

BANYAN STREET CAPITAL
BUILDING SPECIFIC RULES AND REGULATIONS
Attachment "A"

These Building Work Rules are access and construction rules to be followed by contractors, designers and vendors who require access to the Building or who will be designing or installing work in the Building.

Any references to Banyan Street Capital or Building Management refer to the Property Manager. Any required written notification is to be addressed to the Property Manager and is considered delivered when it arrives in the Management Office.

Contractor means general contractor and/or its subcontractors and suppliers doing construction or related work in the Building either directly for the Building Owner or for the Property Manager or Tenant.

Information concerning the Building's Operation (i.e. Building Manager, normal business hours, etc.) is listed on the attached Building Information Sheet.

1. All space plans, final drawings and engineering or design/build drawings must have the expressed written approval of Banyan Street Capital prior to demolition/construction commencement.
2. Existing as-built, backgrounds or suite documentation issued by the Property Manager are intended to assist only and are not to be solely relied on without verification by the contractor, consultant or vendor. Architects must field verify.
3. All contractors, subcontractors and suppliers must submit Releases of Liens using the unaltered, Banyan Street Capital standard form with each request for payment. Payments will not be made until all complete and accurate Releases of Liens are received, and retention will not be released until all contractors, subcontractors and suppliers have submitted Final Unconditional Releases of Liens to the Property Manager.
4. All activities and changes that may result in a cost to Banyan Street Capital must be approved in writing by Banyan Street Capital prior to the cost being incurred. Claims for additional costs for activities or changes not previously approved by Banyan Street Capital will be disqualified and rejected without payment.
5. The Contractor shall be held responsible for its subcontractors' actions in all cases. The Property Manager or other Banyan Street Capital personnel will not be responsible for directing subcontractors or liable for any acts or omissions of a subcontractor in the event some direction is given in the absence of the General Contractor.
6. Contractor will submit an MSDS binder to Banyan Street Capital. This binder will contain material safety data sheets for all materials used on the property
7. All contractors and subcontractors will be approved by Banyan Street Capital prior to work commencement.
8. Before any hazardous material are utilized or delivered into the Building, Contractor shall notify the Property Manager in writing and submit the required paperwork to be kept on file at the Building. Storage locations will be approved by the Property Manager in advance of delivery. Contractor is responsible for providing information (MSDS) to workers regarding all hazardous materials and substances used or introduced by the Contractors, including their potential hazards.
9. All contractors providing work in the Building must sign a Work/Construction Agreement, if working directly for Banyan Street Capital, or must be party to a construction agreement with the Owner on a form of contract acceptable to Banyan Street Capital

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- or the Owner. If a conflict exists or arise between these Building Work Rules and the Banyan Street Capital Work/Construction Agreement, the Agreement shall prevail.
10. All requests for electrical shut downs, sprinkler systems impairments and other actions that affect building systems and equipment will be sent in writing to the Building Management at least 48 business hours in advance. (No-call in authorizations).
 11. A copy of the construction permit, the construction schedule and a list of subcontractors shall be submitted to the Property Manager prior to construction. The permit set of drawings will be delivered to the Property Manager at the completion of the job. A copy of the tenant's Certificate of Occupancy shall be sent to the Property Manager's attention at job conclusion.
 12. A certificate of insurance showing general liability and workman's compensation for each subcontractor and for the General Contractor, listing

Insurance: Commencing with performance of Contractor's services hereunder and continuing during the term of this Agreement, Contractor shall provide insurance policies and maintain said policies in full force and effect. Said policies are to be of the following types and amounts:

Worker's Compensation Insurance in compliance with statutory requirements of the state(s) in which the services are being performed and shall apply to all persons employed by Contractor; Employer's Liability Insurance in the minimum amount of \$1,000,000.00;

Comprehensive General Liability Insurance on a per occurrence form and on a primary coverage basis covering claims for personal injury, bodily injury, death or property damage occurring upon, or arising in or about the property including coverage for premises operations, products completed operations and broad form contractual coverage in the minimum amount of \$1,000,000.00 per occurrence \$2,000,000 aggregate per project/location;

Comprehensive Automobile Liability Insurance in the minimum amount of \$1,000,000.00 combined single limit for Bodily Injury and Property Damage if automobiles are used in the performance of Contractor's obligations hereunder;

In the event that Contractor is to park motor vehicles as part of the Services herein, Garage Keepers Legal Liability Insurance in an amount of not less than \$1,000,000, which insurance may be subject to a deductible provision not to exceed \$250 per occurrence; In the event Contractor is to operate a parking garage as part of the Services herein,

Garage Liability Insurance in an amount of not less than \$1,000,000 combined single limit; and Umbrella/Excess Liability Insurance on a follow form basis in the minimum amount of \$3,000,000 combined single limit covering both Bodily Injury and Property Damage.

All such insurance shall be issued by Companies satisfactory to Owner and in all cases rated at least A - VIII or better in "Best's Insurance Guide". All of such policies shall be on an "occurrence basis" and BSC RG Boone Boulevard Owner, LLC and Owner shall be named as additional insureds under Contractor's General Liability, Automobile Liability and Excess Liability insurance policies. Certificates in customary form, evidencing that premiums for the foregoing insurance have been paid, shall be delivered by Contractor to Banyan Street Capital simultaneously with Contractor's execution of this Agreement and prior to Contractor performing any

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Services hereunder. Within thirty (30) days prior to expiration of such insurance similar updated certificates shall be delivered by Contractor to Banyan Street Capital evidencing the renewal of such insurance, together with evidence satisfactory to Banyan Street Capital of the payment of the premium. All certificates of insurance must contain a definite provision that if the policies of insurance evidence by such certificates are canceled or changed during the periods of coverage as stated therein, in such a manner as to effect the coverage afforded by such policies, written notice will be mailed to Banyan Street Capital and Owner by certified mail and return receipt requested at least thirty (30) days prior to such cancellation or change.

Contractor shall procure an appropriate clause in, or endorsement on, each of its policies for fire or extended coverage insurance and on all other forms of property damage insurance covering the Contractor's personal property, materials or equipment whereby the insurer waives subrogation or consents to a waiver of the right of recovery against Banyan Street Capital and Owner, and having obtained such waiver of subrogation or waiver of the right of recovery, Contractor hereby agrees that it will not make any claim against or seek to recover from Banyan Street Capital or Owner for any loss or damage to property of the type covered by such insurance.

Contractor's Comprehensive General Liability Insurance shall be primary, and any such insurance maintained by Banyan Street Capital and/or Owner shall be secondary and non-contributory and excess over the Comprehensive General Liability Insurance to be maintained by Contractor hereunder.

Contractor agrees that the provisions set forth in this Paragraph shall be imposed upon, assumed and performed by each of its subcontractors, if any.

ADDITIONAL INSURED:

One Irvington Centre Associates, LLC, Two Irvington Centre Associates, LLC and Three Irvington Centre Associates, LLC
BSC Realty Services, LLC

CERTIFICATE HOLDER:

One Irvington Centre Associates, LLC
Two Irvington Centre Associates, LLC
and Three Irvington Centre
Associates, LLC

702 King Farm Boulevard Suite B-100
Rockville, Maryland 20850

14. **All new, existing and relocated equipment and devices shall be easily accessible (i.e., not blocked by new or existing construction).**
15. The contractor shall arrange a pre-job walk-through with the Property Manager, and the Property Manager must approve all on-site staging areas in writing. Weekly progress meetings will be held. The Contractor shall conduct and issue minutes for weekly progress meetings, which will be attended by **Banyan Street Capital** representatives.

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16. Welding and burning with an open flame will not be allowed without prior approval of the Property Manager/Chief Engineer. When welding or burning is allowed, it shall comply with all applicable codes. All necessary hot work permits must be obtained, and a fire extinguisher must be provided with 75 feet of welding or burning that is allowed. It shall comply with all applicable codes. At no time will burning take place on any floor where the sprinkler systems are in a non-functioning condition or if the sprinkler system is impaired in any way.
17. All fire egress doors, hallways and stairwells will be free and clear of debris at all times.
18. Prior to any construction or demolition the contractor will perform an inspection of all building systems and provide a written deficiency list.
19. All work will conform to state and local codes and standards.

Transferables

1. Architectural, mechanical, plumbing, sprinkler and electrical as-built drawings and operations and maintenance manuals (O and M) must be forwarded to the Property Manager at the completion of the project. As-built drawings shall be accompanied by an air balance report, confirming the HVAC system balanced within 10% of design criteria, a copy of the re-labeled electrical panel schedule and all other record documents required by the Contract Documents. All warranty documentation shall be located within the operations and maintenance Manual.
2. The operations manual shall be tabbed with the appropriate section.

Air Quality

Contractor shall develop and implement an Indoor Air Quality Management Plan for the construction and occupancy phases of the building as follows:

1. During construction, meet or exceed the recommended Design Approaches for Sheet Metal and Air Conditioning National Contractors Association (SMACNA) IAQ Guideline for Occupied Buildings under construction, 1995, Chapter 3.

If air handlers must be used during construction, filtration media with a Minimum Efficiency Reporting Value (MERV) of 8 must be used at each return grill as determined by ASHRAE 52.2-1999.

2. Replace filtration media immediately prior to occupancy. When possible, conduct a minimum 2-week flush out with new filtration media with 100% outside air after construction ends and prior to occupancy of the affected space.
3. Protect stored on-site or installed absorptive materials from moisture damage.

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Electrical

1. No contractor shall lay wiring on ceiling grid. All wiring, including communications, shall be strapped or wire tied to the deck above in compliance with the applicable code. Under no circumstance may wire be strapped to sprinkler piping.
2. No wiring of any kind shall penetrate fire dampers in demising partitions
3. The lamps in all fluorescent fixtures shall follow the Building Standard in color and wattage unless previously approved by Property Manager.
4. All work will conform to national and local code. All work will comply with the National Electrical Code (NFPA 70).
5. All work will comply with NFPA 70e(Arc Flash)
6. All fire alarm wiring will be in "MC" metal clad cable
7. All fire alarm expander panels will be located in the core electrical closets as directed by the owner.
8. All Building Fire/Life Safety System work, including demolition, smoke detectors, fire pull stations and fire panel tie-ins must be completed by a qualified fire alarm technician. Prior to occupancy the Contractor will demonstrate to the Property Manager/Chief Engineer's satisfaction that the Fire/Life Safety Systems are functioning properly.
9. At the end of each work day the General Contractor will check out with the Chief Engineer or his representative that the Fire Alarm System is clear of all trouble signals. The GC will also verify that all fire prevention systems are back in service. The GC will ensure and verify with Chief Engineer or his representative that the operation of the heating system and pneumatic system are 100% active and operational prior to leaving the site for the day. The Chief Engineer will ensure that he or a representative will be available promptly when requested to the end of the day check out.
10. Electrical panel schedules must be completely replaced and dated, identifying all new circuits. All new panel schedules shall be typewritten and a final copy provided to the Building Manager/Chief Engineer.
11. The existing fire alarm shall remain operational at all times during construction. If the system is not operational for some reason a fire watch will be maintained by the Contractor
12. All electrical outlets and lighting circuits shall be property identified. Outlets shall be labeled on the backside of the cover plate
13. All fire alarm work will comply with NFPA 72
14. All electrical services will be dedicated to the affected tenancy. All circuits will be rewired to serve this purpose.
15. All fire alarm tie in's into the base building system will be performed by Mona Electric.
16. All unused or abandoned conduit, MC Cable, low voltage cabling, and equipment shall be removed.
17. All disconnects will be identify the power source including panel and breaker.

Plumbing

1. Provide a waterproofing membrane in all wet locations. This includes pantries and kitchens.
2. Plastic pipe or polypropylene tubing is not acceptable.
 - a. This includes coffee and refrigerator water piping.

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3. The Contractor shall protect drains to prevent clogging and shall clear all drains which have become clogged during construction.
4. All Sprinkler work will be scheduled 48 business hours in advance.
5. A valve tag chart shall be submitted at the completion of the job. All valves will receive a brass tag 1.5" in diameter.
6. All abandoned piping and equipment will be removed from building
7. All plastic pipe hangers mounted above ceiling must be approved by building management prior to installation.
8. All riser work will incorporate a future valve at the riser.
9. All pantries, kitchenettes and bathroom installations will incorporate local water shut off valve in the ceiling at the fixture or device.
10. All hot water heaters will incorporate an emergency drain pan.

HVAC

1. The Contractor shall observe the following procedures: All HVAC units within the construction site will be turned off during construction. Contractors are not to sit or stand on building equipment. Contractors shall cover the main HVAC return with MERV 8 filter material. A preliminary inspection of the HVAC work in progress shall be scheduled through the Property Manager/Chief Engineer prior to the installation or re-installation of the ceiling grid.
2. Supply/return air shall be balanced by the Contractor and shall not affect entry or interior door operation
3. All HVAC work will be approved and inspected by the Property Manager/Chief Engineer
4. A second inspection of the HVAC work in progress shall be scheduled through the Property Manager/Chief Engineer and shall take place with the attendance of the HVAC contractor's air balance engineer and the Chief Engineer. This inspection shall take place when the suite in question is ready to be air-balanced. All diffusers will be balanced within 10% of design criteria.
 - a. The Chief Engineer will inspect the construction on a periodic basis.
5. The location of all thermostats and diffusers shall be in accordance with the design documents
6. All thermostats located on exterior walls will be mounted on insulated sub-bases
7. All carbon dioxide sensors shall be protected during construction and incorporated into the new space. This includes mounting on an interior partition. The placement shall be accepted by the Chief Engineer
8. All fire dampers will remain **accessible**. No piping other obstacle shall be placed within the fire damper opening.
9. All unused variable air volume boxes will be returned to the landlord.
10. All HVAC equipment shall be cleaned and free of construction debris.
11. The contractor shall demonstrate the mechanical system operation prior to acceptance.
12. All control systems will be maintained during the project.
13. All control sequence of operations will be approved in writing.
14. A pre-construction survey will be conducted on all mechanical equipment; all deficiencies will be submitted to the management company prior to commencement of work.

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15. All abandoned equipment shall be removed from the space or roof. This includes mechanical, electrical and plumbing.
16. All water source HVAC equipment will incorporate a flow switch to interrupt operation of the equipment when condenser water stops flowing
17. All VAV systems shall identify the unit number and power source.
18. All roof top equipment shall be stenciled with the tenant and power source.
19. Approved TAB (Testing and Balancing Contractors)
 - a. Comfort Control Inc.
6711 Distribution Drive
Beltsville, Maryland 20705
(301)931-9300
 - b. Seneca Balance of Maryland
2301 Willoughby Beach Rd
Edgewood, MD 21040
800-938-2252
 - c. Annandale Balancing Company Inc.
6121 Lincolnia Road, Suite 202
Alexandria, Virginia, 22312
800-882-6895

Structural

1. All structural work must be approved by the landlord
2. All slab penetrations must be approved by the landlord, and include a GPR (ground penetrating radar) or X-Ray. All locations will be approved by the structural engineer or approved equal in writing.
3. All Floor penetrations will require a 48 business hour notice.
4. All abandoned floor penetrations will be filled with like material or approved equal.
5. All pipe penetrations through foundation walls and floor slabs will be sleeved and fire stopped.

General

1. **Contractor shall supervise all work conducted at the properties including:**
 - a. **Subcontractors and inspections.**
 - b. **Contractor will have a representative present during the work.**
2. Window coverings will be per the design document specifications.
3. All Building Standards must be adhered to when shown or indicated on the Working Drawings.
4. No odor causing or construction activities that hinder or impede building or tenant operations, between **the hours of 7:00 am – 6:00 p.m. Monday through Friday and 8:00 am -1:00 pm Saturday are allowed.** Landlord reserves the right to constitute the definition of an offending odor and/or construction activity which may impede building or tenant operations and/or the quiet enjoyment of existing tenants. If a construction activity is ceased due to violation of this, any overtime costs incurred will solely be the responsibility of the Contractor and/or tenant, and not that of the building owner or the

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- managing agent. It is the responsibility of the Contractor to control all noise during the project
5. The Contractor shall notify the Property Manager 48 hours prior to commencing any work which may cause objectionable noise or odors. To reduce the quantity of indoor air contaminants that are odorous or potentially irritating to provide installer and occupant health and comfort:
 6. Adhesives must meet or exceed the limits of the South Coast Air Quality Management District Rule #1168 and all sealants used as a filler must meet or exceed Bay Area Air Quality Management District Reg. 8, Rule 51
 7. Paints and coatings must meet or exceed the VOC and chemical component limits of Green Seal requirements
 8. Carpet systems must meet or exceed the Carpet and Rug Institute Green Label Indoor Air Quality Test Program
 9. Composite wood and agrifiber products must contain no added urea-formaldehyde resins
 10. The Contractor is responsible for ensuring job site safety. This includes safety for the work force as well as anyone entering the construction area. The Contractor shall provide protection and barricades as required to ensure personnel safety and shall strictly comply with OSHA at a minimum.
 11. The contractor shall notify the Property Manager in writing and obtain Manager's written approval at least 48 hours prior to any interruption of building services. The Contractor will be responsible for damages arising out of loss of Building services, including power, due to its actions and the actions of its subcontractors.
 12. Construction materials and equipment shall be staged or stored in neat and orderly fashion.
 13. Restroom use by Contractor personnel is restricted to the floor designated. The Contractor must clean existing restrooms/janitor's closets as part of the final clean up. General Contractor is responsible for all maintenance, daily cleaning and all restroom supplies. All janitor sinks used by contractor shall be maintained daily and cleared upon completion of job.
 14. Contractor will keep the floors that are not currently affected by work clean for potential leasing tours.
 15. Newly installed carpets are to be kept clean at all times. Contractor will be required to reimburse the building management for a thorough carpet cleaning at the completion of the construction job, if such cleaning is deemed necessary in the sole judgment of the building management.
 16. All Contractor activities must be conducted in a professional manner. All individuals must keep in mind that Building Management is responsible for providing quality service to all customers, tenants and visitors of the building.
 17. Contractor shall be responsible for the following expenses:
 - a. Parking for Contractor's and Contractor's employees' vehicles, if required.
 - b. "After-hours" elevator service.
 - c. Extended guard and/or engineering services as may be required to perform work.
 - d. Protection and restoration of all finished surfaces to remain (i.e. carpet, glass, aluminum, ceilings, wall covering, paint, hardware, etc.)

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18. All fire rated structures and partitions will be maintained intact. All floor and shaft penetrations shall be sealed in an approved U.L assembly.
19. All contractors and sub-contractors will have a uniform identifying them.
20. All contractors will maintain a daily log of all personnel on site.

Security

1. The Contractor must provide the Property Manager/Chief Engineer with written notification 30 days if possible hours prior to needing access to an occupied area. The Property Manager/Chief Engineer will notify the Tenant and then provide direction to the Contractor. The Contractor will only be allowed access to the floors and/or suites on and in which they are working. Access to the penthouse area is prohibited without the Property Manager/Chief Engineer's prior approval
2. Doors to suite, equipment and electrical rooms shall not be left open when the Contractor is not present. On no door, can the door closer arm be propped open or detached. Any electrical closet left open with the panel exposed, must have qualified Contractor personnel present at all times.
3. All lock changes shall require prior written notification by the Contractor to Building Management and must comply with established building standard specifications. (See Chief Engineer for lockset specifications). **All locks will be keyed to the building key system.**

Debris, recycling, cleaning and Trash

1. Debris removal shall proceed in accordance with best practices with as much material recycled as possible
2. Debris boxes shall be identified with contractors name to eliminate contractor confusion
3. The Contractor must provide for the daily removal of all trash and debris created during the course of construction. All contractors must schedule the delivery of trash containers with the Property Manager/Chief Engineer. The Property Manager/Chief Engineer assumes no responsibility for the Contractor's trash containers. Trash shall be contained within the Contractor's trash containers which should be emptied on a regular basis and never allowed to overflow or otherwise remain outside of the required container. Construction dumpsters may be placed only in specified areas.
4. All areas the Contractor or its subcontractors work in must be kept clean. All suites that contractors work in shall have construction dirt, dust and debris removed prior to completion inspection. This final cleaning includes cleaning of all carpet, windowsills, inside of perimeter windows, light diffusers, HVAC grilles, cabinets, sinks, etc.
5. Protection and cleanup of existing finishes in common areas and freight elevator shall be performed by the Contractor to the satisfaction of the Property Manager. The Contractor shall provide adequate matting/protection for all Building finishes. Walk off mats shall also be provided and cleaned periodically by the Contractor. Methods and times of protection shall be submitted in writing to the Property Manager for approval.

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6. The Contractor must leave the constructed space completely clean, including but not limited to the cleaning of the inside of all exterior windows and sills, all interior windows and sill, all light fixture lenses, all HVAC grills, cabinets and sinks. The Contractor must also vacuum the floor, including edge vacuuming, as a part of its work.
7. Food and related such debris shall not be left in the suite under construction or anywhere else in the Building at any time.
8. The Contractor shall maintain cleanliness throughout the Building, and no cluttering or blocking of hallways, exits, elevator lobbies, electrical closets or loading docks is allowed.
9. All debris shall be disposed of according to state and local codes.

Elevators

1. Contractors shall use passenger elevators to transport employees only.
2. Contractor shall protect building finishes
3. All deliveries shall be performed prior to building lease hours and must use the freight elevator.
4. Elevators used to transport materials must be padded prior to use

Hazardous Materials

1. If hazardous materials are discovered (I.E. asbestos, lead) all work must stop and the landlord will be notified.

The following additional rules apply to all contractors and subcontractors:

NO SMOKING

No eating or coffee breaks allowed in public areas or occupied tenant space, or outside the building's main entrance. The only approved area for eating or coffee breaks is within the contracted work area (if not occupied) or space designated by the Property Manager.

No congregating in public areas within the building or the building's premises. Meetings, lunches and breaks are to be within the contracted work areas.

Professional behavior is required. Appearance and professionalism are important to our customers, visitors and tenants when you and your employees are within the building. Serious offenses which will result in immediate dismissal from the premises or closing down of the job include:

- Possessing or consuming drugs or illegal substances while on the property.
- Violating Local, State or Federal Statutes or Regulations while on the property.
- Physically or verbally abusing/harassing any individual who works in or visits the building.
- Duplicating of keys, disabling of locking mechanisms or illegal entrance into any restricted space within the property.

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- Use of foul or vulgar language.

- END -

Signed by: _____

Print Name: _____

Company: _____

Date: _____

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BUILDING INFORMATION SHEET

BUILDING ADDRESS: 702 King Farm Boulevard, Suite B-100
Rockville, Maryland 20850

Management Office 301-417-2850

PROPERTY MANAGEMENT CONTACT: Brandie Ford, Property Manager
PHONE NUMBER: 301-417-2852
CELL NUMBER: 470-409-3040
Email bford@banyanstreet.com

Chief Engineer Tyler Easton
Email teaston@banyanstreet.com
Cell Phone 703-389-1466

- LOADING DOCK
LOCATION: **N/A**
HEIGHT: **N/A**

- FREIGHT ELEVATOR
LOCATION: **Off Loading Docks**
MAXIMUM WEIGHT: **3,500 lbs.**

- ROLL OFF BOX
LOCATION: **n/a**

- BUILDING HOURS: **7:00am- 6:00pm Monday through Friday**
8:00am-1:00 pm on Saturdays

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