

PURCHASE ORDER

PAGE 1 OF 4

DATE	4/23/76
ORDER NO.	16H - 0731

ASARCO Incorporated

PURCHASING DEPARTMENT
120 BROADWAY, NEW YORK, N.Y. 10005

REQUISITION NO.	CE-76-EP-24
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PLANT JOB / APPROPRIATION NO.	614/N.Y. 3686
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TO:	The Marley Cooling Tower Co. c/o The Hank Thurstin Co. 5470 E. Evans Ave. Denver, Colorado 80222 Attn: Mr. Marvin E. King
DATE REQUIRED AT DESTINATION	As soon as possible
SHIPPING INTERVAL PROMISED	13-15 Wks. After
SELLER WILL SHIP BEFORE	Drawing Approval
POINT OF SHIPMENT	TERMS Net 30 days
F.O.B. POINT	Shipping Pts. with freight allowed to Jobsite El Paso, Texas

FINAL DESTINATION-PLEASE NOTE CONSIGNMENT BELOW	El Paso, Texas (6530)
CONSIGNMENT-SELLER WILL SHIP TO	ASARCO Incorporated, El Paso Smelting Works, El Paso, Texas 79999, Mail invoices to above at: P O Box 1111
Render bills as per attached shipping instructions	
SHIP VIA	

QUANTITY	UNIT	SPECIFICATIONS	RECEIVED
1	only	ANTIMONY PLANT EQUIP. #36.3311 - EVAPORATIVE COOLING TOWER DRAVO INQ. #M-7119 - PR68744 Marley Cooling Tower Model 376-102 Series 10 to cool 1800 gpm of water from 95°F to 75°F with a 68°F design wet bulb temperature at 3800 ft. elevation in El Paso, Texas The tower consists of treated fir framing, stain- less steel nails and 3/8" corrugated asbestos cement board casing and 2 fans, each driven by a 40 HP single speed TEFC 480 volt motor. All of the above complete in accordance with Marley Cooling Tower Proposal #30-6-645-3 to Dravo Corp. dated April 7, 1976 <u>Note:</u> Above price includes supervision of erection for 14 working days and transportation to and from jobsite.	MAY 5 - 1976 ASARCO CENTRAL ENG. DEPT. 1 \$27,383.00 LOT

**PLAINTIFF'S
EXHIBIT**
ASA-110

1b

IMPORTANT-This order is not binding on purchaser unless the attached acknowledgment card is signed by an authorized agent of seller and returned promptly to purchaser.

FOR PURCHASING DEPARTMENT USE ONLY

TVO \$27,383.00 URGER 5/14 CC 1310-1 PC 206

DISTRIBUTION: 3-Plant/1-G.D.Martin
1-E.H.Haug/1-A.O.Marsh/1-W.R.Kelly
1-R.O.Covington/1-W.R.Nasmyth
1-L.Green/1-W.R.Mahoney/1-H.J.McGarr
1-Metallurgical Engr.(El Paso)(Dravo)

EL PASO - James & Sons Inc 2817 E. 1st St.

HER 0000891

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REQUISITION NO. CE-76-EP-24

QUANTITY	UNIT	SPECIFICATIONS	ITEM NO.	UNIT PRICE
		It is understood and agreed by the Buyer and the Seller, that the price as shown on this order is FIRM, and not subject to escalation. <u>Note:</u> Your particular attention is directed to Clause #11 which appears on reverse side of this order. Please promptly furnish Insurance Certificates for our review and approval. <u>WARRANTY:</u> As per general conditions of sale appearing on reverse side of your aforementioned proposal. <u>Drawings & Technical Data:</u> Supplier shall submit for approval in two (2) weeks after receipt of order, 2 sets each of drawings to: Mr. A. O. Marsh, Jr., Chief Design Engr. ASARCO Incorporated 500 Crandall Bldg. Salt Lake City, Utah 84101 and Mr. Hal McGarr, Project Engr. Dravo Corporation One Park Ave. Denver, Colorado 80202 After approval the Supplier shall furnish one (1) set of certified transparencies and two (2) sets of installation and maintenance manuals along with two (2) spare parts lists to:		

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REQUISITION NO. CE-76-EP-24

QUANTITY	UNIT	SPECIFICATIONS	ITEM NO.	UNIT PRICE
		Mr. A.O. Marsh, Jr. Address as on page 2. Supplier shall also furnish one (1) set of certified transparencies and one (1) set of installation and maintenance manuals to: Mr. Hal McGarr Address as on page 2. The Supplier shall also furnish the listed items as noted: (1) set of certified transparencies (1) set of installation and maintenance manuals (1) set of spare parts lists to: Mr. W.R. Nasmyth, Plant Engr. ASARCO Incorporated P O Box 1111 El Paso, Texas 79999 (1 complete set) Mr. L. Green, Construction Engr. ASARCO Incorporated P O Box 1111 El Paso, Texas 79999 (3 complete sets including 6 sets of operating manuals) Please send a copy of each of your letters of transmittal to the undersigned for the completion of our records. <u>Note:</u> Confirms telephone order given your Mr. Marvin E. King on April 22, 1976. PLEASE DO NOT DUPLICATE.		

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ORDER NO.

1 6 H - 0 7 3 1

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614/N.Y. 3686

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CE-76-EP-24

INSTRUCTIONS

IMPORTANT  Supplier will be held responsible for strict compliance with the following marked ☒ instructions and any departure will render you liable for consequent expense incurred.

Packaging

— Packaging to insure safe arrival at destination is to be in proper and substantial:

- ☐ Wood cases — steel strapped.
- ☐ Paper board cartons — wire strapped.
- ☐ Standard export packaging.
- ☒ Domestic cartons or packaging.
- ☐ Suitable packing for rough handling Via Air Freight or Parcel Post.
- ☒ Cost of packaging included in purchase price.
- ☐ Cost of packaging is not to exceed _____

Federal Excise Tax

- ☐ This order is exempt from Federal Excise Tax as we have complied with the registration requirements of section 4222 of the International Revenue Code of 1954.

Invoicing

- ☐ Payment of duty at the foreign port of entry is based on original value, and no allowance is made for trade and cash discounts; therefore only actual net itemized prices must be shown on the invoices. List prices, trade and cash discounts must not appear.

Consignment

— Unless indicated on the first page of this Purchase Order the following is to apply:

- ☐ For Export to
c/o Seven Santini Brothers (WHSE)
58-35 47th Street
Maspeth, New York 11378
- ☐ Telegraph or Telephone

C.R. Merritt, Export Traffic Mgr.
120 Broadway
New York, New York 10005
When Material is ready for shipment

- ☐ For Export to
Hold And Notify
C.R. Merritt, Export Traffic Mgr.
120 Broadway
New York, New York 10005
- ☐ Neptune Mining Co.
New Orleans, La.
For Export to Bonanza, Nicaragua
c/o Harper Robinson & Co.
#2 Canal Street
New Orleans, La. 70130

- ☐ This order is to be consigned in accordance with the attached special instructions.

General Instructions

- ☒ 1. Each article or package must bear our order and requisition number.
- ☒ 2. When ready, ship in accordance with consignment and routing as specified on First Page.
- ☐ 3. Please prepay transportation charges to the port. If charges are for our account, render separate invoice supported by receipted freight bill.

Marks & Numbers

- ☐ Each package or piece comprising the shipment must be plainly stencilled in large, easily legible characters on both ends, as follows:

ORDER NO. _____

REQ. NO. _____

and number consecutively from _____
using as many numbers as required.

Do not use numbers or marks other than those shown above. No two packages should bear the same number. Gross weight in kilos must be shown on each package.

Preparation of Documents

- ☐ Invoices must be certified true and correct and must show country of origin. Invoices and packing lists must reflect accurately in every detail the actual marks on the packages and must show the number of packages, package numbers, and the following data, showing all weights in pounds and kilos and the respective totals thereof:

Net weight and value of each article
Net, gross, legal weights and dimensions of each package.
Full description of each article (Do not use general terms).

Disposition of Documents

- ☐ Copies of packing lists and invoices, together with a railroad bill of lading in duplicate (if shipment originates inland), must be mailed to our Purchasing Department on date of shipment.
- ☒ Original and two copies of itemized invoices packing list and original bill of lading to be mailed to the consignee.
- ☐ This order is to be invoiced in accordance with the attached special instructions.
Note: If necessary to phone regarding these shipping instructions or delivery call
212-732-9500 EXT. _____

PLEASE ENTER OUR ORDER FOR THE ITEMS SPECIFIED ABOVE, SUBJECT TO ALL INSTRUCTIONS AND PROVISIONS