

*The
City of
New York*



**Department of
Environmental
Protection**

59-17 Junction Boulevard
Flushing, New York
11373-5108

**Christopher O. Ward
Commissioner**

Stuart M. Erdfarb, P.E.
AGENCY CHIEF CONTRACTING OFFICER

Tel (718) 595-3300
Fax (718) 595-3278
STUE@DEP.NYC.GOV



www.nyc.gov/dep

(718) DEP-HELP

TO: **Contract ROF-REM2 FILE**

FROM: **Stuart M. Erdfarb, P.E.**

DATE: **May 13, 2002**

RE: **EMERGENCY Contract ROF-REM2
Registration No. CT 826 20020015280
PIN 82602WTCROOF2
ROOFTOP AND FACADE REMEDIATION IN SECTOR TWO IN THE
VICINITY OF THE WORLD TRADE CENTER SITE
INCREASED INSURANCE REQUIREMENT
Benjamin Kurzban & Son Control, Inc.**

ENVIRONMENTAL PROTECTION
GENERAL COUNSEL'S OFFICE
RECEIVED
MAY 21 P 3:52

At the direction of the Law Department (Lawrence Kahn), DEP will increase the maximum amount (as bid) of **EMERGENCY Contract ROF-REM2** (Registration Number CT 826 20020015280) for **ROOFTOP AND FACADE REMEDIATION IN SECTOR TWO IN THE VICINITY OF THE WORLD TRADE CENTER SITE** with **Benjamin Kurzban & Son Control, Inc.** ("Kurzban") in order to provide insurance in excess of that specified in the Contract solicitation. The Comptroller (Stanley Rosanoff), the Law Department (Steven Stein-Cushman) and the Mayor's Office of Contracts (Jeffrey Weinstein) have each been informed of the required increase and concur that the change should be made to the Contract as expeditiously as possible in order to immediately begin the process to remediate the emergency at hand.

The increase shall provide for a project specific comprehensive general liability policy with limits of \$5 million per occurrence, \$5 million products & completed operations aggregate, \$5 million personal injury, and a \$50 million general aggregate. The insurance policy, which may contain a mold exclusion, shall be written on an occurrence basis, and shall include a maximum \$25,000 deductible. The policy shall name the New York City Department of Environmental Protection and the owners of the properties where the contract work is being performed as "additional named insureds." Schedule A of the Contract's General Conditions will be changed to reflect the aforementioned increases and changes.

The premium cost for the insurance above that provided pursuant to the original solicitation shall not exceed \$192,836.00.

Prior to registration of the Contract, the original maximum amount of the Contract shall be changed from the bid amount of \$1,401,000.00 to \$1,593,836.00. All changes herein will be made to the original contract documents and shall be countersigned by Kurzban and DEP.

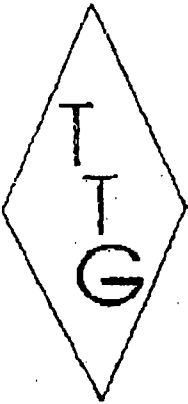
Payment for the increased premium amount shall be made upon the presentation of a proper payment request, and shall be paid pursuant to the PPB Rules and the Prompt Payment Guidelines, for an amount not to exceed \$192,836.00.

cc: Ward, Chapin, Avaltroni, Gilsenan, Smyth, Hoffer, Schiano, Pecunies, Fenves, Radhakrishnan, Moss, Rennard (Compt), Cushman (LAW)

MAY-13-2002 10:19 FROM DEP LEGAL
05/08/02 MON 10:53 FAX 516 921 6795

TO 3278

P.02/03



THE TELLER GROUP, LTD.

6800 JERICHO TURNPIKE
SYOSSET, NEW YORK 11791

May 6, 2002

*Mr. Mitchell Kurzban
Benjamin Kurzban & Son Control, Inc.
1248 Ralph Avenue
Brooklyn, NY 11236*

Re: Department of Environmental Protection, Contract ROF-REM2

Dear Mitch:

As per our telephone conversation Kemper Insurance Company has offered the following quotation; a project specific general liability policy with limits of \$5,000,000. per occurrence/\$50,000,000. general aggregate. This policy will be written on an occurrence basis and include a \$25,000. deductible for an additional premium of \$192,836. Please be advised this policy contains a mold exclusion.

Should you have any questions please feel free to contact me.

*Sincerely,
The Teller Group, Ltd.*

Donna Paradise
Donna Paradise
Account Executive

*/dp
enc.*

TELEPHONE: 516-921-6633

FAX: 516-921-6795