

**CROCKETT ROW AT WEST 7TH –NORTH EAST BLOCK
RULES AND REGULATIONS FOR CONTRACTORS, SUBCONTRACTORS and VENDORS**

The following rules apply to all contractors, subcontractors, and vendors.

GETTING STARTED ON SITE

Once the Tenant has completed the Tenant plans submission and has received final Landlord approval, the Tenant will need to submit the Landlord approved plans to the City for permitting.

For all permitting questions, please visit the City's website:
<http://fortworthtexas.gov/planninganddevelopment/permits/>

Any and all approvals from Landlord is null and void unless it is authorized in writing.

1. **INTRODUCTION:** It is the responsibility of the Tenant and Contractor to communicate all information contained herein, to all employees, subcontractors, suppliers and any others providing services through the Tenant or Contractor. ***In no case, will an entity's lack of knowledge of any regulations contained herein or in any other document constitute reasonable grounds for failure to comply.***

It is recommended that these be made a part of Tenant's Contract Document for construction. These rules will be strictly enforced and failure to comply may result in work delay, work stoppage or fines. Vestar reserves the right to request the Contractor or their subcontractors stop work for any reason it deems to be in the best interest of the project. Proper communication and willingness to cooperate can alleviate, if not eliminate, many problems.

2. **CONTACTS:**

Property Owner: Carlye/Cypress West 7th, LP

Owners Representative: Vestar Properties, Inc., as property manager

Management Office: 816 Foch Street
Fort Worth, TX 76107
817.810.9076

Construction Manager: Nhiem Ta - nta@vestar.com

Property Manager: Stacy Hollingsworth – Shollingsworth@vestar.com

Assistant Property Mgr: Andrew Dooley – ADooley@vestar.com

Property Address: **Retail Tenants** - Each ground floor tenant has an individual address

Office Tenants:
2821 West 7th Street, Suite _____
Fort Worth, TX 76107

Permit Expeditor: Ann Nace – City of Ft Worth X-Team Plans Review
200 Texas Street
Fort Worth, TX 76102
Ann.Nace@fortworthtexas.gov

On line application: <https://accela.fortworthtexas.gov/citizenaccess/>

Health Department:

3. **BUILDING HOURS & AFTER-HOURS CLEARANCE:**

RETAIL: Daily starting at 10AM – closing hours vary

OFFICE HOURS: Mon – Fri: 7am to 6pm Sat: 9am 1pm

Hours subject to adjustment based on the actual hours of the tenants in proximity of the jobsite.

4. **PRE-CONSTRUCTION MEETING REQUIREMENTS:** All items listed below must be submitted to Landlord's Construction Manager for review and approval prior to commencement of any work on site.

a. **Insurance:** An approved and acceptable Certificate of Insurance from both Tenant and Contractor must be on file in the Property Management Office before any work can begin on-site. Insurance requirements are attached hereto as Exhibit A. The limits of insurance must be equal to or in excess of those limits stated in Exhibit A. The "Description of Operations/locations/vehicles/special items" and the "Certificate Holder" must be issued exactly as stated. The insurance must be maintained through the duration of the project. Certificates of Insurance should be sent to the Property Management Office for approval.

b. **Pre-Construction Meeting:** Contractor will arrange, at least three days before the commencement of construction, a pre-construction meeting with the Construction Manager. A representative of the Tenant and the Tenant Contractor's Project Manager or Superintendent should attend the meeting. At a minimum, GC's Superintendent must be present at the meeting.

Requirements for parking, trash dumpers, porta potty, utilities etc... will be reviewed and discussed at this meeting. There shall be no on-site storage except within the Tenant space.

c. **Project Directory:** Contractor will provide to Property Management a list of all subcontractors and vendors with current names, phone numbers, email addresses and mailing addresses.

d. **Project Schedule:** Contractor to provide a project schedule showing the start and completion date for each of the major stages of work for each trade. Schedule to include the projected substantial completion date. Weekly updates are to be provided as the job progresses.

e. **Contractor Rules & Regulations:** Prior to commencement of construction, Contractor will deliver a copy of the Crockett Row at West 7th Rules and Regulations to all its subcontractors, vendors and suppliers.

f. **REQUIRED VENDORS:** The following subcontractors are required at Crockett Row. Violation of this rule and the use of any unauthorized subcontractor may result in work stoppage. Contractors are responsible for any costs associated with the dismissal of an unauthorized subcontractor and the hiring of an approved subcontractor.

i. Fire Alarm: GFS of Texas - Paul Bauck 661-714-9660

ii. Fire Sprinkler: GFS of Texas - Robert Hebert 817-349-1658

iii. Roofing: Empire Roofing: Cheryl McGlothlin 817-572-2250

iv. Water/Electric Submeters: ATI Energy Group: Mike Clancy 800-456-3837 ext. 162

v. HVAC Controls (EMS for OFFICE Tenants only): Johnson Controls, Benjamin Levesque, 817.223.0246

- g. **Plan Approval:** All plans, specifications and change orders must be approved in writing by Construction Manager before construction is commenced. All changes to the approved plans shall be via written authorization only.
- h. **Structural Alteration and/or Changes to Base Building:** Prior to any alteration to the building structure, roof, exterior, Tenant's design professional must supply stamped engineered drawings of the alterations to the Construction Manager for approval. All construction must be compatible with all base-building systems. Note that most ceiling decks are post tension. Scans will be required prior to any attachment to the concrete decks above (i.e. air duct work, dampers, electrical transformers, electrical panels etc...)
- i. **Proof of utility transfer:** Provide proof of utilities transferred to Tenant's name.
- j. **Building Permit:** A copy of the building permit is required prior to mobilizing on the job site.
- k. **Demolition Permit:** In the essence of time, Tenant may start demolition while waiting on the Building Permit upon completion of the pre-construction meeting and approval of all the pre-construction requirements.

5. **CONSTRUCTION:**

Tenant and their GC shall not obstruct any streets, drives, sidewalks, entries, passages, courts, corridors or stairways or use them for any purpose other than for egress and ingress to and from their space. Tenant/GC cannot prop open the shell building doors with any type of obstruction between the door and the door frame.

Prior to commencement of the finish-out work within the premises, any required permits for Tenant's work shall be appropriately displayed within the construction area or mounted on storefront windows.

- a. **Window Graphics** – Storefront windows must have vinyl window graphics installed prior to commencement of construction. Tenant must submit window graphics to Landlord for approval prior to submittal to City and installation. No brown paper or tarp allowed. Messages may incorporate "Coming Soon" or "Opening Soon".
- b. **Supervision:** Contractor must supply a full-time, on-site, experienced superintendent or project manager dedicated to the project.
- c. **Dumpster & Temporary Facilities:** The location of any construction dumpster or temporary facilities must be approved by the Construction Manager or Property Management. GC shall protect Landlord's pavement by placing plywood under the dumpster rollers.

Dumpsters will be emptied on a regular basis. **Contractor is required to tarp their dumpster and post signs in both English and Spanish that it is for construction use only.** Property Management will not accept responsibility for any tenant electing to use Contractor's dumpster but will assist in seeing that it is curtailed if the dumpster has been properly signed and tarped. Temporary facilities will be serviced on a regular basis so as not to emit any foul odors. These shall be removed from the job site within a week after punch list date.

- d. **Demolition work:** Tenant must contact the Fire Alarm company, ADT Commercial, to request for the system to be placed on Test. Excessive dust from demolition work will cause the Alarm to go off. As a reminder, putting the system on test will only prevent the Fire Dept. from being dispatched; it does not prevent the alarm from sounding. **If an alarm is activated, it will impact all of the tenants in the entire block and will shut down all movies that are playing in the Movie Tavern.** This is very unpleasant and negatively impact our patrons. Please ensure smokes are bagged during dusty work and that no alarms are triggered. If you need covers for the smokes or have any questions, let us know.
- e. **Site Cleanliness:** Clean up during construction will be on a daily basis. No construction materials or debris may be stored outside of the premises where the work is being conducted. Temporary vinyl to control dust must be utilized as needed. Liquids of any type may not be poured down any restroom lavatories or fixtures. The washing of paint brushes is not permitted in any lavatories or other plumbing fixtures. There is no concrete wash out areas available on-site, other accommodations will need to be made.

Unauthorized use of the building's trash compactor, dumpster or container by GC is prohibited.

- f. **Access to Tenant space:**
LOCK BOX - Contractor shall install a lockbox containing a key for access to the premises during construction. The combination shall be provided to the Construction Manager.

Tenant or Contractor are responsible for providing access to all its vendors.

- g. **Access to Common Area/Service Area:** Any access required to other tenant spaces, vacancies, rooftops, Fire Riser Room, and Electrical Room will be arranged through Property Management at a minimum of 72 hours (3 days) in advance.

OTHER TENANT SPACES: Property Management will schedule any access needed into any adjacent tenant spaces. Contractors are not to directly make these arrangements with the affected tenant. Afterhours work will require the Contractor to arrange for security in the store while the work is being conducted.

FIRE RISER ROOM: See location of FRR for each block. Advance Security Clearance required for access.

- Shut off valve should be inside each Tenant space.
- DO NOT shut off the main water line as it will shut down water service to the entire block.

ELECTRICAL ROOM: See attached location of Retail Electrical Room for each block. Advance Security Clearance required for access.

- h. **Storefront:** If modifications of storefront glazing is involved, Tenant/GC shall be solely responsible for maintaining a temporary building enclosure until installation of the new storefront system. Contact Construction Manager for the required barricade exhibit/requirements. Barricade must also have Tenant's vinyl graphics as well contingent on the duration of the barricade.

- i. **Heavy Equipment:** Heavy machinery (i.e. forklifts, snorkel lifts, backhoes or other equipment) shall not be operated on Landlord's common area corridor. Tenant and their GC must protect existing corridor, hallway and finishes during Tenant finish out activities. Tenant and their GC shall be responsible for repairs/replacement of any damages.
- j. **Protection:** Contractor shall supply walk off mats or wet pads inside each entrance and exit from the job site to minimize tracking into the common area or service areas. For retail spaces, the front door is not to be used for egress or deliveries.

The Contractor will be responsible for taking appropriate measures to protect the surrounding property including exterior walls, common areas and other tenant's space.

- k. **Security & Safety:** Contractor shall be, at all times, responsible for the security of the job site including insuring materials, tools and the premises are secure after working hours.
- l. **Materials:** MSDS are required for all chemicals prior to being brought into the building and are subject to the approval of Property Management. Containers must be clearly identified with the type of product. Flammable and hazardous materials must be kept secure. Any waste material must be properly removed from the property and properly disposed.

Materials will not be stored outside of the premises under construction. This includes but is not limited to service areas, electrical & fire riser rooms, sidewalks, common areas or adjacent vacant suites.

- m. **Fire & Life Safety Systems** – all work shall be at Tenant's costs.
All work on the fire alarm system shall be performed by **GFS of Texas**
All work on the fire sprinkler system shall be performed by **GFS of Texas**.

The Contractor will be responsible for scheduling and compensating **GFS of Texas** to disable points prior to any fire alarm or fire sprinkler work commencing and returning to enable points at the end of the day after work has concluded for the day. In no event, shall an area of the building be bypassed other than when work is being performed. Disabling points isolates the area of work to prevent false alarms.

IF THE FIRE INSPECTOR WILL NOT ALLOW BY-PASSING OF THE SYSTEM, ALL PRE-TESTING AND ACTUAL TESTING MUST BE SCHEDULED PRIOR TO 8AM. ANY ADDITIONAL COSTS FOR AFTER HOURS CHARGED BY THE CITY WILL BE TENANT'S RESPONSIBILITY.

Smoke detectors must be properly capped during all dust producing work. All smoke detectors must be uncapped at the end of each work day. There is no other acceptable way to "bag" smoke detectors except by using the appropriate caps.

As a reminder, putting the system on TEST will only prevent the Fire Dept from being dispatched. It does not prevent the alarm from sounding. If an alarm is activated, it will impact all the Tenants in the entire Block and will shut down ALL the movies currently playing in the Movie Tavern theatres at the time of the alarm. PLEASE ensure the smoke

detectors are bagged or capped to prevent dust from triggering the Fire Alarm. If you need covers for the smokes or have any questions, please do not hesitate to contact us.

The Contractor and their subcontractors must take the required and necessary precautions to prevent false alarms. A FALSE ALARM WILL EVACUATE ALL RETAILERS, RESTAURANTS AND THREE FLOORS OF RESIDENTIAL APARTMENTS.

Property Management office must be notified at least forty-eight (48) hours in advance of any work to be performed on the fire and fire life safety system. Pretesting and testing of the fire and life safety systems must be performed between 5:00 AM and 7:00 AM (subject to prior approval by Property Manager and the Construction Manager.). City of FW imposes an extra fee for "AFTER-HOURS" work.

No drilling into post tension ceiling deck or cutting into post tension slab within Tenant premises nor the garage after 7am. This rule is strictly enforced especially if Office or Residential Tenants are above or adjacent to the premises. Contractor will be directed to stop work immediately and re-schedule the noise producing work after hours. GC shall be responsible for any fees incurred as a result of the STOP work order.

- n. **Temporary Electrical:** Contractor must supply its' own generator or temporary electrical service if power is not transferred to Tenant by the time construction commences. Placement of the generator shall be coordinated with the Construction Manager. Use of Landlord house power is strictly prohibited.
- o. **Existing Utilities:** The Contractor is responsible for verifying the location of all existing utilities. The Contractor shall protect existing utilities to be left in service including telephone/data lines, house power and any utility lines running through the premises which may serve house power or other tenants.

WATER shut-off valve – Each Tenant has its own water shut-off valve. Do not request shut down of the water main as it will shut down water service for the entire block.

Prior to commencement of the finish out work, all utility accounts shall be transferred to Tenant's name.

Contractor shall provide Landlord with a minimum of 3 days advance notice relative to any disruption of building service as a result of a shut down for connection of Tenant's services.

- **Water Submeter:** Tenant is required to install a water submeter per the specifications attached as Exhibit "B" from the vendor listed under Required Subcontractors above if none exists.
- **Electrical Submeter:** Tenant is required to install a water submeter per the specifications attached as Exhibit "B" from the vendor listed under Required Subcontractors above if none exists.
- **Gas:** Available for Restaurant Tenants. Each building has its own manifold. Activation and connection is by Tenant.

- **Telecommunications/Data:** Each building has a centralized location. Data lines shall be encased inside Telecommunication conduit provided by Tenant.
- **Grease Interceptor:**
 - NEW - Provided by the Tenant unless noted otherwise per the Lease. Designated GI locations are noted on the Shell building plans. If clarification is required, please contact and coordinate the location and work with the Construction Manager in advance to minimize disruption to adjacent Tenants.
 - TO BE ABANDON – Pump the trap by a licensed waste disposal firm. Disconnect and plug or cap the inlets and the discharge piping with proper manufactured fittings. If required by Code, remove or fill the trap with suitable compacted materials. Inspections by City’s wastewater Dept personnel prior to back filling is required.
 - Pre-treatment Services 920 Fournier Street Fort Worth, TX 76102 (817) 392-8305 or (817) 392-8586 or pretreatment@fortworthtexas.gov
- p. **Workers:** It is the Contractor’s responsibility to require all employees of subcontractors and vendors to wear a shirt or uniform or an Identification Card that clearly identifies the individual’s name and the name of the Contractor, Subcontractor or Vendor for which the individual works.
- q. **Conduct:** Contractors, subcontractors, vendors and their employees will treat all tenants with respect and courtesy. Harassment of tenants in any form will not be tolerated. Taking lunch or loitering in public common areas and parking garages, and improper dress are not permitted. Workers must use only restrooms designated for the job on which they are working. Smoking or use of any tobacco products, alcohol, or controlled substances is prohibited. Violation of these rules may result in dismissal from the property.
- r. **Parking:** All Contractors, subcontractors and their employees must park in the designated areas as defined by Property Management. Parking in driveways, fire lanes or established loading zones is prohibited. Vehicles located in unauthorized areas are subject to immediate towing. All expenses incurred as a result of towing are the responsibility of the contractors, subcontractors, vendors or their employees. An individual or companies continued violation of this rule may result in dismissal from project. **See information on Designated Parking.**
- s. **Material Deliveries:** All deliveries are to be scheduled before building/operating hours. Delivery vehicles must use designated loading/unloading areas. Should special accommodations be required, they will need to be coordinated with Property Management.
- t. **Noisy Work & Disturbances:** All noisy work must be performed outside of building/operating hours. Noisy work would be considered but not limited to core drilling, concrete sawing, mechanical attachment to the slab or the deck above.

Any work or action that disturbs the Tenants of the building during normal business/operating hours is prohibited. Contractor will be directed to stop work immediately and schedule the noise producing work after hours.

Business: Hours are as follows.....

Office: 7am – 6pm (Mon – Friday)

Retailers: Hours varies (9am – 9pm)

Residents: 8am – 5pm (Sunday to Saturday)

- u. **Post Tension:** Where post tension conditions exist, Contractor will be required to perform x-rays or scans prior to any penetrations or drilling, at their sole cost and expense. In most buildings, the concrete deck above and the floor slab is post tension. Contractor responsible for confirming the location of post tension in their work area with the Construction Manager.
 - **Plumbing:** Written authorization from Landlord is required prior to coring or drilling work. All slab penetrations are to be saw-cut to the full depth of the slab thickness and all trenches are to be hand dug. All under slab penetrations shall be repaired and replaced with the same product in accordance with the Manufacturer requirements. A continuous vapor barrier membrane must be maintained. The pour back is to be reinforced and doweled into the existing slab in accordance with Local Code.
- v. **Ceiling Work:** All duct work, electrical, wiring, phone/data cables, plumbing and other above ceiling material must be suspended per building code.

The ceiling slab / garage deck is a POST TENSION slab with cabled tendons running throughout. EXTREME CAUTION SHOULD BE EXERCISED WHEN DRILLING FOR ANCHORS IN THE CLEAR CEILING SPANS of the ceiling slab/deck. Severing or even partially damaging the cable may occur even while using a hammer drill, which can cause an explosive failure of the concrete at the drilling point and at the termination of the cable.

GC is required to use a metal detector/X-ray/Scanner before drilling any anchors more than 1” in the ceiling. THIS IS A BUILDING OWNER REQUIREMENT.

All scrap material or unused materials must be removed from above ceiling. Prior to closing ceiling, Contractor must provide a 24-hour notice to the Construction Manager for a ceiling inspection. Ceiling may be closed in after required building inspections are approved and after the Construction Manager approval.

- w. **HVAC Placement:** The placement of all rooftop equipment or condensing units will be reviewed and their location approved by property management prior to any work being done. A signed and stamped set of engineered drawings will be supplied to the Construction Manager showing the method by which the equipment will be supported.

For mounted equipment, scheduling of and location of any crane or lift equipment shall require written approval by the Construction Manager prior to any work being performed.

- **Test & Balancing Report:** Tenant’s contractor will have a test and balance inspection conducted on the HVAC system. A certified test and balance report supplied to Landlord shall summarize the testing and balancing results that was performed, AND that the system is in compliance with the engineer’s design requirements.
 - **Tie-in to existing EMS System (Office Tenants):** Contractor shall engage Johnson Controls Inc., at their own cost, to tie-in and add Tenant to the existing EMS control system.
- x. **Odor Causing Materials:** Any construction activity that will produce strong odors that could infiltrate the common area or neighboring tenant’s premises, including Residents and Office Tenants above them, must be ventilated. Contractor may be required to remove one (1) window, provide a proper structure support and install a fan prior to starting or continuing the odor causing activity. Schedule work outside of business hours, if possible.

Should Contractor fail to take such precautions, Tenant and GC shall be liable for loss of business by any Tenant affected that cannot operate due to such odors infiltrating their premises.

- y. **After Hours Work:** Property Management is to be notified of any after-hours work and will issue a security clearance. After-hours requests for Monday through Friday must be scheduled with Property Management by 2:00 PM day of work. Weekend access must be scheduled with a minimum of 48 hours advanced. After-hours work will not be allowed unless approved by Property Management. Failure to follow these procedures may result in work stoppage.

OFFICE TENANTS: Contractor must arrange for security to be present during any after-hours work for Tenant through Property Management. Landlord will schedule the Security services. Contractor shall pay Landlord's Security vendor directly for their services. Scheduling should be arranged a minimum of 2 days in advance to avoid expedited or overtime rates.

- z. **Landlord Inspections:** Landlord will from time to time visit the construction site. If any deficiencies are noted, Tenant or Tenant's Contractor shall correct prior to the completion of construction. If the correction is needed for the safety and well-being of the center's tenants, customers or for the integrity of the building itself, such measures will be taken immediately.
- aa. **Scaffolding:** For exterior façade work that requires scaffolding, Tenant Contractor shall provide Landlord with a detailed plan of the layout of the scaffolding. The design shall include the minimum 48" accessibility clearance noted on the plan (layout). Existing ADA ramp shall remain opened and accessible. Tenant Contractor shall also provide Landlord with a copy of the scaffolding permit for Landlord's record.
- bb. **Final Walk Through / Punch List:** A final walk through for approval of construction and clean-up will be scheduled with the Construction Manager. This will be scheduled at least 48 hours prior to the desired date/time of the walk through. Tenant or their Contractor shall schedule this meeting with Construction Manager.

6. POST CONSTRUCTION (CLOSE-OUT):

- a. **As-Built:** Contractor will provide electronic copies of as-built drawings at the conclusion of the project to the Construction Manager. Contractor will provide original warranty documentation for equipment and appliances installed for office finish-outs.
- b. **Certificate of Occupancy:** Tenant or Tenant's Contractor to supply the Construction Manager with copies of the Certificate of Occupancy at the time that it is obtained.
- c. **Unconditional Lien Waivers:** GC and their subcontractors shall provide copies to Tenant for submission to Landlord. Sample copy is attached.
- d. **Roofing Certification:** If applicable, for any roof penetration work.
- e. **HVAC Test & Air Balancing Report, Manual and Warranty:** Provide copies to Tenant for submission to Landlord. TAB report must comply with Engineer's design requirements.

- f. **TDLR Compliance:** Proof that all violations have been corrected.
- g. **Completion of Punch List:** Proof that all punch list items have been completed.

7. **GENERAL:**

- a. **Demising Wall:** Width of demising space is measured from the center line of one demising wall to the center line of the next demising wall.
- b. **Storefront:** Tenant shall provide vinyl graphics on storefront window announcing their "OPENING SOON" or "COMING SOON". Art work goes to our Marketing Director, Monica Bermea at mbermea@vestar.com for review/approval within 15 days after Lease execution.
- c. **Damages to Building or Property:** Contractor and its subcontractors & vendors will be responsible to all damages to the building or property resulting from their actions or negligence. This includes, but is not limited, to damages due to theft, negligence, vandalism whether intentional or not.
- d. **Building Codes & Permits:** All contractors performing work in the building must comply with all National, State and Local Codes for method of construction, materials used and safety issues. All construction permits will remain posted throughout construction. A copy of these permits will be provided to the Construction Manager before the commencement of construction. At the completion of construction copies of the Final Building Inspection and Certificate of Occupancy will be provided to the Construction Manager.
- e. **Modification of the Rules and Regulations:** Property Management and the Construction Manager reserve the right to change or alter the Crockett Row at West 7th Rules and Regulations for Contractors, Subcontractors or Vendors from time to time.

8. **ENCLOSURES:**

- a. Contractor's Certificate of Insurance sample
- b. Contractor's Designated Parking
- c. Contractor's Designated Trash Enclosure
- d. Vestar Unconditional and Conditional Lien Waivers
- e. Map of Fire Riser Room and Electrical Room for respective Block