

Athenica

Total Number of Apartments 1511
 Test 420
 Clean and Test 1091

Apartments Completed Cleaned and Tested 208
 Test Only Completed 218

227

Cancellations 80 (resident cancelled + Athenica cancelled)

Buildings with HVAC issue 12 13

Resident request within each building

check {
 → 2 South End Avenue 21
 280 Rector Place 18
 380 Rector Place 39
 → 250 South End Avenue 31
 300 Albany Street 17
 350 Albany Street 20
 LR 345 South End Avenue 14 ✓
 • 355 South End Avenue 169 14 114
 LR 365 South End Avenue 17 15
 • 375 South End Avenue 180 125
 LR 385 South End Avenue 27 20
 • 395 South End Avenue 138 → 90
 Total: 691
 333 Rector place
 HVAC invoices 20

90% done → 63 Clean & Test
 19 complete
 4 cancelled
 40 12
 72
 21
 16
 2
 3 141

- No of whole bldgs req

- How many complete (common)

- Schooler Common

apls

Test only

140

114

125

90

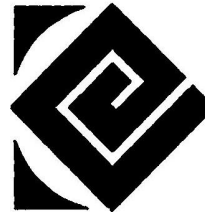
329

14

15

20

49



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PROGRAMS

3/6/03

John

Quad 8 2 done = 6 261 Brw
45

Quad 12 395
(225) GWPC 6 Bld.

3 Towers

345 South → 7 story - most of the
exhaust are affected.



2 South End — plans are to be richer
380 Red — plans are available.
25

Gateway Plaza — 3 month period.
(345)

(*) (*) Accessing the apts ↔ (3 times)

John is going to make a ^{two week} schedule
for Gateway Plaza.

300 Albany — plans.
350 Albany — left message.

Q van D

012



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PROGRAMS

3/6/03

Sapri

Sapri

225 Rec done

355

280 Next week.

355 Ready to clear except the exhaust system
affected space.

300 Albany

350 Albany

280 Rectr

} schedule to access
plan are near

280 Rectr

+ Gateway plan

} Next week

TOTAL HIAC

13

Tracking, Scheduling

- common areas are being done
- plan 10 to 15 apts/

Termen → John Common area can be
done quicker??

200 Rectr will be completely.

$$199 - 145 = 54$$

$$Tel 55-33-8 = 14$$

clean test

99 Batter

$$101 - 88 = 23 \rightarrow (13) \text{ left}$$

50 Battery

$$59 - 49 = 10 \rightarrow (3) \text{ left}$$

$$Tel 19 - 13 - 4 = 2$$

TERMON CONSTRUCTION INC.

388 Third Ave.
Brooklyn, NY 11215
(718) 694-0900

March 5, 2004

NYC DEP
Asbestos & Lead Control Program
59-17 Junction Blvd.
Corona, New York 11368
Attn: Krish Radhakrishnan

Re: Payment Issues

Dear Krish,

I trust that you have been able to review invoices 022, 023 and 024 sent to you after our meeting on January 24, 2004. We believe it is clear to see, invoices 022 and 024 contain billing for items that are not in dispute. Invoice 022 contains billing of \$39,811.87 for apartment cleaning and \$1,287.80 for Common Space cleaning; Invoice 024 contains billing of \$4,062.89 for apartment cleaning and \$14,588.50 for Common Space cleaning. Please advise if these invoices have been processed for payment and when we might expect a check. We understand that invoice 023 is on hold until the issue of cleaning of HVAC units inside apartments is resolved.

I would also request that you process payment in the amount of \$19,795.00 for cleaning of HVAC systems at 385 South End Ave., which was billed for in invoice 011 and disallowed by Eric Wilson (see attached review by Eric). This work was accomplished and the appropriate back up was provided to EPA along with the application for payment. EPA has not disputed that the work was performed satisfactorily merely that insufficient documentation was provided. Attached is a copy of the verification by Athenica that the HVAC cleaning was performed. TCI provided similar documentation, which was adequate for all the other HVAC billing. TCI does not understand how Mr. Wilson would disallow this billing and not advise TCI that he was disallowing it, or even give TCI the opportunity to provide the back up when the bill was reviewed. This work was inspected by Athenica, Duct Dusters and EPA. Please assist TCI in getting paid for this work that was performed.

Attached is our invoice #025 in the amount of \$2,659.92. This invoice represents billing for two (2) apartments (395 SEA Apt 2B and 350 SEA Apt 5H) which slipped through the cracks because TCI was not able to obtain copies of the cleaning checklists in a timely manner. Please assist TCI in receiving prompt payment for this invoice.

Lastly, in our letter to DEP dated January 21, 2004 (see attached letter), TCI requested payment for 4 apartments from invoices 006 and 018 that were inappropriately disapproved by Mr. Wilson. When might we expect payment for these outstanding items in the amount of \$3,447.90?

It was discussed at the January 24, 2004 meeting, that our retention might be reduced from 10% to 5%. Can you please advise us if this is possible and what steps, if any, are necessary to accomplish this?

At our meeting, TCI explained our position with respect to compensation for disputed items of work, as well as, for additional work performed. TCI requested that DEP reconsider their earlier position that these items were not compensable, and allow for proper compensation to TCI, which we believe is allowed for under our contract. It was our understanding that DEP would review our request and advise TCI of their determination. Please advise TCI of your determination or when it might be forthcoming.

Thank you for your consideration in these matters.

Very Truly Yours

Thomas Heavey

Cc: John Tancredi, SSC

RE