

JOHN T. BRADY & COMPANY

GENERAL CONTRACTOR

92 NORTH AVENUE
NEW ROCHELLE, NEW YORK 10802

WA - 633-7800

April 5, 1972

Cypres Formed Steel Products, Inc.
784-790 East 139th Street
New York, N.Y. 10459

PROJECT NO-83
GENERAL CONSTRUCTION OF NEW PSYCHIATRIC
ADDITION TO METROPOLITAN HOSPITAL AT
2nd AVE. BET. 17th & 19th STS.
NEW YORK, N. Y.

Re:

Gentlemen:

The general contractor has a contract for the erection of a hospital for the City of New York.

A Sculpture has been purchased for the building and title for same is being passed to the City before it is affixed to the structure. This is an article of personal property being sold to a exempt political sub-division of New York State, therefore, it is not subject to New York State Sales Tax.

Very truly yours,

JOHN T. BRADY & COMPANY


STANLEY GOLNER
Controller

SG:fs

CC:

Tab, Job File
S.G., Skppg.

ENC.-1

*Received
4/7/72
PC*

New York State and Local Sales and Use Tax

To be completed
by purchaser and
given to and
retained by vendor.

Read instructions
on back of this
certificate.

CONTRACTOR EXEMPT PURCHASE CERTIFICATE

The vendor must collect the tax on a sale of tangible property or services unless the purchaser gives him a properly completed exemption certificate.

Enter name and address of vendor below. Include ZIP Code.

Cypress Formed Steel Products Inc.
704-790 E. 139th Street
New York, N.Y. 10459

DATE April 5, 1972

The undersigned hereby certifies that the purchases indicated below will be used on the following project:

Metropolitan Hospital <small>(DESCRIPTION OF PROJECT)</small>	located at
2nd Ave & 98th St., N.Y.C. <small>(ADDRESS OF PROJECT)</small>	for Department of Public Works <small>(PURCHASER'S NAME)</small>
Municipal Building, New York, N.Y. 10007 <small>(VENDOR'S ADDRESS)</small>	and are exempt from the sales or use tax

when purchased because (check appropriate box):

- a. the tangible personal property is for incorporation into the above project on a time and material or repair contract for an exempt organization.
- b. the tangible personal property is production machinery and equipment and will be incorporated into real property.
- c. the tangible personal property, including any production machinery and equipment, is for installation within the above project and will remain tangible personal property after installation.
- d. the services are in connection with the above project and will be resold.

SIGNATURE OF OWNER, PARTNER, OFFICER OF CORPORATION, ETC.

NAME OF PURCHASER

Henry J. Silber

JOHN T. BRADY & COMPANY

TITLE
Controller

STREET ADDRESS
92 North Avenue

Certificate of Authority
Identification Number of Purchaser

CITY STATE ZIP CODE
New Rochelle, N.Y. 10802

13-0517330

* **NOTICE TO VENDOR:** You shall recognize the exemption covered by paragraph (b) only for the purpose of the statewide sales or use tax and any local sales or use tax in this state except New York City. Therefore, even though paragraph (b) is checked, the vendor must collect the New York City sales or use tax on deliveries into New York City.

CAUTION: Contractors may not use this certificate to purchase or rent services, supplies or equipment which do not become part of the project.

See letter attached

INSTRUCTIONS

A contractor must be registered as a vendor with the Sales Tax Bureau in order to use properly a Contractor Exempt Purchase Certificate.

A Contractor Exempt Purchase Certificate may only be used by a contractor to claim exemption from tax on purchases of:

I. TANGIBLE PERSONAL PROPERTY

- (a) incorporated into real property under the terms of a time and material or repair contract with an exempt organization which has furnished him with a copy of its Exempt Organization Certificate, governmental purchase order or vouchers. A time and material contract is defined as a contract where the contractor sells materials to be incorporated into real property to an exempt organization for a stated price with title to the material vesting in the organization prior to installation and for another separately stated price agrees to provide the labor necessary for erection or installation of the materials; or
- (b) incorporated into real property and in production machinery and equipment for which he holds an Exempt Use Certificate from his customer. The exemption from tax under this paragraph is limited to the state-wide sales and use tax and any sales or use tax imposed by a locality in this state except the tax imposed by New York City. A contractor who accepts delivery or takes possession of production machinery in New York City is liable for the payment of the New York City sales tax but may claim a refund of that tax if the machinery is incorporated into real property outside of New York City. Also, a contractor who takes possession of production machinery outside New York City and then incorporates the machinery into real property in New York City is liable for the payment of the New York City use tax; or
- (c) installed or placed in the project in such a way as to remain tangible personal property after installation and on which a sales tax will be collected from the customer, unless the contractor receives a properly completed exemption certificate. If the tangible personal property is production machinery and equipment and is installed in New York City, the contractor must collect the New York City tax on the selling price of the machinery and collect the state and local tax on the installation charges. If the tangible personal property installed is other than production machinery the contractor must collect the state and local sales tax on both the selling price and charges for installation.

II. SERVICES

- (d) 1. for the installing of tangible personal property which does not become a part of the real property after installation; or
2. for the repair of real property.

NOTE: The purchases of these services for resale will occur in transactions between prime contractors and subcontractors or between a subcontractor and his subcontractor. The retail seller of the services, generally the prime contractor, is required to charge the appropriate tax on the total contract price, unless presented with a properly completed exemption certificate.

The purchases for which an exemption is claimed must be incorporated into the project shown on the front of this certificate.

Purchaser orders on which an exemption from the sales or use tax is claimed, by reason of this certificate, must contain the same address of the project as shown on front for which the purchases are intended.

Invoices, sales or delivery slips must contain the same address of the project as shown on front on which the exempt purchases will be used or performed.

A separate Contractor Exempt Purchase Certificate must be used for each project.

All projects which constitute a capital improvement to real property must be substantiated by a Certificate of Capital Improvement unless performed for a governmental agency.

To be in proper form, this certificate must have all required entries completed by the purchaser. Failure by a vendor to collect tax, as a result of his acceptance of an improperly completed Contractor Exempt Purchase Certificate, makes him personally liable for the tax, and subject to a penalty of five percent thereof, plus interest of one percent per month. Misuse of a Contractor Exempt Purchase Certificate by a purchaser subjects him to penalties and interest in addition to the tax.