

PLUMBERS AND GASFITTERS LOCAL UNION NO. 1
OF THE
UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE PLUMBING
AND PIPE FITTING INDUSTRY OF THE UNITED STATES AND CANADA
NEW YORK CITY



GEORGE W. REILLY
Business Manager

JOHN J. MURPHY
Financial Secretary-Treasurer

Date: 3/29/2011
REF: 046

Business Agent-At-Large
DONALD T. DOHERTY, JR.

Business Agents
MICHAEL APUZZO
KEVIN BRADY
FREDDY DELLIGATTI
THOMAS W. KEMPF
DUDLEY KINSLEY
DANIEL LUCARELLI
ROBERT MURRAY
PAUL O'CONNOR
ANTHONY RUSSINI

Organizers
RICHARD GARNER
RAYMOND V. RONDINO

President
MICHAEL LOBODY

Vice President
JOHN HICKEY

Recording Sec'y.
MICHAEL McGRATH

Executive Board
JACK FLANNIGAN
REGINALD JAMES
ALAN PAWELSKY
ROBERT STEINER

Finance Committee
MICHAEL ALOISI
ROGER CHIN
GEORGE MALANDRAKIS

Examining Board
DOMINICK BRUNO
CHRIS CONBOY, JR.
ANDREW EUSTACE
JOHN FILOSA
BILL SPRINGER
JOHN TOTINO

Inside Sentry
CARL L. JOHNSON, JR.

FOIL Access Officer
Port Authority
Office of the Inspector General
PO Box 2018
Hoboken, NJ 07030

Dear Sir or Madam

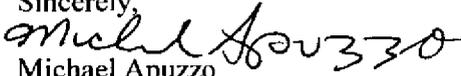
Please accept this letter as my request, pursuant to the New York Freedom of Information Law, Article 6, of the Public Officers Law to obtain copies of the following documents.

1. Copies of certified payrolls records submitted by DASNY Mechanical for their work on the Backflow Preventer's / Water Meters contract # JFK 996 at JFK Airport for the time period of January 2011 to the present time.
2. Copies of any sign-in sheets or list of access sheet with the above – referenced project and contractors.
3. Copies of *EEOC* evaluation reports and list of *MWBW* goals associated with these contracts.
4. Copies of the *Award Letter, Scope of work letter, Wage Determination Letter* and *Classification of trade* for this project.

I look forward to hearing from you, within the time frame outlined in Article 6, regarding arrangements to obtain these documents. If you prefer, a reply via e-mail will constitute acknowledgment of my request. If you have any questions regarding this request, please do not hesitate to contact me at 718-738-7500 ext 225 or Mapuzzo@ualocal1.org. Future correspondence, if necessary can be directed to my attention to:

Plumbers Local Union No#1
158-29 George Meany Blvd
Howard Beach, NY 11414
Att: Michael Apuzzo

Sincerely,


Michael Apuzzo
Plumbers Local Union #1
Business Agent

APR 8 AM 11:21



PLUMBERS LOCAL UNION NO. 1, U.A.

158-29 George Meany Boulevard

Howard Beach, NY 11414



US POSTAGE

\$ 00.44

Mailed From 11414

03/29/2011

031A 0002315874

FOFH Access Officer
Port Authority
Office of the Inspector General
P.O. Box 2018
Hoboken, NJ 07030

0703041308



THE PORT AUTHORITY OF NY & NJ

Daniel D. Duffy
FOI Administrator

May 5, 2011

Mr. Michael Apuzzo
Plumbers & Gasfitters
Local Union No. 1
158-29 George Meany Boulevard
Howard Beach, NY 11414

Re: Freedom of Information Reference No. 12270

Dear Mr. Apuzzo:

This is a response to your March 29, 2011 request, which has been processed under the Port Authority's Freedom of Information Policy (the "Policy," copy enclosed) for copies of various records related to Contract No. JFK-996.

Material responsive to your request and available under the Policy, which consists of 9 pages, is enclosed, for a \$2.25 photocopying charge for this material (25¢ per page). Payment should be made in cash, certified check or money order payable to "The Port Authority of New York & New Jersey" and should be sent to my attention at 225 Park Avenue South, 17th Floor, New York, NY 10003.

Certain material responsive to your request is exempt from disclosure pursuant to exemptions (2) and (7) of the Policy.

Please refer to the above FOI Reference number in any future correspondence relating to your request.

Sincerely,



Daniel D. Duffy
FOI Administrator

Enclosure

225 Park Avenue South, 17th Floor
New York, NY 10003
T: 212 435 2542 F: 212 435 7555

JFK-996

174 1

18

U.S. Department of Labor
Wage and Hour Division

PAYROLL



U.S. Wage and Hour Division
Rev. Dec. 2008

(For Contractor's Optional Use: See Instructions at www.dol.gov/whd/forms/wh347instr.htm)

Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

OMB No. 1215-0149
Expires: 12/31/2011

NAME OF CONTRACTOR <input checked="" type="checkbox"/>		JOB SUBCONTRACTOR <input type="checkbox"/>		ACCOUNT NO.		PROJECT OR CONTRACT NO.																				
Dasny Mechanical Inc		268 Randolph St., Brooklyn, NY 11237		JFK-BPD and WMA Upgrades-Ph II, Various Locations at John F. Kennedy Airport, NY		JFK-996																				
PAYROLL NO.		FOR WEEK ENDING		PROJECT AND LOCATION		PROJECT OR CONTRACT NO.																				
JFK001		2/22/2011		JFK-BPD and WMA Upgrades-Ph II, Various Locations at John F. Kennedy Airport, NY		JFK-996																				
(A) NAME AND HOMEWORK OR PAYROLL NUMBER OR LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER OF WORKER	(B) JOB TITLE OR CLASSIFICATION	(C) REGULAR HOURS	(D) DAY AND DATE							(E) TOTAL HOURS	(F) RATE PER HOUR	(G) GROSS AMOUNT EARNED	(H) DEDUCTIONS					(I) NET WAGES PAID FOR WEEK								
			Wed	Thu	Fri	Sat	Sun	Mon	Tue				FICA	FWT	SWT	LWT	OTHER		TOTAL							
Scott Shevin	Journeyman	RT	0.00	0.00	0.00	0.00	0.00	0.00	7.00	7.00	21.36	30.74														
	Number	OT											574.70													
													2398.80												1,636.11	
Jing W Yan	Journeyman	RT	0.00	0.00	0.00	0.00	0.00	0.00	7.00	7.00	21.36	30.74														
	Number	OT											574.70													
													2171.23													1,170.21

* Time Legend: RT=regular, ST=shift time, OT=overime, DT=double time

When you receive Form WH-347, it is your responsibility to forward complete and accurate information to the contractor performing work on Federal, State or local contracts for that week's submission. The contractor must submit this information to the Wage and Hour Division of the U.S. Department of Labor. The contractor must also submit a copy of all payrolls to the local agency (contractor) for forwarding to the Wage and Hour Division of the U.S. Department of Labor. The contractor must also submit a copy of all payrolls to the local agency (contractor) for forwarding to the Wage and Hour Division of the U.S. Department of Labor. The contractor must also submit a copy of all payrolls to the local agency (contractor) for forwarding to the Wage and Hour Division of the U.S. Department of Labor.

Public Burden Statement

We estimate that it will take an average of 30 minutes to complete this collection, including time for reviewing instructions, gathering existing data sources, gathering and maintaining the data needed, reviewing the collection of information, if you have any comments regarding this collection of information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room 5350, 200 Constitution Avenue, NW Washington, DC 20541.

Date February 23, 2011

Yun Yan Treasurer
(Name of Signatory Party) (Title)

de hereby state:

(1) That I pay or otherwise the payment of the persons employed by

Dasny Mechanical Inc on the
(Contractor or Subcontractor)

JFK-996

(Basis of Work)

16 day of February 2011 and ending the 22 day of February 2011

All persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said

Dasny Mechanical Inc from the full
(Contractor or Subcontractor)

weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 C.F.R. Subtitle A), issued by the Secretary of Labor under the Contract Act as amended (48 Stat. 948, 63 Stat. 108, 72 Stat. 967, 78 Stat. 367, 40 U.S.C. 3-3145) and described below.

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications and terms thereof for each laborer or mechanic conform with the work to be performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or in a such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

in addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

Each laborer or mechanic listed in the above referenced payroll has been paid, as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract (except as noted in section 4(c) below).

(c) EXCEPTIONS

EXCEPTION (DATE)

EXPLANATION

REMARKS

YAN LING YAN
NOTARY PUBLIC STATE OF NEW YORK
QUEENS COUNTY
L.I.C. #01YA6208832
COMM. EXP. JULY 13, 2013

NAME AND TITLE

Yun Yan
Treasurer

SIGNATURE

THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1061 OF TITLE 18 AND SECTION 201.11 OF TITLE 17 OF THE PENNSYLVANIA STATUTES.

CONSTRUCTION M/WBE PARTICIPATION PLAN PAGE 1 OF 1

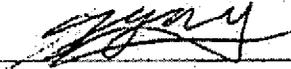
Office of Business and Job Opportunity

NOTE: The Contractor is required to submit to the Engineering Dept. a MODIFIED PLAN for any changes to the original plan: i.e.; subcontractor, dollar amount or work performed. If more than 1 page is used, complete totals on last page.

Contract Number: JFK-996
 Contractor Name: Dasny Mechanical Inc.
 Mailing Address: 168 Randolph Street Brooklyn, NY 11237
 Telephone Number: (718) 366-0123

Contract Description: JFK international airport Backflow prevention devices and water meter upgrade Phase II
 Contract Amount: \$2,688,000.00
 Contract Goals: MBE 12 WBE 5 DBE N/A

Name, Address, Phone Number of PA Certified MBE/WBE/DBE subcontractor (including name of contact person)	Indicate MBE, WBE Or DBE	Description of Work, Services to be provided. Where applicable, specify, "supply" or "install" or both "supply" and "install."	Anticipated date work will start and finish	*Approximate \$ amount of M/W/DBE Subcontract	MBE/WBE/DBE % of Total Contract Amount
KND licensed electrical contracting & services Corp 120 B Brook Ave Deer Park, NY 11729 (631) 242-1708 Contact person: Krissy H. DeNapoli	WBE	supply and install the electrical works	08/2010 to 06/2012	\$ 485,000.00	18%
Oriental Lumberland, Inc. 1154 Flushing Ave., Brooklyn, NY 11237 (718) 386-8200 Contact Person: Joan Chao	MBE	supply the plumbing and building materials	08/2010 to 06/2012	\$ 550,000.00	20%
TOTAL:				\$ 1,035,000.00	38%

Signature of Contractor: 
 Print Name: George Wu
 Title: President Date: 6/5/10

FOR OBJO USE ONLY
 Contract Goals: Approved Waived Rejected
 Reviewed by: _____
 OBJO Business Development Representative
 Print Name: _____ Date: _____

Distribution: Original - OBJO; Copy 2 - Engineer of Construction; Copy 3 - Contractor; Copy 4 - Line Department
 *Please Note: supplies, equipment and material men are only credited 60% towards the M/W/DBE goal. Please adjust calculations accordingly.



THE PORT AUTHORITY OF NY & NJ

Lillian D. Valenti
Director, Procurement

August 24, 2010

VIA FACSIMILE AND UPS NEXT DAY DELIVERY

Dasny Mechanical Inc.
268 Randolph Street
Brooklyn, NY 11237

**SUBJECT: JOHN F. KENNEDY INTERNATIONAL AIRPORT – BACKFLOW PREVENTION
DEVICES AND WATER METER UPGRADES – PHASE II
CONTRACT JFK-996 PURCHASE ORDER UJFK996**

Gentlemen:

The Port Authority of New York and New Jersey hereby accepts your proposal on the above Contract.

The Port Authority elects not to require you to furnish a performance and payment bond.

Your attention is directed to the clause of the Contract entitled "Time for Completion and Damages for Delay" and to the fact that before you may commence performance of the work you must furnish whichever of the documents mentioned in that clause are applicable.

Subject to the provisions of the Form of Contract, including those of the clause entitled "Extra Work Orders", the Chief Engineer shall have the authority to order any item of Extra Work if the cost thereof to the Authority, together with the cost of all other Extra Work previously ordered, will not be in the aggregate in excess of \$100,000.

Forwarded herewith for your use and compliance are "General Instructions Relating to the Direction and Processing of Correspondence and of Those Other Items Specified to be Submitted to the Port Authority Under the Terms of the Contract".

In order to ensure that payments are processed properly, please include the above-referenced Purchase Order No. on all payment invoices and correspondence.

Very truly yours,

THE PORT AUTHORITY OF NEW YORK
AND NEW JERSEY

BY 
Director of Procurement

One Madison Avenue, 7th Floor
New York, NY 10010
T: 212 435 8427

**GENERAL INSTRUCTIONS RELATING TO THE DIRECTION AND PROCESSING OF
CORRESPONDENCE AND OF THOSE OTHER ITEMS SPECIFIED TO BE SUBMITTED TO
THE PORT AUTHORITY UNDER THE TERMS OF THE CONTRACT**

DIRECTION OF CORRESPONDENCE

1. GENERAL

In general, all official correspondence relating to the conduct of this contract shall be directed to the Construction Resident Engineer. In the case of correspondence or other items specified herein to be directed elsewhere, the Construction Resident Engineer shall be informed by copies of correspondence or letter of transmittal:

CONSTRUCTION RESIDENT ENGINEER

Mr. Armando Martinez
Resident Engineer
The Port Authority of NY & NJ
John F. Kennedy International Airport
Building 14 – First Floor – East Wing
Jamaica, NY 11430
Tel: (718) 244-8112
Fax: (718) 244-4779

2. INSURANCE MATTERS

Mr. Michael Berger, ARM, AVP
AON Risk Services, Inc. of New York
300 Jericho Quadrangle
P.O. Box 342
Jericho, NY 11753
Tel. (516) 342-2703
Fax: (516)342-2727

3. APPROVAL OF SUBCONTRACTOR

Mr. Thomas Amoia
Resident Engineer
The Port Authority of NY & NJ
John F. Kennedy International Airport
Building 14 – First Floor – East Wing
Jamaica, NY 11430
Tel: (718) 244-4194
Fax: (718) 244-4779

4. **SHOP DRAWINGS AND CATALOG CUTS**

SEND DIRECTLY TO:

COPY OF TRANSMITTAL TO:

URS Corp. – New York
One Penn Plaza
Suite 610
New York, NY 10019
Tel. (212) 736-4444
Fax (212) 736-4249

Jane Hegarty
Assistant Director
Engineering Management Services
The Port Authority of NY & NJ
2 Gateway Center – 11th Floor
Newark, NJ 07102
Telephone (973) 792-3600

5. **FOR APPROVAL OF SUBMITTALS REGARDING**

- a. Manufacturer/Source
- b. Physical Samples
- c. Product Data Sheets
- d. Test Reports and Data
- e. Mill Reports
- f. Substitution Request
- g. Manufacturers Certificates
- h. Certificates of Conformance
- i. Mix Designs
- j. Welding Procedures
- k. Welder Qualifications
- l. Technical Data Sheets
- m. Quality Control Procedures

Mr. Casimir J. Bognacki
Manager, Materials Engineering Div.
The Port Authority of NY & NJ
241 Erie Street - Room 234
Jersey City, NJ 07310-1397
Tel: (201) 216-2984
Fax: (201) 216-2949
Copy of transmittal to
Consultant (if any) for
information only - not processing

6. **ACCIDENT REPORTS**

Karl Lunan
Manager of Claims
The Port Authority of NY & NJ
225 Park Avenue South – 13th Floor
New York, NY 10003
Tel. (212) 435-3424

Ms. Christine Farrington
Deputy General Counsel
The Port Authority of NY & NJ
225 Park Avenue South – 13th Floor
New York, NY 10003
Tel. (212)435-3417

You are requested to prepare a list of all submittals required under the Contract, by section, indicating the anticipated date when each such submittal will be transmitted. The list shall be submitted to the addressees under 1 and 5 above within 10 days after receipt of this letter.

You will be advised by a separate communication from the Engineer of Materials of the items of material and equipment that will require inspection at the point of manufacture or assembly together with instructions pertaining thereto. You will be similarly advised of the action taken on the required submittals of samples, material lists and their manufacturing sources.

The Construction Resident Engineer's office will instruct you further on specific contract requirements and the preparation of proper forms which must be used for progress payments, subcontractor approvals, and change orders.

"Lump Sum" shall mean the amount stipulated in the clause hereof entitled "General Agreement".

"Notice" shall mean a written notice.

Whenever they refer to the Work or its performance, "directed", "required", "permitted", "ordered", "designated", "prescribed" and words of similar import shall mean directed, required, permitted, ordered, designated or prescribed by the Engineer; and "approved", "acceptable", "satisfactory" and words of similar import shall mean approved by or acceptable or satisfactory to the Engineer; and "necessary", "reasonable", "proper", "correct" and words of similar import shall mean necessary, reasonable, proper or correct in the judgment of the Engineer.

Whenever "including", "such as" or words of similar import are used, the specific things thereafter enumerated shall not limit the generality of the things preceding such words.

18. GENERAL AGREEMENT (work scope)

The Contractor agrees to perform the furnishing and installation of backflow prevention devices, water meter upgrades, electrical and related Work at Building 16, 30, 31, 36, 49, 111, 142, 145, 156, 161, 174, 196, 206, 254, 255, 264 and 269 and the vicinities thereof at John F. Kennedy International Airport, Queens, New York and to furnish all structures, equipment, plant, labor, materials and other facilities and to do all other things necessary or proper therefor or incidental thereto, all in strict accordance with the Contract Drawings and Specifications and any future changes therein; and the Contractor further agrees to assume and perform all other duties and obligations imposed upon him by this Contract. The furnishing of equipment and plant, however, shall be subject to the provisions of the clause hereof entitled "Agency for Rental of Construction Equipment".

The Authority agrees to pay to the Contractor and the Contractor agrees to accept from the Authority, in full consideration for the performance by the Contractor of his duties and obligations under this Contract and the whole thereof, a compensation of:

Two million six hundred sixty eight thousand	Dollars
and 00/100	Cents

(\$2,668,000.00)¹⁹
(throughout this Contract called the "Lump Sum"), and such compensation only, subject only to the express provisions of this Contract specifically setting forth actual, defined additions to or deductions from such compensation.

The enumeration in this Form of Contract and in the Specifications of particular things to be furnished or done at the Contractor's expense, or without cost or expense to the Authority, or without additional compensation to the Contractor shall not be deemed to imply that only things of a nature similar to those enumerated shall be so furnished and done; but the Contractor shall perform all Work as required without other compensation than that specifically provided, whatsoever changes may be made in the Contract Drawings and Specifications, whatsoever Work may be required in addition to that required by the Contract Drawings and Specifications in their present form, and whatsoever obstacles or unforeseen conditions may arise or be encountered.

¹⁹ For sales tax exemptions, see clause entitled "Exemptions from New York State and New York City Sales Taxes"