



New York State
**PUBLIC EMPLOYEES
FEDERATION AFL-CIO**

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June 7, 2010

OFFICERS:

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Mr. Joseph Fisch
State Inspector General
Empire State Plaza
Agency Building 2, 16th Floor
Albany, NY 12223

Dear Inspector General Fisch:

REGIONAL COORDINATORS:

Kevin Hintz
Region 1

Bonnie Wood
Region 2

John Prince
Region 3

Donald Kehoskie
Region 4

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Region 5

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Region 6

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Region 7

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Neila Cardus
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Region 10

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Region 11

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Region 12

TRUSTEES:

Gail Noble
Adam Sumlin
Olubiyi Sehindemi



New York State government employees, by the terms of Executive Law Article 4-A have an obligation to report to your office any information regarding alleged, conflicts of interest by another State employee or a person having business dealings with the State. Many of our members that work for the Department of Transportation in various offices across the state have brought to our attention a possible conflict of interest involving the contracting process used by DOT management for the hiring of consultant engineers and related professions. Our members claimed that a number of former high level DOT managers now work for consultant engineering companies that have major contracts with DOT.

For over two decades reports by the Office of the State Comptroller, KPMG, under contract with DOT, the Fiscal Policy Institute, and PEF have found that the State could save millions annually by hiring state employees to do work that is currently contracted out by DOT to private engineering consulting firms.. Recently the Governor's Task Force on Personal Services Contracting found that despite the fact that millions could be saved by reducing their reliance on outside consultants that DOT now contracts out 60% of its engineering work. State DOT management provided the Task Force with unsubstantiated excuses as to why they could not reduce contracting out including their claim that they did not want the private sector to lose its capacity to provide engineering services to DOT.

Despite their lower cost the state has significantly reduced its number of state employee engineers since 1994 when it had 4,301 DOT state employees in engineering titles. Today DOT has 3,228 state employees in engineering titles or 1,073 less than they did in 1994. In 1990, after the Comptroller released his first audit finding consultant waste in DOT, Commissioner Egan agreed to hire 600 additional state employee engineers for a total DOT state employee engineering workforce of 4,600. This agreement was never completely implemented by DOT. During this same time period spending on outside consultant firms has significantly increased. Since 2003 DOT has increased its spending on consultants by more than \$78 million (25%), \$58 million of which is for engineering related work. We believe it is no coincidence that outside engineering firms have hired a large number of former high level DOT managers during this time period.

PEF does not have access to the personnel, contracting, and e-mail records necessary to determine the number of high level DOT managers that now work with engineering firms that have contracts with DOT and whether these relationships improperly influence DOT's decision to contract with these engineering firms. We do know that DOT could save between \$55 and \$85

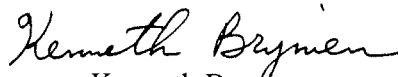
Inspector General Fisch
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million a year if it replaced between half and 90 percent of its engineering consultants with state employee engineers. State taxpayers deserve a full and impartial investigation as to whether conflict of interests in DOT's contracting process with private consultant engineering firms have resulted in the waste of tens of millions of state tax payer dollars annually.

We have attached a list of former DOT managers, the engineering firms they currently work for, and the contracts these forms currently have with DOT and other state agencies. This is not an exhaustive list and we expect to receive from our members more names of former DOT managers who currently work for engineering firms that have contracts with DOT.

Thank you for your consideration; I will be happy to speak to you and provide your office with any additional information PEF may have to help your investigation of this serious problem.

Sincerely,


Kenneth Brymen
President

Attachments

**Ex-DOT Region 7, Regional Director, James Carrigan, PE
CLOUGH HARBOUR & ASSOCIATES, LLP**

Vendor Name	Agency Name	Contract Number	Current Contract Amount	Spending to Date	Contract Start Date	Contract End Date	Contract Description	Contract Type	Original Contract Approval Date
CLOUGH HARBOUR & ASSOCIATES	College at Cortland	T000492	\$249,845.00	\$199,876.00	12/01/2008	12/31/2010	LUSK FIELD HOUSE RENOVATION PROJECT # 2008095 - CONSULTANT SERVICES	Small Dollar Contract	01/08/2009
CLOUGH HARBOUR & ASSOCIATES	College at Morrisville	T400274	\$80,760.00	\$2,759.40	03/04/2010	08/31/2010	WASTEWATER TREATMENT FACILITY PROGRAM STUDY	Small Dollar Contract	03/04/2010
CLOUGH HARBOUR & ASSOCIATES	College at Oswego	T000215	\$229,548.40	\$39,898.65	06/11/2009	06/10/2010	ARCHITECTURAL SERVICES FOR REHABITATE ROMNEY FIELD HOUSE PROJECT # 10347	Small Dollar Contract	07/08/2009
CLOUGH HARBOUR & ASSOCIATES	Department of Transportation	D010372	\$2,222,000.00	\$1,128,612.05	06/15/2000	12/31/2011	HIGHWAY DESIGN SCOPING & PHASES 1-IV I-87 EXIT 3 COLONIE, ALBANY COUNTY	Consultant	09/07/2000
CLOUGH HARBOUR & ASSOCIATES LLP	Department of Transportation	D008528	\$1,703,000.00	\$1,659,343.61	03/06/1997	12/31/2012	HIGHWAY DESIGN PHASE 1-VI GLENRIDGE ROAD TO MAPLE SARATOGA & SCHENECTADY COUNTIES	Consultant	03/06/1997
CLOUGH HARBOUR & ASSOCIATES LLP	Department of Transportation	D010128	\$954,675.00	\$918,467.94	06/26/1998	06/30/2014	AE SERVICES SCOPING BATCHELLERVILLE BRIDGE EDINBURG, SARATOGA COUNTY	Consultant	06/26/1998
CLOUGH HARBOUR & ASSOCIATES LLP	Department of Transportation	D010317	\$806,000.00	\$781,872.91	10/15/2000	06/30/2009	DESIGN REPLACEMENT OF THREE BRIDGES NY ROUTE 17 EXIT 126 ORANGE COUNTY	Consultant	06/01/2001
CLOUGH HARBOUR & ASSOCIATES LLP	Department of Transportation	D010409	\$2,827,000.00	\$2,826,831.32	07/12/2000	09/30/2009	HWY DES & FINAL DES SERV FOR PH I-IV TO REHAB HAMBURG, ERIE COUNTY	Consultant	08/03/2000
CLOUGH HARBOUR & ASSOCIATES LLP	Department of Transportation	D010415	\$1,400,000.00	\$672,260.26	06/01/2000	12/31/2010	BR REP PE & FNL DES PH I-IV DUTCHESS ORANGE & ULSTER COS	Consultant	07/10/2000
CLOUGH HARBOUR & ASSOCIATES LLP	Department of Transportation	D015147	\$1,635,000.00	\$1,023,855.91	10/01/2002	12/31/2012	NY ROUTE 5 TRAFFIC CALMING PROJECT TOWN OF HAMBURG, ERIE COUNTY	Consultant	10/30/2002
CLOUGH HARBOUR & ASSOCIATES LLP	Department of Transportation	D015261	\$760,000.00	\$442,090.75	09/01/2003	12/31/2012	BRIDGE REPLACEMENT RTE 32 OVER MOHAWK RIVER ALBANY & SARATOGA COUNTIES	Consultant	08/11/2003
CLOUGH HARBOUR & ASSOCIATES LLP	Department of Transportation	D015513	\$455,000.00	\$362,582.80	02/01/2006	12/31/2010	DESIGN SERVICES PH 1-IV VEHICLE INSPEC FACILITY CHAMPLAIN BORDER CROSSING, CLINTON COUNTY	Consultant	03/29/2006
CLOUGH HARBOUR & ASSOCIATES LLP	Department of Transportation	D025300	\$1,680,000.00	\$1,671,196.24	01/01/2006	12/31/2012	HWAY DESIGN AREA BACKDROP TERM AGREEMENT REGIONS 1,8 & 9	Consultant	04/19/2006
CLOUGH HARBOUR & ASSOCIATES LLP	Department of Transportation	D025510	\$787,000.00	\$775,230.12	01/01/2006	12/31/2012	TRAFFIC ENGINEERING & PLANNING BACKDROP AGREEMENT REGIONS 1 - 9	Consultant	04/10/2006
CLOUGH HARBOUR & ASSOCIATES LLP	Department of Transportation	D030706	\$3,230,000.00	\$0.00	01/01/2010	03/31/2012	BIENNIAL & INTERIM BRIDGE INSPECTION REGION 9	Consultant	03/03/2010
CLOUGH HARBOUR & ASSOCIATES LLP	Department of Transportation	D030853	\$5,318,000.00	\$0.00	03/01/2010	03/01/2013	FINAL DESIGN FOR HIGH SPEED RAIL DOUBLE TRACK LINE ALBANY TO SCHENECTADY	Consultant	03/30/2010

**Ex-DOT Region 7, Regional Director, James Carrigan, PE
CLOUGH HARBOUR & ASSOCIATES, LLP**

Vendor Name	Agency Name	Contract Number	Current Contract Amount	Spending to Date	Contract Start Date	Contract End Date	Contract Description	Contract Type	Original Contract Approval Date
CLOUGH HARBOUR & ASSOCIATES LLP	Department of Transportation	T900255	\$17,500.00	\$17,500.00	06/06/2006	12/31/2015	CR 151 ALBANY SHAKER ROAD ALBANY COUNTY MAPS 208, 209 PARCELS 221, 222	Small Dollar Contract	06/14/2006
CLOUGH HARBOUR & ASSOCIATES LLP	Department of Transportation	T900318	\$15,000.00	\$0.00	12/18/2008	12/31/2013	SH 5165 LONG COVE-HAVERSTRAW ROCKLAND COUNTY MAPS 40-42, 49-50 PARCELS 63-65, 72-75	Small Dollar Contract	12/22/2008
CLOUGH HARBOUR & ASSOC	Department of Transportation	D003539	NA	\$0.00	08/14/1987	12/31/2020	MISC. REVOLVING RETAINAGE	Consultant	11/01/1987
CLOUGH HARBOUR & ASSOCIATES	New York State Thruway Authority	D213569	\$1,000,000.00	\$0.00	06/01/2006	06/30/2010	AE SERVICES VALUATION OF ALL THRUWAY BRIDGES STATEWIDE	Consultant	07/11/2006
CLOUGH HARBOUR & ASSOCIATES LLP	New York State Thruway Authority	D213876	\$320,000.00	\$0.00	06/05/2009	01/31/2011	CI TOLL LANE REHAB INTERCHANGES 45 & 46 BUFFALO DIVISION	Consultant	08/25/2009
CLOUGH HARBOUR & ASSOCIATES LLP	Office of General Services	CM5112A	NA	\$0.00	08/28/2001	12/31/2010	COMPUTER CONSULTING, SYSTEM INTEGRATION & TRAINING	Consultant	08/28/2001
CLOUGH HARBOUR & ASSOCIATES LLP	Office of General Services - Design & Construction	D053499	\$2,000,000.00	\$827,330.00	03/03/2008	03/02/2011	SECURITY SYSTEMS DESIGN CFS LOCATIONS STATEWIDE	Consultant	03/03/2008
CLOUGH HARBOUR & ASSOC LLP	Office of General Services - Design & Construction	D052547	\$6,000,000.00	\$5,211,624.00	11/17/2006	08/20/2012	ARCHITECT & ENGINEERING TERM AGREEMENT	Consultant	11/17/2006
CLOUGH HARBOUR & ASSOC LLP	Office of General Services - Design & Construction	D050138	\$7,500,000.00	\$7,166,787.00	01/30/2004	08/15/2011	ARCHITECT & ENGINEERING TERM AGREEMENT STATEWIDE	Consultant	01/01/2004
CLOUGH HARBOUR & ASSOCIATES LLP	Office of General Services - Design & Construction	D052411	\$1,500,000.00	\$1,141,151.00	10/20/2006	12/21/2010	ENVIRONMENTAL ENGINEERING SERVICES STATEWIDE	Consultant	10/20/2006
CLOUGH HARBOUR & ASSOCIATES LLP	Office of General Services - Design & Construction	D052693	\$1,000,000.00	\$315,339.00	02/08/2007	02/07/2010	STRUCTURAL ENGINEERING SERVICES STATEWIDE	Consultant	02/08/2007
CLOUGH HARBOUR & ASSOCIATES LLP	Office of General Services - Design & Construction	D053218	\$3,000,000.00	\$340,714.00	08/22/2008	08/22/2013	DESIGN SERVICES FOR OMH SECURITY CONSIDERATIONS STATEWIDE	Consultant	08/22/2008
CLOUGH HARBOUR & ASSOCIATES LLP	Office of General Services - Design & Construction	D053504	\$2,000,000.00	\$1,028,564.00	03/28/2008	03/28/2011	INFRASTRUCTURE & SITE ENGINEERING CHILDREN & FAMILY SERVICES LOCATIONS STATEWIDE	Consultant	03/28/2008
CLOUGH HARBOUR & ASSOCIATES LLP	Office of General Services - Design & Construction	D053804	\$500,000.00	\$187,376.00	06/02/2008	06/01/2011	GEOTECHNICAL ENGINEERING & LAB TESTING STATEWIDE	Consultant	06/02/2008
CLOUGH HARBOUR & ASSOCIATES LLP	Office of General Services - Design & Construction	D054881	\$2,000,000.00	\$21,916.00	01/28/2010	01/27/2013	ENGINEERING & ARCHITECTURAL SERVICES STATEWIDE	Consultant	01/29/2010
CLOUGH HARBOUR LLP	Office of Homeland Security	T003031	\$20,000.00	\$20,000.00	12/15/2009	12/14/2010	INSTRUCTOR LED TRAINING ON CRITICAL INFRASTRUCTURE RESPONSE INFORMATION SYSTEM (CIRIS)	Small Dollar Contract	12/14/2009
CLOUGH HARBOUR & ASSOC LLP	Office of Parks Recreation & Historic Preservation	D003690	\$1,755,500.00	\$695,552.53	03/25/2008	03/24/2011	DESIGN SERVICES PALISADES, SARATOGA & TACONIC REGIONS	Consultant	03/25/2008
CLOUGH HARBOUR & ASSOC LLP	Office of Parks Recreation & Historic Preservation	D003898	\$1,000,000.00	\$0.00	10/28/2009	10/27/2012	DESIGN SERVICES CENTRAL, FINGER LAKES & THOUSAND ISLAND REGIONS	Consultant	10/28/2009

**Ex-DOT Region 7, Regional Director, James Carrigan, PE
CLOUGH HARBOUR & ASSOCIATES, LLP**

Vendor Name	Agency Name	Contract Number	Current Contract Amount	Spending to Date	Contract Start Date	Contract End Date	Contract Description	Contract Type	Original Contract Approval Date
CLOUGH HARBOUR & ASSOCIATES	Office of Parks Recreation & Historic Preservation	D003367	\$500,000.00	\$83,844.12	06/22/2006	06/21/2009	PROFESSIONAL SURVEYING SERVICES STATEWIDE PARK REGIONS	Consultant	06/22/2006
CLOUGH HARBOUR & ASSOC LLP LLP	State University Construction Fund	D005103	\$580,000.00	\$399,373.69	11/09/2005	11/08/2010	SUCF 07496 ATHLETIC FIELDS PHASE I SUNY BINGHAMTON	Consultant	12/08/2005
CLOUGH HARBOUR & ASSOCIATES LLP	State University Construction Fund	D005467	\$1,632,000.00	\$460,588.12	02/19/2009	02/19/2014	SUCF 06342 REHAB & RENOVATE STADIUM SUNY GENESEO	Consultant	02/19/2009
CLOUGH HARBOUR & ASSOCIATES LLP	State University Construction Fund	D004929	\$788,106.00	\$409,767.22	02/28/2005	01/31/2011	REGIONAL ENGINEERING BACKDROP TERM SUCF 808N2 EAST REGION	Consultant	02/28/2005
CLOUGH HARBOUR & ASSOCIATES LLP	State University Construction Fund	D005022	\$321,832.60	\$321,832.60	05/27/2005	05/27/2010	SUCF 05269 SITE/INFRASTRUCTURE RENOVATIONS	Consultant	06/27/2005
CLOUGH HARBOUR & ASSOCIATES LLP	State University Construction Fund	D005093	\$441,550.00	\$392,329.11	08/30/2005	08/29/2010	REPLACE HTHW & CW - PHASE 2 SUCF #11253 SUNY PLATTSBURGH	Consultant	11/18/2005
CLOUGH HARBOUR & ASSOCIATES	SUNY at Albany	D0A0633	\$736,630.90	\$736,630.90	01/11/2005	06/30/2009	ATHLETIC ARTIFICIAL TURF DESIGN SERVICES SUNY ALBANY CAMPUS	Consultant	06/07/2005
CLOUGH HARBOUR & ASSOCIATES LLP	SUNY at Albany	D0A2030	NA	\$0.00	04/20/2009	04/20/2012	CIVIL ENGINEERING SERVICES BACKDROP TERM AGREEMENT SUNY ALBANY	Consultant	04/21/2009
SUM:			\$58,965,948	\$32,283,097					

Source: Open Book New York, Office of the State Comptroller, June 2010.

Ex-DOT Region 7, Regional Landscape Architect, James Tinney

BARTON & LOGUIDICE PC

Vendor Name	Agency Name	Contract Number	Current Contract Amount	Spending to Date	Contract Start Date	Contract End Date	Contract Description	Contract Type	Original Contract Approval Date
BARTON & LOGUIDICE PC CONSULTING ENGINEERS	College at Cortland Department of Transportation	T000475	\$31,000.00	\$17,000.00	04/01/2008	12/31/2009	DESIGN SERVICES AND CONSTRUCTION ADMINISTRATION - MULTI BUILDING RHD STAND ALONE HEATING/COOLING	Small Dollar Contract	04/02/2008
BARTON & LOGUIDICE P C	Department of Transportation	D025402	\$2,207,000.00	\$1,696,123.27	01/01/2006	12/31/2012	HWAY DESIGN AREA BACKDROP TERM AGREEMENT REGIONS 2, 3 & 7	Consultant	04/19/2006
BARTON & LOGUIDICE PC	Department of Transportation	D025525	NA	\$0.00	05/01/2007	12/31/2012	CI AREA BACKDROP TERM AGREEMENT REGIONS 3, 4, 5, & 6	Consultant	08/01/2007
BARTON & LOGUIDICE PC	Department of Transportation	D015264	\$547,500.00	\$526,855.38	07/01/2003	06/30/2009	BRIDGE REPLACEMENT PRELIMINARY AND FINAL DESIGN CORTLAND, CORTLAND COUNTY	Consultant	10/10/2003
BARTON & LOGUIDICE P C	New York State Thruway Authority	D213351	\$3,000,000.00	\$0.00	01/20/2005	06/30/2010	DESIGN SUPPORT SERVICES TERM AGREEMENT SYRACUSE DIVISION	Consultant	04/29/2005
BARTON & LOGUIDICE PC	New York State Thruway Authority	D213595	\$1,100,000.00	\$0.00	08/22/2006	11/01/2009	CONSTRUCTION INSPECTION TAS 06- 38/D213584 SYRACUSE DIVISION	Consultant	11/17/2006
BARTON & LOGUIDICE PC	New York State Thruway Authority	D213696	\$570,000.00	\$0.00	08/01/2007	12/30/2009	CI FOR TAS 07-28 SAFETY IMPROVEMENTS MILEPOSTS 210.0 - 220.0 SYRACUSE DIVISION	Consultant	12/17/2007
BARTON & LOGUIDICE PC	New York State Thruway Authority	D213869	\$1,530,000.00	\$0.00	01/01/2010	07/30/2011	CONSTRUCTION INSPECTION SYRACUSE DIVISION	Consultant	02/22/2010
BARTON & LOGUIDICE PC	New York State Thruway Authority	D213915	\$2,000,000.00	\$0.00	03/01/2010	08/31/2014	ENVIRONMENTAL SERVICES STATEWIDE	Consultant	03/22/2010
BARTON & LOGUIDICE P C	Office of Parks Recreation & Historic Preservation	D003681	\$1,000,000.00	\$524,489.51	03/13/2008	03/12/2011	A/E SERVICES TERM AGREEMENT CENTRAL FINGER LAKES AND TACONIC PARK REGIONS	Consultant	03/13/2008
BARTON & LOGUIDICE P C	Office of Parks Recreation & Historic Preservation	D003689	\$1,155,000.00	\$625,362.40	03/05/2008	03/04/2011	AE SERVICES TERM AGREEMENT PALISADES SARATOGA TACONIC STATE PARKS REGIONS	Consultant	03/05/2008
BARTON & LOGUIDICE PC	Office of Parks Recreation & Historic Preservation	D003277	\$600,000.00	\$513,410.07	08/08/2005	05/07/2010	A/E SERVICES - TERM FINGER LAKES CENTRAL & THOUSAND ISLANDS SP REGIONS	Consultant	08/08/2005
BARTON & LOGUIDICE PC	Office of Parks Recreation & Historic Preservation	D003460	\$600,000.00	\$499,002.21	08/04/2006	08/03/2010	A/E SERVICES TERM CONTRACT	Consultant	08/04/2006

SUM: \$14,340,500 \$4,402,243

Source: Open Book New York, Office of the State Comptroller, June 2010.

Ex-DOT Commissioner, Thomas J. Madison, Jr.
 Ex-DOT Deputy Commissioner, Lisa Connors Wright
 Ex-DOT Chief Engineer, John Shafer

SPECTRA ENGINEERING ARCHITECTURE & SURVEYING PC

Vendor Name	Agency Name	Contract Number	Current Contract Amount	Spending to Date	Contract Start Date	Contract End Date	Contract Description	Contract Type	Original Contract Approval Date
SPECTRA ENGINEERING ARCHITECTURE & SURVEYING PC	Department of Transportation	D030513	\$2,235,000.00	\$1,753,051.15	01/01/2008	03/31/2010	BRIDGE INSPECTION SERVICES REGIONS 3 & 7	Consultant	03/06/2008
SPECTRA ENGINEERING ARCHITECTURE & SURVEYING PC	Department of Transportation	D030701	\$2,330,000.00	\$0.00	01/01/2010	03/31/2012	BIENNIAL & INTERIM BRIDGE INSPECTION REGIONS 3 & 7	Consultant	03/04/2010
SPECTRA ENGINEERING ARCHITECTURE & SURVEYING PC	New York State Canal Corporation	D213494	\$1,660,000.00	\$0.00	03/13/2006	12/31/2009	ABOVE WATER INSPECTION SERVICES FOR CANAL CORP STATEWIDE	Consultant	04/04/2006
SUM:			\$6,225,000	\$1,753,051					

Source: Open Book New York, Office of the State Comptroller, June 2010.

**Ex-DOT Region 7, Regional Design Engineer, William Ferguson
JOSEPH C LU ENGINEERING & LAND SURVEYING PC (LU ENGINEERS)**

Vendor Name	Agency Name	Contract Number	Current Contract Amount	Spending to Date	Contract Start Date	Contract End Date	Contract Description	Contract Type	Original Contract Approval Date
LU ENGINEERS	Department of Transportation	D009113	\$50,000	\$0	09/27/1994	12/31/2020	REVOLVING RETAINAGE	Construction	10/28/1994
JOSEPH C LU ENGINEERING & LAND SURVEYING PC	Department of Transportation	D030618	\$400,000	\$1,500	04/15/2009	03/15/2014	DESIGN STORMWATER MANAGEMENT SYSTEMS REGIONS 1, 2, 7 & 9	Consultant	05/14/2009
JOSEPH C LU ENGINEERING AND LAND SURVEYING PC	Department of Transportation	D030663	\$1,000,000	\$73,909	06/17/2009	12/31/2011	CONSTRUCTION INSPECTION REGION 7	Consultant	06/17/2009
JOSEPH C LU ENGINEERING AND LAND SURVEYING PC	Department of Transportation	D015470	\$1,715,000	\$1,658,421	10/15/2004	09/30/2010	CONSTRUCTION INSPECTION RTE 104 I390 TO ELMGROVE GREECE, MONROE COUNTY	Consultant	03/02/2005
JOSEPH C LU ENGINEERING AND LAND SURVEYING PC	Department of Transportation	D030563	\$705,000	\$366,681	06/15/2008	12/31/2010	BRIDGE REPLACEMENT RTS 69 & 26 OVER RTS 365 & 26 ROME, NEW YORK	Consultant	06/30/2008
			SUM:	\$3,870,000					

SUM: \$3,870,000 \$2,100,511

Source: Open Book New York, Office of the State Comptroller, June 2010.