



## CONSTRUCTION RULES AND REGULATIONS

The following Rules and Regulations shall apply without exception to all Vendors, Contractors, and Sub-Contractors performing work at 121 West Trade.

All Vendors, Contractors, and Sub-Contractors shall abide by the following Rules and Regulations, unless specifically exempted in writing by the Building Owner or the Owner's representative.

### **START-UP**

The Vendors, Contractors, and/or Sub-Contractors shall notify the Property Management Office in writing prior to the commencement of any construction activity. Please contact the Property Management Office at 704-332-7301 if you have questions.

The General Contractor is responsible for making any and all Vendors, Contractors, and/or Sub-Contractors aware of these Rules and Regulations and for enforcing the provisions contained herein. Failure to comply with these Rules and Regulations may result in Property Management asking the Vendor(s), Contractor(s), and/or Sub-Contractor to leave the building.

Any work that will be disruptive to building Tenants shall be scheduled and performed outside regular building operation hours of **Monday through Friday, 7:00 am to 7:00 pm, and Saturdays 8:00 am to 1:00 pm.**

Prior to commencement of construction, the Vendor, Contractor, and/or Sub-Contractor shall have obtained the following documents and submitted them to the Property Management Office:

- An executed Construction Contract with the Owner or the Owner's Representative
- An executed Contract with a Tenant who has an executed lease with the Owner
- A full set of construction plans for Landlord's approval prior to any construction.
- ALL required Building Permits from the City of Charlotte
- A Demolition Permit if demolition has been approved prior to the start of construction
- Completed Certificates of Insurance for each Vendor, Contractor, and Sub-Contractor in accordance with Building Requirements. (Please see the attached document.)
- All approved Construction documents -- All construction documentation is to be approved by the Owner/Owner's Representative, Management Office, and the Tenant.
- **If the project is designed-built, prior to starting any mechanical or electrical work, all plans must be submitted to the Owner/Owner's Representative, and Management Office for review.**
- A list of all Vendors, Contractors, and Sub-Contractors including telephone numbers and contact names
- A bar chart Construction Schedule to the Property Manager for review and approval. The bar chart shall include the starting date(s) and completion date(s) of all major sub-trades, the trends, and identification of all lead items.
- The Vendor, Contractor, and/or Sub-Contractor is responsible for examination of space conditions prior to the commencement of construction.

## **ACCESS BADGES/CARDS**

- Access badges are needed for freight elevator and loading dock access.
- Access badges may be obtained upon check-in at the Security console in the lobby.
- Each Vendor, Contractor, and/or Sub-Contractor needing a badge will sign the badge out and leave a valid driver's license with the Security Officer.
- In lieu of a driver's license, the Security Officer may allow a badge to be checked out in exchange for a \$20.00 deposit. The deposit will be refunded when the access badge is returned.
- Access badges must be turned in daily at the Security console in the lobby upon completion of the Vendor's, Contractor's, or Sub-Contractor's work (for that day/night) in the building.
- Any lost or damaged cards will be replaced at the Vendor's, Contractor's, Sub-Contractor's cost. Before any new badge may be signed out by the Vendor, Contractor, or Sub-Contractor lost or damaged the original card, the Property Management Office requires that the replacement cost of \$15.00 per card be paid.

## **BUILDING FACILITIES COORDINATION**

- Construction materials and equipment shall not be stored in any area without prior written approval of the building Property Manager.
- **NO FLAMMABLE MATERIALS SHALL BE STORED ANYWHERE ON THE PREMISES AT ANY TIME.**
- **ALL GAS-POWERED EQUIPMENT is STRICTLY FORBIDDEN** at 121 West Trade.

## **CONSTRUCTION HOURS**

Normal tenant business hours are Monday through Friday, 7:00 am to 7:00 pm and Saturdays, 8:00 am to 1:00 pm. **The following work shall be performed after hours as specified.** Any construction project not specified below needs to be scheduled with the 121 West Property Management Office at 704-332-7301.

- Demolition – Monday through Friday, 6:00 pm to 7:00 am.; Saturday: 1:00 pm to 7:00 am Monday.
- Coring\* -- Monday through Friday 6:00 pm to 7:00 am; Saturday: 1:00 pm to 7:00 am Monday. \*Due to scatter radiation, ALL coring shall be X-rayed, and approval and scheduling MUST be coordinated with the Property Management Office.
- Painting\* -- Monday through Friday: 6:00 pm to midnight; Saturday: 1:00 pm to midnight Sunday. \*Application(s) of all coating materials are subject to approval and scheduling by/with the Property Management Office.
- Driving tack strips into the floor (i.e., for carpet installation) – Monday through Friday: 6:00 pm to 7:00 am; Saturday: 1:00 pm to 7:00 am on Monday.
- Shooting of studs into the slabs/decks (Hilti Gun Shots) – Monday through Friday: 6:00 pm to 7:00 am; Saturday: 1:00 pm to 7:00 am on Monday.
- Any work that will interfere with normal operations for the tenants of the building – Monday through Friday: 6:00 pm to 7:00 am; Saturday: 1:00 pm to 7:00 am on Monday.

## **CONSTRUCTION METHODS AND PROCEDURES**

- No welding or burning with an open flame shall be permitted without prior written approval of the Property Management Office. When permitted, work shall be performed under the *direct* supervision of a Building Engineer. Fire extinguishers shall be provided and on hand by the Contractor during open-flame operations.
- All core drilling and floor penetrations shall be X-rayed after hours and prior to drilling. Approval for and coordination of X-raying, core drilling, and floor penetrations must be obtained from the Property Manager Office and/or the building Operations Manger **PRIOR TO ANY OF THESE ACTIVITIES.**

- All penetrations must be sealed with an approved NFPA/UL fire sealant. Vendors, Contractors, and Sub-Contractors are responsible for the safety of the occupants and work personnel and shall protect the same as required by law and by OSHA.
- The Vendor, Contractor, or Sub-Contractor is responsible for all patching and replacing of any finishes affected by the tenant improvement work.
- The Vendor, Contractor, or Sub-Contractor is responsible for reinstating services affected by the tenant improvement work including lighting, HVAC, and electrical.
- The General Contractor must provide first aid equipment. This equipment is to remain on site at all times during the construction.
- All electrical panels shall have a typed panel scheduled, labeled, and identified. The Contractor must provide an updated Electrical Panel Schedule, and Panel Schedules must be identified as as-builts. All telephone equipment (backboard, computer, etc.) is to be installed in the Tenant space – not in the building's telephone closet.
- Any work that affects Critical Building System must be scheduled in writing with the Property Manager and the Operations Manager. All work that affects Critical Building Systems MUST be approved in writing.
- Drywall and heavy material should be stacked over beams at all times. No live loads shall exceed 80 pounds per square foot.
- A written request submitted to the Property Management Office 48 hours in advance is required to schedule the following services:
  - Freight elevator usage
  - Sprinkler System shut down
  - Fire and Life Safety System shut down
  - HVAC shut down
  - Access to the building after normal business hours
  - Major deliveries and Tenant relocation
  - Trash removal operations
  - Security detail/watch for any work or activity not performed during normal business hours.

## **ELEVATOR**

- Vendors, Contractors, and/or Sub-Contractors may use ONLY the freight elevator..
- The freight elevator cannot be reserved during normal building operational hours or the hours of Charlotte City Club operation. The freight elevator at 121 West Trade is on a first-come first-served basis.
- Vendors, Contractors, Sub-Contractors and/or Movers shall not hold the freight elevator on floors except for the time required to load and unload their equipment. The elevator is to be held with the assistance of a Building Engineer and/or Building Security with an elevator key **ONLY**.
- **FREIGHT ELEVATOR DOORS SHALL NOT BE FORCED UPON UNDER ANY CIRCUMSTANCES. ANY DAMAGE FROM ABUSE/FAILURE TO FOLLOW THESE RULES AND REGULATIONS WILL BE REPAIRED AND BILLED AT THE VENDOR'S, CONTRACTOR'S, OR SUB-CONTRACTOR'S EXPENSE.**
- The freight elevator shall be used for transporting construction personnel and their equipment. Construction personnel shall not ride in passenger elevator cars under any circumstances.
- The 121 West Trade passenger elevators MAY NOT be used for the transportation, loading, or unloading of ANY material or equipment. All equipment and material transportation, loading, and unloading should occur in the freight elevator/freight elevator lobby area ONLY. There will be NO carts, dollies, or wheel trucks of any kind on the passenger elevator's marble flooring. ANY damages to the marble flooring and/or the wood paneling will be repaired at the Vendor's or Contractor's expense.
- Construction personnel are restricted to freight elevator use only. Any elevator problems should be reported to building Security immediately.
- Contractor is responsible for broom and mop cleaning of the freight elevator daily. **NOTE: The elevator tracks need to stay clean in order for the door to operate properly.**

- Arrangements need to be made with OTIS Elevator and the 121 West Trade Property Manager for the delivery of any oversized items that will not fit into the freight elevator. Any need to make special arrangements to accommodate the moving of oversized items, will have to be made with Otis Elevator, and there will be an additional charge passed on to the Vendor/Contractor.
- Any damage caused by the Vendor/Contractor to the freight elevator or the passenger elevator will be billed to the General Contractor.
- Hours available for priority use of the freight elevator are Monday through Saturday from 1:00 am to 6:00 am and from Sunday 1:00 am to 6:00 am on Monday. (All priority hours must be reserved in advance.) These hours are to accommodate Charlotte City Club deliveries. The reservations must be made 48 hours in advance prior to the priority service date. **NOTE: During the hours of 6:00 pm to 1:00 am, Monday through Friday, the freight elevator will be utilized by the Janitorial staff also. All Vendors/Contractors will have to accommodate their requirements as they are providing a required service to the building.**

## **FIRE AND SAFETY**

- All work on the Fire and Life Safety System and Sprinkler System must be coordinated with Property Management, the Chief Engineer, and Building Security. **AT NO TIME or UNDER ANY CIRCUMSTANCE** is the Vendor/Contractor to do ANY work that puts the Fire and Life Safety System into alarm status. All work must be done with the system off-line and with proper notification to the Charlotte Fire Department.
- **ONLY** Building Engineers will render the Fire and Life Safety System off-line.
- The Owner requires use of building standard equipment for any changes to the Life Safety System except where additional equipment is required for expansions, renovations, and alterations.

### **AT NO TIME WILL THE FIRE AND LIFE SAFETY SYSTEM BE LEFT OFF-LINE WITHOUT A BUILDING ENGINEER PRESENT. There will be NO EXCEPTIONS.**

- If any Vendor/Contractor is to perform any work that will cause excessive smoke or fumes, the Chief Engineer is to be notified 24 hours in advance so that the building can be put off-line with the Fire Department. (False alarm fines can exceed \$500.00.) If this requirement is not followed, any fines incurred as a result of a false alarm will be charged to the Vendor/Contractor responsible.
- When work such as painting (over spray), sanding, demolition, or heavy sweeping takes place, measures must be taken to protect smoke detectors from these materials. **No portion of the Fire and Life Safety System shall be rendered out of service without the prior knowledge of the Chief Engineer, Security, and Property Manager.** (See ALL Rules and Regulations listed above and below.
- T. A. C. (919-467-0106) employees Jeff Wells or Tim Anderson shall make all changes, additions, or modifications to the building's Fire and Life Safety System. Any additions of speakers, smokeheads, pull stations, or any other peripheral equipment shall be coordinated with T. A. C. Property Management, Operations Manager, and the Building Engineer.
- **All wiring and cable shall be put into approved pipe.**
- All work on the building Sprinkler System will take place with **48 hours notice** only. There will be **NO EXCEPTIONS.**
- All work on the Sprinkler System shall be coordinated with Property Management, the Building Engineers, and Security. **The Sprinkler System will only be rendered off-line while Building Engineers are present – NO EXCEPTIONS!** There will be an overtime charge if work is coordinated for the Sprinkler System after hours (\$90.00 per hour).
- The Sprinkler System will be drained and filled **ONLY** with the supervision of Building Engineers.
- All head covers shall be replaced in the ceiling grid. If the covers are lost or not replaced, the Building Engineers will replace them at a rate of \$60.00 an hour for labor and \$45.00 for each head cover supplied by the building. The General Contractor will be responsible for this expense.

## HOUSEKEEPING

- All Vendors/Contractors shall behave in a professional and dignified manner. (No shorts, tank tops, no bare backs or bare feet, no “cat calls”.) Any inappropriate behavior or dress will be addressed with the Vendor’s/Contractor’s Supervisor or Foreman. Loud, abusive, or profane language WILL NOT BE TOLERATED AT ANY TIME. No boom boxes (radios) or televisions are allowed in the building during construction.
- The Vendor/Contractor shall provide carpet/floor protection for all construction requiring the Vendor’s/Contractor’s use of lobbies or common areas in accordance with the following standards:
  - One-fourth inch Masonite panels taped to the floor: All corner edges and joints shall be anchored to provide safe and “trip free” transitions.
  - Carpet masking (stick or tack down plastic sheeting)
- Restroom wash basins SHALL NOT BE USED to fill buckets, make pastes, wash brushes, etc.
- The Vendor/Contractor shall be responsible for the touch-up of paint and repair of any damage(s) during construction, testing, or Tenant move-in.
- The Vendor/Contractor shall be responsible for daily removal of all trash and debris from the job site. **At no time shall the building’s dumpster be used by the Contractor’s clean-up crews for disposal of any trash or debris.**
- Additional dumpsters are prohibited on property due to space restrictions.
- The Vendor/Contractor Access Badge will be worn and displayed at all times while on 121 West Trade property.
- Contractor must provide means of trash removal.
- Food and related lunch debris shall not be left in the suite under construction or anywhere else in the building, but shall be immediately and properly disposed of by the Vendor/Contractor.
- All construction areas shall be kept broom clean at all times. The Vendor/Contractor shall be responsible for complete detailing of the premises and final cleanup for move-in.
- The Vendor/Contractor MUST SUBMIT Material and Safety Data Sheets for hazardous materials used on this project. This information shall be provided to 121 West Trade Property Management Office PRIOR to the start of construction.
- **Smoking is not permitted anywhere inside the building or loading dock area.**
- Any cleaning costs resulting from the construction and/or demolition other than the construction area (i.e., the common areas) will be billed to the General Contractor.

## LOADING DOCK

Please contact the 121 West Trade Property Management Office (704-332-7301) for the 121 West Trade Freight Elevator/Loading Dock Rules and Regulations. This document contains valuable information that will assist you – including the vehicle clearances for/access to the loading dock area.

## LOBBY

The main lobby of the building may not be used for the loading or unloading of ANY material or equipment. All equipment and material loading and/or unloading should occur in the freight elevator/-freight elevator lobby area only. There will be NO dollies or wheel trucks of any kind on the lobby’s marble flooring. ANY damages to the marble flooring will be repaired at the expense of the Vendor/Contractor.

## NO SMOKING

121 West Trade is a smoke free building.

## PARKING

- Parking on or in the loading dock areas is not permitted.

- Parking is available in the 121 West Trade parking garage at the current parking rate.
- Dock parking for deliveries will be strictly limited to 30 minutes. Towing is enforced.  
**There will be no parking validations.**
- Parking garage height must be observed. Maximum Clearance (height) is 6' 8".
- Parking on the loading dock will be permitted for large truck debris removal. Contractors must request dock access time in advance. Contact the Property Management Office at 704-332-7301 for the necessary forms. (Vehicle cannot be longer than 24 feet.)

## **PROJECT CLOSEOUT**

- At the completion of the project, a Punch List/Walk-Through shall take place with the Tenant, Property Manager, Chief Engineer, and the General Contractor. Included in this walk-through will be base building Electrical Closets, Air Handler Rooms, Telephone Closets, and any areas of the base building which may have been impacted by construction. The Vendors/Contractors shall be responsible for the clean up of these areas and any damage that may have occurred during construction.
- The Vendor/Contractor is responsible for closing out the Punch List in an expedient manner.
- Before final payment, the Vendor/Contractor is responsible for providing a close-out package that includes copies of:
  - Permits
  - Finishes
  - As-Builts
  - All Warranties
  - CAD Drawings on CD-ROM
  - Sub-Contractors Names and Telephone Numbers and Fully Executed Lien Waivers from all Sub-Contractors.

## **RESTROOMS**

- Restrooms within the construction area will be available for construction personnel. The General Contractor will be responsible for maintaining the clean, sanitary, and stocked condition of these restrooms including the provision of paper products. The General Contractor is to turn over the restrooms at the end of the project in CLEAN, Tenant-ready condition, with no damages to any finishes.
- ANY use of Charlotte City Club restrooms is strictly prohibited.

## **SECURITY**

- All Vendors, Contractors, and Sub-Contractors must **check in and out** on a **daily** basis with Security, located in the lobby of the building.
- All after hours and/or weekend activity/work must be coordinated with the Property Management Office and Security, or access will not be granted.
- Any after hours and/or weekend activity/work that will require entry into Tenant-occupied space will necessitate the presence of Building Security personnel for the duration of the time in said Tenant space. Any cost(s) associated with the above will be the responsibility of the Tenant hiring the Vendor, Contractor, or Sub-Contractor.
- All requests for after hours and/or weekend access must be received 24 hours in advance and in writing to the Management Office. In addition, all requests for weekend access must be submitted by noon on Thursday.

**SIGNATURES**

I hereby acknowledge receipt of the Vendor/Contractor Rules and Regulations. I understand and agree to abide by all of the requirements of these Rules and Regulations. Additionally, I understand that I will be charged for any damage and/or clean up required because of my failure or the failure of my Sub-Contractors to comply with these Rules and Regulations.

Vendor/Contractor Company Name:

\_\_\_\_\_  
(Printed)

Accepted by:

\_\_\_\_\_  
(Name and Title, Printed)

Signature:

\_\_\_\_\_

Date:

\_\_\_\_\_

Please remember that the Vendor/Contractor **MUST SUBMIT Material and Safety Data Sheets for hazardous materials used on any project in the 121 West Trade building.** This information shall be provided to the 121 West Trade Property Management Office **PRIOR to the start of construction.**

Additionally, **ALL** Vendors and Contractors **MUST HAVE a current Certificate of Insurance on file** in the Management Office of 121 West Trade **BEFORE any work may be done in the 121 West Trade building.** The Certificate of Insurance Requirements for 121 West Trade Tenants, Vendors, and Contractors follow on the next page.



**CERTIFICATE OF INSURANCE REQUIREMENTS  
for  
121 WEST TRADE**

***Each Certificate of Liability Insurance shall include the following limits:***

<b>General Liability</b>	Each Occurrence	\$1,000,000
	General Aggregate	\$2,000,000
<b>Automobile Liability</b>		\$1,000,000
<b>Umbrella Liability</b>		\$5,000,000
<b>Workers Compensation and Employer's Liability:</b>	Each Accident	\$ 500,000
	Each Employee	\$ 500,000
	Policy Limit	\$ 500,000

***Workers Compensation and Employer's Liability shall include a  
WAIVER OF SUBROGATION IN FAVOR OF OWNER AND MANAGEMENT COMPANY.***

There are **two Additional Insureds** that need to be endorsed on the Policy:

1. **Tryon Tower, LLC** (Landlord/Owner)
2. **Spectrum Properties** (Management Company)

The Certificate Holder should be listed as follows:

**121 West Trade Management Office  
121 West Trade Street, Suite 3050  
Charlotte, NC 28202  
Tel: 704-332-7301 Fax: 704-332-7565**

Correct and current Certificates of Insurance may be faxed to the Management Office. Please include a telephone number and a fax number for the Insurance Company as well as the Insured in the event there is a problem.