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 Radhakrishan, Director
NYC Department of Environmental Protection
Bureau of Air, Noise and Hazardous Materials
Asbestos and Lead Control Program
59-17 Junction Blvd-8th floor
Elmhurst, NY 11373

RECEIVED
JUN 1 6 2003
DEP/BANHM
ASBESTOS/LEAD
PROGRAM
TRU1

Mike & Virginia
fyi
Krish
6/16/03

RE: WTC-ARB

Dear Mr. Radhakrishan;

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

ACADEMY OF CONTINUING EDUCATION PROGRAMS

3/21/03

Quad B

John

1235
~~277~~
274
1509
1299
$\boxed{212}$
209
140

1235
274
1509

924
153
220
1300

27
16
43

70 schedule

~~105~~

191

400 Chutes

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

~~40~~ { 275 - 4/1 - 4/4
295 - 4/6 -

} 51 apts.

130 water → $\boxed{\text{One HVAC}}$ 1 or 1½ day work

50 Pine → One day work reinspection

45 Wall St -

ACADEMY OF CONTINUING EDUCATION PROGRAMS

3/17/03 John

Test & Clean 1028

Test only

Response

TA Most of the people are more

48 back - wait

- No body called & cancelled

140 units in

B

		Exhaust	HVAC	
1	45 Wall street	31,200	5,900	37,100

2/13/03 2 130 Water Street x NO John —

3 50 Pine Stre John

4 50 Warren Stret x C NO ~~John~~ 261 Broadwy ~~2?? Broadwy~~

5 261 Broadwy John /

6 295 Greenwich St /

7 275 Greenwich St /

8 ~~130 Water Street~~ /

ACADEMY OF CONTINUING EDUCATION 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

$\boxed{1514}$

56 Ed cancellation

apts scheduled for next week — 78 139

18

52

CONTRACT CHANGE

DEP Form 409N

NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP

CONTRACT AND CONTRACT CHANGE NUMBER
WTC Indoor Dust Cleaning Program C.O. 1

COMPTROLLER'S REGISTRATION NUMBER
CT 826 20030010736

BUDGET LINE	CONTRACT ID and DESCRIPTION		
B.C. W005/OBJ 600	WTC-AMB Monitoring of Apts in Vicinity of WTC		
CONTRACTOR'S NAME AND ADDRESS		**PIN**	**FMS PROJECT ID**
Cole Consulting Corp., 2269 Saw Mill River Road, Elmsford, NY 10523		82603WTCIAMB	826 NA
CONTRACT AWARD AMOUNT		**DESIGN FIRM (if applicable)**	
$2,358,375			

ITEM NUMBER	DESCRIPTION OF WORK ATTACH ADDITIONAL SHEETS IF NECESSARY	CONTRACTOR'S PROPOSAL	AUTHORIZED COST
	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. 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. 1599	$160,875	$160,875
	TOTAL = Interim(if any) or Forced (if any) PLUS Final (if any) or Revised (if any) otherwise TOTAL = This Change Order	$160,875	$160,875
	PREVIOUS AMOUNT REGISTERED FOR THIS CHANGE (if any)		$0
	AMOUNT REQUIRED FOR REGISTRATION OF THIS CHANGE		$160,875

1. 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.
2. 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.
3. 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.
4. Any payments for extra work must be requisitioned separately from payments for work required under the original contract.
5. All Construction and Construction-Related work is subject to post-audit by the Department's Engineering Audit Officer and the Comptroller's Chief Engineer.

1) CONTRACTOR'S APPROVAL

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.

Contractor's Signature

Title PRESIDENT Date: 1/29/03

2) CONTRACTOR AGREES WITH "AUTHORIZED COST"

Contractor's Signature

Title PRESIDENT Date: 1/29/03

3) DEPARTMENT'S APPROVAL

This Change is approved and the contractor/consultant is directed to proceed. Payment will be made as provided herein.

[ ] On a Time and Material Basis Not-to-Exceed the Authorized Cost
[ ] On a Unit Price Basis Not-to-Exceed the Authorized Cost
[X] At the Authorized Cost

Authorized Signature

Michael Gilsenan

Title: Asst. Comm. Date: 2/11/03

Rev 11/24/00 DEP FM 409N

NYC 9/11 Public Portal Document

JOHN

Total amount on Apartments	1462	—	EPA 1599
Apartments Completed	912	→ Test ~~Clean~~ 93	/ Clean & Test 730
NO. of Cancellations	55		
No. of Apts not called because of HVAC	235		
Amt of test only	125 (excluding changes)		
NO. of invoice	19 (For 912 Apartments)		
NO. of HVAC invoices	1 (for 41 HVAC)		
NO. of Studio	127		
NO. of 1 Bedroom	256		
NO. of 2 Bedroom	210		
NO. of 3 Bedroom & above	319		

<u>Uncalled location</u>

105 Duane Street	Amt	139	
275 & 295 Greenwich	Amt	~~52~~ 51	— 24+27
50 Pine st	Amt	5	
114 Liberty St	Amt	6	
261 Broadway	Amt	18	
153 Chambers St	Amt	2	
38-44 Warren St	Amt	2	
41 Warren	Amt	2	
50 Warren	Amt	2	→ NO HVAC access
57 Warren	Amt	5	—
60 Warren St	Amt	2	
Total		**235**	
130 Water'	Amt	4	

1/15/03

Zone B

PII

Andy — HVAC — DJH

cole is hiring his own people -

44 units 45 wall street

13,000 ~~units~~

- Report for 45

1664 → way off

1580 → As per Andy
whole bldg request - about
55 Liberty - Mgmt is cleaning
HVAC

50 Pine → nothing

. 105 Duane — 140 units

Test only — ~~10%~~ 200

. 400 Church 30 units

295 Green — ~~50~~ 50
275 Greenwich — ~~14~~

250

1580
660 → done
920

Test only — fully out of
from clean & Test

Max — 6 bldgs whole bldg
HVAC requests

130 Water Street

ACADEMY OF CONTINUING EDUCATION PROGRAMS

3/5/03

QUAD B

. Pre inspection - policy on cancellation

whole bldg request

69 Gold → stairwells → 500'

AS

12 John → stairwells →

Ray Nieves

EPA
Andy
John

John

Peter
Jim } JBK

QUAD - B

1307 +
292
1599
797
802

710
87
797

~~13~~ 597

Cleaned ~~Fog~~

Test ok

~~14~~ 912 ~~230~~
789

~~4~~
93

435 125 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 Duane
275 e 295 Greenwich
25 Broad St
25 → 88 Greenwich

88 Greenwich St
2103