

140 BROADWAY, NEW YORK NY 10005

BUILDING RULES AND REGULATIONS

1. Contractor must be approved by the Property management.
2. Contractors are not to post signs on any part of the Property or on the Premises.
3. Contractor shall protect all base-building elements and all tenant improvements and equipment from damage of any sort and shall repair any damage in the course of performing its work.
4. Contractor work shall be scheduled so that it in no way conflicts, interferes with or impedes the quiet and peaceful environment of tenants. Any work that is in conflict with the other tenants will be rescheduled by the Contractor to such dates or times approved by Property management.
5. Contractor shall contain storage of materials and operations within such space which may be assigned by the Property management. Contractor must properly mark and identify all containers containing chemicals with hazardous material stickers and storage areas for these containers should have MSDS posted in the space in which the work is being completed. Items requiring this marking are (at a minimum): soap, paint, solvents, lubricants, cleaners, refrigerant, etc.
6. Contractor shall take appropriate measures to block temporarily the view of the work (if applicable) from public corridors.
7. Contractor shall notify the Property management in writing, three (3) business days prior to any planned work to be done on weekends or at other than normal job hours.
8. Contractor shall be responsible for all his actions on-site as well as those of its subcontractors. Any damages to Landlord's property caused by the Contractor will be promptly repaired at no cost to Landlord. The Contractor shall maintain supervisory personnel on site at all times whenever the Contractor is working on the site. Such personnel shall be fully empowered to coordinate and authorize the Contractor's subcontractors to perform such work as necessary to enable the work to proceed.
9. Security (if required by Property management) for Contractor's work shall be the responsibility of the Contractor.
10. Before any work will be started, there will be a walkthrough of the service elevator, corridors and area of work to check on existing damage of walls, doors, ceiling, etc. This walk through should include Contractor and Property management. Failure to comply with the above will put all responsibility for repair on the Contractor.
11. All work required to be performed in Tenant's spaces (i.e.: plumbing lines, HVAC ductwork, etc.) shall be performed on weekends or between 7:00 p.m. and 7:00 a.m. on weekdays (or as designated by the Tenant, occupying the space in which the work is to be done) unless otherwise agreed to in writing by the Property management. Contractor shall inform the Property management of the need of such after-hours work in writing with three (3) business day's minimum notice. Contractor shall



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be fully responsible for the protection of and subsequent damage to building common areas and Tenant premises and merchandise, and Contractor shall be responsible for any damage caused to building common areas and Tenant premises or merchandise. A Property Courtesy Staff Guard, at the Contractor's expense, may be required to be present at all times while working in Tenant's space.

12. Contractor(s) must use the service elevator for transporting materials and tools to and from the work area. Contractor shall provide proper wall and floor coverings in the elevator cab during each use to protect the cab against damage. Contractor(s) who require special use of the service elevator must notify the Office of the Property. Special requests for after-hours use, which are made on a first-come, first-served basis, must be scheduled at least two (2) business days in advance through the Tenant Services Coordinator located in the Office of the Building.
13. Contractors are required to use washroom facilities located on the B-Level. Washroom facilities will be maintained and stocked on a regular basis. The Contractor will be responsible for any damage, defacing, etc. during their use. Any special cleaning required will be at the cost of Contractor.
14. Contractor shall take care not to clog drains with construction debris or materials. Contractor is responsible for drains up to 30 days past completion.
15. The Contractor is responsible for trash removal from areas in which the Contractor is working or storing materials. Contractors are responsible for providing dumpsters. The Contractor must contact the Property management office to schedule removal of the dumpster. When asking for removal, the Contractor shall specifically indicate to which project it is to be allocated. The Contractor shall not permit trash and construction debris to accumulate within the premises or in the corridors adjacent to the premises, the Lower Level or streets and sidewalks adjacent to the Property. The cost of dumpsters will be the responsibility of the Contractor.
16. Contractor (or Tenant) shall apply and pay for all utility meters required (if applicable).
17. Temporary electrical service shall be provided by the Property at the floor where the work is to be performed. Contractor must have the Property manager's approval to connect temporary lines to the power source for service to the Premises. Contractor shall provide any required temporary heat for the Premises at its expense. Only electric heat is allowed.
18. All work performed by Contractor shall be performed in a manner so as to avoid any labor dispute which results in a stoppage or impairment of work or delivery services or any other services in the Property, and in the event there shall be any such stoppage or impairment as the result of any such labor dispute, Contractor shall immediately undertake such action as may be necessary to eliminate such dispute or potential dispute.
19. Contractor shall use only such entrances and access ways as shall be determined by the Property manager. All access for construction materials and labor shall be through the loading dock on the lower level.
20. All demolition work shall be performed after 6:00 p.m. and before 7:00 a.m. unless otherwise agreed to in writing by the Property manager. Cleaning and dust control measures must be taken to prevent dirt and dust from infiltrating into adjacent tenant, mechanical or base building areas. All noisy work



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shall occur before 8:00 a.m. and after 6:00 p.m. to avoid disturbing other tenants. Noisy work will be defined as any noise that is noticeable from adjacent spaces.

21. All activity which creates fumes that may annoy adjacent tenants shall be performed after 6:00 p.m. and before 7:00 a.m.
22. Air conditioning will not be provided in construction sites; Contractor should make provisions to accommodate temperature changes.
23. Deliveries and trash removal for construction projects on occupied floors must occur after 5:00 p.m. and before 8:00 a.m. Floor protection must be used and cannot remain in the corridor between 8:00 a.m. and 5:00 p.m.
24. For construction related projects, all base building return air ducts and grilles and all base inlets shall be protected with visqueen provided and installed by the Contractor.
25. For construction related projects, Property management expects the Contractor to maintain a clean and presentable space during construction. The floor must be swept nightly at a minimum. Wet walk-off mats must be provided in front of the elevator doors as needed. Additionally, a thorough final cleaning including but not limited to the following, will be required before Tenant occupies the space.
 - a) Fluorescent light fixtures and lenses;
 - b) Windows and window mullions;
 - c) Doors and frames;
 - d) Base;
 - e) Carpet; Floors
 - f) Blinds;
 - g) Smoke detectors
 - h) Walls

Contractor must use Property's cleaning contractor and only through coordination with Office of the Building.

26. Contractor shall contact the Office of the Building for proper cylinder Corbin Russwin ordering information.
27. Requests for connections to the base building sprinkler system, plumbing systems, exhaust ducts, etc. are to be made in writing to the Property manager. Prior to making any cores through the base building floor slabs, Contractor shall lay out such locations and request approval from the Property manager for the final core locations. The Property manager will require five (5) business days to arrange for an engineering review and approval of such work. Contractor will be billed for this cost.
28. No conduit shall be tied directly to suspended ceilings, grid work, hanger wires or HVAC components such as ductwork. Conduit must be mounted directly to the deck above, and independently supported by its own hanging apparatus. Contractor will be held responsible for any repairs to the base building systems stemming from improper attachments.



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29. Construction Work shall be subject to inspection by the Property manager and Landlord from time to time during the period in which work is being performed.
30. Parking is not permitted in the loading dock at any time. Use of the loading dock facilities is limited during normal business hours; therefore, large deliveries must occur before or after normal business hours and must be scheduled in advance with the Office of the Building.
31. The service elevator operates Monday through Friday from 7:00 a.m. to 5:00 p.m. for use by the Tenants' vendors, contractors and for general building operations. Construction personnel must use the service elevator for their own personal transportation. A key card must be used at all times on the service elevator to access the Tenant floors..
- 32. No hoisting is permitted during the day for construction materials.**
33. Construction keys for electrical, communication, telephone and slop sinks closets shall be obtained from the Office of the Building. All keys must be signed out and returned daily. Failure to return keys daily will result in the key being considered lost. Contractors are responsible for all keys issued to them and will be charged for rekeying all locks associated with lost keys.
34. Electrical closets, communications closets, and slop sinks are to remain locked unless they are being used.
35. 140 BW LLC is a non-smoking building. Smoking is not permitted anywhere on the building premises. Contractor personnel will be asked to leave and escorted from the Property if found smoking on the premises.
36. Crude, obscene, or otherwise disturbing language (i.e., "cat calls") is strictly prohibited. Contractor personnel violating this rule will be promptly escorted out of the Property.
37. Lunches and breaks are to be taken within the construction area or outside of the Property. They are not to be conducted anywhere else on the Property premises.
38. Property emergency stairwells are for emergency use only. Stairwell doors are not to be propped open or left ajar.
39. Property passenger elevators are specifically for Tenants and visitors. Contractor personnel are not permitted to use these elevators for any reason. Contractor personnel violating this rule will be promptly escorted out of the Property.
40. The Property service corridor on the north Liberty Street, service entrance is not to be used for storage or extended staging. Neither Owner, Agent, nor Property management are responsible for any items left in the corridor and any item left may be thrown out or relocated. All costs associated with these actions will be billed back to Contractor.



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41. For construction area, cleaning contractors are responsible for providing their own vacuum cleaners, cleaning supplies, etc. Property equipment is not for Contractor use and will not be loaned. If a Contractor is found using any Property equipment a rental/maintenance/use fee will be assessed.
42. The corridors must remain neat and clean. Contractors should make the appropriate provisions to prevent construction debris from being tracked into the public corridors and should clean up any material tracked into the corridors.
43. All paints, varnishes, finishing chemicals or cleaning solutions must be sealed when not in use.
44. Life safety trouble alarms shall be cleared before the end of each day.
45. Prior to the installation of any special equipment, (HVAC, Electrical, etc.,) the Contractor is required to provide one (1) copy of the installer's contact information, installation instructions and warranty to Property management.
46. The Property manager will make repeat inspections as necessary to determine the condition and progress of Tenant's remedial work and enforce the provisions of the Tenant's lease.
47. Tenant shall notify the Property manager at least ten (10) business days prior to substantial completion of Tenant's space so that the Landlord's Property manager can perform an inspection of the Tenant Improvements to verify that work has been performed in accordance with the Lease. Property management will notify the Tenant in writing of the findings upon completion of the inspection and whether any action must be taken to complete and/or remedy Tenant's work. The Property manager's approval of Tenant Improvement work shall not constitute an implication, representation or certification that the Tenant Improvement work is in accordance with any statutes, codes, ordinances or other regulations which is the responsibility of the Tenant's Architect and Contractor.
48. Upon completion of construction of Tenant's premises, Tenant or Contractor shall notify the Office of the Building of such completion so that the building janitorial Contractor can be scheduled to clean Tenant's premises.
49. All Contractors performing construction related work (e.g. carpentry, electric, plumbing, HVAC, etc.) must review the 140 Broadway **Tenant Construction Manual** *prior* to commencement of work.
50. Contractor shall comply with Loading Dock and Elevator procedures as outlined below:

LOADING DOCK & Freight Car Specifications

Loading Dock Bay:

| | |
|------------------|------------------------------|
| Height: | 11'4" |
| Width: | 22'6" |
| Depth: | 21'6" (overhead gate closed) |
| Platform Height: | 36" |
| Ramp Width: | 36" |



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* Receiving area can accommodate two (2x) trucks simultaneously

Freight :

| | |
|------------------|------------------------------|
| Height: | 11'4" |
| Width: | 22'6" |
| Depth: | 21'6" (overhead gate closed) |
| Platform Height: | 36" |
| Ramp Width: | 36" |

Due to the high volume of traffic in the loading dock, trucks will only be allowed a fifteen (15) minute stay and in no event should deliveries impede traffic in dock or service corridor.

Courier deliveries may be received through the loading dock and via the freight elevator. Security will require all messengers to show photo and/or company identification. With proper identification security will then issue a vendor/visitor pass to access the tenant's floor.

All moves and deliveries other than small, hand-carried objects must occur via the freight elevator. Absolutely no deliveries may be left on the sidewalk, in front of the building, in the main lobby, loading dock, elevator lobbies or building corridors.

Deliveries that require one trip in the freight elevator are permitted to arrive between the hours of 7:00 a.m. and 5:00 p.m. and do not need a reservation.

The following procedures must be adhered to and completed prior to any movement of oversized/heavy merchandise materials or equipment in the building.

The protection of the building premises is required during any move-in/out by the tenant or the delivery of items and is at the expense of the tenant and/or construction, moving or Delivery Company.

Use of the docks, service corridors, freight elevators and stairwells must be reserved and approved at least 24 hours in advance through the Property Management Office.

1. The tenant/contractor is responsible for seeing that the delivery company signs-off on, and adheres to the prescribed rules and regulations regarding any move or delivery/dispatch.
2. The protection of building corridors, doors, stairwells, elevators, floor covering, public areas, lobbies and service areas with cardboard, plywood or other pre-approved materials by the Property Management Office is the responsibility and the expense of the tenant and/or their contractor/vendors.
3. The movement of materials, furniture and all other items is limited only to those corridors, stairwells, elevators, and service areas designated by the Property Management Office. Normal movement of oversized/heavy material delivery by tenants is on weekdays after 6:00 p.m. or on weekends. Both mentioned times will require the submission of a Tenant Request Form and reservation through the Property Management office.
4. Any delivery found to be in violation of any of the above rules/regulations will be postponed until the problem is corrected.



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5. Any and all debris generated from the delivery is the responsibility of the tenant or their moving contractor to dispose of immediately. This refers specifically to packing materials. The Building's or Contractor's trash containers may not be used for disposing such materials. Access to the loading dock and pathways to elevators should at no time be obstructed.

AFTER HOURS

Any delivery that will require two or more trips in the freight elevator must be made "After Hours". This type of delivery requires the TFM to make a reservation at least 24 hours in advance using the OneFacility system. The delivery must take place beginning at 6 p.m. weekdays, between 7 a.m. - 8 a.m. weekdays, or on Saturday/Sunday. Special requests for a 6am start can be made for larger deliveries, Monday-Friday.

NOTE: Weekend freight reservations have a minimum of 4 hour freight charge. In additions to making the reservation a Tenant Request Form must be filled out and submitted via fax or email, to the property management office at least 24 hours in advance.

*** Construction/Demo projects that require removal of debris (dump out) must be performed between the hours of 6pm-9pm. A valid "After Hours" Permit would be required that specifically states that removal of debris will be performed. All outdoor noisy work must be completed by 9pm due to the residential building across the street from our Loading Dock.

CONTRACTOR ACKNOWLEDGEMENT

The signature below represents acknowledgement that the Contractor has received and read a copy of the "Building Rules and Regulations" for 140 Broadway, New York, New York 10005.

Name

Company Name

Signature