



## **Tenant Construction Manual**

### **Pre-Construction Procedures:**

Prior to the commencement of any work, the tenant must provide building plans by a licensed Architect/Engineer to the Landlord's **Construction Manager** for Approval. The **Construction Manager** of the Landlord shall be responsible for the review of Tenant's design drawings and final plans. All questions pertaining to the design and construction of the Leased Premises and all plans submitted to Landlord shall be directed to the **Construction Manager** at the following address:

**THE SHOPPES AT VANDERBILT, LLC**  
**Attn: Property Manager**  
**2343 Vanderbilt Beach Rd., Suite 624**  
**Naples, FL 34109**

### **Plans:**

Tenant shall supply Landlord with one (1) complete set of plans and specifications for Tenant's Work for Landlord's approval. These plans should include:

- A reflected ceiling plan
- Interior layouts and finishes
- Plumbing, Mechanical and Electrical plans
- And any other plans necessary or reasonably required by Landlord in connection with the review and approval of Tenant's Work.

If Landlord does not approve the plans, Landlord shall note the reasons for such disapproval and Tenant shall, within ten (10) days after receipt of such "disapproved" Plans, correct any deficiencies noted by Landlord and re-submit the revised plans to Landlord, for Landlord's approval. This procedure will continue until such time as Tenant's plans are approved by Landlord. All Tenants' Work shall be performed only in accordance with such approved plans.

**Building Permit:** Tenants will apply for Building Permit and cannot start construction until we have a copy of the Permit. Code requires that all plans submitted for approval have an architectural seal.

**Proof of Contractor Insurance and Workman's Compensation:** Tenant must furnish to Landlord tenant's contractors' proof of Insurance and Workman's Compensation. Contractor must add "The Shoppes at Vanderbilt, LLC." As an additional insured.

**Contact License:** Tenant must provide Landlord a copy of contractors License.

### **Procedures During Construction:**

- Tenant is responsible to notify all County/City departments to inspect work as required. Landlord will not permit the contractor to close up any walls until the County/City has made their inspection, i.e. plumbing, electrical, construction, etc.

**Cleaning of Premises:** Tenant shall maintain the leased premises and surrounding areas in a clean and orderly condition during all construction and merchandising of the Leased Premises. Tenant shall promptly, unless specifically approved, remove from the Shopping Center all of the following:

- Unused construction materials
- Equipment
- Shipping containers
- Packaging
- Debris



All of the above will be at Tenant's expense. Tenant shall coordinate with Property Manager where to store construction debris container.

**Dumpsters:** Roll off dumpster locations must be approved by the ***Construction Manager.*** Once location is approved the dumpster must have 2x4 or plywood underneath to prevent damage to asphalt. No construction debris of any kind at any time is allowed to be thrown in the trash or recycling dumpsters that service the tenants.

### **Procedures After Construction:**

**\*Note: The following forms must be turned into Landlord upon completion of tenant build out.**

**Certificate of Occupancy:** Tenant shall secure any occupancy permits required by the applicable governmental authorities, and shall provide a copy of each permit to Landlord upon receipt.

**Release of Liens:** Tenant shall provide Landlord with releases of lien, in a form acceptable to Landlord, releasing Landlord and others designated by Landlord as payments for Tenant's Work are made. Upon completion of Tenant's Work, Tenant shall obtain final releases of lien from all contractors, sub-contractors and suppliers, within ten (10) working days of completion of Tenant's Work.

### **Other Construction Policies:**

#### **Tenant's Work:**

Tenant shall commence Tenant's Work and diligently and continually proceed to complete the Leased Premises in accordance with the approved final plans and permits.

**Discipline:** Tenant shall enforce strict discipline and good order among the employees of Tenant's contractors and subcontractors.

**Violations:** In the event Tenant is notified of any violations of codes, ordinances, regulations, requirements or guidelines in connection with Tenant's Work, either by the applicable governmental authorities or by Landlord, Tenant shall immediately notify Landlord and, at Tenant's sole cost and expense, correct such violations within ten (10) days after such notification or within a reasonable period of time, not to exceed the deadline required by the governmental authorities.

**Safety:** Contractor must maintain and obey all OSHA Rules & Regulations.

**Smoking:** No smoking in any areas within the building, including work area. No eating or coffee breaks are allowed in public areas or occupied tenant space. The only approved area for eating or coffee breaks is within the contracted work area (if not occupied) or space designated by the building management. No congregating in public areas within the building or on the building's premises.

**Right to Terminate:** Landlord shall, in its sole discretion, have the right to order Tenant to terminate Tenant's work or construction at any time for good and sufficient cause. Upon a "cease work notification" from Landlord to Tenant, Tenant shall immediately remove from the premises as well as all of Tenant's agents, employees and contractors engaged in or involved with such work or construction. Tenant may not resume work until such time as Landlord has given its consent to resume work or construction in writing. Tenant, in connection with this work, shall have no claims for damages of any nature whatsoever against Landlord.

**Portable lavatories:** Portable lavatories and toilets are not allowed at The Shoppes at Vanderbilt. Contractors are to use restrooms located in the space they are working. If there are no restrooms in the space work is being conducted, please contact management for further instruction.



**Fire Panel:** If it is necessary for the fire panel to be disconnected due to tenant's construction, the tenant will be charged a nominal fee for this service.

**Signage and Temporary Construction Barriers:** All construction barriers and signage must be approved by the **Construction Manager.**

**Contractor Insurance Requirements:**

Contractor or subcontractor must provide all of the following prior to commencement of any work. Any changes from the following must receive written approval from Building Management.

Contractor shall defend, indemnify and hold harmless (General Contractor) if applicable, The Shoppes at Vanderbilt and employees of same against and from all claims, damages, losses, and expenses, including attorney fees, by reason of injury or death to persons or damage to property (including the work itself) and including the loss of use, claim to have arisen out of or resulted from the act or omission of the contractor, any sub-contractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable excepting such liability as may result from the sole negligence of the owner. Contractor's obligation shall not be limited in any way by any limitation by the amount or types of damage, compensation or benefits payable by or for disability acts or other employee benefit acts, including coverage for below noted indemnity agreement in such companies as may be approved by the Owner.

The Contractor agrees to maintain the following insurance policies in full force and effect in insurance companies licensed in the State of New York and acceptable to the General Contractor.

Commercial General Liability Insurance with a minimum of \$1,000,000 Combined Single Limit of Bodily Injury and Property Damage per occurrence, and a \$2,000,000 general aggregate per project. **The Shoppes at Vanderbilt must be listed as certificate holder using the following address:** 2343 Vanderbilt Beach Road Suite 624 Naples, FL 34109.

Contractor must have Workers Compensation and Employees Liability Insurance or prove exemption.

**These rules and regulations are subject to change.**

X \_\_\_\_\_

\_\_\_\_\_ Date