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## KERNAN AND ASSOCIATES

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Admitted NY

June 10, 2016

**VIA EMAIL TO—[pafoi@panynj.gov](mailto:pafoi@panynj.gov)**

Secretary  
Attention: FOI Administrator  
The Port Authority of New York and New Jersey  
4 World Trade Center  
150 Greenwich Street  
New York, New York 10007

**RE: DEMAND FOR PAYMENT BOND  
CONTRACT NO. JFK-104.002  
SUBCONTRACT NO. 10309600  
PROJECT: RUNWAY 4L-22R RSA, COMPLIANCE / RUNWAY RECONSTRUCTION**

Dear Sir/Madam

I represent Jess Security Investigations, Inc., in connection with its subcontract work on the above-referenced project. Please accept this letter as the undersigned's request for a copy of the payment bond issued to secure the obligations of the prime contractor, Tutor Perini Corporation. This request is made pursuant to NY State Finance Law Section 137(2), which provides, in pertinent part, that:

***"A copy of such payment bond shall be kept in the office of the head of the department or bureau having charge of the public improvement in connection with which the bond was given and a copy shall also be kept in the office of the comptroller or other appropriate official; such copies shall be open to public inspection [emphasis supplied]."***

Please be advised that your failure to comply immediately with our request herein will result in immediate court action, seeking the imposition of costs and attorneys' fees.

We would prefer if you would transmit the copy to us via facsimile to 315-223-2708, or email to [martin@kernanassociates.com](mailto:martin@kernanassociates.com). Your cooperation in this regard is greatly appreciated. If mail is

PHONE

FAX

WEB

26 Broadway, 18<sup>th</sup> Fl., New York, New York 10007 (646) 661-7277 (646) 863-0926 [www.kernanandassociates.com](http://www.kernanandassociates.com)

the only option, please send to the firm's central processing center at **1310 Utica Street, PO Box 750, Oriskany, NY 13424.**

Should you have any questions or wish to discuss the matter please call me at (646) 661-7277

Respectfully,

*/s/ Martin J. Kernan*

Martin J. Kernan

PHONE

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THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY  
PUBLIC RECORD ACCESS FORM

PRA #17008

Action by (print / type name):

William Shalewitz

, Freedom of Information Administrator

Signature:

*William Shalewitz*

Date:

06/14/2016

On behalf of the Secretary of the Port Authority, as Records Access Officer and Custodian of Government Records of the Port Authority.

- The requested records are being made available.
- Any responsive records that may exist are currently in storage or archived, and a diligent search is being conducted. The Port Authority will respond by:
- A diligent search has been conducted, and no records responsive to your request have been located.
- The requested records that have been located are not being made available, as they are exempt from disclosure for the following specific reasons:

- Some requested records that have been located are being made available. The remainder are exempt from disclosure for the following specific reasons:

- The request does not reasonably describe or identify specific records; therefore, the Port Authority is unable to search for and locate responsive records. Please consider submitting a new request that describes or identifies the specific records requested with particularity and detail.

- Other:

This form is promulgated by the Port Authority pursuant to the Port Authority Public Records Access Policy and is intended to be construed consistent with the New York Freedom of Information Law and the New Jersey Open Public Records Act. It is intended to facilitate requests for Port Authority public records and does not constitute legal advice.

**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.

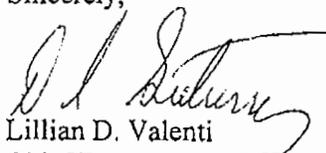
The Authority elects not to require you to furnish a performance and payment bond.

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