

Contains Confidential Commercial Information

Consolidated Edison Company of New York, Inc. – Contract for Electric-related goods or services

ATTACHMENT NO. 1

CONTRACTOR: DEMCO INC

PURCHASE ORDER NO.: 1-31595

BID COMPARISON:

\$4,600,400

\$4,650,000

\$6,520,000

\$8,300,000

Contains Confidential Commercial Information

FILENAME: PMS-PO #131595

PURCHASE ORDER

PAGE 1

CURRENT DATE 04/07/11

| | |
|--|---|
| TO: DEMCO INC 238 LEIN ROAD WEST SENECA NY 14224 | PURCHASE ORDER NUMBER 131595 PURCHASE ORDER DATE 03/23/11 PURCHASE REQ. NUMBER 241-0-1039 VENDOR CODE D6252 AUTHORIZED DOLLARS \$3564010 FUNDING ORDER ACCOUNT NUMBER VARIOUS STATISTICS 1/2 |
|--|---|

SHIP TO:
 CON EDISON
 31-01 20TH AVENUE 131595
 ASTORIA NY 11105
 GORDON LOKHAMMER

MAIL ORIGINAL INVOICES TO
 CON EDISON ACCOUNTS PAYABLE
 P.O. BOX 799
 COOPER STATION
 NEW YORK N.Y. 10276
 (212) 460-3510

THIS PURCHASE ORDER REQUIRES PAYMENT CERTIFICATES
 FOR INVOICE STATUS, CLICK ON "VENDOR INFORMATION" AT WWW.CONED.COM
 BUYER: LISA M PRESOTTO 212-460-4278 21789

| ITEM | QUANTITY | DELIVERY DATE | UNIT PRICE | UNIT | INSP CODE |
|--|----------|---------------|------------|------|-----------|
| 1 | 0 | | \$0.00000 | EA | |
| -CONED-E- - CON EDISON USE ONLY. | | | | | |
| 2 | 0 | | \$10.00000 | EA | |
| -CONED-R- - CON EDISON USE ONLY | | | | | |
| 3 | 0 | | \$0.00000 | EA | |
| NORTH 1ST ST FUEL OIL STORAGE FACILITY | | | | | |

THE CONTRACTOR TO FURNISH, SUPERVISION, LABOR MATERIAL AND EQUIPMENT TO PERFORM THE ABATEMENT AND DEMOLITION ON THE NORTH 1ST STREET FUEL OIL STORAGE FACILITY, SPECIFICATION NUMBER CE-SS-3500-23775-10.

THE ABATEMENT WILL CONSIST OF A LEAD ABATEMENT, A BIOLOGICAL HAZARD ABATEMENT AND COMPLETE ASBESTOS ABATEMENT. AN INDEPENDENT SURVEY OF THE FACILITY FOR BOTH HAZARDOUS MATERIALS AND ASBESTOS WAS INCLUDED IN THE BID PACKAGES. THE DEMOLITION WILL CONSIST OF THE COMPLETE DEMOLITION OF THE TWO MOAT COMPLEXES WHICH INCLUDES THE 2 MOAT STRUCTURES, THE BRIDGE BETWEEN THEM, THE 6 FUEL OIL TANKS, ALL OF THE MECHANICAL AND ELECTRTICAL EQUIPMENT, ALL PIPING AND CONDUIT AND THE 2 SLABS WITH ALL SHEETING, PILE CAPS AND PILES. ALL EQUIPMENT CONTAINING OIL AND/OR ASBESTOS MUST BE DISPOSED OF PROPERLY ACCORDING TO ALL APPLICABLE LAWS.

EXPENDITURE LIMITATION: THE MAXIMUM EXPENDITURE AUTHORIZED UNDER THIS PURCHASE CONTRACT IS \$3,564,000. CON EDISON WILL NOT BE OBLIGATED TO MAKE PAYMENT HEREUNDER IN EXCESS OF THE EXPENDITURE LIMITATION AND CONTRACTOR SHALL NOT BE OBLIGATED TO CONTINUE PERFORMANCE UNLESS AND UNTIL AN INCREASE HAS BEEN AURHORIZED BY MEANS OF A DULY EXECUTED MODIFICATION TO THIS PURCHASE ORDER.

Contains Confidential Commercial Information

PURCHASE ORDER

PAGE 2

PURCHASE ORDER NUMBER 131595 CURRENT DATE 04/07/11

| ITEM | QUANTITY | DELIVERY DATE | UNIT PRICE | UNIT | INSP CODE |
|------|----------|---------------|------------|------|-----------|
|------|----------|---------------|------------|------|-----------|

THE VENDOR SHALL PROMPTLY INFORM CON EDISON WHEN COMMITMENTS MADE BY CON EDISON EXCEED 75% OF THE AFORESAID EXPENDITURE LIMITATION.

-

PRICING:

ABATEMENT & DEMOLITION OF THE TWO MOAT COMPLEXES: \$2,392,000
DEMOLITION OF THE TWO SLABS, SHEETING, PILE CAPS AND PILES: \$1,172,000

TOTAL PRICE: \$3,564,000

OPTIONAL UNIT PRICING:

| ITEM | UNIT | PRICE |
|---|-------------|--------|
| RESIDUAL OIL FOUND IN PIPING AND EQUIPMENT ABOVE/BELOW 2500 GAL (PER CLARIFICATION #3) | PER 500 GAL | \$2000 |
| HANDLE AND DISPOSE OF UP TO 4000 CUBIC YARDS (APPROX 50%) OF THE 2 CONCRETE SLABS MATERIALS AS NYC DEC REGULATED NON HAZARDOUS WASTE MATERIAL | PER CY | \$232 |
| PLACE UP TO 1500 TONS OF ARMOR STONE FROM A NYS DOT APPROVED SOURCE ON TOP OF A GEOTEXTILE (MIRAFY 140N OR APPROVED EQUIVALENT) THAT IS OVERLAPPED BY A MINIMUM OF TWO FEET AT ADJOINING SECTIONS | PER TON | \$75 |

-

CONSTRUCTION SCHEDULE: 365 CALENDAR DAYS

-

THIS PURCHASE ORDER WILL BE PERFORMED IN ACCORDANCE WITH & INCORPORATES BY REFERENCE THE FOLLOWING:

CON EDISON'S INVITATION TO BID - EVENT # 32264 AND ALL THE DOCUMENTS REFERENCED THEREIN, INCLUDING THE FOLLOWING:

- ALL DOCUMENTS REFERENCED IN EVENT # 32264: PROJECT NO. 23775-10 CONTRACT DRAWINGS AND SPECIFICATION CE-SS-3500-23775-10, AND ALL REFERENCED DRAWINGS, PICTURES AND SPECIFICATIONS.
- SPECIAL CONDITIONS DATED 10/7/10 AS LISTED IN THE EVENT
- CLARIFICATIONS #1 (10/12/10), #2 (10/13/10), #3 (10/13/10), #4 (10/21/10), #5 (10/26/10), #6 (10/27/10), #7 & #7A (11/2/10), #8 (11/2/10), #9 (11/16/10), #10 (11/16/10), #11 (11/29/10), #12 (12/3/10), #13 (12/6/10) AND THE CLARIFICATIONS ON THE SPECIAL CONDITIONS & SPEC (11/16/10).
- PRE-AWARD MINUTES DATED 3/8/11 & ACKNOWLEDGED BY CONTRACTOR 3/23/11
- CON EDISON'S STANDARD TERMS & CONDITIONS OF CONSTRUCTION CONTRACTS

Contains Confidential Commercial Information

PURCHASE ORDER

PAGE 3

PURCHASE ORDER NUMBER 131595 CURRENT DATE 04/07/11

| ITEM | QUANTITY | DELIVERY DATE | UNIT PRICE | UNIT | INSP CODE |
|------|----------|---------------|------------|------|-----------|
|------|----------|---------------|------------|------|-----------|

DATED 10/30/09.

- CON EDISON'S SUPPLEMENTAL CONSTRUCTION CONTRACT REQUIREMENTS C-CM-003 REVISION NUMBER 1, DATED 06/07/2008
- EH&S REQUIREMENTS AS PROVIDED IN BID PACKAGES
- CONTRACTOR'S COMPLIANCE, OFFER & DISCLOSURE FORMS DATED 10/26/10

NO CONTRACTOR CAN PERFORM ANY WORK BEFORE A HASP IS APPROVED BY EH&S

DO NOT SEND INVOICES TO ACCOUNTS PAYABLE. ORIGINAL INVOICES AND ALL SUPPORTING DOCUMENTATION SHOULD BE SENT DIRECTLY TO THE COMPANY AUTHORIZED REPRESENTATIVE, (CAR) WITH THE SIGNED CONTRACTOR PERFORMANCE STATEMENT.

CON EDISON WILL BE REPRESENTED IN THE ADMINISTRATION OF THIS CONTRACT BY THE FOLLOWING INDIVIDUALS:

- PROJECT MANAGER - JOE CONTRI - (646/772-3223)
- CONSTRUCTION MANAGER - JEFF RUTOWSKI - (718/204-4019)
- CONSTRUCTION PLANNER - MARK RIMLER - (917/417-8759)
- CCI - JOE BARATTA - (917/567-7012)
- EH&S REPRESENTATIVE - TOM O'CONNELL - (347-672-6576)

THE CONTRACTOR WILL BE REPRESENTED IN THE ADMINISTRATION OF THIS CONTRACT BY THE FOLLOWING INDIVIDUALS:

- PROJECT MANAGER - JIM SUFFOLETTO - 716-984-7563
- EH&S REPRESENTATIVE - MAIKE PAULY - 716-913-5531

| | | | |
|---|---|-----------------|----|
| 4 | 0 | \$3564000.00000 | EA |
|---|---|-----------------|----|

LUMPSUM - LUMPSUM AGREEMENT

TOTAL NUMBER OF LINE ITEMS ARE 4

SHIPPING TERMS:
NOT APPLICABLE

PAYMENT TERMS:
NET 30 DAY ***PAYMENT TO ABOVE VENDOR ONLY***

TERMS AND CONDITIONS

COMMITMENT TO ENVIRONMENTAL EXCELLENCE
=====

OUR CORPORATE ENVIRONMENTAL POLICY
=====

CON EDISON'S POLICY IS TO DEMONSTRATE LEADERSHIP AND EXCELLENCE IN ENVIRONMENTAL PROTECTION. OUR COMMITMENT TO ENVIRONMENTAL

Contains Confidential Commercial Information

PURCHASE ORDER

PAGE 4

PURCHASE ORDER NUMBER 131595

CURRENT DATE

04/07/11

TERMS AND CONDITIONS

EXCELLENCE MUST BE EVIDENT IN ALL COMPANY OPERATIONS. IT SHOULD BE KNOWN AND UNDERSTOOD BY THE COMPANY'S EMPLOYEES, CUSTOMERS AND SHAREHOLDERS, AND CONTINUOUSLY REINFORCED BY OUR ACTIONS WITHIN AND OUTSIDE THE COMPANY.

EVERY CON EDISON EMPLOYEE HAS A PERSONAL OBLIGATION TO MEET THE FUNDAMENTAL WORKPLACE REQUIREMENTS ESTABLISHED BY LAW AND BY REGULATION, AND TO REACH BEYOND THESE BASIC REQUIREMENTS TO REALIZE A HIGHER LEVEL OF ACHIEVEMENT.

TO ACHIEVE THESE GOALS AND TO ENCOURAGE EMPLOYEES TO CARE FOR THE ENVIRONMENT AND APPRECIATE ITS IMPORTANCE, CON EDISON WILL :

- MAINTAIN IN EACH COMPANY ORGANIZATION AN ACCOUNTABILITY FOR ENVIRONMENTAL HEALTH AND SAFETY;
- PROVIDE TRAINING TO PREPARE EMPLOYEES TO MEET ENVIRONMENTAL CHALLENGES;
- INTEGRATE SOUND ENVIRONMENTAL PRACTICES IN ALL ASPECTS OF OUR BUSINESS;
- SUPPORT RESEARCH TO DEVELOP NEW TECHNOLOGIES TO IMPROVE ENVIRONMENTAL PERFORMANCE;
- STRIVE FOR CONTINUOUS IMPROVEMENT IN WASTE REDUCTION AND RECYCLING, POLLUTION PREVENTION AND RISK REDUCTION;
- MAINTAIN OPEN COMMUNICATIONS ON ENVIRONMENTAL ISSUES WITH REGULATORY AGENCIES, ENVIRONMENTAL GROUPS, CUSTOMERS AND EMPLOYEES;
- WORK WITH OUR CUSTOMERS TO PURSUE AND PROMOTE ENERGY EFFICIENCY; AND
- PERIODICALLY AND OBJECTIVELY AUDIT AND EVALUATE OUR COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS, AND ADDRESS OPPORTUNITIES FOR IMPROVEMENT IN A PROMPT AND EFFECTIVE MANNER.

CON EDISON HAS A POLICY OF ENVIRONMENTAL EXCELLENCE AND REQUIRES ALL OF ITS CONTRACTORS AND SUBCONTRACTORS TO SHARE ITS COMMITMENT TO ENVIRONMENTAL EXCELLENCE. CONTRACTORS, SUBCONTRACTORS OR ANY OF THEIR EMPLOYEES THAT VIOLATE THIS POLICY WILL BE SUBJECT TO DISCIPLINARY ACTION, INCLUDING REMOVAL FROM THE JOB AND OUR LIST OF APPROVED BIDDERS. CONTRACTORS SHALL INCLUDE THIS INFORMATION IN THEIR SUBCONTRACTS.

CONSTRUCTION CONTRACTS

THE COMMERCIAL TERMS AND CONDITIONS GOVERNING THIS PURCHASE ORDER SHALL BE THE CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. STANDARD TERMS & CONDITIONS OF CONSTRUCTION CONTRACTS

A PRINTABLE VERSION OF THESE TERMS AND CONDITIONS IS AVAILABLE FROM THE "PURCHASING ONLINE" FUNCTION OF THE CON EDISON CORPORATE INTERNET SITE WWW.CONED.COM OR ENTER THE BELOW LISTED HYPERLINKS IN YOUR WEB BROWSER.

CONEDISON STANDARD TERMS & CONDITIONS OF CONSTRUCTION CONTRACTS,10/30/09

Contains Confidential Commercial Information

PURCHASE ORDER

PAGE 5

PURCHASE ORDER NUMBER 131595

CURRENT DATE

04/07/11

TERMS AND CONDITIONS

[HTTP://APPS.CONED.COM/PURCHASING/TC/STC_CONSTRUCTION.PDF](http://apps.coned.com/purchasing/tc/stc_construction.pdf)

TASK / SITE SPECIFIC HASP

CONTRACTOR SHALL NOT MOBILIZE OR BEGIN ANY WORK PRIOR TO SUBMITTING A TASK OR SITE SPECIFIC HEALTH AND SAFETY PLAN (HASP) TO THE PROJECT MANAGER AND SUBSEQUENTLY RECEIVING AN APPROVAL OF SUCH PLAN IN WRITING FROM THE CON EDISON FACILITY ENVIRONMENTAL REPRESENTATIVE. FAILURE TO COMPLY WITH THIS INSTRUCTION MAY RESULT IN SUSPENSION FROM CON EDISON'S BIDDERS LIST. TO FILE AN E-HASP: WWW.CONED.COM/EHASP

-
NO ADDITIONAL COMPENSATION SHALL BE PROVIDED FOR CONTRACTORS SUBMITTING HASP. HASP SUBMITTALS ARE CONSIDER PART OF THE WORK SCOPE AND THEREFORE INCLUDED IN YOUR BID PRICE.

INSURANCE REQUIREMENTS

VENDOR AGREES TO MAINTAIN A LIABILITY INSURANCE POLICY NAMING CONSOLIDATED EDISON COMPANY OF NY, INC. AS ADDITIONAL INSURED IN ACCORDANCE WITH CON EDISON'S AFORMENTIONED TERMS AND CONDITIONS (10/30). PRIOR TO WORKING ON ANY OF CON EDISON'S PREMISES, CONTRACTOR IS REQUIRED TO SUBMIT A COPY OF THE INSURANCE CERTIFICATE TO LISA PRESOTTO:
(FAX: 212-533-0431/EMAIL: PRESOTTOL@CONED.COM) .

ACCIDENTS

THE CONTRACTOR SHALL PROMPTLY REPORT ORALLY TO THE LOCATION'S CONTRACT ADMINISTRATOR AND IN WRITING TO CON EDISON ALL ACCIDENTS WHATSOEVER ARISING OUT OF OR IN CONNECTION WITH THE PERFORMANCE OF THE CONTRACT, WHETHER ON OR ADJACENT TO THE WORK SITE, WHICH RESULTS IN DEATH, INJURY OR PROPERTY DAMAGE; GIVING DETAILS AND STATEMENTS OF WITNESSES. IN ADDITION, IF DEATH OR SERIOUS INJURY OR DAMAGE IS CAUSED, THE CONTRACTOR SHALL IMMEDIATELY REPORT THE ACCIDENT DIRECTLY TO THE LOCATION'S CONTRACTOR ADMINISTRATOR.

ACKNOWLEDGEMENT

IF THE FOREGOING IS ACCEPTABLE TO YOU, SO INDICATE BY HAVING A COPY OF THIS PURCHASE ORDER SIGNED BY A DULY AUTHORIZED REPRESENTATIVE OF YOUR FIRM AND RETURNED TO CON EDISON, LISA PRESOTTO - SENIOR PROCUREMENT SPECIALIST - FAX 212-533-0431
EMAIL: PRESOTTOL@CONED.COM

ACCEPTED AND AGREED TO

BY: _____

FOR: _____

Contains Confidential Commercial Information

PURCHASE ORDER

PAGE 6

PURCHASE ORDER NUMBER 131595

CURRENT DATE

04/07/11

TERMS AND CONDITIONS

TITLE: _____

DATE: _____

.
THIS CONTRACT IS SUBJECT TO APPENDIX A, REQUIRED CLAUSES AND CERTIFICATIONS, DATED JULY 2007, AND ANY APPLICABLE STANDARD TERMS AND CONDITIONS DOCUMENT WHICH INCORPORATES A DIFFERENT APPENDIX A IS HEREBY AMENDED TO INCORPORATE THE ABOVE-DESCRIBED APPENDIX A INSTEAD.

.
APPENDIX A CAN BE FOUND ON THE COMPANY'S WEBSITE.

GIFT POLICY: SELLER IS INFORMED THAT IT IS A STRICT CON EDISON POLICY THAT NEITHER EMPLOYEES OF CON EDISON NOR MEMBERS OF THEIR FAMILIES SHALL ACCEPT GIFTS FROM SELLERS OR OTHERS TRANSACTING OR SEEKING TO TRANSACT ANY BUSINESS WITH CON EDISON. THE OFFERING OR GIVING OF SUCH GIFTS BY SELLER, WHETHER OR NOT MADE WITH INTENT TO OBTAIN SPECIAL CONSIDERATION, SHALL BE DEEMED TO BE A MATERIAL BREACH OF CONTRACT ENTITLING CON EDISON TO CANCEL THE CONTRACT AND REMOVE SELLER FROM ITS LIST OF QUALIFIED BIDDERS IF IT ELECTS TO DO SO.

BY _____
FOR CON EDISON

TOTAL PAGES 6 □

Contains Confidential Commercial Information

ATTACHMENT NO. 2

CONTRACTOR: D'ONOFRIO GENERAL CONTRACTING

PURCHASE ORDER NO.: 1-32813

BID COMPARISON:

\$6,250,000

\$6,300,000

\$6,393,687

\$6,787,700

\$7,245,090

\$7,380,667

Contains Confidential Commercial Information

FILENAME: PMS-PO #132813

PURCHASE ORDER PAGE 1
CURRENT DATE 05/20/11

| | |
|--|---|
| TO: D'ONOFRIO GENERAL CONTRACTING CORPORATION 202 28TH STREET BROOKLYN NY 11232 | PURCHASE ORDER NUMBER 132813 PURCHASE ORDER DATE 05/13/11 PURCHASE REQ. NUMBER 241-1-2002 VENDOR CODE D5491 AUTHORIZED DOLLARS \$3930010 FUNDING ORDER ACCOUNT NUMBER VARIOUS STATISTICS 1/2 |
|--|---|

| | |
|---|---|
| SHIP TO: CON EDISON 31-01 20TH AVENUE. 132813 ASTORIA NY 11105 GORDON LOKHAMMER | MAIL ORIGINAL INVOICES TO CON EDISON ACCOUNTS PAYABLE P.O. BOX 799 COOPER STATION NEW YORK N.Y. 10276 (212) 460-3510 |
|---|---|

THIS PURCHASE ORDER REQUIRES PAYMENT CERTIFICATES
 FOR INVOICE STATUS, CLICK ON "VENDOR INFORMATION" AT WWW.CONED.COM
 BUYER: STEVEN SEBASTOPOLI212-460-4529 21789

| ITEM | QUANTITY | DELIVERY DATE | UNIT PRICE | UNIT | INSP CODE |
|---|----------|---------------|-----------------|------|-----------|
| 1 | 0 | 05/13/11 | \$0.00000 | EA | |
| -CONED-E- - CON EDISON USE ONLY. | | | | | |
| 2 | 0 | 05/13/11 | \$3930000.00000 | EA | |
| LUMPSUM - LUMPSUM AGREEMENT | | | | | |
| 3 | 0 | 05/13/11 | \$10.00000 | EA | |
| -CONED-R- - CON EDISON USE ONLY | | | | | |
| 4 | 0 | 05/13/11 | \$0.00000 | EA | |
| FURNISH THE NECESSARY SUPERVISION, LABOR, MATERIAL, AND EQUIPMENT TO PERFORM WORK AT 4 IRVING PLACE IN ACCORDANCE WITH LOCAL LAW 11 AND SPECIFICATIONS FME-029-08-CYCLE 6 AND FME-022-10-CYCLE 7. | | | | | |

ALL WORK TO BE PERFORMED IN ACCORDANCE WITH CON EDISON'S STANDARD TERMS
 AND CONDITIONS OF CONSTRUCTION CONTRACTS DATED DECEMBER 7, 2010 AND
 THE CON EDISON'S SUPPLEMENTAL CONSTRUCTION CONTRACT REQUIREMENTS
 (C-CM-003R1) DATED JUNE 10, 2008.

ORIGINAL INVOICES AND ALL SUPPORTING DOCUMENTATIONS SHOULD BE SENT
 DIRECTLY TO THE CON EDISON AUTHORIZED REPRESENTATIVE.

NO VENDOR/CONTRACTOR CAN PERFORM ANY WORK BEFORE A SITE SPECIFIC HASP IS
 APPROVED BY CON EDISON EH&S.

EXPENDITURE LIMITATION: THE MAXIMUM EXPENDITURE AUTHORIZED UNDER
 PURCHASE ORDER IS \$3,930,000. CON EDISON WILL NOT BE OBLIGATED TO

Contains Confidential Commercial Information

PAYMENT HEREUNDER IN EXCESS OF THIS EXPENDITURE LIMITATION AND THE CONTRACTOR SHALL NOT BE OBLIGATED TO CONTINUE PERFORMANCE UNLESS AND UNTIL AN INCREASE HAS BEEN AUTHORIZED BY MEANS OF A DULY EXECUTED

PURCHASE ORDER

PAGE 2

PURCHASE ORDER NUMBER 132813 CURRENT DATE 05/20/11

| ITEM | QUANTITY | DELIVERY DATE | UNIT PRICE | UNIT | INSP CODE |
|------|----------|---------------|------------|------|-----------|
|------|----------|---------------|------------|------|-----------|

MODIFICATION TO THIS PURCHASE ORDER.

CON EDISON AUTHORIZED REPRESENTATIVES ARE:

JOE O'HAGAN 347-538-0221
GORDON LOKHAMMER 646-235-4068
SCOTT OLSZEWSKI 646-739-2884

THIS PURCHASE ORDER WILL BE PERFORMED ACCORDANCE WITH THE FOLLOWING:

- CON EDISONS INVITATION TO BID EVENT# 34990 DATED APRIL 4, 2011 AND ALL DOCUMENTS REFERENCED THEREIN.
- CON EDISON'S STANDARD TERMS AND CONDITIONS OF CONSTRUCTION CONTRACTS DATED DECEMBER 7, 2010.
- CON EDISON'S SPECIAL CONDITIONS DATED MARCH 11, 2011
- CON EDISON'S CLARIFICATIONS/ADDENDUMS TO THE BID DOCUMENTS DATED:
MARCH 22, 2011
MARCH 23, 2011
MARCH 29, 2011
MARCH 31, 2011
- D'ONOFRIO'S OFFER, EXCEPTION, DISCLOSURE AND COMPLIANCE FORM DATED MARCH 31, 2011.
- CON EDISON'S MEETING MINUTES SIGNED AND DATED MAY 11, 2011.

IT IS THE POLICY OF CON EDISON TO PROVIDE MINORITY BUSINESS ENTERPRISES (MBES), WOMEN BUSINESS ENTERPRISES (WBES) AND ALL OTHER BUSINESS ENTERPRISES AN EQUAL OPPORTUNITY TO PARTICIPATE IN THE PERFORMANCE OF ALL CON EDISON CONTRACTS. THE CONTRACTOR SHALL ASSIST CON EDISON IN IMPLEMENTING THIS POLICY AND SHALL USE ITS BEST EFFORT TO ATTAIN MBE AND WBE PARTICIPATION OF 10 PERCENT, AND TO ENSURE THAT ALL AVAILABLE BUSINESS ENTERPRISES, INCLUDING MBES AND WBES, HAVE AN EQUAL OPPORTUNITY TO COMPETE FOR AND PARTICIPATE IN THE WORK OF THIS AGREEMENT.

THE FOLLOWING RATES WILL APPLY TO THIS PURCHASE ORDER:

- UNIT RATE FOR POLY INTERIOR WINDOWS FOR DUST CONTROL. THIS POLY IS SEPARATE FROM DEP ATTACHMENT EC REQUIREMENTS \$/SF WINDOW OPENING. \$1.20 PER SQUARE FOOT
- UNIT RATE FOR TAKING OF A SINGLE PICTURE, FOR AREAS OF DAMAGE THAT ARE NOT INDICATED ON THE DRAWINGS. \$2.00 PER PICTURE
- UNIT RATE FOR REPLACEMENT OF THE STUCCO BEYOND THE REQUIRED 5%

Contains Confidential Commercial Information

ADDITIONAL CALLED FOR ON THE PROMENADE WALL. \$65.00 PER SQUARE FOOT

PURCHASE ORDER

PAGE 3

PURCHASE ORDER NUMBER 132813 CURRENT DATE 05/20/11

| ITEM | QUANTITY | DELIVERY DATE | UNIT PRICE | UNIT | INSP CODE |
|---|----------|---------------|------------|------|-----------|
| - UNIT RATE FOR REPLACEMENT OF THE MASONRY BEYOND THE REQUIRED 5% ADDITIONAL CALLED FOR ON THE PROMENADE WALL. \$65.00 PER SQUARE FOOT | | | | | |

TOTAL NUMBER OF LINE ITEMS ARE 4

SHIPPING TERMS:
NOT APPLICABLE

PAYMENT TERMS:
NET 30 DAY ***PAYMENT TO ABOVE VENDOR ONLY***

TERMS AND CONDITIONS

SPECIAL NOTE TO CONTRACTOR:

=====

.

CONTRACTOR SHALL NOT MOBILIZE OR BEGIN ANY WORK PRIOR TO SUBMITTING A JOB SPECIFIC/SITE SPECIFIC HEALTH AND SAFETY PLAN (HASP) TO THE PROJECT MANAGER AND SUBSEQUENTLY RECEIVING AN APPROVAL OF SUCH PLAN IN WRITING FROM THE CON EDISON FACILITY ENVIRONMENTAL REPRESENTATIVE. FAILURE TO COMPLY WITH THIS INSTRUCTION MAY RESULT IN SUSPENSION FROM CON EDISON'S BIDDERS LIST.

.

THE SELLER/CONTRACTOR IS REQUIRED TO ASSURE THAT ALL VEHICLES, INCLUDING THOSE OF SUBCONTRACTORS USED IN THE PERFORMANCE OF WORK FOR CON EDISON, ARE MAINTAINED IN GOOD WORKING CONDITION AND ARE NOT LEAKING ANY FLUIDS. PARTICULAR ATTENTION IS TO BE PAID, BUT NOT LIMITED TO, HYDRAULIC SYSTEMS ON EACH VEHICLE.

THE DRIVER MUST IMMEDIATELY NOTIFY A CON EDISON AUTHORIZED REPRESENTATIVE IN THE EVENT OF A LEAK OR SPILL FROM A VEHICLE OR CONTAINER CARRIED ON A VEHICLE WHILE ON CON EDISON PROPERTY. THE DRIVER MUST WAIT FOR INSTRUCTIONS BEFORE MOVING THE VEHICLE UNLESS FIELD CONDITIONS REQUIRE IT, AND THEN, ONLY TO THE NEAREST SAFE POINT.

THE DRIVER WILL BE REQUIRED TO ELIMINATE THE LEAK OR SPILL BEFORE LEAVING CON EDISON PROPERTY. THE SELLER/CONTRACTOR SHALL BE REQUIRED TO REIMBURSE CON EDISON FOR ALL COSTS ASSOCIATED WITH THE CLEANUP OF LEAKS AND SPILLS.

COMMITMENT TO ENVIRONMENTAL EXCELLENCE

=====

OUR CORPORATE ENVIRONMENTAL POLICY

Contains Confidential Commercial Information

=====

CON EDISON'S POLICY IS TO DEMONSTRATE LEADERSHIP AND EXCELLENCE

PURCHASE ORDER

PAGE 4

PURCHASE ORDER NUMBER 132813

CURRENT DATE

05/20/11

TERMS AND CONDITIONS

IN ENVIRONMENTAL PROTECTION. OUR COMMITMENT TO ENVIRONMENTAL EXCELLENCE MUST BE EVIDENT IN ALL COMPANY OPERATIONS. IT SHOULD BE KNOWN AND UNDERSTOOD BY THE COMPANY'S EMPLOYEES, CUSTOMERS AND SHAREHOLDERS, AND CONTINUOUSLY REINFORCED BY OUR ACTIONS WITHIN AND OUTSIDE THE COMPANY.

EVERY CON EDISON EMPLOYEE HAS A PERSONAL OBLIGATION TO MEET THE FUNDAMENTAL WORKPLACE REQUIREMENTS ESTABLISHED BY LAW AND BY REGULATION, AND TO REACH BEYOND THESE BASIC REQUIREMENTS TO REALIZE A HIGHER LEVEL OF ACHIEVEMENT.

TO ACHIEVE THESE GOALS AND TO ENCOURAGE EMPLOYEES TO CARE FOR THE ENVIRONMENT AND APPRECIATE ITS IMPORTANCE, CON EDISON WILL :

- MAINTAIN IN EACH COMPANY ORGANIZATION AN ACCOUNTABILITY FOR ENVIRONMENTAL HEALTH AND SAFETY;
- PROVIDE TRAINING TO PREPARE EMPLOYEES TO MEET ENVIRONMENTAL CHALLENGES;
- INTEGRATE SOUND ENVIRONMENTAL PRACTICES IN ALL ASPECTS OF OUR BUSINESS;
- SUPPORT RESEARCH TO DEVELOP NEW TECHNOLOGIES TO IMPROVE ENVIRONMENTAL PERFORMANCE;
- STRIVE FOR CONTINUOUS IMPROVEMENT IN WASTE REDUCTION AND RECYCLING, POLLUTION PREVENTION AND RISK REDUCTION;
- MAINTAIN OPEN COMMUNICATIONS ON ENVIRONMENTAL ISSUES WITH REGULATORY AGENCIES, ENVIRONMENTAL GROUPS, CUSTOMERS AND EMPLOYEES;
- WORK WITH OUR CUSTOMERS TO PURSUE AND PROMOTE ENERGY EFFICIENCY; AND
- PERIODICALLY AND OBJECTIVELY AUDIT AND EVALUATE OUR COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS, AND ADDRESS OPPORTUNITIES FOR IMPROVEMENT IN A PROMPT AND EFFECTIVE MANNER.

CON EDISON HAS A POLICY OF ENVIRONMENTAL EXCELLENCE AND REQUIRES ALL OF ITS CONTRACTORS AND SUBCONTRACTORS TO SHARE ITS COMMITMENT TO ENVIRONMENTAL EXCELLENCE. CONTRACTORS, SUBCONTRACTORS OR ANY OF THEIR EMPLOYEES THAT VIOLATE THIS POLICY WILL BE SUBJECT TO DISCIPLINARY ACTION, INCLUDING REMOVAL FROM THE JOB AND OUR LIST OF APPROVED BIDDERS. CONTRACTORS SHALL INCLUDE THIS INFORMATION IN THEIR SUBCONTRACTS.

AGREED TO AND ACCEPTED:
D'ONOFRIO GENERAL CONTRACTORS

SIGNATURE: _____

Contains Confidential Commercial Information

PRINT NAME: _____

PURCHASE ORDER

PAGE 5

PURCHASE ORDER NUMBER 132813

CURRENT DATE

05/20/11

TERMS AND CONDITIONS

TITLE: _____

DATE: _____

.
THIS CONTRACT IS SUBJECT TO APPENDIX A, REQUIRED CLAUSES AND CERTIFICATIONS, DATED JULY 2007, AND ANY APPLICABLE STANDARD TERMS AND CONDITIONS DOCUMENT WHICH INCORPORATES A DIFFERENT APPENDIX A IS HEREBY AMENDED TO INCORPORATE THE ABOVE-DESCRIBED APPENDIX A INSTEAD.

.
APPENDIX A CAN BE FOUND ON THE COMPANY'S WEBSITE.

GIFT POLICY: SELLER IS INFORMED THAT IT IS A STRICT CON EDISON POLICY THAT NEITHER EMPLOYEES OF CON EDISON NOR MEMBERS OF THEIR FAMILIES SHALL ACCEPT GIFTS FROM SELLERS OR OTHERS TRANSACTING OR SEEKING TO TRANSACT ANY BUSINESS WITH CON EDISON. THE OFFERING OR GIVING OF SUCH GIFTS BY SELLER, WHETHER OR NOT MADE WITH INTENT TO OBTAIN SPECIAL CONSIDERATION, SHALL BE DEEMED TO BE A MATERIAL BREACH OF CONTRACT ENTITLING CON EDISON TO CANCEL THE CONTRACT AND REMOVE SELLER FROM ITS LIST OF QUALIFIED BIDDERS IF IT ELECTS TO DO SO.

BY _____
FOR CON EDISON

TOTAL PAGES 5 □

Contains Confidential Commercial Information

ATTACHMENT NO. 3

CONTRACTOR: MANETTA INDUSTRIES, INC.

PURCHASE ORDER NO.: 1-33113

BID COMPARISON:

\$1,494,375
\$1,814,990
\$1,844,917
\$1,974,685
\$1,960,250
\$1,999,712
\$2,352,375
\$2,746,085
\$2,839,016
\$7,474,035

Contains Confidential Commercial Information

FILENAME: PMS-PO #133113

PURCHASE ORDER

PAGE 1

CURRENT DATE 05/26/11

PURCHASE ORDER NUMBER 133113
PURCHASE ORDER DATE 05/25/11
PURCHASE REQ. NUMBER 929-1-2012
VENDOR CODE M6731
AUTHORIZED DOLLARS \$1347010
FUNDING ORDER
ACCOUNT NUMBER VARIOUS
STATISTICS 1/2

TO: MANETTA INDUSTRIES , INC.

P O BOX 220 517
BROOKLYN NY 11222

SHIP TO:

CON EDISON
700 EAST 16TH STREET 133113
NEW YORK, NY 10009
RICHARD HARNISH

MAIL ORIGINAL INVOICES TO
CON EDISON ACCOUNTS PAYABLE
P.O. BOX 799
COOPER STATION
NEW YORK N.Y. 10276
(212) 460-3510

THIS PURCHASE ORDER REQUIRES PAYMENT CERTIFICATES

FOR INVOICE STATUS, CLICK ON "VENDOR INFORMATION" AT WWW.CONED.COM

BUYER: STEVEN SEBASTOPOLI212-460-4529

24484

| ITEM | QUANTITY | DELIVERY DATE | UNIT PRICE | UNIT | INSP CODE |
|-------------------------------------|----------|---------------|------------|------|-----------|
| 1 | 0 | 05/25/11 | \$0.00000 | EA | |
| -CONED-E- - CON EDISON USE ONLY. | | | | | |
| 2 | 0 | 05/25/11 | \$0.00000 | EA | |

FURNISH SUPERVISION, LABOR, TOOLS, MATERIALS, EQUIPMENT, TRANSPORTATION, INSURANCE REQUIRED TO PERFORM THE SCOPE OF WORK FOR THE PHASE III OF THE INTELLIGENT UNDERGROUND AUTO LOOP PROJECT IN FLUSHING QUEENS, NY. THE SCOPE OF WORK SHALL INCLUDE, BUT NOT LIMITED TO THE FOLLOWING; EXCAVATION, DISPOSAL OF SOIL, TRENCHING, INSTALLATION OF PRECAST CONCRETE AND HIGH DENSITY POLY ETHYLENE CONDUIT, MANHOLES/VAULTS AND RESTORATION FOR A CONDUIT DUCT BANK SYSTEM FOR FOUR (4) - 27KV FEEDERS EQUATING TO APPROXIMATELY 9,200 TRENCH FEET WITH MANHOLES

NO VENDOR/CONTRACTOR CAN PERFORM ANY WORK BEFORE A SITE SPECIFIC HASP IS APPROVED BY CON EDISON'S EH&S.

EXPENDITURE LIMITATION: THE MAXIMUM EXPENDITURE AUTHORIZED UNDER PURCHASE ORDER IS \$1,347,000. CON EDISON WILL NOT BE OBLIGATED TO PAYMENT HEREUNDER IN EXCESS OF THIS EXPENDITURE LIMITATION AND THE CONTRACTOR SHALL NOT BE OBLIGATED TO CONTINUE PERFORMANCE UNLESS AND UNTIL AN INCREASE HAS BEEN AUTHORIZED BY MEANS OF A DULY EXECUTED MODIFICATION TO THIS PURCHASE ORDER.

ALL WORK TO BE PERFORMED IN ACCORDANCE WITH CON EDISON'S STANDARD TERMS AND CONDITIONS OF CONSTRUCTION CONTRACTS DATED DECEMBER 7, 2010 AND THE CON EDISON'S SUPPLEMENTAL CONSTRUCTION CONTRACT REQUIREMENTS (C-CM-003R1) DATED JUNE 10, 2008.

IT IS THE POLICY OF CON EDISON TO PROVIDE MINORITY BUSINESS ENTERPRISES (MBES), WOMEN BUSINESS ENTERPRISES (WBES) AND ALL OTHER BUSINESS ENTERPRISES AN EQUAL OPPORTUNITY TO PARTICIPATE IN THE PERFORMANCE OF

Contains Confidential Commercial Information

PURCHASE ORDER

PAGE 2

PURCHASE ORDER NUMBER 133113 CURRENT DATE 05/26/11

| ITEM | QUANTITY | DELIVERY DATE | UNIT PRICE | UNIT | INSP CODE |
|------|----------|---------------|------------|------|-----------|
|------|----------|---------------|------------|------|-----------|

ALL CON EDISON CONTRACTS. THE CONTRACTOR SHALL ASSIST CON EDISON IN IMPLEMENTING THIS POLICY AND SHALL USE ITS BEST EFFORT TO ATTAIN MBE AND WBE PARTICIPATION OF 5 PERCENT, AND TO ENSURE THAT ALL AVAILABLE BUSINESS ENTERPRISES, INCLUDING MBES AND WBES, HAVE AN EQUAL OPPORTUNITY TO COMPETE FOR AND PARTICIPATE IN THE WORK OF THIS AGREEMENT. IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE SUPPLIER DIVERSITY PROGRAM AT 460-3076.

CON EDISON AUTHORIZED REPRESENTATIVES ARE GARY WINDMAN 646-739-4785 AND RICK HARNISH 347-672-3018

THIS PURCHASE ORDER WILL BE PERFORMED ACCORDANCE WITH THE FOLLOWING:

- CON EDISONS INVITATION TO BID EVENT# 35500 DATED MAY 16, 2011 AND ALL DOCUMENTS REFERENCED THEREIN.
- CON EDISONS STANDARD TERMS AND CONDITIONS OF CONSTRUCTION CONTRACTS DATED DECEMBER 7, 2010.
- CONSOLIDATED EDISON COMPANY OF NEW YORK, INC., INVESTMENT GRANT VENDOR FLOWDOWNS, DATED MAY 3, 2011.
- CON EDISONS SPECIAL CONDITIONS DATED MAY 9, 2011.
- CON EDISON'S CLARIFICATION/ADDENDUM DATED MAY 13, 2011.
- MANETTA'S SIGNED OFFER, EXCEPTION, DISCLOSURE, AND COMPLIANCE FORM DATED MAY 16, 2011.
- MANETTA'S DRAWING CONFIRMATION DATED MAY 11, 2011.
- PRE-AWARD MEETING MINUTES SIGNED AND DATED MAY 23, 2011.

ORIGINAL INVOICES AND ALL SUPPORTING DOCUMENTATIONS SHOULD BE SENT DIRECTLY TO THE CON ED AUTHORIZED REPRESENTATIVE.

ALL PRICES IN THIS PURCHASE ORDER ARE FIRM AND FIXED PRICED, BASED ON THE ORIGINAL AND REVISED BIDS RELATED TO THIS BID EVENT (# 35500) SUBMITTED TO CON EDISON. CONTRACTOR AGREES NOT TO SEEK PRICING RELIEF DURING THE TERM OF THIS PURCHASE ORDER.

IN ACCORDANCE WITH NEW YORK STATE LAW AND THE TERMS OF THIS PURCHASE ORDER, CONTRACTOR WILL MAINTAIN A 100% PAYMENT BOND FOR THE DURATION OF THIS PURCHASE ORDER. ALL BOND DOCUMENTATION SHALL BE FORWARDED TO JESSICA SILKO.

PREVAILING WAGES AND CERTIFIED PAYROLLS:

CONTRACTOR SHALL SUBMIT WEEKLY CERTIFIED PAYROLLS IN ACCORDANCE WITH WITH THE DAVIS BACON ACT, NEW YORK STATE PREVAILING WAGES AND CON

Contains Confidential Commercial Information

PURCHASE ORDER

PAGE 3

PURCHASE ORDER NUMBER 133113 CURRENT DATE 05/26/11

| ITEM | QUANTITY | DELIVERY DATE | UNIT PRICE | UNIT | INSP CODE |
|------|----------|---------------|------------|------|-----------|
|------|----------|---------------|------------|------|-----------|

EDISON'S TERMS AND CONDITIONS. SEND ALL CERTIFIED PAYROLLS TO JESSICA SILKO: PHONE 212/780-3601 AND E-MAIL: SILKOJ@CONED.COM.

THE FOLLOWING RATES WILL APPLY TO THIS PURCHASE ORDER:

| ITEMS | UOFM | COST |
|---------|------|----------|
| T2R | CY | \$385.00 |
| T30 | CY | \$225.00 |
| T41 | CY | \$100.00 |
| T42 | CY | \$150.00 |
| T101 | SF | \$ 1.00 |
| T50 | CY | \$ 50.00 |
| T52 | CY | \$125.00 |
| T53 | CY | \$216.19 |
| T54 | CY | \$100.00 |
| T57 | EA | \$ 46.00 |
| T210 | CH | \$ 90.00 |
| T91 | CY | \$ 33.50 |
| T112 | SF | \$ 2.00 |
| GT-61 | SF | \$ 6.00 |
| T120 | SF | \$ 2.00 |
| T183 | LF | \$ 1.00 |
| T13RC | LF | \$ 7.00 |
| T8R | CY | \$578.00 |
| ST1-04A | CH | \$420.00 |
| ST1-04B | CH | \$700.00 |

| | | | | |
|---|---|----------|------------|----|
| 3 | 0 | 05/25/11 | \$10.00000 | EA |
|---|---|----------|------------|----|

-CONED-R- -
CON EDISON USE ONLY

| | | | | |
|---|---|----------|-----------------|----|
| 4 | 0 | 05/25/11 | \$1347000.00000 | EA |
|---|---|----------|-----------------|----|

LUMPSUM -
LUMPSUM AGREEMENT

TOTAL NUMBER OF LINE ITEMS ARE 4

SHIPPING TERMS:
NOT APPLICABLE

PAYMENT TERMS:
NET 30 DAY

PAYMENT TO ABOVE VENDOR ONLY

TERMS AND CONDITIONS

SPECIAL NOTE TO CONTRACTOR:
=====

CONTRACTOR SHALL NOT MOBILIZE OR BEGIN ANY WORK PRIOR TO

Contains Confidential Commercial Information

PURCHASE ORDER

PAGE 4

PURCHASE ORDER NUMBER 133113

CURRENT DATE

05/26/11

TERMS AND CONDITIONS

SUBMITTING A JOB SPECIFIC/SITE SPECIFIC HEALTH AND SAFETY PLAN (HASP) TO THE PROJECT MANAGER AND SUBSEQUENTLY RECEIVING AN APPROVAL OF SUCH PLAN IN WRITING FROM THE CON EDISON FACILITY ENVIRONMENTAL REPRESENTATIVE. FAILURE TO COMPLY WITH THIS INSTRUCTION MAY RESULT IN SUSPENSION FROM CON EDISON'S BIDDERS LIST.

THE SELLER/CONTRACTOR IS REQUIRED TO ASSURE THAT ALL VEHICLES, INCLUDING THOSE OF SUBCONTRACTORS USED IN THE PERFORMANCE OF WORK FOR CON EDISON, ARE MAINTAINED IN GOOD WORKING CONDITION AND ARE NOT LEAKING ANY FLUIDS. PARTICULAR ATTENTION IS TO BE PAID, BUT NOT LIMITED TO, HYDRAULIC SYSTEMS ON EACH VEHICLE.

THE DRIVER MUST IMMEDIATELY NOTIFY A CON EDISON AUTHORIZED REPRESENTATIVE IN THE EVENT OF A LEAK OR SPILL FROM A VEHICLE OR CONTAINER CARRIED ON A VEHICLE WHILE ON CON EDISON PROPERTY. THE DRIVER MUST WAIT FOR INSTRUCTIONS BEFORE MOVING THE VEHICLE UNLESS FIELD CONDITIONS REQUIRE IT, AND THEN, ONLY TO THE NEAREST SAFE POINT.

THE DRIVER WILL BE REQUIRED TO ELIMINATE THE LEAK OR SPILL BEFORE LEAVING CON EDISON PROPERTY. THE SELLER/CONTRACTOR SHALL BE REQUIRED TO REIMBURSE CON EDISON FOR ALL COSTS ASSOCIATED WITH THE CLEANUP OF LEAKS AND SPILLS.

COMMITMENT TO ENVIRONMENTAL EXCELLENCE

=====
OUR CORPORATE ENVIRONMENTAL POLICY
=====

CON EDISON'S POLICY IS TO DEMONSTRATE LEADERSHIP AND EXCELLENCE IN ENVIRONMENTAL PROTECTION. OUR COMMITMENT TO ENVIRONMENTAL EXCELLENCE MUST BE EVIDENT IN ALL COMPANY OPERATIONS. IT SHOULD BE KNOWN AND UNDERSTOOD BY THE COMPANY'S EMPLOYEES, CUSTOMERS AND SHAREHOLDERS, AND CONTINUOUSLY REINFORCED BY OUR ACTIONS WITHIN AND OUTSIDE THE COMPANY.

EVERY CON EDISON EMPLOYEE HAS A PERSONAL OBLIGATION TO MEET THE FUNDAMENTAL WORKPLACE REQUIREMENTS ESTABLISHED BY LAW AND BY REGULATION, AND TO REACH BEYOND THESE BASIC REQUIREMENTS TO REALIZE A HIGHER LEVEL OF ACHIEVEMENT.

TO ACHIEVE THESE GOALS AND TO ENCOURAGE EMPLOYEES TO CARE FOR THE ENVIRONMENT AND APPRECIATE ITS IMPORTANCE, CON EDISON WILL :

- MAINTAIN IN EACH COMPANY ORGANIZATION AN ACCOUNTABILITY FOR ENVIRONMENTAL HEALTH AND SAFETY;
- PROVIDE TRAINING TO PREPARE EMPLOYEES TO MEET ENVIRONMENTAL CHALLENGES;
- INTEGRATE SOUND ENVIRONMENTAL PRACTICES IN ALL ASPECTS OF OUR BUSINESS;

Contains Confidential Commercial Information

PURCHASE ORDER

PAGE 5

PURCHASE ORDER NUMBER 133113

CURRENT DATE

05/26/11

TERMS AND CONDITIONS

- SUPPORT RESEARCH TO DEVELOP NEW TECHNOLOGIES TO IMPROVE ENVIRONMENTAL PERFORMANCE;
- STRIVE FOR CONTINUOUS IMPROVEMENT IN WASTE REDUCTION AND RECYCLING, POLLUTION PREVENTION AND RISK REDUCTION;
- MAINTAIN OPEN COMMUNICATIONS ON ENVIRONMENTAL ISSUES WITH REGULATORY AGENCIES, ENVIRONMENTAL GROUPS, CUSTOMERS AND EMPLOYEES;
- WORK WITH OUR CUSTOMERS TO PURSUE AND PROMOTE ENERGY EFFICIENCY; AND
- PERIODICALLY AND OBJECTIVELY AUDIT AND EVALUATE OUR COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS, AND ADDRESS OPPORTUNITIES FOR IMPROVEMENT IN A PROMPT AND EFFECTIVE MANNER.

CON EDISON HAS A POLICY OF ENVIRONMENTAL EXCELLENCE AND REQUIRES ALL OF ITS CONTRACTORS AND SUBCONTRACTORS TO SHARE ITS COMMITMENT TO ENVIRONMENTAL EXCELLENCE. CONTRACTORS, SUBCONTRACTORS OR ANY OF THEIR EMPLOYEES THAT VIOLATE THIS POLICY WILL BE SUBJECT TO DISCIPLINARY ACTION, INCLUDING REMOVAL FROM THE JOB AND OUR LIST OF APPROVED BIDDERS. CONTRACTORS SHALL INCLUDE THIS INFORMATION IN THEIR SUBCONTRACTS.

AGREED TO AND ACCEPTED:
MANETTA INDUSTRIES

SIGNATURE: _____

PRINT NAME: _____

TITLE: _____

DATE: _____

.
THIS CONTRACT IS SUBJECT TO APPENDIX A, REQUIRED CLAUSES AND CERTIFICATIONS, DATED JULY 2007, AND ANY APPLICABLE STANDARD TERMS AND CONDITIONS DOCUMENT WHICH INCORPORATES A DIFFERENT APPENDIX A IS HEREBY AMENDED TO INCORPORATE THE ABOVE-DESCRIBED APPENDIX A INSTEAD.

.
APPENDIX A CAN BE FOUND ON THE COMPANY'S WEBSITE.

GIFT POLICY: SELLER IS INFORMED THAT IT IS A STRICT CON EDISON POLICY THAT NEITHER EMPLOYEES OF CON EDISON NOR MEMBERS OF THEIR FAMILIES SHALL ACCEPT GIFTS FROM SELLERS OR OTHERS TRANSACTING OR

Contains Confidential Commercial Information

ATTACHMENT NO. 4

CONTRACTOR: DEBORAH BRADLEY CONSTRUCTION &
MANAGEMENT SERVICES INC

PURCHASE ORDER NO.: 1-33242

BID COMPARISON:

\$3,547,700
\$3,777,000
\$3,977,000
\$4,533,000
\$4,750,000
\$4,887,000

Contains Confidential Commercial Information

FILENAME: PMS-PO #133242

PURCHASE ORDER PAGE 1
CURRENT DATE 06/07/11

TO: DEBORAH BRADLEY CONSTRUCTION & MANAGEMENT SERVICES INC
610 WEST 115TH STREET
NEW YORK NY 10025
PURCHASE ORDER NUMBER 133242
PURCHASE ORDER DATE 06/03/11
PURCHASE REQ. NUMBER 357-1-2006
VENDOR CODE D6419
AUTHORIZED DOLLARS \$3289010
FUNDING ORDER
ACCOUNT NUMBER VARIOUS
STATISTICS 1/2

SHIP TO: CON EDISON
1601 BRONXDALE AVENUE 133242
BRONX, NY 10462
JOSEPH FLORYSHAK
MAIL ORIGINAL INVOICES TO
CON EDISON ACCOUNTS PAYABLE
P.O. BOX 799
COOPER STATION
NEW YORK N.Y. 10276
(212) 460-3510

THIS PURCHASE ORDER REQUIRES PAYMENT CERTIFICATES
FOR INVOICE STATUS, CLICK ON "VENDOR INFORMATION" AT WWW.CONED.COM
BUYER: DIANE BACKIS 212-460-6631 14815

Table with 7 columns: ITEM, QUANTITY, DELIVERY DATE, UNIT PRICE, UNIT, INSP CODE. Contains two line items with quantities of 0.

FURNISH THE NECESSARY SUPERVISION, LABOR, MATERIAL, AND EQUIPMENT TO REPAIR THE EXISTING ROOF OF BUILDING 3 AT THE BRUCKNER BOULEVARD SERVICE CENTER. THE SCOPE OF WORK SHALL INCLUDE REMOVING THE EXISTING ELASTOMERIC COATING, CONCRETE TOPPING, AND WATERPROOFING DOWN TO THE STRUCTURAL DECK, AND REPLACING WITH A NEW BITUMINOUS WATERPROOFING LAYER AND CONCRETE WEAR COURSE. ALL WORK TO BE PERFORMED IN ACCORDANCE WITH THE CONTRACT DRAWINGS, SPECIFICATIONS.

ALL WORK TO BE PERFORMED IN ACCORDANCE WITH:
STANDARD TERMS AND CONDITIONS OF CONSTRUCTION CONTRACTS DATED 12/7/10

SUPPLEMENTAL CONSTRUCTION CONTRACT REQUIREMENTS (C-CM-003R1).

INVITATION TO BID EVENT 35198 DATED 4/11/11 INCLUDING ALL ATTACHMENTS.
SPECIAL CONDITIONS DATED 4/15/11, CLARIFICATIONS DATED 4/26/11,4/29/11.

DEBORAH BRADLEY'S SIGNED OFFER, EXCEPTION, DISCLOSURE AND COMPLIANCE
FORMS DATED 4/25/11.

DO NOT SEND INVOICES TO ACCOUNTS PAYABLE. ORIGINAL INVOICES
AND ALL SUPPORTING DOCUMENTATIONS SHOULD BE SENT DIRECTLY TO THE COMPANY
AUTHORIZED REPRESENTATIVE, (CAR)".

Contains Confidential Commercial Information

PURCHASE ORDER

PAGE 2

PURCHASE ORDER NUMBER 133242 CURRENT DATE 06/07/11

| ITEM | QUANTITY | DELIVERY DATE | UNIT PRICE | UNIT | INSP CODE |
|--|----------|---------------|------------|------|-----------|
| NO VENDOR/CONTRACTOR CAN PERFORM ANY WORK BEFORE A SITE SPECIFIC HASP IS APPROVED BY EH&S. | | | | | |

PROJECT NO: 50615-10
LOCATION: BRUCKNER BLVD. SC
ADDRESS: 1613 BRUCKNER BLVD. BRONX, NY

CALENDAR DAYS: 185

CONTACTS:

PROJECT MANAGER: LEO PALMER (718-839-1319)
CONSTRUCTION MANAGER: MICHAEL LOMBARDI (718-204-4417)
ENVIRONMENTAL MANAGER: BRIAN BELLOWS (917-939-6397)
SAFETY ADMINISTRATOR: BRIAN BELLOWS (917-939-6397)

| | | | | |
|---------------------|---|--|-----------------|----|
| 3 | 0 | | \$10.00000 | EA |
| -CONED-R- - | | | | |
| CON EDISON USE ONLY | | | | |
| 4 | 0 | | \$3289000.00000 | EA |
| LUMPSUM - | | | | |
| LUMPSUM AGREEMENT | | | | |

TOTAL NUMBER OF LINE ITEMS ARE 4

SHIPPING TERMS:
NOT APPLICABLE

PAYMENT TERMS:
NET 10 DAY ***PAYMENT TO ABOVE VENDOR ONLY***

TERMS AND CONDITIONS

THE SELLER/CONTRACTOR IS REQUIRED TO ASSURE THAT ALL VEHICLES, INCLUDING THOSE OF SUBCONTRACTORS USED IN THE PERFORMANCE OF WORK FOR CON EDISON, ARE MAINTAINED IN GOOD WORKING CONDITION AND ARE NOT LEAKING ANY FLUIDS. PARTICULAR ATTENTION IS TO BE PAID, BUT NOT LIMITED TO, HYDRAULIC SYSTEMS ON EACH VEHICLE.

THE DRIVER MUST IMMEDIATELY NOTIFY A CON EDISON AUTHORIZED REPRESENTATIVE IN THE EVENT OF A LEAK OR SPILL FROM A VEHICLE OR CONTAINER CARRIED ON A VEHICLE WHILE ON CON EDISON PROPERTY. THE DRIVER MUST WAIT FOR INSTRUCTIONS BEFORE MOVING THE VEHICLE UNLESS FIELD CONDITIONS REQUIRE IT, AND THEN, ONLY TO THE NEAREST SAFE POINT.

Contains Confidential Commercial Information

PURCHASE ORDER

PAGE 3

PURCHASE ORDER NUMBER 133242

CURRENT DATE

06/07/11

TERMS AND CONDITIONS

THE DRIVER WILL BE REQUIRED TO ELIMINATE THE LEAK OR SPILL BEFORE LEAVING CON EDISON PROPERTY. THE SELLER/CONTRACTOR SHALL BE REQUIRED TO REIMBURSE CON EDISON FOR ALL COSTS ASSOCIATED WITH THE CLEANUP OF LEAKS AND SPILLS.

ACCEPTED: _____

AGREED _____

DATE: _____

. THIS CONTRACT IS SUBJECT TO APPENDIX A, REQUIRED CLAUSES AND CERTIFICATIONS, DATED JULY 2007, AND ANY APPLICABLE STANDARD TERMS AND CONDITIONS DOCUMENT WHICH INCORPORATES A DIFFERENT APPENDIX A IS HEREBY AMENDED TO INCORPORATE THE ABOVE-DESCRIBED APPENDIX A INSTEAD.

. APPENDIX A CAN BE FOUND ON THE COMPANY'S WEBSITE.

GIFT POLICY: SELLER IS INFORMED THAT IT IS A STRICT CON EDISON POLICY THAT NEITHER EMPLOYEES OF CON EDISON NOR MEMBERS OF THEIR FAMILIES SHALL ACCEPT GIFTS FROM SELLERS OR OTHERS TRANSACTING OR SEEKING TO TRANSACT ANY BUSINESS WITH CON EDISON. THE OFFERING OR GIVING OF SUCH GIFTS BY SELLER, WHETHER OR NOT MADE WITH INTENT TO OBTAIN SPECIAL CONSIDERATION, SHALL BE DEEMED TO BE A MATERIAL BREACH OF CONTRACT ENTITLING CON EDISON TO CANCEL THE CONTRACT AND REMOVE SELLER FROM ITS LIST OF QUALIFIED BIDDERS IF IT ELECTS TO DO SO.

BY _____
FOR CON EDISON

TOTAL PAGES 3 □