

From: valdson cotrin <[REDACTED]>

To: Bella Klein <[REDACTED]>, [REDACTED] <[REDACTED]>, "jeffrey E." <jeevacation@gmail.com>, Marie-Joseph Experton <[REDACTED]>, Richard Kahn <[REDACTED]>

Subject: Re: EPSTEIN / Climatis - Maintenance contract

Date: Tue, 10 Jan 2017 20:40:40 +0000

bonsoir mme bella.

je ne comprends pas votre question, la société d entretien de la climatisation vous a déjà envoyé tous les détails avec deux ou trois visites par an, pour la question de réduction les pièces ne sont pas incluses dans le contrat et le travail est inclus dans le contrat.

je ne peux pas donner plus de détails a votre question.

cordialement.

2017-01-10 21:22 GMT+01:00 Bella Klein <[REDACTED]>:

I did not receive details to the maintenance contract. All awe know is the amount of visits. Please provide details as what work will be done with 3 visits and for 2 visits. ill we receive discount on labor and parts if work requested and not included in contract..

Thank you,
Bella

[REDACTED]
Tel: [REDACTED]

On Dec 21, 2016, at 9:32 AM, Bella Klein <[REDACTED]> wrote:

Ms Experton,

Please provide details of what is included in the contract for 3 visits and for 2 visits. What will they charge if additional work will be requested and is not included in the contract.

Thank you,
Bella

[REDACTED]
Tel: [REDACTED]

On Dec 21, 2016, at 6:44 AM, Marie-Joseph Experton <[REDACTED]> wrote:

I just got CLIMATIS confirmation on their proposals for the **maintenance contract for the year 2017:**

3 visits per year:

5,990.00 € tax excluded, i.e. total of 6,589.00 € VAT included

or

2 visits per year:

4,700.00 € tax excluded, i.e. total of 5,170.00 € VAT included.

Please advise on your choice, so I get the final version of the contract for signature.

Best regards.

Marie-Joseph Experton

Avocat au Barreau de Paris établi à Bruxelles

avenue Louise 65 boîte 11

1050 Bruxelles

Belgique

Tel. + [REDACTED]

[REDACTED]

[REDACTED]

Thank you,

Thank you,

Bella

[REDACTED]
Tel: [REDACTED]

On Nov 21, 2016, at 3:00 PM, Richard Kahn <[REDACTED]> wrote:

please update on reduced cost.

thank you

Richard Kahn

HBRK Associates Inc.

575 Lexington Avenue 4th Floor

New York, NY 10022

tel [REDACTED]

fax [REDACTED]

cell [REDACTED]

On Nov 18, 2016, at 10:01 AM, bellaklein <[REDACTED]> wrote:

Please communicate to Climatis if possible to lower cost from 7188 Euros to about 5500 Euros plus VAT (20%?), if the company will not accept lower cost offer i would suggest to limit visits to 2 times a year: one before summer and one before winter at a cost of about 5000 Euros (VAT included).

Thank you,
Bella

[REDACTED]

Tel: [REDACTED]

On Nov 18, 2016, at 9:43 AM, Marie-Joseph Experton <[REDACTED]> wrote:

"If something happens we will pay for work that needs to be done": in any case, repair is not included in the annual cost for **maintenance** (and not repair). NB: we will not benefit from the option of 4-hour-intervention / 24h a day / 7days per week, for repair provided in the maintenance contract.

"cost should be adjusted": **do you agree with the annual cost of 7,188 € VAT included for 2017?**

I have not been able to speak to Mr Masure today (but only to CLIMATIS secretary, Ms Dumont). I will report to you after exchanging with Mr. Masure.

Best regards.

Marie-Joseph Experton

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avenue Louise 65 boîte 11

1050 Bruxelles

Belgique

Tel. + [REDACTED]

[REDACTED]

[REDACTED]

From: Bella Klein <[REDACTED]>

Sent: 18 November 2016 12:39:44

To: Marie-Joseph Experton

Cc: [REDACTED]

Subject: Re: EPSTEIN / Climatis - Maintenance contract

Dear Ms Experton

Maintenance contract is something that we need going forward. I would suggest terms of the contract January-December . If something happens we will pay for work that needs to be done. Also, cost should be adjusted.

Thank you,

Bella

On Nov 18, 2016, at 3:43 AM, Marie-Joseph Experton <[REDACTED]> wrote:

PS: it is not " a new system just installed ", CLIMATIS repaired the existing system (a new system would have cost much more with a lot a decoration to be done afterwards).

From: Marie-Joseph Experton
Sent: 17 November 2016 18:54
To: bellaklein; Richard Kahn
Subject: EPSTEIN / Climatis - Maintenance contract

This is not my "*contract terms*", but CLIMATIS contract terms!

What do you mean by "*Now we would like to award them with a maintenance agreement for 2017 January thru December*"?

How do you cover the period until the end of this year?

You mention that "*After new equipment installed usually should be a warranty period*": do you mean that maintenance is included in the warranty period? This is not usually the case. Warranty period means that if something does not work, and is under guaranty, the replacement will be free of charge for the engines.

I do not understand what you mean by "*why should we go back with maintenance contract*"? Do you mean that we should not have a maintenance contract with CLIMATIS?

To answer your question "*Why is Climatis 3000 Euros more expensive, considering a new system just installed*", see my previous mail and explanations contained therein.

I will call CLIMATIS tomorrow to tell them that you do not agree with the proposed maintenance contract.

Best regards.

Marie-Joseph Experton
Avocat au Barreau de Paris établi à Bruxelles
avenue Louise 65 boîte 11
1050 Bruxelles
Belgique
Tel. 



From: bellaklein < >
Sent: 17 November 2016 18:33:55
To: Marie-Joseph Experton
Cc: Richard Kahn
Subject: Re: EPSTEIN / Climatis - Maintenance contract

Ms. Experton,

I have to disagree on your contract terms. Climates visited a few times apartment before installation. For that they were generously paid for system evaluation and received our job for system repairs. Now we would like to award them with a maintenance agreement for 2017 January thru December. After new equipment installed usually should be a warranty period. Don't understand why should we go back with maintenance contract. Also, Pasquer maintenance contract in 2015 was 4158 Euros. Why is Climatedis 3000 Euros more expensive, considering a new system just installed.

Thank you,
Bella

[REDACTED]

Tel: [REDACTED]

On Nov 17, 2016, at 11:29 AM, Marie-Joseph Experton <[REDACTED]> wrote:

Please note that I have now reviewed and discussed the maintenance contract with CLIMATIS.

The annual cost (12 months) for the maintenance contract is 7,188 € VAT included.

Considering that CLIMATIS came to the apartment on several occasions earlier in 2016 (before repairs) and did not charge for these interventions, I agreed to the suggestion of a contract with a first period of 15 months (from October 2016 through December 2017) for a prorata temporis cost based on the above mentioned annual cost, with a renewal after the end of 2017 corresponding to civil year (January through December). Consequently, the amount due for October 2016 through December 2017 will be 8.985 € VAT included, payable half before the end of the year and half in July 2017.

The work to be performed by CLIMATIS under this contract is more important than the one which was supposed to be performed by PASQUER. It provides 3 yearly visits (one at the beginning of the year, one before summer time and one in the autumn). The installation covered by the contract is also more important since it now includes everything for air conditioning/boilers/convectors/centralization network, both in the apartment and on the top floor. NB: it was discovered that PASQUER never checked part of the installation (i.e. centralization network, some of the engines,??), which as a result never worked.

I understand from Valdson that the system is now working correctly in all the rooms!

Best regards.

Marie-Joseph Experton

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1050 Bruxelles

Belgique

Tel. + [REDACTED]

[REDACTED]

[REDACTED]

From: bellaklein <[REDACTED]>

Sent: 23 September 2016 15:38:31

To: Marie-Joseph Experton

Subject: Climatis

Please update payment info and maintenance agreement

Thank you,

Bella

[REDACTED]

Tel: [REDACTED]