



February 11, 2010

**120 Howard – Vertical Addition
Basis of Contract**

The following terms and conditions were presented with the original proposal:

Demolition:

- Excludes salvage of existing material. Assumes Shorenstein will work with local charities to see if any materials can be donated. (existing carpet, doors, lights, etc.)
- Demo for new elevator will require decommissioning the Men's restroom on each floor. This demolition and reconstruction will be scheduled such that no tenant will ever have to travel more than one floor (up or down) to find an open restroom.

Landscaping:

- Trees on Spear St. to be protected or replaced.
- Assumes points of connection and existing water meter are adequate for landscaping.

Precast Panels:

- Mock up required for approval.
- New finishes to match existing.

Interior Finishes:

- Restroom finishes on new floors (9 -12) to match scope of floors below.

Window Washing Equipment:

- Excludes any window washing equipment. (No specification)

Fire Sprinklers:

- Assumes existing drain in basement adequately sized for fire sprinkler drain.
- The new fire tank appears to be sized for 20minutes. The code changes next year to 30 minutes. This proposal assumes that the existing permit application uses last year's code.
- Excludes upgrades of existing seismic bracing. Assumed to be code-compliant.

- Assumes existing utility tie-in points are adequate for new connections.

Plumbing

- Include low-flow fixtures to achieve LEED points.
- Assumes existing utility tie-in points are adequate for new connections.

HVAC

- Existing rooftop equipment (9th Floor) to remain operational until new equipment (13th Floor) is operational.
- Assumes existing utility tie-in points are adequate for new connections.

Electrical:

- Fire Alarm (or some other method of building notification) will be operational at all times.
- Include infrastructure only for Security System

Schedule

- Requires some MEP shutdown time to tie in the new electrical transformer, to relocate the rooftop equipment, to tie in the extended sprinkler system, and to transfer to the new fire alarm system. These will be coordinated with Shorenstein and the Tenants to minimize disruption.

Site Requirements:

- Normal building operating hours are 8:00 AM – 5:00PM. Disruptive activities may be restricted during this period.
- Neighborhood noise restrictions are in place from 10:00 PM to 7:00 AM.
- Pedestrian and vehicular traffic to be protected at all times. Tenant/Retail spaces to remain accessible and operational.
- At least two (2) elevators must remain operational during normal building operating hours. Elevator Machine Room is not accessible during these hours.

General:

- Excludes Payment and Performance Bonds
- Excludes Costs for Permits and Plan Check Fees
- Design/Builder's insurance covers General Liability, Worker's Comp and Auto Coverage only. Excludes Costs for Builders Risk / All Risk Insurance.
- Excludes Cost for Special Inspections / 3rd Party Inspections.