

**140 BROADWAY, NEW YORK NY 10005****BUILDING RULES AND REGULATIONS**

1. Contractor must be approved by the Property Management Office.
2. Contractors are not to post signs on any part of the Property or on the Premises, except for DOB issued permits as required by law. Issued permits shall be displayed on the project site at all times and shall be readily available for inspection by the code official.
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 shall contain storage of materials and operations within such space which may be assigned by the Property Management Office. Hazardous material storage, handling and use shall additionally comply with the requirements of the New York State Department of Environmental Conservation regulations, as set forth in 6 NYCRR Parts 595 through 614. All paints, varnishes, finishing chemicals or cleaning solutions must be sealed when not in use.
5. Contractor shall take appropriate measures to temporarily block the view of the work from public corridors (if applicable).
6. Contractor shall notify the Property Management Office in writing (48) hours prior to any planned work to be done on weekends or outside of regular business hours.
7. The 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. Tenant, when performing work and or engaging others to perform work on the Tenant's behalf, must ensure there is on site supervision to confirm all building rules and regulations are understood and followed.
8. If security is required by the Property Management Office for Contractor's work the costs shall be the responsibility of the Contractor.
9. Before any work is started, the Contractor is to schedule a walkthrough with the Property Management Office of the Freight elevator, corridors and area of work to check on any existing damage of walls, doors, ceiling, etc. Failure to comply with the above will put all responsibility for repair on the Contractor.
10. Contractor(s) must use the freight 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 exclusive use of the freight elevator must notify the Property Management Office. Requests for after-hours use, which are made on a first- come, first-served basis, must be made to the Property Management Office in writing with a minimum (48) hours notice.
11. Contractors will be provided with a location in which to access washroom facilities for their use. Washroom facilities will be maintained and stocked on a regular basis. The Contractor will be

responsible for any damage, defacing, etc. during their use. The Contractor is responsible for providing supplied to the designated restroom and will be responsible for maintaining cleanliness in the designated restroom. Any special cleaning required will be at the cost of Contractor.

12. Contractor shall take care not to clog drains with construction debris or materials. The Contractor is responsible for any drain damages up to 30 days past project completion.
13. 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.
14. Contractor (or Tenant) shall apply and pay for all utility meters required (if applicable).
15. 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.
16. 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.
17. Contractor shall use only such entrances and access ways as determined by the Property Manager. All access for construction materials and labor shall be through the loading dock on the ground floor.
18. Regular business hours are from 8:00AM – 6:00PM. The following construction operations must be performed outside of regular business hours. These operations include but are not limited to:
  1. Drilling, cutting or chiseling of the concrete floor slab.
  2. Drilling or cutting of any structural member or installation of new structural member.
  3. Any work which generates noise or vibration that may be disruptive to normal office operations. (Shooting drywall track, drilling pipe or duct work hangers, installing tackles strips, etc.)
  4. All activity which creates fumes (Welding, operating a compressor, spraying, lacquering)
  5. Draining or tapping into sprinkler piping or plumbing risers or loops.

Loud or abusive language, or the playing of music which can be heard outside of the work area and disturbs tenants will not be permitted.

19. Air conditioning will not be provided on construction sites; Contractor should make provisions to accommodate.
20. Deliveries and trash removal for construction projects on occupied floors must occur between 6:00PM – 9:00PM. Floor protection must be used and cannot remain in the corridor between 8:00AM and 5:00PM.
21. 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.

22. For construction related projects, Property Management Office 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 at the exits of the job site and the entrance to the freight elevator. Additionally, a thorough final cleaning performed by the Property's cleaning contractor including (but not limited to) the following will be required at substantial completion:

- a) 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

Please contact the Property Management Office to coordinate.

23. For construction area, 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.

24. Construction contractors must ensure that all hardware installed during construction is keyed to the building master key set. Contact information for the building locksmith can be found below:

Calderon Locksmiths  
88 Nassau St Fl 2 (Fulton St.)  
New York, NY 10038  
(212) 233-4585

25. Requests for connections to the base building sprinkler system, plumbing systems, exhaust ducts, etc. are to be made in writing to the Property Management Office. Prior to making any cores through the base building floor slabs, Contractor shall lay out such locations and request approval from the Property Management Office for the final core locations. The Property Management Office will require five (5) business days to arrange for an engineering review and approval of such work. The Contractor will be billed for this cost.

26. After a sprinkler drain down, the contractor must remain on-site for one hour after refill to confirm that there are no leaks in the system.

27. 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.

28. 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.

29. 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 Property Management Office.

30. The freight elevator operates Monday – Friday 8:00AM – 5:00PM for use by the Tenants' vendors, contractors, and their general building operations. Construction personnel must use the freight elevator for their own personal transportation.
31. 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.
32. No hoisting is permitted during the day for construction materials.
33. Any access to electrical, communication, telephone and slop sinks closets shall be requested through the Property Management Office. The Engineering team will provide access as needed. Electrical closets, communications closets, and slop sinks will remain locked unless they are being used.
34. 140 Broadway 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.
35. 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.
36. 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. Please ensure areas are cleaned up after lunches and breaks otherwise pests may be drawn to the space. Contractor will be held responsible with any costs associated with pest control.
37. Property emergency stairwells are for emergency use only. Stairwell doors are not to be propped open or left ajar.
38. 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.
39. 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 will clean up any material tracked into the corridors.
40. Life safety trouble alarms shall be cleared before the end of each day.
41. 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 the Property Management Office.
42. 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.
43. 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. The Tenant will be held responsible for closing any open DOB applications, permits, violations, etc.

44. All Contractors performing construction related work (e.g. carpentry, electric, plumbing, HVAC, etc.) must review and sign the 140 Broadway **Construction Guidelines** *prior* to commencement of work.
45. 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"

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

Cars:	#25
Floors:	C Level through 51
Capacity:	3500 lbs. (capacity will be reduced by weight of protection).
Dimensions:	52' x 90' Height is 10'-0" with overhead recess to 12'-0" 6'wx5'l
Hours of Operation:	Monday thru Friday, 8AM – 5PM
Use:	Construction materials, tools, equipment, trash and personnel.

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. Please note, all deliveries must be scheduled by Tenants in advance.

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 that arrive between the hours of 8:00AM and 5:00PM will not incur additional charges. Please notify the Property Management Office using the Tenant Request Form.

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 (48) 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 6:00PM 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.
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 a reservation at least (48) hours in advance by filling out and submitting a Tenant Request Form to the Property Management Office. The delivery must take place beginning at 6PM weekdays, or anytime on Saturday/Sunday. Special requests for a 6AM start can be made for larger deliveries, Monday-Friday.

**NOTE:** There are additional charges assessed on Saturday, Sunday and Holidays with a 4-hour minimum requirement.

\*\*\* 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