

## **EXHIBIT C: STATEMENT OF BOVIS LEND LEASE LMB, INC.**

Over the last fifteen months, Bovis has cooperated with the District Attorney's investigation into the August 18, 2007 fire at 130 Liberty Street that resulted in the tragic deaths of Firefighters Joseph Graffagnino and Robert Beddia. Concurrent with our cooperation with the official investigation, Bovis has engaged in an extensive internal review of its performance of the demolition and abatement conducted at 130 Liberty Street.

The 130 Liberty Street project has been, and continues to be, one of the most complicated abatement and demolition projects ever undertaken in New York City and has been carried out under the strict scrutiny of city, state and federal regulators. Nevertheless, the District Attorney's investigation has disclosed failures on the part of certain Bovis employees that are deeply troubling.

The investigation revealed, among other things, that a 42-foot section of the building's standpipe was removed months prior to the August 18<sup>th</sup> fire, and that the inoperability of the standpipe contributed to the conditions that led to the deaths of the two firefighters. Inspections that could have uncovered the gap in the standpipe were not conducted, by among others, Bovis' Site Safety Manager. In addition, the standpipe was not tested in the months leading to the fire. Such testing would have revealed that it was not in working order.

As set forth in more detail in its agreement with the District Attorney, Bovis does not challenge the factual conclusions of the District Attorney's office that Bovis' Site Safety Manager failed to maintain the standpipe, as was his and Bovis' obligation, and that a number of Bovis' Site Superintendents failed to properly supervise our Site Safety Manager. The Site Safety Manager and certain Site Superintendents have been terminated by Bovis.

Bovis regrets the failures that contributed to the deaths of Firefighters Beddia and Graffagnino. We recognize that nothing can bring them back and that their families have suffered terribly.

In order that something positive come out of this tragedy, Bovis pledges to institute reforms to enhance safety on all Bovis sites in New York City. Along those lines, Bovis has agreed to implement significant new safety measures and processes to ensure that first responders, construction workers, and surrounding communities will benefit from the lessons learned from the investigation into the fire at 130 Liberty Street. These new measures, outlined in the attached agreement entered into with the District Attorney's office, go beyond what is required by construction codes in effect today. It is our hope and determination that the implementation of these measures will make Bovis a leader in insuring safety and integrity in the construction industry.