



STATE OF NEW YORK
OFFICE OF THE STATE COMPTROLLER

May 27, 2014

William A. Howe
Director
Contract Management Bureau
Department of Transportation
Albany, NY 12232

Dear Mr. Howe:

Re: Limnes Corp. D262481

This letter is to notify you that we are approving contract D262481 with Limnes Corp., as amended. As you know, we rejected the original contract in March 2013 because vendor responsibility questions were not adequately addressed.

We appreciate that the Department of Transportation (DOT) has since provided more detailed information regarding vendor responsibility, including an important review conducted by the Department of Labor. Importantly, the Department has also negotiated the addition of an independent integrity monitor, satisfactory to DOT at Limnes' sole expense. The integrity monitor will report to DOT monthly on Limnes' compliance with all applicable state and federal laws pertaining to the payment of wages, and will communicate with DOT on all payroll matters related to this contract upon request of DOT.

We note that, while the independent monitor contract allows Limnes to terminate the monitor at Limnes' convenience, the DOT bridge painting contract allows DOT to terminate that contract for the best interest of the state. Accordingly, based on your Department's assurances, we understand that DOT will provide the necessary oversight for the Limnes contract, ensure an open line of communication between DOT and the monitor, and, if necessary, take steps to terminate the Limnes contract, in the event that the work of the independent monitor is impaired or the monitor is released without a replacement acceptable to DOT.

Sincerely,

A handwritten signature in black ink that reads "Charlotte E. Breeyear". The signature is written in a cursive, flowing style.

Charlotte E. Breeyear
Director of Contracts

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