

Test only - 200  
- 107

1580

660

920

2 done

Test only } - fully out of  
from clean & Test

Max

6 bldgs

work bldg  
HVAC require

130 Water Street

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- Pre inspection - policy on cancellation

whole  
bldg  
request

69 Gold

→ stair webs

→ 500

As

12 John

→ stair wells

Ray Niles

QUAD - B

EPA  
Andy  
John

John

Peter & John  
Jim

1307 + 710 13 597  
292 87  
1599 797  
797  
802

Clemente  
13 912 230 789 435  
Test alt 93 125 left

All the HVAC has done

60 Warren St

2 did not come back

Avg of 8 to 9 / day

6-8

40 a week

140  
60  
200

105 Dand  
275 & 295 Greenwich  
25 Broad St

25 → 88 Greenwich

88 Greenwich St

210.3

(X)