



PLAINTIFF'S EXHIBIT

BIR-344

Memo To: Mr Anthony From: Mr Patenaude

Subject: PORT AUTHORITY LITIGATION Date: 11-5-87
OUR REF: 16,113-00
BIRD GUARANTEE BOND P-B/U 20-P742
BIRD GUARANTEE BOND 20-J-P-B/U 4498F

BIRD GUARANTEE BOND P-B/U 20-P742 - Bird Specification No 701-A

Owner: Port of New York Authority - Marine Terminal
Port Elizabeth, Bldgs. #225 and #226
New York, New York

Description of Building: Steel, Mortar and Block

Location: Marine Terminal
Port Elizabeth, New Jersey

Applied by: J P Patti Col, E. Rutherford, New Jersey

Date of Completion: March 17, 1967

Period of Guarantee: 20 years

Amount of Guarantee: \$10,335.00

Approx. Area Guaranteed: 2,067

Bird First Notice: October 15, 1987

Comments: The roof guarantee bond automatically terminates on March 17, 1987. Bird Incorporated no longer has any obligations, liabilities or responsibilities under the terms and conditions of this bond.

BIRD GUARANTEE BOND 20-J-P-B/U 4498F - Bird Specification No C-2MP and 20A

Owner: Port of New York Authority
111 Eighth Avenue
New York, New York

Description of Building: 1) Maintenance Building
2) Toll Building

Location: Newark Airport
Newark, New Jersey

Applied by: Max Bayroff Inc
Bayonne, New Jersey

PORT AUTHORITY LITIGATION
OUR REF: 16,113-00
11-5-87

2

BIRD GUARANTEE BOND 20-J-P-B/U 4498F - Cont.

Date of Completion: October 10, 1971

Period of Guarantee: 20 years

Amount of Guarantee: \$660.00

Approx. Area Guaranteed: 66 squares

Bird First Notice: October 15, 1987

Comments: As shown on the bond document, the owner may proceed to have emergency repairs made without invalidating the bond. The owner may wish to consider having the original roofing contractor, Max Bayroff Inc of Bayonne, New Jersey or any local, well established, reliable roofer, make the emergency repairs. Bird needs an inspection report of the roof's condition and the estimated cost to repair it.

We have enclosed a report form for the convenience of the roofing contractor in sending us the information needed. Please have the roofing contractor or knowledgeable roofing specialist fill out the report. When we receive this report, we will then be in a position to determine if the cost of repairs are covered under the terms and conditions of the Bird Roof Guarantee Bond.

We wish to call to owner's attention that the amount of guarantee on the face of the bond is \$660.00. This amount is the maximum amount available to make repairs under the terms and conditions of the bond. Repair costs beyond this amount are the owner's responsibility.

Clifford J. Patten and

CJP/bd

Enclosure

cc: Mr Hardy
Mr Maloof

BIRD 011305

ROOFING CONTRACTOR'S REPORT OF INSPECTION
BUILT-UP ROOFING

Bird Roof Guarantee No. 20-J-P-B/U 4498F

Roofing Installation Completed On October 10, 1971

Bird Specification No. C-2MP and 20A

Date of This Report _____

PART A. CONCLUSIONS

Based upon this inspection we conclude (please strike out non-applicable items):

1. Leaks were traced to the condition of the roofing membrane and will require a repair of _____ squares of roof area.
2. We propose to repair the required roof area as follows (please give full details):
3. The cost to make these repairs will be _____.
4. The leaks are not due to the roofing membrane, and the conditions causing leaks were explained to the building owner.
5. Other (please explain):

PART B. OBSERVATIONS

Conditions we found on this roof are (please answer yes or no on each item, or explain as required):

MEMBRANE

1. Splits are in the field of roof. _____
2. Field of roof splits are believed responsible for leaks. _____
3. Splits are in area that ponds water. _____
4. Blisters are in the field of roof. _____
5. Blisters are in area that ponds water. _____
6. Blisters in field of roof are broken. _____

ROOFING CONTRACTOR'S REPORT OF INSPECTION
BUILT-UP ROOFING
Page 3

5. There are bald spots (gravel, mineral granules, and/or surface coating is gone) in the surface of the roofing membrane. _____
6. There appears to be traffic on this roof (needed maintenance of equipment, or other reasons). _____
7. Additional information:

ROOFING CONTRACTOR: _____

INSPECTION MADE BY: _____

DATE OF ROOFING INSPECTION: _____

Please send this completed report to:

Built-Up Bond Department
c/o Mr. Clifford J. Patenaude
BIRD INCORPORATED
Norwood Roofing Plant
Pleasant Street
Norwood, MA 02062