

EXHIBIT 9

PERFORMANCE SUPPLY LLC

FORMAL QUOTE

TO: Ms. Ebony P. Roberson
Buyer
Office of Citywide Procurement
Telephone: +1 (212) 386-0466
ERoberson@dcas.nyc.gov

1. 3M Particulate Respirator 8210, N95 160 EA/Case

Product Specification: : https://www.3m.com/3M/en_US/company-us/all-3m-products/~3M-Particulate-Respirator-8210-N95-160-EA-Case/?N=5002385+3294780268&rt=rud

2. 3M Health Care Particulate Respirator 1860, N95 120 EA/Case

Product Specification: https://www.3m.com/3M/en_US/company-us/all-3m-products/~3M-Health-Care-Particulate-Respirator-and-Surgical-Mask-1860-N95-120-EA-Case/?N=5002385+3294795990&rt=rud

3. Country of Origin: TBD
4. Headquarters: St. Paul, Minnesota, USA
5. Quantity: 8210 – 2 Million
1860 – 5 Million
6. Price: 8210 – \$6.05/mask
1860 – \$6.35/mask
7. Payment Terms: No upfront deposits are required. Instead, Buyer sends Purchase Order first -- *and once that is accepted by the factory* – financial closing terms will be mutually agreed. Payment in full must be made upon receipt of Each shipment Net 15 days.
8. Shipping: Due to the national emergency, acceptance of the purchase order is at the full discretion of 3M and supplies are based upon availability. The N95 masks 3M can begin shipping in 2-4 weeks CIF at any of 3M plants in the USA or 3M Plants Overseas according to their manufacturing schedule. 3M chooses the plant. Order may be shipped in whole or in part.
9. Buyer will not terminate or reject delivery for 3M Masks after Quality Assurance inspection and products are authenticated, verified and meet 3M specifications which are indicated and agreed by the formal quote and purchase order.
10. Please address Purchase Order to:

Mr. Ron Romano, President
Performance Supply, LLC
P.O. Box 672
Englishtown, NJ 07726
Via 3BP, Inc

POST OFFICE BOX 672
ENGISHTOWN, NJ 07726
Telephone: +1 (732) 685-6403



Technical Specification Sheet

3M™ Particulate Respirator 8210, N95

Key Features

- NIOSH approved N95 rating
- Adjustable nose clip
- Nose foam
- Ultrasonically welded headbands

Material Composition

- Straps – Thermoplastic Elastomer
- Nose Clip – Aluminum
- Nose foam - Polyurethane
- Filter – Polypropylene
- Shell – Polyester
- Coverweb - Polyester
- This respirator contains no components made from natural rubber latex
- Approximate weight of product: 0.35 oz.

Country of Origin

Made in the USA with globally sourced materials

Use For

- Use for solid particulates and liquid mists in concentrations not exceeding 10X PEL/OEL
- Always follow *User Instructions* and use in manners as indicated



Do Not Use For

- DO NOT use for gases and vapors, oil aerosols, asbestos, arsenic, cadmium, lead, 4,4-methylene dianiline (MDA), or abrasive blasting
- DO NOT use for particulate concentrations exceeding 10X PEL/OEL
- DO NOT use in any manner not indicated in the *User Instructions*

Approvals and Standards

- NIOSH approved N95 particulate respirator
- Meets NIOSH 42 CFR 84 N95 requirements for a minimum 95% filtration efficiency against solid and liquid aerosols that do not contain oil.
- NIOSH approval number: TC-84A-0007
- Assigned Protection Factor (APF 10) per US OSHA and Canada CSA

Ordering Information					
Description	UPC	ID #	Respirators/ Box	Boxes/Case	Each/Case
Particulate Respirator 8210	50051138464573	70-0706-1439-4	20	8	160

Time Use Limitation

Replace the respirator when it becomes dirty, damaged, or difficult to breathe through.

Shelf Life and Storage

- 5 years from the date of manufacture
- Use By date on box in MM/YYYY format
- Store respirators in the original packaging, away from contaminated areas, dust, sunlight, extreme temperatures, excessive moisture, and damaging chemicals
- Store in temperatures between -4°F (-20°C) and +86°F (+30°C) and not exceeding 80% RH

WARNING!

This respirator helps reduce exposures to certain airborne contaminants. Before use, the wearer must read and understand the *User Instructions* provided as a part of the product packaging. Follow all local regulations. In the U.S., a written respiratory protection program must be implemented meeting all the requirements of OSHA 1910.134, including training, fit testing and medical evaluation. In Canada, CSA standard Z94.4 requirements must be met and/or requirements of the applicable jurisdiction, as appropriate. **Misuse may result in sickness or death.** For correct use, consult supervisor and the *User Instructions* or call 3M PSD Technical Service in USA at 1-800-243-4630 and in Canada at 1-800-267-4414.

**Acceptable Fit Test Protocols**

Fit Test Protocol*		Acceptable with this product?
Qualitative Protocols	Saccharin	☒
	Bitrex™	☒
	Irritant Smoke	☐
	Isoamyl Acetate	☐
Quantitative Protocols		☒

*Refer to OSHA 1910.134

**Personal Safety Division**

3M Center, Building 0235-2W-70
St. Paul, MN 55144-1000
3M.com/workersafety

3M PSD products are occupational use only.

For More Information

Technical Assistance 1-800-243-4630
Hours of Operation: M-Th 8am - 6pm, Fri 8am - 4:30 pm CST
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Technical Specification Sheet

3M™ Health Care Particulate Respirator and Surgical Mask, 1860, N95

Key Features

- NIOSH approved N95 rating
- FDA cleared for use as a surgical mask
- Fluid Resistant 120 mmHg
- Flammability Rating Class I
- Adjustable nose clip
- Braided and stapled headbands

Material Composition

- Straps – Braided Polyisoprene
- Staples - Steel
- Nose Clip – Aluminum
- Nose Foam – Polyurethane Foam
- Filter – Polypropylene
- Shell – Polyester
- Coverweb - Polypropylene
- Not made with natural rubber latex
- Approximate weight of product: 0.40 oz.

Country of Origin

Made in the USA with globally sourced materials

Use For

- Intended to be worn by operating room personnel during surgical procedures to help protect both the surgical patient and the operating room personnel from transfer of microorganisms, body fluids, and particulate material.
- Always follow *User Instructions* and use in manners as indicated



Do Not Use For

- DO NOT use in industrial settings
- DO NOT use for gases or vapors (i.e. anesthetic gases such as isoflurane or vapors from sterilants such as glutaraldehyde.)
- DO NOT use in any manner not indicated in the *User Instructions*

Approvals and Standards

- NIOSH approved N95 respirator
- Meets NIOSH 42 CFR 84 N95 requirements for a minimum 95% filtration efficiency against solid and liquid aerosols that do not contain oil.
- NIOSH approval number: TC-84A-0006
- FDA cleared for use as a surgical mask
- Health Canada Class I medical device
- Bacterial Filtration Efficiency F2101 >99% BFE
- Assigned Protection Factor (APF 10) per US OSHA and Canada CSA

Ordering Information

Description	UPC	ID #	Respirators/ Box	Boxes/Case	Each/Case
Health Care Particulate Respirator, 1860	50707387419429	70-0706-1236-4	20	6	120

Time Use Limitation

Respirator may be used until damaged, breathing becomes difficult or contaminated with blood or body fluids. Discard after every use when used for surgical procedures. Follow national, state, local, and facility infection control guidance and policies.

Shelf Life and Storage

- 5 years from the date of manufacture
- Use By date on box in YYYY-MM-DD format
- Store respirators in the original packaging, away from contaminated areas, dust, sunlight, extreme temperatures, excessive moisture, and damaging chemicals
- Store in temperatures between -4°F (-20°C) and +86°F (+30°C) and not exceeding 80% RH

WARNING!

This respirator helps protect against certain particulate contaminants but does not eliminate exposure to or the risk of contracting any disease or infection. Before use, the wearer must read and understand the *User Instructions* provided as a part of the product packaging. Follow all local regulations. In the U.S., a written respiratory protection program must be implemented meeting all the requirements of OSHA 1910.134, including training, fit testing and medical evaluation. In Canada, CSA standard Z94.4 requirements must be met and/or requirements of the applicable jurisdiction, as appropriate. **Misuse may result in sickness or death.** For correct use, consult supervisor and the *User Instructions*, or call 3M Health Care in USA at 1-800-228-3957 and in Canada at 1-800-267-4414.

**Acceptable Fit Test Protocols**

Fit Test Protocol*		Acceptable with this product?
Qualitative Protocols	Saccharin	☒
	Bitrex™	☒
	Irritant Smoke	☐
	Isoamyl Acetate	☐
Quantitative Protocols		☒

*Refer to OSHA 1910.134


Infection Prevention Division
3M Health Care

2510 Conway Avenue
St. Paul, MN 55144-1000

1-800-228-3957
3M.com/medical

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The National Personal Protective Technology Laboratory (NPPTL)



NIOSH-Approved N95 Particulate Filtering Facepiece Respirators

For information about Coronavirus Disease 2019, visit <https://www.cdc.gov/coronavirus/2019-ncov/index.html>.

Manufacturers Listed Alphabetically – 3M

The N95 respirator is the most common of the seven types of particulate filtering facepiece respirators. This product filters at least 95% of airborne particles but is not resistant to oil.

This web page provides a table of NIOSH-approved N95 respirators, listed alphabetically by manufacturer. You can select a particular manufacturer by clicking on the first letter of their name on the index below.

There are some products that are approved by NIOSH as an N95 respirator and also cleared by the Food and Drug Administration (FDA) as a surgical mask. These products are referred to as **Surgical N95 Respirators**. [View a definition of Surgical N95 Respirators](#). For your convenience the Surgical N95 Respirators are indicated with the **Model Number/Product Line in bold text followed by (FDA)**. If you have a product you believe is NIOSH-approved and FDA-cleared that does not appear on this list, you will need to check with the FDA Center for Devices and Radiological Health at 1-800-638-2041 for validation of clearance. [View a comprehensive table of Surgical N95 Respirators](#).

***Disclaimer:** The links in this section go to websites outside of CDC/NIOSH and should not be considered as an endorsement of their content, or as a statement of NIOSH policy. The donning procedure and/or user instruction, either on the websites or the PDF version, should not be considered an official endorsement of their content, or as a statement of NIOSH policy.*

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Supplier/Manufacturer and Contact Information	Model Number/Product Line	Approval Number	Valve Yes/No	Manufacturer's Donning Procedure User Instructions
3M Company 888-3M HELPS or web form (Distribution Availability)	1860 (FDA) 1860S (FDA)	84A-0006	No	1860, 1860S [PDF – 72 KB]
3M Company 888-3M HELPS or web form (Distribution availability for all products listed for 3M)	8110S 8210 8210 Plus 8216 8217 7048	84A-0007	No	8210 [PDF – 103 KB] 8110S, 8210, 7048 [PDF – 187 KB]



3044

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Particulate Respirators 8210 and 8110S, N95

Issue Date 01/01/04

The 3M™ Particulate Respirator 8210, N95 is designed to help provide quality, reliable worker protection against certain non-oil based particles. The 3M™ Particulate Respirator 8110S, N95 offers the same protection for those workers with smaller faces. The 8210 and the 8110S offer a number of benefits to you and your workers.

NIOSH approved N95

- At least 95% filtration efficiency against solid and liquid aerosols that do not contain oil.* TC-84A-0007

Advanced Electret Media

- Advanced electrostatically charged microfibers make breathing easier and cooler.

Helps provide worker protection

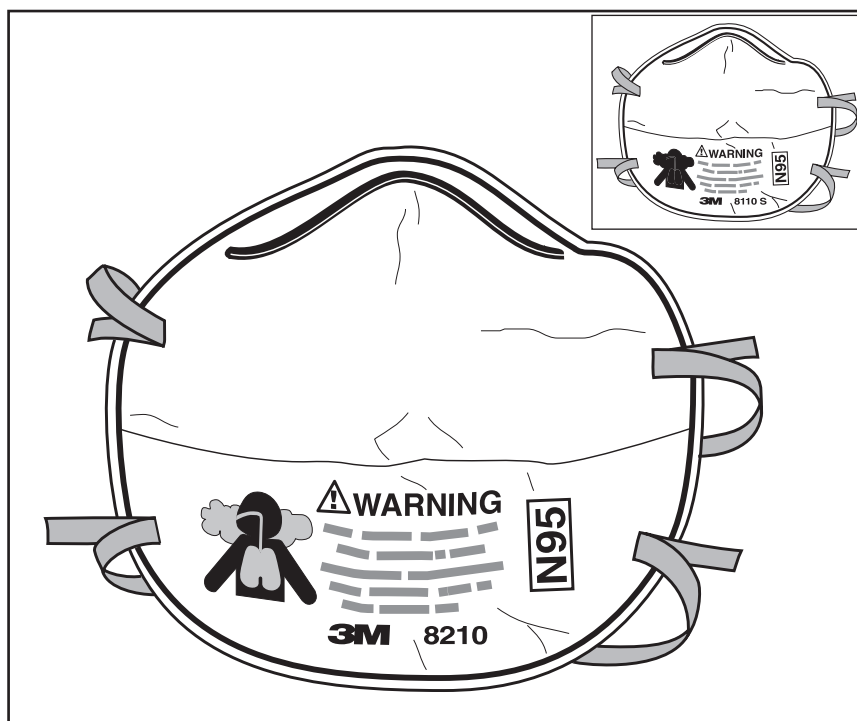
- Because they are comfortable to wear and easy to use, workers are quick to accept and use maintenance-free respirators, like the 8210 and 8110S. Studies have shown they can provide protection equivalent to a rubber facepiece respirator...at much lower cost and greater convenience.

Lightweight construction

- Promotes greater worker comfort.
- Contributes to increased wear time.

Adjustable noseclip

- Helps provide a custom fit and secure seal.
- Reduces the potential for eyewear fogging.



3M™ Particulate Respirator 8210, N95
(Inset photo: 3M™ Particulate Respirator 8110S, N95)

Suggested Applications



- Grinding
- Sanding
- Sweeping
- Bagging
- Other dusty operations
- Woodworking
- Foundries



WARNING

These respirators help reduce exposure to certain particles. **Misuse may result in sickness or death.** Before use, the wearer must read and understand **User Instructions** provided as a part of product packaging. Time use limitations may apply. For proper use, see package instructions, supervisor or call 3M OH&ESD Technical Service in U.S.A., 1-800-243-4630. In Canada, call 1-800-267-4414.

*Tested against particles approximately 0.3 micron in size (mass median aerodynamic diameter) per 42 CFR 84.

3M™ Particulate Respirators 8210 and 8110S, N95**3044**
page 2 of 2

Respirators Per Box 8210 & 8110S	Respirators Per Case
20	160

Use For:

- Solids such as those from processing minerals, coal, iron ore, flour, and certain other substances.
- Liquid or non-oil based particles from sprays that do not also emit harmful vapors.

Do Not Use For:

Gases and vapors, including those present in paint spray operations, asbestos, arsenic, cadmium, lead, 4,4'-methylenedianiline (MDA) or sandblasting. Aerosol concentrations that exceed 10 times the OSHA PEL, or applicable exposure limits, whichever is lower. This respirator does not supply oxygen.

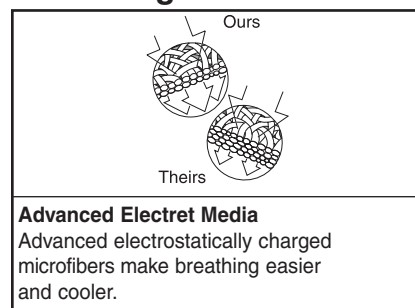
Important

Before using these respirators, you must determine the following:

1. The type of contaminant(s) for which the respirator is being selected.
2. The concentration level of contaminant(s).
3. Whether the respirator can be properly fitted on the wearer's face. Do not use with beards, on other facial hair, or other conditions that prevent a good seal between the face and the faceseal of the respirator.
4. Before use of these respirators, a written respiratory protection program must be implemented, meeting all the requirements of OSHA 29 CFR 1910.134, including training, medical evaluation and fit testing.

Time Use Limitation

If respirator becomes damaged, soiled, or breathing becomes difficult, leave the contaminated area immediately and dispose of the respirator.

Technologies**Additional Information**

This respirator contains no components made from natural rubber latex.

For more information, please contact:**3M Occupational Health and Environmental Safety Division (OH&ESD)****In the U.S., contact:****Sales Assistance**

1-800-896-4223

Technical Assistance

1-800-243-4630

Fax On Demand

1-800-646-1655

Internet<http://www.3M.com/occsafety>**For other 3M products**

1-800-3M HELPS

In Canada, contact:

3M Canada Company, OH&ESD

P.O. Box 5757

London, Ontario N6A 4T1

Sales Assistance

1-800-265-1840, ext. 6137

Technical Assistance (Canada only)

1-800-267-4414

Fax On Demand

1-800-646-1655

Internet<http://www.3M.com/CA/occsafety>**Technical Assistance In Mexico**

01-800-712-0646

5270-2255, 5270-2119 (Mexico City only)

Technical Assistance In Brazil

0800-132333

Fax On Demand O.U.S. Locations

1-651-732-6530

3M Occupational Health and Environmental Safety Division

3M Center, Building 235-2W-70

St. Paul, MN 55144-1000



User Instructions
(Keep these instructions for reference)

Meets CDC guidelines for *Mycobacterium tuberculosis* exposure control.

1860/1860S

⚠ WARNING

This respirator helps protect against certain particulate contaminants but does not eliminate exposure to or the risk of contracting any disease or infection. **Misuse may result in sickness or death.** For proper use, see supervisor, or *User Instructions*, or call 3M in U.S.A., 1-800-247-3941. In Canada, call Technical Service at 1-800-267-4414.

IMPORTANT

Before use, the wearer must read and understand these *User Instructions*. Keep these instructions for reference.

DESCRIPTION

The 3M™ 1860 Health Care Particulate Respirator and Surgical Mask is designed to help provide respiratory protection for the wearer. This product has a filter efficiency level of 95% or greater against particulate aerosols free of oil¹. It is fluid resistant, disposable and may be worn in surgery. It can fit a wide range of face sizes.

This product contains no components made from natural rubber latex.

INTENDED USE: This product meets CDC guidelines for *Mycobacterium tuberculosis* exposure control. As a respirator, it is intended to reduce wearer exposure to certain airborne particles in a size range of 0.1 to >10.0 microns, including those generated by electrocautery, laser surgery, and other powered medical instruments. As a surgical mask, it is designed to be fluid resistant to splash and spatter of blood and other infectious materials; when worn properly and in combination with protective eyewear, it complies with the OSHA Bloodborne Pathogens Standard. It also provides >99% BFE² against wearer generated micro-organisms.

CONTRAINDICATIONS: Not for industrial use. Not for use with beards or other facial hair that prevents direct contact between the face and the sealing surface of the respirator. OSHA has not set a permissible exposure level for airborne biohazards.

USE INSTRUCTIONS:

1. Before use for respiratory protection, a written respiratory protection program must be implemented meeting all requirements of OSHA 29 CFR 1910.139 and/or 1910.134 such as medical evaluation, training and fit testing. In Canada, CSA standard Z94.4 requirements must be met. The 3M saccharin (sweet) or Bitrix™ (bitter) qualitative fit test is recommended for this respirator. When used only as a surgical mask, fit testing is not required.
2. Respirator may be used until damaged, breathing becomes difficult, or contaminated with blood or body fluids. Otherwise, it may be stored and reused according to the facility's infection control policy.
3. Filtering facepieces are to be inspected prior to each use to assure there are no holes in the breathing zone other than the punctures around staples and no damage has occurred. Enlarged holes resulting from ripped or torn filter material around staple punctures are considered damage. Immediately replace respirator if damaged. Staple perforations do not affect NIOSH approval.
4. Discard after every use when used for surgical procedures.

¹ Tested against a 0.3 micron particle (count median diameter) per 42 CFR 84.

² Bacterial Filtration Efficiency (BFE) determined by the modified Greene and Vesley test method.

Fitting Instructions (Must be followed each time respirator is worn)



Fig. 1



Fig. 2



Fig. 3



Fig. 4

1. Cup the respirator in your hand, with the nosepiece at your fingertips, allowing the headbands to hang freely below your hand.
2. Position the respirator under your chin with the nosepiece up. Pull the top strap over your head resting it high at the top back of your head. Pull the bottom strap over your head and position it around the neck below the ears.
3. Place your fingertips from both hands at the top of the metal nosepiece. Using two hands, mold the nose area to the shape of your nose by pushing inward while moving your fingertips down both sides of the nosepiece.

! Pinching the nosepiece using one hand may result in improper fit and less effective respirator performance. Use two hands.

4. Perform a User Seal Check prior to each wearing. To check the respirator-to-face seal, place both hands completely over the respirator and exhale. Be careful not to disturb the position of the respirator. If air leaks around nose, readjust the nosepiece as described in step 3. If air leaks at the respirator edges, work the straps back along the sides of your head.

If you CANNOT achieve proper seal, DO NOT enter the isolation or treatment area. See your supervisor.

Removal Instructions

See step 2 of *Fitting Instructions* and cup respirator in hand to maintain position on face. Pull bottom strap over head. Still holding respirator in position, pull top strap over head and remove respirator.

NIOSH Approved: N95

At least 95% filtration efficiency against solid and liquid aerosols that do not contain oil.



3M
ST. PAUL, MN, USA
1-800-243-4630



THIS RESPIRATOR IS APPROVED ONLY IN THE FOLLOWING CONFIGURATION:

TC ¹	Protection ¹	Respirator		Cautions and Limitations ²
		1860	1860S	
84A-0006	N95	X	X	ABCJMNOP

1. PROTECTION

N95 - Particulate Filter (95% filter efficiency level) effective against particulate aerosols free of oil; time use restrictions may apply

2. CAUTIONS AND LIMITATIONS

- A - Not for use in atmospheres containing less than 19.5 percent oxygen.
- B - Not for use in atmospheres immediately dangerous to life or health.
- C - Do not exceed maximum use concentrations established by regulatory standards.
- J - Failure to properly use and maintain this product could result in injury or death.
- M - All approved respirators shall be selected, fitted, used, and maintained in accordance with MSHA, OSHA, and other applicable regulations.
- N - Never substitute, modify, add, or omit parts. Use only exact replacement parts in the configuration as specified by the manufacturer.
- O - Refer to user's instructions, and/or maintenance manuals for information on use and maintenance of these respirators.
- P - NIOSH does not evaluate respirators for use as surgical masks.

This respirator contains no components made from natural rubber latex.

FOR MORE INFORMATION and assistance on 3M occupational health and environmental safety products, contact your local 3M representative or call 3M OH&ESD Technical Service toll free in U.S.A., 1-800-243-4630. In Canada, call Technical Service at 1-800-267-4414.

Exported by/Exporté par/Exportado por:
3M Occupational Health and Environmental

Safety Division

3M Center, Building 235-2W-70

P.O. Box 33010

St. Paul, MN 55133-3010

Made in U.S.A.

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38-9017-7547-8

Evaluation Request- Bid Document Review

Technical Services/Quality Assurance

EBONY P ROBERSON

212-386-0466
(EROBERSON@dcas.nyc.gov)

3/30/2020

Procurement Analyst**Tel.****Date**

RASHAD LE MONIER

Purchase Director**Description of Document for Review:****Bid #:** COVID-19 RELATED PURCHASE (M3 Masks – 8210 and 1860)**Title:****Specific Concerns:**

To ensure that the specifications provided by the vendor adhere to all applicable standards (FDA, CDC,NIOSH etc.) Thank you.

The vendor Performance Supply, LLC is offering the COVID-19 related purchase (M3 Masks – 8210 and 1860)

FDA creates regulatory Exemptions for Masks and respirator in response to the COVID-19 and critical PPE shortages: On March 25, 2020, the Food and Drug Administration (FDA) issued a temporary policy relating to enforcement of regulatory requirements for face masks and respirators during the COVID-19 crisis. Since the public health emergency began, the United States has experienced a shortage of masks, respirators, and other personal protective equipment (PPE) which are critically needed for health care workers caring for COVID-19 patients in all states. FDA previously created emergency use authorizations for NIOSH-approved disposable respirators for use in health care setting and imported non-NIOSH-approved disposable respirators, but the temporary enforcement policy represents an attempt to open the manufacturing, importation, and distribution flood gates to make more masks and respirators available as quickly as possible.

The policy is limited to face mask and respirator products classified under 21 C.F.R. §§878.4040, 880.6260 (product code FXX,OXZ,OUK,MSH,ONT,ORW, and NZJ), and FDA divides these products into three main categories: (1) face masks and N95 respirators not intended for a medical purpose; (2) face masks intended for a medical purpose but not to provide liquid barrier protection; and (3) surgical masks intended to provide liquid barrier protection. [Wwwmintz.com](http://www.mintz.com)

Analysis revealed that both items: 3M Masks 1860 and 3M Masks 8210 provide necessary protection for front line medical and non-medical personnel. Since, it is not scientifically proven against the COVID-19; it is important to recognize that the optimal way to prevent airborne transmission is to use a combination of interventions from across the hierarchy of controls, not just PPE alone. Therefore, these submitted disposable 3M Masks 1860 and 8210 specifications are substantially in compliance with the NYC Specification.

Please - Identify commodity concerns
- Include pertinent user agency concerns and requirements

Daniel Ortega (Quality Assurance Analyst)

Date 3-31-2020
