



PARK AVENUE SOUTH

GENERAL CONSTRUCTION RULES



I. **KICK-OFF MEETING**

The purpose of the Kick-Off Meeting will be to introduce the parties as follows:

Owner Representatives:

Property Manager
Building Architect/Engineer
Building Manager

Tenant Representatives:

Principal(s)
Tenant Architect
Tenant Contractor or Construction Manager

At the Kick-Off Meeting, the parties will review the Tenant Work contemplated as outlined in the Design Drawings. We will discuss any issues with respect to the Work and designate future Job Progress Meetings.

Additionally, we will review the following:

Drawing Submittals:

Tenant's Architect shall submit one (2) set of drawings each, for review to the attention of the following Owner Representatives:

Rockrose Development L.L.C.

Diana Lin	Property Manager	(212) 847-3739	Diana.Lin@rockrose.com
Bill Feeks	Director	(212) 847-3709	Bill.Feeks@rockrose.com
Tom Maddalena	Building Manager	(212) 254-5864	Tom.Maddalena@rockrose.com

MEP Drawings shall additionally be sent to the Owner who will forward the drawings to the Owner's Engineer for review.

Plan Work Applications (PW-1's) & Technical Report Applications (TR1's):

PW1's TR1's or other Forms as required shall be submitted to the Property Manager for signature, with the following information:

Type of Ownership:	Other
Business Name/Agency:	300 Park Ave. So. L.L.C. c/o Rockrose Development L.L.C.
Address:	15 East 26th Street, 7 th Floor New York, NY 10010
Phone #:	(212)847-3709
Name of Signatory:	Bill Feeks
Relationship to Owner:	Director

Submittal Process:

Contractor shall prepare submittals for all non Building Standard items for Owner Approval.



II. **GENERAL CONTRACTOR REQUIREMENTS**

- Contractor to perform the work as specifically indicated in the Scope of Work and Contract Documents.
- Contractor shall thoroughly examine the Contract Documents, and shall thoroughly acquaint himself with the site and with the field conditions affecting the work. Contractor shall verify all dimensions in the field, and notify the Architect of any discrepancies before starting work.
- The Contractor shall take his own field measurements and be responsible for the same.
- Before submitting his bid, the Contractor shall visit the building to familiarize himself with existing field conditions, access, space limitations, etc. pertinent to proper execution of his work and become aware of the extent of work that may be required above and beyond that indicated on the drawings. Contractor shall note its findings/exceptions on its bid for review by the Owner and Tenant. The Contractor shall verify all dimensions and interpretations of the Drawings and Demolition Notes. Any discrepancy between the Contract Documents and actual conditions shall be brought to the Architects attention and confirmed in writing prior to starting the work.
- The Contractor shall bring to the attention of the Architect any hidden defects which may be discovered during the execution of his work.
- A mandatory bidders site visit shall be scheduled for all sub-contractors. Contact the Building Manager, Tom Maddalena (212) 254-5864 to coordinate.

Contractors Base Bid Proposal should include the following:

- The preparation and filing of all the forms and submissions required by the New York City Department of Buildings, as well as any other municipal or state agencies having jurisdiction in the City of New York. Contractor is responsible for all Construction and alteration permits required due to the subject project. The amount of each shall be included in the bid proposal. The Contractor is also responsible for the completion of, and the filing of the forms, required by the municipal and state agencies at the completion of the work.
- All costs and fees required to be paid to the municipal and state agencies for the filing of permits, and/or weekend variances shall be the responsibility of the Contractor.
- All necessary protection of any adjoining roofs, courtyards and work areas shall be the responsibility of the Contractor.
- Contractor to provide a list of all Sub-Trades to be used in the performance of the work. The Owner reserves the right to reject any trade in its sole discretion would not be representative of the quality of work customarily performed at the property.



Cleanliness-Dust Damage Prevention: Cleanliness and freedom from dust are essential throughout the work. It is of the utmost importance that every measure be taken to prevent dust from being carried into adjacent areas or onto any tenant's equipment and furnishings. All work shall be executed in a manner that precludes the creation of dust, which may be a nuisance to building occupants, neighbors and pedestrians. All E.P.A. and local governing codes must be adhered to. Vacuums must be used during any saw cutting or probe work.

Contractor to provide temporary enclosures, as required during the course of construction, to protect all work within the building from damage. Within the Building close off interior spaces, rooms and/or areas to perform and protect, particular parts of the work and to prevent damage which may be caused. Vacuums shall be utilized at a minimum.

Contractor shall be responsible for protection of finished work, at all times, during transportation, storage, installation and until final acceptance.

All work shall be left neat, clean and in workmanlike condition. Work shall be carefully trimmed. All material to be removed shall be swept, collected and disposed of, legally off of the site by the Contractor.

The Contractor is to properly protect all areas of the interior and the exterior of the Building from damages, stains and dirt.

The Contractor shall use equipment in sound operating condition. All procedures shall represent the highest safety considerations for the public as well as all personnel engaged in the work. The Contractor shall observe all OSHA and New York City Regulations as a minimum.

The Contractor will be responsible for any damages to the sidewalks, facades, roof and/or terrace areas, as well as interior spaces where such damages are the result of his operations. Splatters on windows, sills, terraces and other areas shall be removed before the end of the work by the Contractor.

Codes, Rules, Permits, Inspections, Fees & Site Safety: All materials furnished and all work installed shall comply with the Codes, Rules and Regulations of New York City.

Contractor shall give all necessary notices, obtain all permits, perform all required tests, pay all taxes and fees and other costs in connection with this work.

The Site Safety of the Project shall be the sole responsibility of the Contractor.

Job Superintendent: The Contractor shall provide the services of an experienced Superintendent, who shall be in continual charge of the work, together with all skilled workmen, helpers and labor required to perform a complete and top quality job. The superintendent must be fluent in speaking, reading and comprehending the English language.



Temporary Toilet Facilities: Will be assigned by the Property Manager. The Contractor will be responsible for the cleaning and for any damage caused to these facilities by his forces.

Schedule of Work: Within seven (7) days after notification of “AWARD” the contractor shall submit a schedule for execution of work and a Schedule for all Material Deliveries.

Precautions Against Fire: Contractor shall take every precaution in the performance of the work to prevent fire. All New York City Fire Department Regulations governing the storage and use of flammable materials will be adhered to. Flammable materials and fire producing equipment shall not be left unattended about the premises in locations accessible to others. Fire extinguishers and other fire protective equipment shall be provided as required by regulations.

All torch burning operations utilizing oxygen or other combustible gases will be performed in strict accordance with NYFD Directive 3-60, dated June 29, 1960, specifying Fire Department rules and regulations for issuance of permits and certifications for storage and use of oxygen and combustible gases during temporary and emergency torch burning operations together with the following additional precautionary measures. No oxygen or combustible gas cylinders shall be stored on the premises. Each oxygen or other combustible work areas shall be separated from other areas of the premises, and a qualified fire guard shall be maintained on duty to ensure aforementioned separation. “Separated” as used herein, shall mean a temporary barricade to prohibit entrance by unauthorized persons. All compressed gas tanks shall be equipped with a safety cap.

Full floor build-outs will require the installation of temporary sprinkler loops around the core. Such sprinkler loops shall be maintained and operational until such time as the new sprinkler installation is charged and on-line.

Both temporary loops and new sprinkler installations shall be witnessed and subjected to a 2-hour hydrostatic test at 200 p.s.i. by the Building Manager or a member of his staff.

Additionally, if the Class “E” System or devices for the construction floor are not operational, or rendered inoperable by the work being performed, Contractor shall maintain at all times a fire watch until such time as Class “E” devices are restored and on-line.

Access: Contractor shall obtain access to the premises via the 22nd Street Freight Entrance of the Property. Address of the freight entrance is 47 East 22nd Street. It is located on 22nd Street between Park Avenue South and Broadway. All workmen entering the premises shall wear uniforms and identification tags bearing the Contractors logo.

Emergency Telephone Numbers: The Contractor shall provide to the Property Manager a twenty-four (24) hour emergency telephone number for those persons that can respond to an emergency.



Submissions: The bid proposal shall be submitted along with a list of all equipment proposed to be used.

Union Requirements: Not Applicable to 300 Park Avenue South.

III. ***APPLICATION FOR PAYMENTS***

Any Application for Payment must be submitted to the Property Manager on an AIA Form G701 & G702, signed by the Tenant's Architect. Such Application for Payment shall be verified by the Architect. Application for Payments must be submitted with the following:

- Copy of the check (front and back) paid to the Contractor.
- Conditional Lien Waivers from Contractor and all Sub-Contractors, indicating the amount each has been paid to date.

The Lease will set forth whether such payments are made on a progress basis or at the completion of work.

IV. ***PROJECT CLOSE-OUT***

Completion of the Project shall be demarked by receipt of the following:

- Final sign-off of all permitted work.
- Perforated set of drawings (Building Number Application Number shall be stamped on all drawings).
- As-Builts and Mechanical Shop Drawings.
- Copies of Technical Reports
- Copies of any Warranty Information.
- Air balancing reports.
- Class "E" Fire Alarm sign-off.
- Copies of all ASI's (Architects Supplemental Information).
- Punch List Sign-Off (provided by the Architect, Signed by the Tenant).
- Final "Non-Conditional" Lien Waivers by Contractors and all Sub- Contractors.

V. ***Final Payment***

Final Payment of Landlord's Share of Work Cost, and any retainage held shall be made to the Tenant following receipt of the above.



CONTRACTOR'S HOUSE RULES

1. Contractor to supply Building Management with 24hr emergency contacts and telephone numbers for its Superintendent and all Sub-Contractors.
2. All construction personnel will use the freight entrance on 22nd Street to enter/exit the building. The hours of operation are from 9:00 am to 12:00 pm and 1:00 pm to 5:00 pm. Construction personnel are required to sign in/out daily.
3. Construction personnel are restricted to using only the service elevator. No contractor may use the passenger elevator.
4. All deliveries or removal of construction material, supplies and equipment will be made to the Freight entrance on 22nd Street. Such deliveries shall be scheduled with the Management Office. Freight service is billed at the then established rate for The Building. Contractor is responsible for cleaning service elevators, sidewalk and service area after deliveries and trash removal.
5. Arrangements for deliveries/removals must be made with Building Management by 3:00 pm, with a minimum of 2-days prior notice.
6. On Saturday and Sunday, deliveries may be made between the hours of 8:00 am and 4:00 pm provided arrangements are made with Building Management in advance. There is a minimum 8 hours charge for elevator service on Saturdays, Sundays, and Holidays.
7. Building Management must be notified prior to any cutting, welding, core drilling, sweating or cutting of wood with power tools so that arrangements can be made to secure the Building's Class "E" System and to ensure compliance with the N.Y.C. Fire Department Regulations. Contractor shall have adequate personnel with Welding Certificates, O2- Combo Gas Licenses and maintain fireguard as necessary.
8. Proper permits must be presented to Building Management before any gas tank (propane, acetylene, etc.) can be brought into the building. All such tanks are to be removed at the end of each work day and a proper fire watch maintained while this equipment is being used.
9. No elevator is to be operated manually by any one except the person assigned by Building Management.
10. The freight elevator does not have hatch openings.
11. All Contractors, delivery men, and others moving equipment, tools, etc. are expected to give the "right of way" to tenants as they move throughout the building.



12. Contractor is not to block any exits, elevator doors, stairwell, etc. or impede the flow of people through emergency exits.
13. Contractor shall schedule any work producing a high level of noise which may disturb surrounding tenants in advance with Building Management and perform such work AFTER-HOURS. After hour variance permits are required.
14. There should be no use of obscene language, comments or gestures in the building and especially in tenant spaces, elevators or lobbies.
15. The main lobby and the freight area are not to be used as a place of business by contractors (filling out forms) or a “drop off” and “pick up” point for any messengers or delivery men. Our staff is not authorized to accept any packages for contractors.
16. Anything damaged by the contractor in the building should be reported to Building Management so that proper repairs can be made and supervised.
17. Care is to be taken when working in the building to keep carpets, walls, furniture, etc. from being damaged or dirtied. Masonite is to cover existing marble floors, carpeting, etc. before deliveries are made.
18. Contractors are to open all gang boxes for inspection before removing from building.
19. No contractor is to enter any tenant space other than the spaces he was given access to through the Building Management. Contact the Building Office for access to any additional area.
20. Contractors are not to use fire hoses for water; contact the Building Manager.
21. Contractor is responsible for any damage to windows and locks; windows will be inspected prior to commencement of the job and punchlisted at end of job.
22. Contractor is to supply a laborer to clean stairwells, floors, bathrooms, building closets and all work areas daily.
23. No wet garbage or refuse from food, coffee, etc. is to be left in work spaces.
24. No Smoking is permitted in the Building at any time. Violation will result in fines up to \$1,000 to the Contractor.
25. Contractor is required to maintain temporary lighting in work area.
26. All insurance certificates in accordance with Owner Requirements are to be presented to Building Management prior to commencement of any work OSHA policies/procedures are to be followed.



27. The building's fire safety system is to be maintained at all times, otherwise the contractor is to set and maintain a logged fire watch.
28. Contractors are to use their own dumpsters. 22nd Street and the Freight Area are to be kept clear. These areas are not to be used as a staging area for dumpsters.
29. Contractors are to review the following checklist of items compiled by the building's code consultant, and post the same at the job site:
 - Copy of work permit for general construction.
 - Copy of work permit for plumbing work.
 - Copy of work permit for mechanical work.
 - Copy of work permit for sprinkler work.
 - Original equipment use permits for commercial air conditioning equipment over three tons.
 - Electrical sign-off by licensed electrician from Bureau of Electrical Control.
 - Fire Department sign-off for completed fire alarm work or an affidavit of self-certification for completed work by the fire alarm installer or the licensed electrician.
 - Department of Buildings sign-off for completed work or an affidavit of self-certification for completed sprinkler modifications by the sprinkler sub-contractor.
 - Sign-off letter from the Department of Buildings indicating that the application folder has been signed-off.
 - Copy of the microfilm after the folder was sign-off with all documents including drawings.



CONTRACTOR/SUB-CONTRACTOR EMERGENCY CONTACT FORM

CONTRACTOR/ SUB-CONTRACTOR	ADDRESS	PHONE NUMBER	CONTACT NAME