

Meridian

July 30, 1973

8/13/73 *As is letter signed
w/ longer valid*

B-919

Commissioner H. Simins, P.E.
Department of Public Works
Municipal Building
New York, New York 10007

Subject: Status of the Monumental Sculpture
for New Bellevue Hospital Center

Dear Commissioner Simins:

The progress on the Rhoden monumental sculpture has come to a complete halt due to the city's failure to meet the contractual payment schedule. The payment schedule which has not been met is section nine (9) of Rhoden's contract and reads precisely as follows:

9. The Sculptor shall be paid the sum of ninety-five thousand Dollars (\$95,000.00) in the following manner:
 - a) \$ 9,500 - advance payment upon execution of this Agreement
 - b) \$ 9,500 - upon approval of the small-scale model by the Commissioner of Public Works and the Art Commission
 - c) \$19,000 - when the working model (approx. 1/6 scale) is completed, and approved by the Art Commission
 - d) \$19,000 - when the full-scale wax model is completed by the foundry
 - e) \$19,000 - when the casting is completed at the foundry, ready for delivery
 - f) \$ 9,500 - when the sculpture is received ready for erection at the site

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- g) \$ 9,500 - when the Art Commission gives final approval of the installation of the sculpture.

As security for the faithful performance of this contract, the Contractor shall deduct, and retain until final payment, 10% of the value of the work certified for payment in each partial payment voucher, until the amount so deducted and retained shall equal 5% of the contract price. Said retained amount shall be paid in full to the Sculptor within ten (10) days of receipt of such retained amount, or portions thereof, by the Contractor from the City.

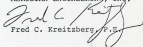
At this time, the sculpturer has completed the first four (4) phases of his contract (\$57,000). However, only funds for the first two phases have been released (\$19,000). We have been informed that the foundry will not cast the sculpture until they receive payment for the work already completed.

It is our understanding that the comptroller's office continues to withhold payments in spite of your letter to Mr. Prawzinsky of May 3, 1973.

Your assistance in resolving what differences there might be most definitely would expedite the completion of this item.

Very truly yours,

MERIDIAN ENGINEERING, INC.


Fred C. Kreitzberg, P.E.

MM/mu

cc: D/Commissioner Daniels ✓
N. Rutkin
E. Brunjes