


| UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF TEXAS | | PROOF OF CLAIM |
|---|---|---|
| Name of Debtor: (Check Only One): <input type="checkbox"/> Opus West Corporation <input checked="" type="checkbox"/> Opus West Construction Corporation <input type="checkbox"/> O.W. Commercial, Inc. <input type="checkbox"/> Opus West LP <input type="checkbox"/> Opus West Partners, Inc. | | Case Number: 09-34360-11 Re-designated as 09-34360-HDH-11 |
| NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. All other requests for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503. | | |
| Name of Creditor (the person or other entity to whom the debtor owes money or property): BP Equipment Co. 805 Clear Creek Avenue League City, Texas 77573 | | <input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim. Court Claim Number: <i>(If known)</i> Filed on: |
| Name and address where notices should be sent: c/o Gary B. Kivell, Attorney at Law 622 West Main Street, League City, Texas 77573 Telephone Number: 281.332.1400 - email RFuhr@aol.com | | <input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input type="checkbox"/> Check this box if you are the debtor or trustee in this case. |
| Name and address where payment should be sent (if different from above): BP Equipment Co. 805 Clear Creek Avenue League City, Texas 77573 Telephone number: 281.332.1400 | | FILED OCT 09 2009 TAWANA C. MARSHALL, CLERK U.S. BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS |
| 1. Amount of Claim as of Date Case Filed: \$ <u>58,637.80</u> BMC GROUP If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4. If all or part of your claim is entitled to priority, complete item 5. <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges. | | 5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount. Specify the priority of the claim. <input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B). <input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. §507 (a)(4). <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. §507 (a)(5). <input type="checkbox"/> Up to \$2,425 of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. §507 (a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. §507 (a)(8). <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. §507 (a)(). Amount entitled to priority: \$ |
| 2. Basis for Claim: <u>services performed and materials and equipment</u> (See instruction #2 on reverse side.) <u>furnished</u> | | FOR COURT USE ONLY OPUS WEST  00280 |
| 3. Last four digits of any number by which creditor identifies debtor: _____ 3a. Debtor may have scheduled account as: _____ (See instruction §3a on reverse side). | | |
| 4. Secured Claim (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information. Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Equipment <input type="checkbox"/> Other Value of Property: \$ _____ Annual Interest Rate _____ % Amount of arrearage and other charges as of time case filed included in secured claim, if any: \$ _____ Basis for perfection: _____ Amount Unsecured: \$ _____ | | |
| 6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim. 7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements or running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction 7 and definition of "redacted" on reverse side.) DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain: _____ | | |
| Date: <u>Sept. 29 2009</u> | Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any. <u>Robert L Hall</u> President | |

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

Modified B10 (GCC) (12/08)

Robert L. Hall

Robert L. Hall, Inc.
dba B P Equipment Company
Opus West Constuction Corporation

Balance Due Report
September 9, 2009

| Type | Date | Num | Memo | Pay Meth | Amount |
|-----------------------------------|------------|-----------|------------------------|----------|------------------|
| Invoice | 02/05/2009 | 12280 | | | 34,490.14 |
| Invoice | 02/05/2009 | 12282 | | | 3,832.05 |
| Invoice | 03/16/2009 | 12674 | | | 1,667.05 |
| Invoice | 04/14/2009 | 12852 | | | 21,042.83 |
| Invoice | 04/14/2009 | 12852 Ret | | | 2,554.70 |
| Payment | 06/04/2009 | 520000014 | 12280, Partial Payment | Check | -4,948.97 |
| Balance due as of 9/9/2009 | | | | | 58,637.80 |



Invoice

805 Clear Creek Avenue
League City, TX 77573

| | |
|----------|-----------|
| Date | Invoice # |
| 2/5/2009 | 12280 |

| |
|--|
| Bill To |
| Opus West Construction Corporation 15455 North Dallas Pkwy, Ste 450 Addison, TX 75001 |

| |
|---|
| Ship To |
| Energy Crossing Spec Office 15021 Katy Freeway Houston, TX 77094 Contract 10592.11 |

| P.O. No. | Terms | Due Date | Rep | Ship Via | Ship Date | S.O. No. |
|---|--------|----------|-----|-----------|------------|----------|
| CO1 | Net 30 | 3/7/2009 | TL | Our Truck | 2/5/2009 | |
| Description | | | Qty | Rate | Amount | |
| FAPD Barrier Gate G90 CD 120V LH, White Cabinet | | | 8 | 2,852.19 | 22,817.52T | |
| Gate Arm, Folding ADA 10', left hand G90 | | | 8 | 292.12 | 2,336.96T | |
| Config Pkg, CD Gate, Standard programming | | | 8 | 119.26 | 954.08T | |
| Surge suppressor | | | 8 | 56.00 | 448.00T | |
| Sensor Loops | | | 16 | 200.00 | 3,200.00T | |
| BP Installation | | | 1 | 4,400.00 | 4,400.00T | |
| Shipping | | | 1 | 1,245.00 | 1,245.00T | |
| Retainage 10% | | | 1 | -3,540.00 | -3,540.00T | |

BP Equipment Company, License #B15835 is regulated by the Texas Private Security Board. Complaints may be directed to PO Box 4087 Austin, TX 78773 or PSB_HoustonComplaint@txdps.state.tx.us

| | | |
|--------------|--------------|---------------------|
| Phone # | Fax # | E-mail |
| 281-332-0288 | 281-332-0431 | bob@bpequipment.com |

| | |
|--------------------------|-------------|
| Subtotal | \$31,861.56 |
| Sales Tax (8.25%) | \$2,628.58 |
| Total | \$34,490.14 |
| Payments/Credits | \$-4,948.97 |
| Balance Due | \$29,541.17 |

BP EQUIPMENT CO.

805 Clear Creek Avenue
League City, TX 77573

| | |
|----------|-----------|
| Date | Invoice # |
| 2/5/2009 | 12282 |

| |
|--|
| Bill To |
| Opus West Construction Corporation 15455 North Dallas Pkwy, Ste 450 Addison, TX 75001 |

| |
|--|
| Ship To |
| Energy Crossing Spec 15021 Katy Freeway Houston, TX 77094 Contract 10592-11 |

| P.O. Number | Terms | Due Date | Rep | Via | Service Date | Service Ticket |
|-------------|-----------|-------------------------------|-----|-----------|--------------|----------------|
| 10592-11 | Net 30 | 3/7/2009 | TL | Our Truck | 2/5/2009 | |
| Quantity | Item Code | Description | | | Price Each | Amount |
| 1 | Retainage | Retainage for Invoice # 12280 | | | 3,540.00 | 3,540.00T |

| | | | | | |
|--|--------------|---------------------|--------------------------|--------------------|------------|
| BP Equipment Company, License #B15835 is regulated by the Texas Private Security Board. Complaints may be directed to PO Box 4087 Austin, TX 78773 or PSB_HoustonComplaint@txdps.state.tx.us | | | Subtotal | | \$3,540.00 |
| | | | Sales Tax (8.25%) | | \$292.05 |
| Phone # | Fax # | E-mail | | Balance Due | |
| 281-332-0288 | 281-332-0431 | bob@bpequipment.com | | | |

BP EQUIPMENT CO.

805 Clear Creek Avenue
League City, TX 77573

| Date | Invoice # |
|-----------|-----------|
| 3/16/2009 | 12674 |

| Bill To |
|--|
| Opus West Construction Corporation 15455 North Dallas Pkwy, Ste 450 Addison, TX 75001 |

| Ship To |
|---|
| Energy Crossing Spec Office 15021 Katy Freeway Houston, TX 77094 Contract 10592.11 |

| P.O. Number | Terms | Due Date | Rep | Via | Service Date | Service Ticket |
|-------------|-------------------|---|-----|-----------|--------------|----------------|
| CO 3 | Net 30 | 4/15/2009 | JDO | Our Truck | 3/13/2009 | 15629 |
| Quantity | Item Code | Description | | | Price Each | Amount |
| 5 | L-5 Detector Loop | Re-cut 5 loops that were cut through, wrapped and sealed detector loop and wired to gate. | | | 300.00 | 1,500.00T |
| 1 | Travel | Trip charge | | | 40.00 | 40.00T |

| | | | | | |
|--|--------------|---------------------|--------------------------|--|------------|
| BP Equipment Company, License #B15835 is regulated by the Texas Private Security Board. Complaints may be directed to PO Box 4087 Austin, TX 78773 or PSB_HoustonComplaint@txdps.state.tx.us | | | Subtotal | | \$1,540.00 |
| | | | Sales Tax (8.25%) | | \$127.05 |
| Phone # | Fax # | E-mail | Balance Due | | \$1,667.05 |
| 281-332-0288 | 281-332-0431 | bob@bpequipment.com | | | |

BP EQUIPMENT CO.

805 Clear Creek Avenue
League City, TX 77573

| | |
|-----------|-----------|
| Date | Invoice # |
| 4/14/2009 | 12852 |

| |
|--|
| Bill To |
| Opus West Construction Corporation 15455 North Dallas Pkwy, Ste 450 Addison, TX 75001 |

| |
|---|
| Ship To |
| Two Addison Circle Spec Office Addison, TX Barrier Arms 10593.00 |

| P.O. Number | Terms | Due Date | Rep | Via | Service Date | Service Ticket |
|-------------|-------------------|---|-----|-----------|--------------|----------------|
| 10593.00 | Net 30 | 5/14/2009 | GT | Our Truck | 3/23/2009 | |
| Quantity | Item Code | Description | | | Price Each | Amount |
| 6 | 53-18125Y | FAPD Barrier Gate G90 CD LH 120V, Yellow Cabinet | | | 1,950.00 | 11,700.00T |
| 6 | 53-18035 | Gate Arm 10' Finished, G90CD | | | 45.00 | 270.00T |
| 12 | L-5 Detector Loop | Cut, wrap and seal detector loops, included in installation costs | | | 0.00 | 0.00T |
| 1 | Installation | Install 6 each FAPD G-90 gates and cut, wrap and seal 12 loops. Test operation of equipment, working correctly. | | | 10,200.00 | 10,200.00 |
| 1 | Shipping | Inbound freight for equipment | | | 440.00 | 440.00 |
| 1 | Retainage | Retainage of 10% | | | -2,360.00 | -2,360.00T |

| | | | | | |
|--|--------------|---------------------|--------------------------|--|-------------|
| BP Equipment Company, License #B15835 is regulated by the Texas Private Security Board. Complaints may be directed to PO Box 4087 Austin, TX 78773 or PSB_HoustonComplaint@txdps.state.tx.us | | | Subtotal | | \$20,250.00 |
| | | | Sales Tax (8.25%) | | \$792.83 |
| Phone # | Fax # | E-mail | Balance Due | | |
| 281-332-0288 | 281-332-0431 | bob@bpequipment.com | | | |

BP EQUIPMENT CO.

805 Clear Creek Avenue
League City, TX 77573

| Date | Invoice # |
|-----------|-----------|
| 4/14/2009 | 12852 Ret |

| Bill To |
|--|
| Opus West Construction Corporation 15455 North Dallas Pkwy, Ste 450 Addison, TX 75001 |

| Ship To |
|---|
| 15782 Spectrum Two Addison Circle Addison, TX 10593.00 |

| P.O. Number | Terms | Due Date | Rep | Via | Service Date | Service Ticket |
|-------------|-----------|-----------------------------|-----|-----------|--------------|----------------|
| 10593.00 | Net 30 | 5/14/2009 | GT | Our Truck | 4/14/2009 | |
| Quantity | Item Code | Description | | | Price Each | Amount |
| 1 | Retainage | Retainage for Invoice 12852 | | | 2,360.00 | 2,360.00T |

| | | | | | |
|--|--------------|---------------------|--------------------------|--------------------|------------|
| BP Equipment Company, License #B15835 is regulated by the Texas Private Security Board. Complaints may be directed to PO Box 4087 Austin, TX 78773 or PSB_HoustonComplaint@txdps.state.tx.us | | | Subtotal | | \$2,360.00 |
| | | | Sales Tax (8.25%) | | \$194.70 |
| Phone # | Fax # | E-mail | | Balance Due | |
| 281-332-0288 | 281-332-0431 | bob@bpequipment.com | | | |

Houston

My
Be



Energy Crossing Spec Office / 10892.00
H10/11150 / Parking Control Equipment
BP Equipment Co. / Tim Lyons
Contact Phone # 281.332.0288
Contact Fax # 281.332.0431
Payment Terms: Standard

SUBCONTRACT AGREEMENT (Labor and Materials)

This Subcontract Agreement ("Subcontract") is made as of this 20th day of May, 2008, by and between Opus West Construction Corporation ("Contractor"), with its office located at 15455 N. Dallas Parkway - Suite 430, Addison, TX 75001, and BP Equipment Co. ("Subcontractor") with its office located at 805 Clear Creek Ave., League City, TX 77573.

Contractor and Subcontractor agree as follows:

- Subcontract Documents.** The term "Subcontract Documents" is defined in Paragraph 1 of the attached Rider "A".
- Project.** Contractor is providing design and construction-related services to Owner (defined below) in connection with the project generally described as Energy Crossing Spec Office ("Project"), located at 15021 Katy Freeway, Houston, TX 77094 ("Project Site"), and consisting of the total work provided by Contractor under contract documents between Owner and Contractor.
- Owner.** The Owner of the Project is Opus West Corporation ("Owner").
- Architect/Engineer.** The architect and engineers ("Architect/Engineer") of record for the Project are:
 Architect of Record: Opus Architects & Engineers
 Civil Engineer: Kinley-Horn and Associates, Inc.
 Geotechnical Engineer: Terracon Consultants Inc
 Structural Engineer of Record: Opus Architects & Engineers
- Scope of Work.** Subcontractor's scope of work for the Project is described in the attached Rider "A" and is defined therein as the Work.
- Schedule.** Time is of the essence. Accordingly, all time limits and requirements for completion set forth in the Subcontract Documents, including any intermediate milestones (collectively referred to in the Subcontract Documents as the "Schedule"), are of the essence of this Subcontract. Subcontractor shall begin its Work as soon as the Project is ready for the Work or within three (3) calendar days after being notified orally or in writing to proceed by Contractor. The Substantial Completion of the Work (defined in the General Conditions of Subcontract) shall be achieved as required by job progress, so as to allow the entire Project to be substantially completed on or before 01/09/2009. Subcontractor shall conform to all progress and schedule requirements of the Subcontract Documents and as directed by Contractor's project manager, and must achieve the milestones (if any) as described in the attached Rider "A".
- Subcontract Sum.** Contractor shall pay Subcontractor the sum of \$ 53,131.00 ("Subcontract Sum"). The Subcontract Sum includes freight and delivery charges and all applicable state and local taxes including sales and use tax, and if required by law, these taxes must be separately stated on any payment applications, invoices or similar documents delivered by Subcontractor to Contractor for completion of the Work in accordance with the terms and conditions of the Subcontract Documents. A breakdown of the components of the Subcontract Sum is set forth in the attached Rider "A".
- Riders.** The following Riders are attached to and made a part of this Subcontract:
 8.1 Rider A (Scope of Work)
 8.2 Rider B (Indemnification)
 8.3 Rider C (Insurance)

Contractor and Subcontractor sign as follows:

Approved by Contractor's project manager Monell Smith

CONTRACTOR
Opus West Construction Corporation
By: [Signature]
(Print Name)
Vice President of Construction, Texas
(Title)
7/1/08
(Date)

SUBCONTRACTOR
BP Equipment Co.
By: Robert L Hall
Robert L Hall
(Print Name)
President
(Title)
6-10-08
(Date)

Dallas

[Handwritten initials]



Two Addison Circle Spec Office / 10593.00
K20/16340 /Barrier Arms
BP Equipment Company / Gene Thie
Contact Phone # 972.446.7275
Contact Fax #
Payment Terms: Standard

SUBCONTRACT AGREEMENT (Labor and Materials)

This Subcontract Agreement ("Subcontract") is made as of this 22nd day of January, 2009, by and between OPUS West Construction Corporation ("Contractor"), with its office located at 15455 N. Dallas Parkway - Suite 450, Addison, TX 75001, and BP Equipment Company ("Subcontractor") with its office located at 1611 N. 135 E., Ste. 116, Carrollton, TX 75006.

Contractor and Subcontractor agree as follows:

- Subcontract Documents.** The term "Subcontract Documents" is defined in Paragraph 1 of the attached Rider "A".
- Project.** Contractor is providing design and construction-related services to Owner (defined below) in connection with the project generally described as Two Addison Circle Spec Office ("Project"), located at 15725 North Dallas Parkway, Addison, TX 75001 ("Project Site"), and consisting of the total work provided by Contractor under contract documents between Owner and Contractor.
- Owner.** The Owner of the Project is Opus West Corporation ("Owner").
- Architect/Engineer.** The architect and engineers ("Architect/Engineer") of record for the Project are:
 Architect of Record: Opus Architects & Engineers, Inc.
 Civil Engineer: Pacheco Koch Consulting Engineers
 Geotechnical Engineer: Reed Engineering Group Inc
 Structural Engineer of Record: Opus Architects & Engineers, Inc.
- Scope of Work.** Subcontractor's scope of work for the Project is described in the attached Rider "A" and is defined therein as the Work.
- Schedule.** Time is of the essence. Accordingly, all time limits and requirements for completion set forth in the Subcontract Documents, including any intermediate milestones (collectively referred to in the Subcontract Documents as the "Schedule"), are of the essence of this Subcontract. Subcontractor shall begin its Work as soon as the Project is ready for the Work or within three (3) calendar days after being notified orally or in writing to proceed by Contractor. The Substantial Completion of the Work (defined in the General Conditions of Subcontract) shall be achieved as required by job progress, so as to allow the entire Project to be substantially completed on or before 12/31/2009. Subcontractor shall conform to all progress and schedule requirements of the Subcontract Documents and as directed by Contractor's project manager, and must achieve the milestones (if any) as described in the attached Rider "A".
- Subcontract Sum.** Contractor shall pay Subcontractor the sum of \$23,598.00 ("Subcontract Sum"). The Subcontract Sum includes freight and delivery charges and all applicable state and local taxes including sales and use tax, and if required by law, these taxes must be separately stated on any payment applications, invoices or similar documents delivered by Subcontractor to Contractor for completion of the Work in accordance with the terms and conditions of the Subcontract Documents. A breakdown of the components of the Subcontract Sum is set forth in the attached Rider "A".
- Riders.** The following Riders are attached to and made a part of this Subcontract:
 8.1 Rider A (Scope of Work)
 8.2 Rider B (Indemnification)
 8.3 Rider C (Insurance)

Contractor and Subcontractor sign as follows:

Approved by Contractor's project manager

Brian Dotolo

CONTRACTOR
Opus West Construction Corporation

By:

[Signature]
Paul Lemire

(Print Name)

Vice President of Construction, Texas

(Title)

1-29-09

(Date)

SUBCONTRACTOR

BP Equipment Company

By:

[Signature]
EDGARD F THIE

(Print Name)

General Manager Dallas

(Title)

1-26-09

(Date)

RECEIVED

084
for

JUL 21 2008



Opus West Construction Corporation
SUBCONTRACT CHANGE ORDER

Opus West-Dallas

Parking Control Equipment
CON-10592.00-24
H10/11150

Change Order Date: 07/14/2008
Change Order #: 1
To Subcontract Agreement dated: 05/20/2008
TO: BP Equipment Co.
805 Clear Creek Ave.
League City, TX 77573

PROJECT: Energy Crossing Spec Office
15021 Katy Freeway
Houston, TX 77094

CHANGE DETAILS

| Item | Description | Amount |
|------|--|----------------------|
| 1 | Deduct card readers and associated software & access cards | \$(14,809.00) |
| | | <u>\$(14,809.00)</u> |

SCHEDULE

Completion date of original contract will not be adjusted, unless noted herein.

CONTRACT SUMMARY

| Cost Code | Previous Amount | This Change Order | Current Contract Amount |
|--|--------------------|----------------------|-------------------------|
| 10592.11-H10-11150.00-S | \$53,131.00 | \$(14,809.00) | \$38,322.00 |
| | <u>\$53,131.00</u> | <u>\$(14,809.00)</u> | <u>\$38,322.00</u> |
| Original Contract Amount..... | | | \$53,131.00 |
| Previously Approved Change Orders..... | | | \$0.00 |
| Amount this Change Order..... | | | \$(14,809.00) |
| Contract Amount to Date..... | | | <u>\$38,322.00</u> |

ACKNOWLEDGEMENT

Please sign and return all original copies

BP Equipment Co.

Robert L. Hall
Printed Name
Robert L. Hall
Date

Opus West Construction Corporation

Paul Lembke
Printed Name
7/21/08
Date

Reference this change order number on all Application for Payment documents.

Handwritten initials/signature in top right corner.



Opus West Construction Corporation
SUBCONTRACT CHANGE ORDER

Change Order Date: 03/20/2009

Change Order #: 3

To Subcontract Agreement dated: 05/20/2008

TO: BP Equipment Co.
805 Clear Creek Ave.
League City, TX 77573

PROJECT: Energy Crossing Spec Office
15021 Katy Freeway
Houston, TX 77094

Parking Control Equipment
CON-10592.00-24
H10/J1150

CHANGE DETAILS

| Item | Description | Amount |
|------|---|-------------------|
| 1 | Repair 5 detector loops damaged by sawcutting | \$1,667.00 |
| | | <u>\$1,667.00</u> |

SCHEDULE

Completion date of original contract will not be adjusted, unless noted herein.

CONTRACT SUMMARY

| Cost Code | Previous Amount | This Change Order | Current Contract Amount |
|-------------------------|--------------------|-------------------|-------------------------|
| 10592.10-M30-01998.00-S | \$0.00 | \$0.00 | \$0.00 |
| 10592.11-H10-11150.00-S | \$38,322.00 | \$1,667.00 | \$39,989.00 |
| | <u>\$38,322.00</u> | <u>\$1,667.00</u> | <u>\$39,989.00</u> |

| | |
|--|--------------------|
| Original Contract Amount..... | \$53,131.00 |
| Previously Approved Change Orders..... | \$(14,809.00) |
| Amount this Change Order..... | \$1,667.00 |
| Contract Amount to Date..... | <u>\$39,989.00</u> |

ACKNOWLEDGEMENT

Please sign and return all original copies

BP Equipment Co.

Robert L. Hall
Printed Name
3-24-09
Date

Opus West Construction Corporation

Paul Lembke
Printed Name
4-3-09
Date

Reference this change order number on all Application for Payment documents.

The work covered by this Subcontract Change Order will be performed under the same terms and conditions as those in the Subcontract Agreement. Subcontractor agrees this Subcontract Change Order is inclusive of all Subcontractor's claims for additional compensation for work heretofore authorized or performed beyond the scope of the Subcontract Agreement as amended this date. No other claims will be accepted by Contractor.

AUG 01 2008



Opus West Construction Corporation
SUBCONTRACT CHANGE ORDER

Opus West-Dallas

Change Order Date: 07/22/2008

Change Order #: 2

To Subcontract Agreement dated: 05/20/2008

TO: BP Equipment Co.
805 Clear Creek Ave,
League City, TX 77573

PROJECT: Energy Crossing Spec Office
15021 Katy Freeway
Houston, TX 77094

Parking Control Equipment
CON-10592.00-24
H10/11150

CHANGE DETAILS

| Item | Description | Amount |
|------|--|--------|
| 1 | The attached CD of Project Drawings dated 4/21/08 & Project Specs dated 7/15/08 for Energy Crossing is hereby made a part of your subcontract agreement. | \$0.00 |
| | | \$0.00 |

SCHEDULE

Completion date of original contract will not be adjusted, unless noted herein.

CONTRACT SUMMARY

| Cost Code | Previous Amount | This Change Order | Current Contract Amount |
|-------------------------|-----------------|-------------------|-------------------------|
| 10592.10-M30-01998.00-S | \$0.00 | \$0.00 | \$0.00 |
| 10592.11-H10-11150.00-S | \$38,322.00 | \$0.00 | \$38,322.00 |
| | \$38,322.00 | \$0.00 | \$38,322.00 |

| | |
|--|--------------------|
| Original Contract Amount..... | \$53,131.00 |
| Previously Approved Change Orders..... | \$(14,809.00) |
| Amount this Change Order..... | \$0.00 |
| Contract Amount to Date..... | \$38,322.00 |

ACKNOWLEDGEMENT

Please sign and return all original copies

BP Equipment Co.

Robert L. Hall
Robert L. Hall 7-29-08
Printed Name Date

Opus West Construction Corporation

Paul Lembke
Paul Lembke
Printed Name Date

Reference this change order number on all Application for Payment documents.