

Torres-Rojas, Genara

From: m.m.sternesq@gmail.com
Sent: Monday, January 18, 2016 2:37 PM
To: Olivencia, Mildred
Cc: Torres-Rojas, Genara; Van Duyne, Sheree; Ng, Danny; Shalewitz, William
Subject: Freedom of Information Online Request Form

Information:

First Name: Marshall M.
Last Name: Stern
Company: Marshal M. Stern, P.C.
Mailing Address 1: 17 Cardiff Court
Mailing Address 2:
City: Huntington Station
State: NY
Zip Code: 11746
Email Address: m.m.sternesq@gmail.com
Phone: 631-427-0101
Required copies of the records: Yes

List of specific record(s):

Payment Performance Bond for JFK Airport Contract 014.002 Runway 4L-22R Contract between Tutor Perini and Port Authority for project If the project has completed and accepted and if so, the date thereof. Copy of most recent requisition for payment

THE PORT AUTHORITY OF NY & NJ

FOI Administrator

February 1, 2016

Mr. Marshall M. Stern
Marshall M. Stern, P.C.
17 Cardiff Court
Huntington Station, NY 11746

Re: Freedom of Information Reference No. 16621

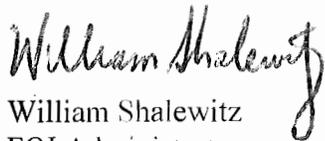
Dear Mr. Stern:

This is in response to your January 18, 2016 request, which has been processed under the Port Authority's Freedom of Information Code (the "Code", copy enclosed) for a copy of the "Payment Performance Bond for JFK Airport Contract 014.002 Runway 4L-22R Contract between Tutor Perini and Port Authority for project, if the project has completed and accepted and if so, the date thereof. Copy of most recent requisition for payment."

Material responsive to your request can be found on the Port Authority's website at <http://www.panynj.gov/corporate-information/foi/16621-C.pdf>. Paper copies are available upon request.

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

Very truly yours,


William Shalewitz
FOI Administrator

Enclosure

4 World Trade Center, 18th Floor
150 Greenwich Street
New York, NY 10007
T: 212 435 3642 F: 212 435 7555

THE PORT AUTHORITY OF NY & NJ

July 2, 2014

Lillian D. Valenti
Chief Procurement Officer

VIA FACSIMILE AND UPS NEXT DAY DELIVERY

Tutor Perini Corporation
100 Main Street
New Rochelle, NY 10801

Attention: Henry Cheung, Sr. Vice-President

SUBJECT: JOHN F. KENNEDY INTERNATIONAL AIRPORT – RUNWAY 4L-22R
RSA COMPLIANCE/RUNWAY RECONSTRUCTION - **CONTRACT -
JFK-104.002– NOTICE OF AWARD - PURCHASE ORDER: UJFK104002**

Dear Mr. Cheung:

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

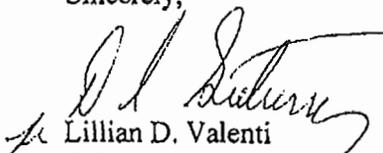
The Authority elects not to require you to furnish a performance and payment bond.

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.

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.

Sincerely,


Lillian D. Valenti
Chief Procurement Officer
Procurement Department

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

SHEET 1 of 2

8004048241

APPLICATION FOR PAYMENT

Date Prepared 12/08/15

Contract No. JFK-104.002

Dated 7/2/2014

Payment No. 26

Contractor Tuler Perini Corporation

Address

1000 Main Street, New Rochelle, NY 10801

Approximate work performed to October 31, 2016

Item No.	DESCRIPTION OF WORK	UNIT	APPROXIMATE QUANTITIES			UNIT PRICE	AMOUNT
			This Application	Total For Prev. Application	Total to Date		
I	UNCLASSIFIED WORK	LS	872,395.39	187,807,661.60	188,679,956.89	198,608,000.00	188,679,956.89
II	CLASSIFIED WORK						
1	ASPHALT CONCRETE MIX 3 - PG 76-22	TON		62,375.01	62,375.01	135.00	8,420,826.35
2	ASPHALT CONCRETE MIX 3 - PG 64-22	TON		207,273.21	207,273.21	115.00	23,838,419.15
3	MILL EXISTING ASPHALT CONCRETE 20"-22"	SY		296,655.00	296,655.00	12.00	3,559,860.00
4	MILL EXISTING ASPHALT CONCRETE 3"	SY		41,977.00	41,977.00	8.00	335,816.00
5	DRAINAGE TOP COURSE	TON				140.00	
6	OFFSITE DISPOSAL OF EXCAVATED SOIL	TON		55,342.99	55,342.99	43.00	2,379,748.57
7	TACK COAT	SY		483,230.14	483,230.14	0.30	144,969.05
III	NET COST WORK:						
	DRAWING G007 NOTE 12B (8.14.14 TO 8.18.14)	T&M		4,984.10	4,984.10		4,984.10
	DRAWING G007 NOTE 12D (7.18.14 TO 9.10.14)	T&M		34,441.85	34,441.85		34,441.85
	DRAWING G007 NOTE 12F (9.23.14 TO 10.1.14)	T&M		3,277.96	3,277.96		3,277.96
	DRAWING G007 NOTE 12H (8.9.14)	T&M		15,586.72	15,586.72		15,586.72
	DRAWING G007 NOTE 12H (8.8.14 TO 9.30.14)	T&M		10,628.03	10,628.03		10,628.03
	DRAWING G007 NOTE 12I (9.2.14)	T&M		2,550.84	2,550.84		2,550.84
	DRAWING G007 NOTE 12N (9.10.14 TO 9.16.14)	T&M		971.23	971.23		971.23
	DRAWING G007 NOTE 12H (8.9.14)	T&M		642.70	642.70		642.70
	DRAWING G007 NOTE 12N (2.11.15 TO 2.12.15)	T&M		13,613.40	13,613.40		13,613.40
	DRAWING G007 NOTE 12C (10.08.14 TO 10.08.14)	T&M		4,360.56	4,360.56		4,360.56
	DRAWING G007 NOTE 12O (4.14.15 TO 4.19.15)	T&M		29,080.76	29,080.76		29,080.76
	DRAWING G007 NOTE 12S (5.13.15 TO 8.22.15)	T&M		39,649.83	39,649.83		39,649.83
	DRAWING G007 NOTE 12H (9.13.14 TO 10.18.14)	T&M		1,937.68	1,937.68		1,937.68
	DRAWING G007 NOTE 12B (8.4.15 TO 8.6.15)	T&M	745.25	745.25	745.25		745.25
	DRAWING G007 NOTE 12C (8.19.15 TO 8.20.15)	T&M	6,254.04	6,254.04	6,254.04		6,254.04
	DRAWING G007 NOTE 12O (10.7.14 TO 10.7.14)	T&M	8,722.81	8,722.81	8,722.81		8,722.81
IV	CONTRACTOR'S COMPENSATION (12%)	T&M	1,886.65	19,395.08	21,281.73		21,281.73
V	LUMP SUM CONVERSION #1	LS		77,896.00	77,896.00		77,896.00
VI	CHAPTER III, CLAUSE 36A AS AMENDED BY CO#04	LS		2,000,000.00	2,000,000.00		2,000,000.00
VII	CHAPTER III, CLAUSE 36B AS AMENDED BY CO#04	LS		3,000,000.00	3,000,000.00		3,000,000.00
Totals For Attachment Sheet - 1				62,876.00			62,876.00

TOTAL APPLIED FOR, TO DATE: \$ 232,686,797.48⁵⁰

Less 5% retained as per contract MAX \$ 12,137,000.00

Balance to date: \$ 221,328,927.58⁵⁰

43,619.77

Less advances under previous applications: \$ 220,482,543.38⁵⁰

To be advanced this application: \$ 846,384.37⁵⁰

CHANGE ORDERS (per attached)

Total to date: \$ 655,985.92

Less: Previously advanced: \$ 655,985.92

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

TOTAL AMOUNT TO BE ADVANCED THIS APPLICATION (as per copy): \$ 846,384.37⁵⁰

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)

- 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
- 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.)

[Signature]
*Individually and on behalf of the contractor
SRVP
Title

CORRECT AND IN ACCORDANCE WITH CONTRACT
CONSTRUCTION ACCT.

Recommended For Payment
[Signature]
Title ENGINEER OF CONSTRUCTION

PRO/PROJ	ORG	ACT	AREA/SYS	JOB	AMOUNT

Approved For Payment: 12/9/15

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

[Signature]
PROJECT ENGINEER

For Comptroller

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

POSTED DEC 17 2015

ATTACHMENT SHEET - 1

Contract No. JFK-104.002

Dated 7/2/2014

Payment No. 26

Contractor Tutor Perini Corporation

Item No.	DESCRIPTION OF WORK	UNIT	APPROXIMATE QUANTITIES			UNIT PRICE	AMOUNT
			This Application	Total For Prev. Application	Total to Date		
VIII	CHAPTER V, CLAUSE 66 ADDITIONAL INSURANCE - JESS SECURITY	LS		96,376.00	✓ 96,376.00		96,376.00
IX	CHAPTER III, CLAUSE 41 (5.15.15)	LS		(33,500.00)	✓ (33,500.00)		(33,500.00)
Total For Attachment Sheet - 1						62,876.00	62,876.00