

P.O. BOX 4858
CORPUS CHRISTI, TEXAS
78408

BERRY CONTRACTING, INC.
Industrial Contractors

1414 CORN PRODUCTS ROAD
AC 512 884-2100
TELEX 778446

November 19, 1981

PLAINTIFF'S EXHIBIT

CC-161

Coastal States Petroleum Company
P.O. Box 521
Corpus Christi, Texas 78403

Attention: Mr. Marty Alspaugh
Maintenance Manager

Sir:

The following wording in the Boilermaker contract covers the obligation of the contractor to furnish lunches for an unscheduled overtime:

"Any employee who is required to work more than three (3) hours of unscheduled overtime shall be furnished a box lunch by the employer and be granted sufficient time to eat same with pay at the applicable rate. On jobs working scheduled overtime shifts of ten (10) or more hours, when the employee is required to work more than one (1) hour beyond the scheduled end of such overtime shift, the same provision shall apply. Further, where overtime work continued for four (4) hours or more beyond such lunch breaks, employee shall be furnished lunch and time for eating with pay of four (4) hour intervals after the end of each allowable break."

Should you have any questions regarding this matter, please do not hesitate to call us.

Sincerely,

BERRY CONTRACTING, INC.

B. D. Daniels

B. D. Daniels
Sales Manager

/kmc

CED0005979

BERRY CONTRACTING, INC.

June 15, 1978

P. O. BOX 4358
CORPUS CHRISTI, TEXAS
78408

Industrial Contractors

1414 CORN PRODUCTS ROAD
AC 512 8840373
TELEX 778446

EXHIBIT "D" Schedule of Consumable Supplies

A
Abrasives & Abrasive Wheels
Acetylene, if not incl. in equip. rate

B
Boots - Rubber
Brushes - Dope, Paint, Stencil, Wire
Brooms

C
Chisels - Hand
Cleaners - Tip
Clips - Wire Rope
Cups

D
Demolition Points - Moil
Dies - Bolt, Conduit, Pipe
Drill Bits - All Types

E
Electrodes - Welding
Extension Cords & Bulbs

F
Files - All Types
Filters - Respirator
First Aid Supplies
Flashlights, incl. Batteries
Flints
Freight on Tools, Equipment, Supplies

G
Gasket Material
Gloves, incl. Welding

I
Ice

L
Lashings - Wire Rope
Lenses - Goggle, Helmet
Lighters - Friction
Locks
Lumber
Ladders

N
Nails

O
Oxygen, if not incl. in equip. rate

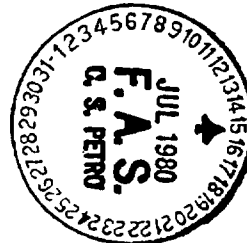
P
Paper - Abrasive, Building, Roofing,
Sand, Toilet

R
Rags
Rain Suits & Coats
Respirators - Dust
Rope - Manila, Etc.

S
Safety Equipment, incl. Hats, Glasses
Slings - Rope or Wire ;
Soap
Soapstones
Steel Tapes
Steel Wool

T
Tape - Friction, Insulating, Masking
Tarpaulins
Thread Dope
Tips - Cutting & Welding

W
Welders Hoods
Wheels - Wire Brush
Wire - Tie



OBsolete LISTS
WINTER 1961/1962

COASTAL STATES PETROCHEMICAL COMPANY
PHONE 512 / 883 - 5211
CORPUS CHRISTI, TEXAS 78403

MAILING ADDRESS
P. O. DRAWER 521

January 21, 1976

Berry Contracting, Inc.
P. O. Box 4858
Corpus Christi, Texas 78408

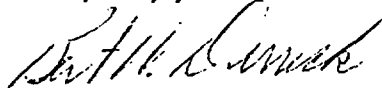
Dear Walter:

If past experience has taught us anything, it has been that we need an agreement on consumable supplies prior to commencement of a major turnaround. Since we have at least one major turnaround scheduled for this spring, we feel now would be a good time to get this agreement behind us.

Would you please forward your latest list of supplies which you consider "consumable supplies" to my attention. I will see that the list is distributed to the proper people in our office for their comments. I would also request you include a statement in your letter of transmittal setting out your policy and markup on subcontract work and materials supplied by you at our request.

Your kind attention to this matter will be appreciated.

Very truly yours,



Bert W. Derrick
Field Adm. Supervisor

BWD:sm

CED0005982



CERTIFICATE OF INSURANCE

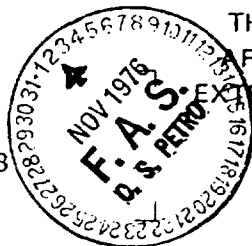
ISSUED BY (TYPE FULL NAME OF INSURING COMPANY)

The Home Insurance Company

This is to Certify, that policies in the name of

NAME OF
INSURED
and
ADDRESS

Berry Contracting, Inc.
P. O. Box 4858
Corpus Christi, Texas 78408



THIS CERTIFICATE OF INSURANCE NEITHER
AFFIRMATIVELY NOR NEGATIVELY AMENDS,
EXTENDS OR ALTERS THE COVERAGE AFFORDED
BY ANY POLICY DESCRIBED HEREIN.

are in force at the date hereof, as follows:

KIND OF INSURANCE	POLICY NUMBER	POLICY PERIOD	LIMITS OF LIABILITY	
			BODILY INJURY	PROPERTY DAMAGE
WORKMEN'S COMPENSATION	PWC 9205620	Eff. 11-1-76 Exp. 11-1-77	Provided by Workmen's Compensation Law—State of Texas	NIL
COMPREHENSIVE GENERAL LIABILITY	GA 9275282	Eff. 11-1-76 Exp. 11-1-77	\$ 500 ,000 Each occurrence \$ 500 ,000 Aggregate	\$ 100 ,000 Each occurrence \$ 100 ,000 Aggregate
MANUFACTURERS' AND CONTRACTORS' LIABILITY		Eff. Exp.	\$,000 Each occurrence	\$,000 Each occurrence \$,000 Aggregate
OWNERS', LANDLORDS' & TENANTS' LIABILITY		Eff. Exp.	\$,000 Each occurrence	\$,000 Each occurrence \$,000 Aggregate
CONTRACTUAL LIABILITY *	GA 9275282	Eff. 11-1-76 Exp. 11-1-77	\$ 500 ,000 Each occurrence	\$ 100 ,000 Each occurrence \$ 100 ,000 Aggregate
AUTOMOBILE LIABILITY ☐ Owned Automobiles ☐ Hired Automobiles ☐ Non-Owned Automobiles		Eff. Exp.	\$,000 Each person \$,000 Each occurrence	\$,000 Each occurrence
COMPREHENSIVE AUTO-MOBILE LIABILITY	GA 9275281	Eff. 11-1-76 Exp. 11-1-77	\$ 250 ,000 Each person \$ 500 ,000 Each occurrence	\$ 100 ,000 Each occurrence
OTHER: Installation Floater Policy	TR 708523	Eff. 9-1-74 Exp. 9-1-77	\$100,000 Limit	

*Broad Form Blanket Contractual
See Attached Certificate for Umbrella Coverage

In the event of cancellation of said policies or a reduction in the limits of liability, the company will endeavor to give written notice to the party to whom this certificate is issued, but failure to give such notice shall impose no obligation or liability upon the company.

CERTIFICATE ISSUED TO:

NAME
AND
ADDRESS

Coastal States Petro-Chemical Co.
P. O. Box 1501
Corpus Christi, Texas 78403

Swantner and Gordon Insurance Agency, Inc.

[Signature], President
AUTHORIZED REPRESENTATIVE

DATED 10-29-76 da

EXHIBIT D
BERRY CONTRACTING, INC.
SCHEDULE OF CONSUMABLE SUPPLIES

A
Abrasives & Abrasive Wheels
Acetylene
Aprons

B
Badges
Bands - Safety Hat
Boots - Rubber
Brushes, Dope, Paint, Stencil, Wire

C
Cans, Gasoline, Tar, Oil
Carborundum Stones
Chalk & Chalk Lines
Chisels - Hand
Clamps - Hose
Cleaners - Tip
Clips - wire rope
Coats - Rain
Connectors - Hose, Welding Cable
Coolers - Water -
Crescent Wrenches - 12" & smaller
Cups
Cutters - Glass, Wheel

D
Demolition Points - Moil
Dies - Bolt, Conduit, Pipe
Dressing - Bolt
Drift Pins
Drill Bits - All types

E
Electrodes - Welding
Emery Cloth
Extension Cords & Bulbs
Extractors - Screw
Electric Power

F
Files - All Types
Filters - Respirator
Fire Extinguisher Refills
First Aid Supplies
Flaring Tools - Hand for Copper tubing
Flashlights, including batteries
Flints
Flux
Freight on Tools, Equipment, Supplies, Material
Friction Tape
Fuel, if not included in equipment rental rate

F
Funnels
Fuses

G
Gasket Material
Gauges - Drill, Thickness, Wire
Gloves, Incl. welding
Graphite
Grease

H
Handles - Hand Tool
Hasps
Hats - Rain, Safety
Hinges
Holders - electrode
Hole saws
Hose - Steam, Water

I
Ice

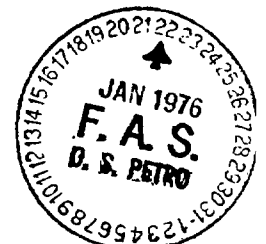
K
Kerosene

L
Lanterns
Lashings - Wire Rope
Lead
Lenses - Goggle, Helmet
Levels - Hand, Torpedo, Wood
Lighters - Friction
Locks
Lubricants - All types
Lumber
Ladders

M

N
Nails
Nail Sets

O
Office Supplies
Oil - All Types
Okum
Oxygen



CED0005984

EXHIBIT D
BERRY CONTRACTING, INC.
SCHEDULE OF CONSUMABLE SUPPLIES

P

Paper - Abrasive, Building, Roofing, Sand
Toilet
Pipe Compound & Tape
Pipe Wrenches - 12" & Smaller
Pliers - Regular & Sidecutter

W

Wrenches - Small sizes
Water

R

Rags
Rain Suits
Rasps - All Types
Respirators - Dust
Rope - Manila, Etc.
Rubbing Stone
Rules

S

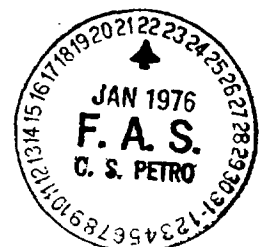
Safety Equipment, Incl. Hats, Glasses
Salt
Sand Blast Nozzles
Saw Blades - Hacksaws, Power
Scrapers - Paint
Screw Drivers - 12" and Smaller
Shims & Stock
Slings - Rope or wire
Soap
Soapstones
Solder
Stakes
Steel Tapes
Steel Wool
Stencils
Shackles
Scaffold Boards

T

Tape - Friction, Insulating, Masking
Taps - Bolt, Pipe
Tarpaulins
Thread Dope
Tips - Cutting & Welding
Triangles

W

Washers - Hose, Steel
Waste
Wedges
Welders' Hammers
Welders' Hoods
Welding Rods
Wheels - Wire Brush
Wire - Tie



CED0005985

EXHIBIT D
BERRY CONTRACTING, INC.
SCHEDULE OF CONSUMABLE SUPPLIES

A
Abrasives & Abrasive Wheels
Acetylene
Acids
Additives
Alcohol
Anti-Freeze
Aprons

B
Badges
Bags
Bands - Safety Hat
Barrels
Batteries - Flashlight & Dry Cell
Blades - Hacksaw
Boots - Rubber
Brooms
Brushes, Dope, Paint, Stencil, Wire
Buckets
Bulbs - Light
Bushings

C
Cable - Elec. (Not Welding)
Cans, Gasoline, Tar, Oil
Cardorundum Stones
Chalk & Chalk Lines
Checks, Payroll, Etc.
Chisels - Hand
Chokers
Clamps - Hose
Cleaners - Tip
Clips - Wire Rope
Coats - Rain
Connectors - Hose, Welding Cable
Coolers - Water
Couplings - Hose
Crescent Wrenches - 12" & Smaller
Cups
Cutters - Glass, Wheel

D
Demolition Points - Moil
Dies - Bolt, Conduit, Pipe
Discs - Cutting
Disinfectants
Drafting Tools & Equipment
Dressing - Bolt

D
Drift Pins
Drill Bits - All Types
Drums - Gas, Oil

E
Electrodes - Welding
Emery Cloth
Expanders - Tube Rolls &
Mandrels Only
Explosives
Extension Cords & Bulbs
Extractors - Screw
Electric Power

F
Files - All Types
Filters - Respirator
Fire Extinguisher Refills
First Aid Supplies
Flares
Flaring Tools - Hand for Copper
Tubing
Flashlights
Flints
Floats - Wood, Cove Finishing
Flux
Freight on Tools, Equipment,
Supplies, Material
Friction Tape
Fuel
Funnels
Fuses

G
Gasket Material
Gasoline
Gauges - Drill, Thickness, Wire
Glass - Goggle, Helmet
Gloves, Incl. Welding
Glue
Glycerine
Goggles
Graphite
Grease

H
Hacksaw Blades
Hammers - Welders'

EXHIBIT D
BERRY CONTRACTING, INC.
SCHEDULE OF CONSUMABLE SUPPLIES

H
Handles - Hand Tool
Hasps
Hats - Rain, Safety Inserts
Heaters - Office
Hinges
Holders - Electrode
Hole Saws
Hose - Steam, Water

I
Insecticides
Ice

K
Kerosene
Key Paste
Keys
Knives - Putty

L
Lamps - Electric
Lanterns
Lashings - Wire Rope
Lead
Lenses - Goggle, Helmet
Letters - Steel
Levels - Hand, Torpedo, Wood
Lighters - Friction
Locks
Lubricants - All Types
Lumber
Ladders

M
Mandrels
Moil Points
Mops

N
Nails
Nail Sets

O
Office Supplies
Oil - All Types
Okum
Oxygen

P
Packing Material
Padlocks
Pails
Paint
Paint Remover
Paper - Abrasive, Building,
Roofing, Sand, Toilet
Paper Towels
Pipe Compound & Tape
Pipe Wrenches - 12" and Smaller
Pliers - Regular & Sidecutter
Plumbing Fixture - Temporary
Plywood
Postage
Preservatives
Putty
Power

R
Rags
Rain Suits
Rasps - All Types
Respirators - Dust
Rope - Manila, Etc.
Rubbing Stone
Rules

S
Safety Equipment, Incl. Hats & Glasses
Salt
Sand Blast Nozzles
Saw Blades - Hacksaw, Power
Scrapers - Paint
Screw Drivers - 12" and Smaller
Screws
Shellac
Shims & Stock
Shuts - Cold
Slings - Rope or Wire
Soap
Soapstones
Solder
Stakes
Stamps
Steel Tapes
Steel Wool
Stencils

EXHIBIT D
BERRY CONTRACTING, INC.
SCHEDULE OF CONSUMABLE SUPPLIES

S

Shackles
Scaffold Boards

T

Tape - Friction, Insulating, Masking
Tapes - Steel
Taps - Bolt, Pipe
Tarpaulins
Telegraph
Telephone
Thread Dope
Time Cards
Tips - Cutting & Welding
Triangles
Trowels
Turpentine
Twine

W

Washers - Hose, Steel
Waste
Wedges
Welders' Hammers
Welders' Hoods
Welding Rod
Wheels - Wire Brush
Wire - Tie
Wrenches - Small Sizes
Water

10/1/74

Coastal States Petrochemical Co.

IRONWORKERS

LABOR RATE SCHEDULE
forCOASTAL STATES PETROCHEMICAL COMPANYCraft IRONWORKERS - ROP Effective 6-1-75 thru 9-30-75Straight
TimeOver
TimeDouble
Time

Ironworker

\$ 9.84

\$13.80

\$17.77

1st Pd. App. 60%

6.33

8.71

11.08

2nd Pd. App. 70%

7.22

10.00

12.77

3rd Pd. App. 75%

7.66

10.64

13.61

4th Pd. App. 80%

8.09

11.26

14.43

5th Pd. App. 85%

8.53

11.90

15.27

6th Pd. App. 90%

8.97

12.54

16.11

Superintendent

11.36

16.30

21.05

Gen. Foreman

11.22

15.81

20.40

Foreman

10.87

15.70

19.73

SEE CURRENT
IRONWORKERS SCHEDULE

Page 4

Coastal States Petrochemical Co.

[illegible]

LABOR RATE SCHEDULE
for

COASTAL STATES PETROCHEMICAL COMPANY

Craft IRONWORKERS - ~~STRUCTURAL~~ Effective 4-1-75 thru 5-31-75

	<u>Straight Time</u>	<u>Over Time</u>	<u>Double Time</u>
Ironworker	\$ 9.88	\$13.94	\$17.99
1st Pd. Apprentice 60%	6.29	8.72	11.15
2nd Pd. Apprentice 70%	7.19	10.03	12.87
3rd Pd. Apprentice 75%	7.64	10.68	13.73
4th Pd. Apprentice 80%	8.08	11.32	14.57
5th Pd. Apprentice 85%	8.54	11.99	15.44
6th Pd. Apprentice 90%	8.98	12.63	16.28
Superintendent	15.60	16.44	21.28
Gen. Foreman	11.26	15.94	20.62
Foreman	10.91	15.44	19.96

*SEE IRONWORKERS
SCHEDULE*

IRONWORKERS - STRUCTURAL

BERRY CONTRACTING, INC.

LABOR RATE SCHEDULE
for

Craft STRUCTURAL IRONWORKERS Effective 10-1-74 thru 3-31-75

CED0005993

CONSUMABLE SUPPLIES

CED0005978