

Torres Rojas, Genara

From: nmougakos@contractorlawoffices.com
Sent: Thursday, December 11, 2014 10:47 AM
To: Duffy, Daniel
Cc: Torres Rojas, Genara; Van Duyne, Sheree
Subject: Freedom of Information Online Request Form

Information:

First Name: Steven
Last Name: Berkowitz
Company: Steven A. Berkowitz & Assoc.
Mailing Address 1: 10000 Lincoln Drive East
Mailing Address 2: Suite 202
City: Marlton
State: NJ
Zip Code: 08053
Email Address: nmougakos@contractorlawoffices.com
Phone: 856.350.6060
Required copies of the records: Yes

List of specific record(s):

Re: Skanska Bayonne Bridge Contract No.: AKB-264.039 1. Payment and Performance Bond 2. Last application for payment from contractor upon information and belief it is Ferreira Construction 3. Accounting of payments to contractor

THE PORT AUTHORITY OF NY & NJ

FOI Administrator

December 22, 2014

Mr. Steven Berkowitz
Steven A. Berkowitz & Assoc.
10000 Lincoln Drive East, Suite
Marlton, NJ 08053

Re: Freedom of Information Reference No. 15568

Dear Mr. Berkowitz:

This is in response to your December 11, 2014 request, which has been processed under the Port Authority's Freedom of Information Code (the "Code", copy attached) for copies of the following records regarding "Skanska Bayonne Bridge Contract No.: AKB-264.039 1. Payment and Performance Bond 2. Last application for payment from contractor upon information and belief it is Ferreira Construction 3. Accounting of payments to contractor."

Material responsive to your request and available under the Code can be found on the Port Authority's website at <http://www.panynj.gov/corporate-information/foi/15568-C.pdf>. Paper copies of the available records are available upon request.

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

Very truly yours,



Daniel D. Duffy
FOI Administrator

Attachment

THE PORT AUTHORITY OF NY & NJ

May 10, 2013

Lillian D. Valenti
Director, Procurement

VIA FACSIMILE AND UPS NEXT DAY DELIVERY

Skanska Koch, Inc.
Kiewit Infrastructure Co. (JV)
400 Roosevelt Avenue
Carteret, NJ 07008

SUBJECT: BAYONNE BRIDGE - REPLACEMENT OF MAIN SPAN ROADWAY AND REPLACEMENT OF APPROACH STRUCTURES - CONTRACT AKB-264.039
PURCHASE ORDER UAKB264039

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.

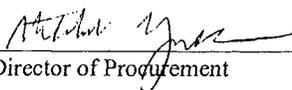
Your attention is directed to the clause in the Contract entitled "Local Business Enterprises (LBE) Program and the Authority's long-standing practice of making available contract opportunities for Local Business Enterprises as noted in Section 11 of the Contract.

Additionally, please draw your attention to "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.

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,

BY 
Director of Procurement

2 Montgomery Street, 3rd Floor
Jersey City, NJ 07302
T: 201 395 7477

The Port Authority of New York and New Jersey

233 Park Ave South, 7th Floor
New York, N.Y. 10013

8000 982125

Date Prepared 12/03/14

APPLICATION FOR PAYMENT

Contract No. AKB-264.039

Dated 5/10/2013

Payment No. 14

Contractor Skanska Kiewit, JV

Address 400 Roosevelt Ave, Carteret, NJ 07008

Approximate work performed to October 31, 2014

Item No.	DESCRIPTION OF WORK	UNIT	APPROXIMATE QUANTITIES			UNIT PRICE	AMOUNT
			This Application	Total For Prev. Application	Total to Date		
1	6-Ft. O.D. Drilled Shafts in Soil	LF	149.66	1,174.41	1,324.07	2,900.00	3,839,803.00
2	5.5-FT O.D. Drilled Sfat Rock	LF	198.00	1,136.80	1,334.80	2,400.00	3,203,520.00
3	11.875-IN O.D. Micro-Pile in Soil	LF				300.00	
4	9.5-IN O.D. Micro-Pile Rock Socket	LF				210.00	
5	Monitoring and Reporting for Manhole Rims	EA				120.00	
6	Furnishing and Installing Surface Settlement Monitoring Points	EA		36.00	36.00	1,350.00	48,600.00
7	Monitoring and Reporting for Surface Settlement Monitoring Points	EA	774.00	5,342.00	6,116.00	200.00	1,223,200.00
8	Furnishing and Installing Deep Benchmarks	LF		298.00	298.00	350.00	104,300.00
9	Monitoring and Reporting for Deep Benchmarks	EA		4.00	4.00	1,500.00	6,000.00
10	Furnishing and Installing Observation Wells	LF		408.00	408.00	225.00	91,800.00
11	Monitoring and Reporting for Observation Wells	EA	48.00	182.00	230.00	500.00	115,000.00
12	Furnishing and Installing High Precision Optical Survey Prisms	EA	8.00	243.00	251.00	3,000.00	753,000.00
13	Monitoring and Reporting for High Precision Optical Survey Prisms	EA	879.00	1,776.00	2,655.00	100.00	265,500.00
14	Furnishing and Installing Tiltmeters	EA	2.00	106.00	108.00	3,200.00	345,600.00
15	Monitoring and Reporting for Tiltmeters	EA	303.00	972.00	1,275.00	80.00	102,000.00
16	Furnishing and Installing Vibration Monitoring Locations	EA		30.00	30.00	5,000.00	150,000.00
17	Monitoring and Reporting for Vibration Monitoring Locations	EA	59.00	152.00	211.00	320.00	67,520.00
18	Furnishing and Installing Vibrating Wire Piezometers	LF		121.00	121.00	430.00	52,030.00
19	Monitoring and Reporting for Vibrating Wire Piezometers	EA	8.00	42.00	50.00	175.00	8,750.00
20	Furnishing and Installing Structural Monitoring Points	EA		8.00	8.00	400.00	3,200.00
21	Monitoring and Reporting for Structural Monitoring Points	EA		4.00	4.00	850.00	3,400.00
22	Furnishing and Installing Grid Crack Gages	EA		12.00	12.00	140.00	1,680.00
23	Monitoring and Reporting for Grid Crack Gages	EA				10.00	
24	Furnishing and Installing Elevation Settlement Platform	EA	4.00		4.00	2,150.00	8,600.00
25	Monitoring and Reporting for Elevation Settlement Platform	EA				250.00	
26	Osterberg Cell Load Test Shaft Installation and Load Test Set Up	EA		4.00	4.00	300,000.00	1,200,000.00
27	Manning the Osterbeg Cell Load Tests	Days		12.00	12.00	12,000.00	144,000.00
28	Micro-Pile Load Test Pile Installation and Load Test Set Up	EA				100,000.00	
29	Manning the Micro-Pile Load Tests	Days				2,000.00	
30	Mobilization for Exploratory Borings	EA				2,000.00	
31	Drilling Exploratory Borings	LF		913.60	913.60	60.00	54,816.00
32	Exploratory Boring Split Spoon Soil Samples	EA		208.00	208.00	75.00	15,600.00
33	Drilling Exploratory Borings Rock Sample	LF		820.73	820.73	75.00	61,554.75
34	Arch Abutment Repair: Type 1	LF		2,505.48	2,505.48	90.00	225,493.20
35	Arch Abutment Repair: Type 2	LF		1,428.93	1,428.93	90.00	128,603.70
36	Arch Abutment Repair: Type 3	SF		0.81	0.81	250.00	202.50
37	Arch Abutment Repair: Type 4	SF				475.00	
38	6-FT O.D. Demonstration Drilled Shafts in Soil	LF		28.50	28.50	1,600.00	45,600.00
			Totals For Attachment Sheet - 1		178,779,608.82		178,840,209.57
			Totals For Attachment Sheet - 2		409,975.09		7,024,468.67

Less 5 % retained as per contract MAX \$ 34,814,018.00

TOTAL APPLIED FOR, TO DATE : \$ 198,134,051.39

\$ 9,383,000.80

Balance to date : \$ 188,751,050.59

Less advances under previous applications : \$ 171,202,884.14

To be advanced this application : \$ 17,548,166.45

PURCHASE ORDER NO. UAKB264039

CHANGE ORDERS (per attached)

LINE(S): 8000982125

Total to date : \$ 829,993.05

Less: Previously advanced : \$ 263,243.05

Change Order amount to be advanced on this application : \$ 566,750.00

TOTAL AMOUNT TO BE ADVANCED THIS APPLICATION (as per copy) : \$ 18,114,916.45

It Is Hereby Certified that the above quantities of work have actually been performed and that the cost plus compensation above set forth, if any, is computed in accordance with the terms of the above Contract on the basis of work actually performed. This certification, if signed by any person on behalf of the contractor, is made by such person in his individual capacity on the basis of his own knowledge, as well as by the contractor.

The Contractor Further Certifies (check one)

1. That all subcontractors and suppliers have been paid any amounts due from previous progress payments and shall be paid any amounts due from this progress payment; or

2. That payment has been withheld from a subcontractor or supplier because there exists a valid basis under the subcontractor's or supplier's contract to withhold a payment from that subcontractor or supplier. (Attach copies of any withholding notices issued in conjunction with this certification.)

*Individually and on behalf of the contractor

Title

CORRECT AND IN ACCORDANCE WITH CONTRACT CONSTRUCTION ACCT.

Recommended For Payment:

ENGINEER OF CONSTRUCTION

Approved For Payment:

PRO/PROJ	ORG	ACT	AREA/SYS	JOB	AMOUNT

The above estimate of quantities performed is correct and is made from actual inspection and knowledge of work performed.

RESIDENT ENGINEER

For Comptroller

* If contractor is a corporation, certificate must be signed by an officer, and if a partnership, by a partner.

The Port Authority of New York and New Jersey

233 Park Ave South, 7th Floor
New York, N.Y. 10013

ATTACHMENT SHEET - 1

Contract No. AKB-264.039

Dated 5/10/2013

Payment No. 14

Contractor Skanska Kiewit, JV

Item No.	DESCRIPTION OF WORK	UNIT	APPROXIMATE QUANTITIES			UNIT PRICE	AMOUNT
			This Application	Total For Prev. Application	Total to Date		
39	5.5-FT O.D. Demonstration Drilled Shaft Rock Socket	LF		24.25	24.25	2,500.00	60,625.00
40	Lower Chord Bracing Repairs	LB				4.00	
41	Sway Bracing Repairs	LB				5.00	
42	Miscellaneous Steel Repairs	LB				16.00	
43	Replace Arch Chord Access Hatches	EA				1,200.00	
44	Rust Pack Repair	EA				5,000.00	
45	Repair Existing Testing/Coupon Holes	EA				1,000.00	
46	Unclassified work	LS	14,716,859.84	160,613,158.01	175,330,017.85	670,063,990.40	175,330,017.85
47	Net Cost	T&M					
47.1	DWG. G0202, 5.04-A	T&M					
47.2	DWG. G0202, 5.04-B	T&M					
47.3	DWG. G0202, 5.04-C	T&M					
47.4	DWG. G0202, 5.04-D	T&M	934.08		934.08		934.08
47.5	DWG. G0202, 5.04-E	T&M					
47.6	DWG. G0202, 5.04-F	T&M					
47.7	DWG. G0202, 5.04-G	T&M					
47.8	DWG. G0202, 5.04-H	T&M					
47.9	DWG. G0202, 5.04-I	T&M					
47.10	DWG. G0202, 5.04-J	T&M					
47.11	DWG. G0202, 5.04-K	T&M					
47.12	DWG. G0202, 5.04-L	T&M					
47.13	DWG. G0202, 5.04-M	T&M					
47.14	DWG. G0202, 5.04-N	T&M					
47.15	DWG. G0202, 5.04-O	T&M					
47.16	DWG. G0202, 5.04-P	T&M					
47.17	DWG. G0202, 5.04-Q	T&M					
47.18	DWG. G0202, 5.04-R	T&M					
47.19	DWG. G0202, 5.04-S	T&M					
47.20	DWG. G0202, 5.04-T	T&M					
47.21	DWG. G0202, 5.04-U	T&M					
47.22	DWG. G0202, 5.04-V	T&M					
47.23	DWG. G0202, 5.04-W	T&M					
47.24	DWG. G0202, 5.04-X	T&M					
47.24A	DWG. G0202, 5.04-X-Rel phone lines-LS conv #02 dtd 05/08/14	LS		150,948.00	150,948.00	150,948.00	150,948.00
47.24B	DWG. G0202, 5.04-X-FDNY box -NC conv #10 dtd 09/19/14	LS		11,290.00	11,290.00	11,290.00	11,290.00
47.25	DWG. G0202, 5.04-Y	T&M					
47.26	DWG. G0202, 5.04-Z	T&M					
47.26A	DWG. G0202, 5.04-Z-Add maint traff-LS conv #01 dtd 04/29/14	LS		6,667.00	6,667.00	6,667.00	6,667.00
47.26B	DWG. G0202, 5.04-Z-Add traff sign-NC conv #05 dtd 06/13/14	LS		5,884.00	5,884.00	5,884.00	5,884.00
47.26C	DWG. G0202, 5.04-Z-Add traff sign-NC conv #09 dtd 06/13/14	UP	788,977.00		788,977.00	3,976,183.00	788,977.00
47.26	DWG. G0202, 5.04-Z	T&M					
47.27	DWG. G0202, 5.04-AA	T&M					
47.28	DWG. G0202, 5.04-BB	T&M					
47.29	DWG. G0202, 5.04-CC	T&M					
47.30	DWG. G0202, 5.04-DD	T&M	1,081.86		1,081.86		1,081.86
47.31	DWG. G0202, 5.04-EE	T&M		150,000.00	150,000.00		150,000.00
47.31A	DWG. G0202, 5.04-EE-NY wetl delin-LS Conv # 03 dtd 04/29/14	LS		4,990.00	4,990.00	4,990.00	4,990.00
47.31B	DWG. G0202, 5.04-EE-Rel det signs-LS Conv # 04 dtd 04/29/14	LS					
47.31C	DWG. G0202, 5.04-EE-NJ C.U. - NC Conv. #6 - dtd 7/2/14	UP	12,869.00	34,822.05	47,691.05		47,691.05
47.31D	DWG. G0202, 5.04-EE-NY C.U. - NC Conv. #7 - dtd 7/2/14	UP	9,944.00	46,782.00	56,726.00		56,726.00
47.32	DWG. G0202, 5.04-FF	T&M					
47.33	DWG. G0202, 5.04-GG	T&M					
47.34	DWG. G0202, 5.04-HH	T&M		945.32	945.32		945.32
47.35	DWG. G0202, 5.04-II	T&M					
47.36	DWG. G0202, 5.04-JJ	T&M	250,381.60	1,836,166.17	2,086,547.77		2,086,547.77
47.37	DWG. G0202, 5.04-KK	T&M					
47.38	DWG. G0202, 5.04-LL	T&M	136,884.64		136,884.64		136,884.64
Total For Attachment Sheet - 1				178,779,608.82			178,840,209.57

The Port Authority of New York and New Jersey

233 Park Ave South, 7th Floor
New York, N.Y. 10013

Date Prepared 12/03/14

ATTACHMENT SHEET - 2

Dated 5/10/2013

Payment No. 14

Contract No. AKB-264.039

Contractor Skanska Kiewit, JV

Item No.	DESCRIPTION OF WORK	UNIT	APPROXIMATE QUANTITIES			UNIT PRICE	AMOUNT
			This Application	Total For Prev. Application	Total to Date		
47.38A	DWG. G0202, 5.04-LL-Soil Removal - NC Conv. #1 dtd 5/1/14	UP	✓ 250,092.12	3,284,906.72	3,534,998.84		3,534,998.84
47.38B	DWG. G0202, 5.04-LL-Rock Removal - NC Conv. #2 dtd 4/4/14	UP	✓ 19,301.66	103,564.14	122,865.80		122,865.80
47.38C	DWG. G0202, 5.04-LL-Soil Removal - NC Conv. #8 dtd 9/17/14	UP	✓ 844,045.99	2,112,582.95	2,956,628.94		2,956,628.94
47.39	DWG. G0202, 5.04-MM	T&M					407,739.32
47.39A	DWG. G0202, 5.04-MM-Water Rem-NC Conv. #3 dtd 6/18/14	T&M	✓ 53,939.58	353,799.74	407,739.32		407,739.32
47.40	DWG. G0202, 5.04-NN	T&M					
47.41	DWG. G0202, 5.04-SS	T&M					
47.42	CLAUSE 36, PG. 54	T&M	2,235.77		2,235.77		2,235.77
47.43	SPEC-02553 PT4-4.01 ASPHALT BONUS	T&M					
47.44	SPEC-02553 PT4-4.04 ASPHALT ESCALATION	T&M					
47.45	SPEC-02553 PT4-4.01-F CONCRETE BONUS	T&M					
47.46	CLAUSE 102.D.1-INSTALL NMTS AS DIRECTED	T&M					
47.47	PAYMENTS FOR UTILITY RELOCATION	T&M					
47.48	MILESTONE INCENTIVES	T&M					
47.49	CLAUSE 102.D.K	T&M					
47.50	SUSPENDER ROPE SECURITY PACKAGE	T&M					
Total For Attachment Sheet - 2					409,975.09		7,024,468.67

The Port Authority of New York and New Jersey
 Payments by Vendor

(**) Indicates withholding tax and/or cash discount taken.

Note that Invoice amount column is the gross amount excluding withholding tax or cash discount.

Document Date	Check No.	Payment Dt	Invoice Doc	Ref Doc	Invoice Amt
Vendor : 176800 SKANSKA KOCH - KIEWIT JV					
07/31/2013	1292538	10/02/2013	5201066653	1	8,740,000.00
07/21/2014	WIRE	08/21/2014	5201144703	10	13,751,499.31
09/15/2014	WIRE	09/26/2014	5201153294	11	14,673,979.17
09/15/2014	WIRE	09/26/2014	5201153294	11	150,354.89
10/09/2014	WIRE	10/23/2014	5201160111	12	12,821,402.22
11/12/2014	WIRE	11/19/2014	5201167371	13	15,331,213.68
12/03/2014	WIRE	12/15/2014	5201174117	14	18,114,916.45
11/05/2013	1296459	11/13/2013	5201077447	2	14,716,405.66
12/05/2013	1300264	12/20/2013	5201086955	3	13,275,034.46
10/31/2013	1306030	02/28/2014	5201101532	4	11,377,828.93
03/03/2014	1310328	04/11/2014	5201113925	5	15,023,330.38
04/14/2014	1311228	04/22/2014	5201116320	6	16,509,642.20
03/21/2014	1312564	05/07/2014	5201119069	7	8,621,748.41
04/30/2014	1315285	06/05/2014	5201126497	8	13,538,640.47
07/03/2014	WIRE	07/15/2014	5201135649	9	12,935,047.41
Sub Total :					189,581,043.64
Grand Total:					189,581,043.64