UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

DATE: July 9, 2004

SUBJECT: WTC-ARD

FROM: Eric Wilson

TO: Pat Evangelista, WTC Coordinator
NYCRRO

I have reviewed the April 8, 2004 letter addressed to you from Termon Construction Inc. (TCI) requesting payment for work performed under contract WTC-ARD and the EPA files relating to this work.

Contrary to TCI's claim EPA did review and process portions of the non HVAC items included with Invoices 022 and 024. I have attached copies of Invoice Review Summaries that were transmitted to NYCDEP dated August 20, 2003 and September 8, 2003 for Invoices 022 and 024, respectively. For Invoice 022, $40,638.85 was approved at that time and $1790.78 was suspended. For Invoice 024, $4751.24 was approved at that time and 3405.75 was suspended. * Charges included with Invoice 024 for the cleaning of common spaces at 280 Rector Place were not reviewed at that time. I have since reviewed these charges. An Invoice Summary approving payment of an additional $10,494.40 for Invoice 024, dated July 7, 2004 is attached.

PA 1

* I have reviewed TCI Invoice 025 dated January 13, 2004 submitted with TCI's letter. Attached is an Invoice Review Summary dated July 7, 2004 approving $2,659.92 for this invoice.

PA 7

* TCI also requested that EPA approve $19,795.00 for HVAC cleaning of 385 South End Avenue. This invoice was originally suspended due to lack of documentation for this work. Documentation substantiating this work was subsequently submitted to EPA by Athenica Environmental as part of the HVAC report for this building. I have since reviewed the billing for the HVAC cleaning at 385 South End Avenue and supporting documentation provided by Athenica Environmental and approved payment in the amount of $19,795.00. The certification for this payment is attached.

ok Finally, TCI requested payment for the cleaning of 4 apartments, suspended during initial review of Invoices 006 and 018 and subsequently approved. A copy of the Invoice Summary dated September 18, 2003 approving payment of these charges totaling $3,447.90 is attached. It should be noted that copies of these invoices were provided to NYCDEP by EPA, when originally processed, on or about April 8, 2003 and June 5, 2003 for Invoices 006 and 018, respectively.

If you need additional information to resolve these issues and close out the subject contract please let me know.

ck#
AD 00153987024
3/22/04

Last payment to Termon #11 $3,447.90 Less Retainage $3,103.11

Last Inv. paid was #021 - 022 - 024 never approved here at DEP.