

FAS

P.O. BOX 4858
CORPUS CHRISTI, TEXAS
78408

BERRY CONTRACTING, INC.
Industrial Contractors

PLAINTIFF'S EXHIBIT

CC-253

1414 CORN PRODUCTS ROAD
AC 512 884-2100
TELEX 778446

July 2, 1981

Coastal States Petrochemical Co.
P.O. Box 521
Corpus Christi, Texas 78403

Attention: Mr. Ed Holt

Gentlemen:

The enclosed rate schedules will become effective July 13, 1981 for services performed within your plant. Please replace the copies you currently have on file.

Our last increase in rates was in June 1979.

Thank you for the opportunity to submit this revised rate information, and we look forward to being of continued service to you.

Sincerely,

BERRY CONTRACTING, INC.

B. D. Daniels

B. D. Daniels
Business Development

/kmc

Enclosures

*OK - wmm
7/11/81*

CED0006368

BERRY CONTRACTING, INC.

P. O. BOX 4338
CORPUS CHRISTI, TEXAS
78408

Industrial Contractors

July 1, 1981

1414 CORN PRODUCTS ROAD
AC 512 8840373
TELEX 778446

EXHIBIT "B"

Schedule of Equipment Rental Rates Maintained, Fueled and Operated

JOB
CODE

	<u>EQUIPMENT</u>	<u>HOURLY RATE</u>
	Dump Truck 6 C.Y.	\$22.50
	Dump Truck 12 C.Y.	28.00
	Dump Truck 15 C.Y.	30.00
	Dump Truck 24 C.Y. Hyd. Trailer	35.00
	Flatbed Dump Truck 2½ Ton	22.50
	Water Truck - 1500 Gal.	19.00
	Water Truck - 2000 Gal.	28.00
	Winch Truck - 3 Ton	29.00
12	Winch Truck - 8 Ton	37.50
13	Winch Truck - 20 Ton	41.50
	*Winch Truck - 30 Ton - Kenworth	65.00
24	Tandem Truck w/Tandem Float	37.50
	Tandem Truck w/3 Axle Equipment Lowboy	42.00
	Tandem Truck w/3 Axle Lowboy or Dolly	63.00
	**Tandem Truck w/32 Wheel Lowboy 10' Wide	100.00
	**Tandem Truck w/32 Wheel Lowboy 12' Wide	130.00
	1 Ton Truck w/Tandem Gooseneck Trailer	26.50
	Single Axle Truck w/Tandem Float	29.00
	Ford Tractor	20.00
	Case Backhoe, Diesel, w/Front End Loader	38.50
	Ford Tractor w/Mower	25.00
	P&H 312 Backhoe Crawler ¾ C.Y. Diesel	52.50
	Liebherr Backhoe 925 Crawler 7/8 C.Y.	60.00
	Liebherr Backhoe 945 Crawler 1½ C.Y.	68.00
	D-6C Cat. Dozer w/Winch - Power Shift	55.00
	D-6D Cat. L.G.P. Dozer - Power Shift	60.00
	D-7 Cat. Dozer w/Winch - Power Shift	65.00
	D-8H Cat. Dozer w/Winch - Power Shift	76.00
	D-8K Cat. Dozer - Power Shift	76.00

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EXHIBIT "B"

July 1, 1981
1414 CORN PRODUCTS ROAD
AC 512 884-0373
TELEX 778446

Schedule of Equipment Rental Rates Maintained, Fueled and Operated

<u>EQUIPMENT</u>	<u>HOURLY RATE</u>
D-3H Cat. Dozer w/Winch - Power Shift w/Ripper	\$80.00
D-9 Cat. Dozer w/Winch or Ripper	121.00
M65 Fiat Allis Maintainer - Diesel	40.00
12G Cat. Articulated Maintainer	53.00
14G Cat. Articulated Maintainer	69.00
140G Cat. Articulated Maintainer	55.00
966 Cat. Rubber Tired Loader 3½ C.Y.	61.00
980 Cat. Rubber Tired Loader 5 C.Y.	79.00
988 Cat. Rubber Tired Loader 7 C.Y.	108.00
955K Cat. Crawler Loader 2 C.Y.	50.00
977 Cat. Crawler Loader 2 C.Y.	46.00
977K Cat. Crawler Loader 3 C.Y.	60.00
977L Cat. Crawler Loader 3½ C.Y.	60.00
Case Rubber Tired Unloader	32.50
815 Cat. Articulated Compactor w/Blade	57.50
Ferguson Sheepfoot Compactor 48" Drum	40.00
Rexvibratory Flatwheel Roller	46.00
Tampo Vibratory Clubfoot Roller	46.00
Bros. Soil Stabilizer Mixer	60.00
621J Cat. Elevating Scraper 21 C.Y.	80.00
627 Cat. Twin Engine Scraper 21 C.Y.	100.00
631 Cat. Scraper 31 C.Y.	144.00
621 B. Cat. Scraper 17 C.Y.	80.00
621 Clubfoot Compactor	45.00
613 B Water Wagon - 5000 Gal.	60.00
48 C.Y. Belly Dump Truck Trains	45.00
Pneumatic Roller - Galion, Ingram, or Hyster	30.00
Model G-220 Gradall - Diesel - Crawler	85.00
Model G-660 Gradall - Diesel	75.00

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EXHIBIT "B"

July 1, 1981
1414 CORN PRODUCTS ROAD
AC 512 8340373
TELEX 778446

Schedule of Equipment Rental Rates Maintained, Fueled and Operated

JOB
CODE

	<u>EQUIPMENT</u>	<u>HOURLY RATE</u>
	Vermeer Ditching Machine	\$27.50
	Arrow Hydra Hammer - Self-propelled	35.00
	Tennant Sweeper 50" Wide Brush	35.00
	Texoma Hole Digger	75.00
	Forklift 6000# Capacity	30.00
	Forklift 3000# Capacity	33.00
	Crawler Dragline 1 C.Y.	55.00
	Crawler Crane - Dragline 1½ C.Y.	70.00
	Crawler Crane - 50 Ton	78.00
	Crawler Crane - 55 Ton - 3 Drum	80.00
1	Hydraulic Cherry Picker 12½ Ton	39.50
2	Hydraulic Cherry Picker 15 Ton	40.00
	Hydraulic Cherry Picker 20 Ton	49.50
3	Hydraulic Motor Crane - 25 Ton	70.00
25	Hydraulic Motor Crane - 35 Ton	80.00
4	Hydraulic Motor Crane - 45 Ton	90.00
	Hydraulic Motor Crane - 50 Ton	100.00
5	Motor Crane - 50 Ton	82.00
6	*Motor Crane - 85 Ton	115.00
7	*Motor Crane - 110 Ton	140.00
	*Motor Crane - 125 Ton	160.00
8	*Motor Crane - 150 Ton	185.00
	*Motor Crane - 225 Ton	265.00
	*Motor Crane - 330 Ton Derrick	350.00
	*9260 American Crawler - 125 Ton	145.00
	*9310 American Crawler - 225 Ton	245.00
	*9310 American w/Skyhorse - 225 Ton	300.00
	*9310 American w/Derrick - 330 Ton	360.00

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AC 512 884-0373
TELEX 778446

Schedule of Equipment Rental Rates Maintained, Fueled and Operated

EQUIPMENT

HOURLY RATE

*11250 Crawler Crane - 330 Ton	
*11250 Crawler w/Skyhorse - 300 Ton	
*11250 Crawler w/600 Ton Derrick	
Clyde Frame - 9 Hoist	2,500.00/Month
Manitowoc - 390 Hoist	3,500.00/Month
Oak Mats - Steel Pads	10.00/Day
Permits	10.00/Each

CONDITIONS AND BASIS OF RENTAL

1. Straight time wages of operators are included in hourly rates. If overtime worked, premium portion of wages will be charged in addition to hourly rates.
2. Transportation of equipment and component parts to and from job site for customer's account.
3. A three (3) hour minimum per day charge will apply to all equipment listed above, unless noted with an asterisk.
4. On equipment noted with an asterisk, an eight (8) hour per day minimum will apply for the first day's rental period. For every day worked thereafter, the rental period shall be the hours actually worked.
5. Hauling units noted with a double asterisk for loads in excess of 200,000 pounds will be priced on request.
6. For units with no prices shown or for units not listed in this list, prices furnished upon request.

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EXHIBIT "F" Stress Relieving Rate Schedule

Field Stress Relieving:

Field type (local) stress relieving will be performed employing resistance type heating coils. Charges will be on an hourly basis at the following rates which include temperature recorder, thermocouples, thermocouple leads, resistance coils, insulation and wrapping materials.

Operator - Straight Time Rate	\$30.00/Hour
Operator - Overtime Rate	\$37.00/Hour
Asst. Operator - Straight Time Rate	\$19.50/Hour
Asst. Operator - Overtime Rate	\$27.00/Hour

The customer will furnish electric power, either 220 or 440 volts AC, 60 cycle, 3 phase, as required to operate our DC power sources.

If the customer cannot furnish electric power required, Berry would furnish our diesel driven, DC generating equipment to provide electric power at our standard rates.

In addition to the hourly charges above, our standard rates will be charged for all power sources furnished which are required to perform the stress relieving operation.

Shop Furnace Stress Relieving:

Stress relieving can be performed in our 20' wide X 21' high X 79' long car bottom furnace located at our fabrication shop and will be priced on application.

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P. O. BOX 4258
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EXHIBIT "G" NON-DESTRUCTIVE EXAMINATION SERVICES

A. RADIOGRAPHIC SERVICES:

Utilizing Iridium 192 Source

Utilizing Cobalt 60 Source

1 Man Crew at Straight Time Rate	\$35.00/Hour
1 Man Crew at Overtime Rate	\$44.50/Hour
2 Man Crew at Straight Time Rate	\$45.00/Hour
2 Man Crew at Overtime Rate	\$60.50/Hour

In addition to the above rates, a processing charge for film would apply:

4½" X 10"	\$ 3.75/Hour
4½" X 17"	\$ 6.00/Hour
7" X 17"	\$ 9.25/Hour
14" X 17"	\$14.00/Hour

B. ULTRASONIC INSPECTION:

Utilizing a Branson 301 Unit

Rates stated in (A) above would apply.

C. MAGNETIC PARTICLE EXAMINATION:

Utilizing 110 Volt Magnaflux "Y-6 Yoke" for Field Inspection.

Utilizing 4000 Amp AC-DC P-510 Unit for Shop Inspection.

Rates stated in (A) above would apply.

D. DYE PENETRANT, BRINELL HARDNESS AND OTHER MISC. EXAMINATION:

Rates stated in (A) above would apply.

Services on the above basis will be charged from the time the crew leaves the office until it returns with a minimum of four (4) hours applicable.

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July 1981

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EXHIBIT "E" Shop Labor Rates

The following rates apply for any work performed on a force account basis in our Pipe and Vessel Fabricating shops:

For pipe fabrication work performed in Berry
Industrial Piping Shop \$24.50/Hour

For work performed on overtime basis, add \$12.00/Hour

For vessel or structural work performed in
Berry Fabricators Shop (4 Hr. Min. Charge) \$27.50/Hour

For overtime at time and one half, add \$6.50/Hour

For overtime at double time, add \$13.00/Hour

The above rates are your total cost for each manhour worked, and in addition to wages and fringes, include all costs for equipment, building and facilities, utilities, consumable supplies, tools, oxygen and acetylene, carbon steel stick weld rod, taxes and insurance, overhead and profit. Your total cost for shop work performed would be the actual applicable manhours worked times the rates quoted above. Engineering in connection with fabrication work, if required, will be priced on request.

BERRY CONTRACTING, INC.

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EXHIBIT "C"

June 11, 1981
1414 CORN PRODUCTS ROAD
AC 512 884-0373
TELEX 778446

Schedule of Equipment Rental Rates Maintained & Fueled - Not Operated

<u>EQUIPMENT</u>	<u>HOURLY RATE</u>
<u>Air Compressors and Pneumatic Tools</u>	
Air Compressor, 105 C.F.M.	\$ 6.85
Air Compressor, 125 C.F.M.	7.15
Air Compressor, 150 C.F.M.	8.95
Air Compressor, 185 C.F.M.	9.95
Air Compressor, 365 C.F.M.	13.70
Air Compressor, 600 C.F.M.	17.30
Air Compressor, 750 C.F.M.	20.50
Air Compressor, 850 C.F.M.	25.30
Air Hose, 3/4" - 50 ft. Section	.55
Chipping Gun, #2	.95
Grinders, Air - Angle or Straight	1.20
Impact Wrench, Air, 1/2"	1.10
Impact Wrench, Air, 1"	2.30
Impact Wrench, Air, 1-1/2"	3.35
Rotary Rock Drill	2.70
Paving Breaker, 90#	2.00
Rivet Buster, Size 9000	2.30
Air Tamper	2.00
Single Drum Air Tugger, 2000# (cable extra)	3.00
Single Drum Air Tugger, 3500# (cable extra)	3.65
Single Drum Air Tugger, 7000# (cable extra)	6.05
Double Drum Air Tugger, 3500# each (cable extra)	6.05
Exhaust Blower, Pneumatic Coppus	5.00
Exhaust Blower, Pneumatic Ajax	2.10

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Industrial Contractors

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1414 CORN PRODUCTS ROAD
AC 312 884-0373
TELEX 778446

Schedule of Equipment Rental Rates Maintained & Fueled - Not Operated

<u>JOB EQUIPMENT</u> <u>CODE</u>	<u>HOURLY RATE</u>
Needle Scaler, Air	\$ 1.80
Chisel Gun, Air	1.80
Sand Pot, Complete w/Hose, Trailer Mtd., 160 Sack Cap. (sand not incl.)	11.00
Sand Pot, Complete w/Hose, 6 Sack Cap. (sand not incl.)	4.60
Sandblast Hose - 1" x 50' Section	1.20
Five Gallon Paint Pot, Air w/Spray Gun and Paint Hose	2.15
Two Gallon Paint Pot, Air w/Spray Gun and Paint Hose	2.05
Airless Spray Gun	4.50
17 JLG Lift	22.00
#1 Vulcan Pile Driving Hammer w/Follow Block and Pile Driving Leads-50'	19.35
933 Pile Driving Hammer w/Follow Block and Pile Driving Leads - 50'	18.15
#7 MKT Pile Driving Hammer w/Follow Block and Pile Driving Leads-50'	16.00
02202 Delmag Diesel Pile Driving Hammer w/Follow Block & 50' Leads	72.00
2" Air Hose for Hammer - 50' Section	2.45
Air Receiver for Pile Driver Hamer	1.20
Power Hacksaw, 8" Air Operated (Blades to customer's account)	2.00
Power Hacksaw, 12" Air Operated (Blades to customer's account)	3.35
Power Hacksaw, 16" Air Operated (Blades to customer's account)	4.55
Power Hacksaw, 24" Air Operated (Blades to customer's account)	6.05
Wach's Travel Cut Saw	30.25
<u>Concrete Equipment</u>	
Concrete Bucket, $\frac{1}{2}$ Yard	1.15
Concrete Bucket, $\frac{3}{4}$ Yard	1.35
Concrete Bucket, 1 Yard	1.60
Concrete Bucket, $1\frac{1}{4}$ Yard	1.80

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Schedule of Equipment Rental Rates Maintained & Fueled - Not Operated

<u>EQUIPMENT</u>	<u>HOURLY RATE</u>
Concrete Vibrator, Gas	\$ 4.80
Concrete Vibrator, Electric	4.25
Concrete Vibrator, Air	4.25
Masonry Saw (Blades to customer's account)	1.85
<u>Electric Power Tools</u>	
Drill, Portable $\frac{1}{2}$ "	.65
Drill, Portable $\frac{3}{8}$ "	.60
Grinder, Portable, Side Angle or Straight	1.10
Grinder, Bench	1.80
Grinder, Pencil $\frac{1}{4}$ " or $\frac{3}{8}$ "	1.10
Saw, Portable $7\frac{1}{4}$ " (Blades to customer's account)	.95
Saw, Table (Blades to customer's account)	1.65
Pipe Threading Machine $\frac{1}{4}$ " to 2"	3.00
Rotary Hammer	2.55
Nelson Stud Gun HS-20	10.90
Magnetic Drill, $\frac{3}{8}$ "	2.20
Electromagnetic Drill, $\frac{3}{4}$ "	6.65
Saber Saw	.90
<u>Miscellaneous Equipment</u>	
Barricades, Flusher Type, Portable	.65
Block, Small Construction	.45
Block, Large Construction	.90
Bundle Slings, All Sizes	1.05
Chain Hoist to 1 Ton	.95
Chain Hoist $1\frac{1}{2}$ Ton to $2\frac{1}{2}$ Ton	1.55

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<u>EQUIPMENT</u>	<u>HOURLY RATE</u>
Chain Hoist 3 Ton to 4½ Ton	\$ 2.05
Chain Hoist, 5 Ton	2.75
Chain Hoist 10 Ton	4.65
Exhaust Blower, Electric Coppus	4.50
Heating Kettle, 2 Barrel	3.00
Conduit Bender, Hydraulic 1" to 4"	3.75
Come-A-Long, ¾ to 1½ Ton	.60
Come-A-Long, 1½ Ton to 3 Ton	1.20
Come-A-Long, 3 Ton to 6 Ton	2.15
Come-A-Long, 6 Ton	3.00
Five Ton Trolley	.45
Test Pump, Single Action, Air Operated	4.00
Test Pump, Double Action, Air Operated	6.65
Transit or Level	3.45
Water Pump, 1½" with One Section Suction Hose	2.40
Water Pump, 2" with One Section Suction Hose	3.05
Water Pump, 3" with One Section Suction Hose	5.75
Water Pump, 4" Double Diaphragm, Trailer Mtd. w/1 Section Suction Hose	8.20
Water Pump, 6" with One Section Suction Hose	15.15
Sump Pump, Pneumatic with One Section Discharge Hose	1.55
3" Jet	2.45
1½" Discharge Hose, 25' Section	.40
2" Discharge Hose, 25' Section	.50
3" Discharge Hose, 25' Section	.60

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Schedule of Equipment Rental Rates Maintained & Fueled - Not Operated

<u>EQUIPMENT</u>	<u>HOURLY RATE</u>
4" Discharge Hose, 25' Section	\$ 1.30
6" Suction Hose	2.80
Clay Spade, 2½" Piston	1.20
Scaffold Boards, 8'	.07
Scaffold Boards, 10'	.08
Scaffold Boards, 12'	.09
Scaffold Boards, 14'	.11
Scaffold Boards, 16'	.15
Scaffold Boards, 20'	.20
Scaffold N-Frame Complete with Pins	.06
Scaffold Board Brackets	.55 Ea./Day
Chain Saw	2.50
Gunite Machine, Complete	11.00
Water Cooler, 5 Gallon	1.10
Universal Form Cleaner	4.15
Turtle Tumper, Gas Driven	4.00
Asphalt Tumper, Small Gas Driven	4.00
Asphalt Roller, Small Gas Driven	4.00
Flat Wheel Vibratory Roller	30.00
Pile Tack Hammer, Drop Type	3.00
Mercury Vapor Flood Light, Portable	2.20
250 KW Diesel Powered Light Plant	50.00
25 KW Diesel Powered Light Plant	15.15
1500 Watt Gasoline Light Plant	4.25
25 KW Diesel Powered Light Plant w/Tower & 2-1500 Watt Quartz Lamps	18.75

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Industrial Contractors

June 11, 1981
1414 CORN PRODUCTS ROAD
AC 512 884-0373
TELEX 773446

Schedule of Equipment Rental Rates Maintained & Fueled - Not Operated

<u>JOB EQUIPMENT</u> <u>CODE</u>	<u>HOURLY RATE</u>
100 Ton Hydraulic Jack	\$ 2.40
50 Ton Hydraulic Track Jack	1.60
Porta-Power Hydraulic Jack	1.80
Trench Shoring Jack, Screw Type	.15
Plate Clamp, 2,000#	.40
<u>Office Equipment</u>	
Adding Machine	.40
Calculator	.40
Check Protector	.20
21 Time Clock	.70
Typewriter, Electric	.45
Typewriter, Manual	.30
Field Offices:	
8' x 12' - Tool Room	
10' x 20' - Tool Room	
10' x 50' - Office Bldg.	
12' x 24' - Office Bldg.	
12' x 30' - Office & Tool Room	
12' x 40'5" - Office & Tool Room	
14' x 40' - Office Bldg.	
14'6" x 44'6" - Office Bldg.	
	\$.70 sq.ft./Mo. without A/C
	\$.95 sq.ft./Mo. with A/C
<u>Welding and Cutting Equipment</u>	
20 Oxygen-Acetylene Set (without Gas)	1.00
Oxygen-Acetylene Set (with Gas)	2.25
Welding Cable, 100'	.25
Welding Line Up Clamps, to 10"	.30
Welding Line Up Clamps, over 10"	.60
6" Beveling Machine	2.50

BERRY CONTRACTING, INC.

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P. O. BOX 4338
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78428

June 11, 1981
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Schedule of Equipment Rental Rates Maintained & Fueled - Not Operated

<u>JOB</u> <u>CODE</u>	<u>EQUIPMENT</u>	<u>HOURLY RATE</u>
	Welding Machine with 100' Lead, 50' Ground	
18	300 Amp. Electric	\$ 2.30
23	400 Amp. Electric	2.55
	500 Amp. Electric	2.85
	600 Amp. Electric	3.15
	250 Amp. Diesel	6.00
	300 Amp. Diesel	6.65
19	200 Amp. Gas	5.00
	300 Amp. Electric 6 Pack	13.80
	300 Amp. Electric 8 Pack	18.40
	Arc Air	2.60
26	Welding Truck, Complete	12.65
11	Pickup Truck	4.75

CONDITIONS AND BASIS OF RENTAL

1. Transportation cost of equipment from and return to Berry Yard will be for Customer's account.
2. All fuel and maintenance will be furnished by Berry.