

UNIVERSITY PARK MALL LIFESTYLE CRITERIA

Storefront Design Criteria

General Design Criteria

The architectural and MEP Criteria are intended to supplement the properties' specific Storefront, Signage and MEP Criteria Manual. These are included in the Tenant Information Package.

The Tenant's entire storefront opening within the Landlord's building façade shall be designed, fabricated, constructed, and installed by the Landlord. The storefront design shall work in concert with—and be respectful of—the Landlord's building façade, thematic architectural expression, and landscaping.

Landlord piers or columns in the Tenant's storefront that are clad or otherwise designed as part of the Landlord building architecture shall be preserved without alteration by the Tenant. Unclad piers or columns in the Tenant's storefront shall be incorporated into the Tenant's storefront design. Tenant shall be responsible for all work within the premises beyond the storefront, included—but not limited to—finishes within the design control zone.

No alterations, additions, changes, or modifications to the Base building finishes and/or construction shall be permitted without obtaining Landlord's prior written approval. Such approval must be requested by Tenant under separate cover from Tenant's drawings. If permitted, all work shall be performed by Landlord at Tenant's expense.

All Tenant construction, including storefronts, must be made of non-combustible materials. Treated fire-resistive materials are permitted only with approval by local jurisdictional authorities.

All Tenant storefronts and floors must be watertight and must properly slope to drain and to meet flush with Landlord's finishes and/or pavements at the storefront. All exterior Tenant storefront materials must be suitable to outdoor weather, use, and wear.

Storefront Design Control Zone

The Tenant Storefront Design Control Zone is the area of the store extending from the storefront lease line into the store at a minimum of five feet (5'-0") across the entire width of the store. Since it is critical that the overall store appearance must be of the highest quality, the design zone will be closely reviewed by Landlord for appearance and use. No previous tenant finishes may be reused.

Ceiling materials must consist of gypsum wall board, wood, metal, or other types of hard surface materials. Acoustical ceilings and open ceiling will not be permitted in this zone.

Sprinkler heads shall be fully recessed with cover plates at entry vestibule and storefront show windows.

The backs of Emergency Exit signage/lights (over the entry doors) must be visible from the exterior.

Storefront security systems, if used, must be unobtrusively incorporated into the Tenant's design control zone. Storefront security system design and installation details shall be included in the Tenant storefront design and drawings submitted to the Landlord for approval prior to installation. Security grilles or gates behind storefront show windows or entrance doors are strictly prohibited.

All walls within this zone shall be provided with high quality finish material – plain painted surfaces are not permitted. Materials such as stone, tile, wood panels, the use of trim and other decorated treatments shall be utilized. Slatwall and gridwall are not permitted.

All plants must be shown on Tenants drawings, and identified by species as well as whether living or artificial. Plants on storefronts must have photographs submitted as part of Tenant's drawing submission to Landlord for approval. Depressed or slab-level plantings are prohibited. All plants installed by Tenant shall be properly maintained by Tenant at Tenant's expense. Self-watering pots must be used.

Ceilings

Ceiling surfaces within the Design Control Zone must be gypsum board, wood, or other type of hard surface material. The Ceiling height must be a minimum height of the storefront opening in Landlord's Building. Store exit signs must be located and hidden from view from the common walkway. Sprinkler heads in the ceiling must be flush or fully recessed. The cover plates are to be chrome finished or painted to match the ceiling color. Acoustical tile will not be allowed in the Design Control Zone.

Entry Floor

Floor finishes in this zone must be hard, high-quality, durable materials. At the entry, the floor finish shall be a non-slip material. Vinyl and/or rubber-resilient flooring or sealed/stained concrete systems are not allowed in the design control zone. If carpeting is proposed, 32 oz. nylon fiber is the minimum specification required.

The finished elevations at the store entrance must align with Landlord's finished and/or pavement elevation of the exterior walkway, with a weather-proofed threshold of minimal thickness (not to exceed ½") provided at the doors. The use of vinyl or metal reducer strips is prohibited. Tenant should provide a metal-embedded transition strip flush with the hard surface flooring at all transitions to other flooring types. No trip hazards such as reducer strips, thresholds or other noticeable transition device shall be permitted between different flooring materials.

Store Display and Merchandising

Extending 5'-0' back from the storefront glazing, the side walls and show windows shall be dedicated for use as a high-quality show window display. A creative display is required – standard merchandise racks, and well-finishing materials such as slatwall and prepackaged wall-mounted grid systems are prohibited.

Distinctive, high-quality and appropriate display techniques which best showcase the Tenant's merchandise must be used.

At the storefront entry, display fixtures or merchandise must be placed at least 3'-0" behind the Tenant's entry door. Merchandise rack and display features must not block customer traffic flow in and out of the store.

Television monitors to be installed at the storefront or within the Design Control Zone require specific approval by the Landlord. Monitors shall be incorporated into the overall storefront design and are to be encased with attractive display fixtures to conceal all surfaces except for the screen surface. The monitors, if allowed, may not emit any sound. Speakers which would allow sounds to be heard in the common walkways will be allowed in the storefront or store interior.

Show Window Safety Logos

Repetitive safety symbols (graphically designed) or lettering may be applied to the second surface (reversed reading, inside the store) storefront glass as approved by Landlord for identifying transparent surfaces for customer safety purposes. Emblems, logos, and letterings must not exceed 4" in height.

Storefront Lighting

Display window lighting must be incandescent, HID or similar color light source, as approved by the Landlord. Light sources and track lighting must not be visible from the adjacent sidewalk or street scene areas. Sodium lamps are prohibited in storefront areas.

Show windows and display areas should be adequately lighted and ventilated. Exposed fixture lamps are prohibited without prior Landlord approval; no lamp(s) shall extend below the ceiling or below the display window heads in the Design Control Zone. Displays showing in windows and entrances must be illuminated during Shopping Center's hours of operation, and shall be controlled by an automatic time-clock or control system connected to the Tenant's power supply.

Storefront Finishes

Storefront and glazing graphic, film, animations techniques, and projection techniques must be clearly shown on Tenant's drawings and are subject to Landlord's approval.

Interior Design Criteria

Tenant Service Door

Tenant shall be responsible to maintain the Tenant service door in good repair. The door and surrounding wall surface shall be finished and sized to match building materials.

When the service door is to be installed in a CMU wall, the opening must have a steel angle lintel header and metal corner guards at the jambs.

Any existing exterior door location cannot be altered by Tenant without prior written approval of Landlord.

The Landlord has established standard service door signage for each Tenant service door. No additional signage will be allowed unless approved by Landlord.

Tenants with exterior service doors are required to install an exterior security light (as specified by Landlord) above the door. Refer to the Tenant Handbook for light fixture specifications.

Tenant Interior Wall Construction

Typical interior wall construction is to be composed of non-combustible metal stud framing with 5/8" type 'x' GWB, taped, spackled, sanded, and finished.

Metal stud framing shall extend up to the structure above as required so the wall is adequately sealed and supported. Demising walls shall be fire-sealed from floor to roof deck above. Do not attach directly to Landlord's roof deck (see 'Structural Requirements').

Prohibited Wall Construction

- Concrete masonry unit or other masonry partitions, except at existing masonry demising or exterior partitions to infill and match the base building construction.
- Wood stud construction
- Modifications to the exterior walls of the building shell, without Landlord's prior written approval.

If required by code, Tenant is to install (2) hour fire rated finish for all common duct shafts and walls adjacent to exit or service corridors.

If Tenant's sound transition level through demising walls does not meet a minimum rating of STC 50 or greater, Tenant shall, at Tenant's expense, install sound insulation and/or resilient furring as required to comply.

Tenant shall be responsible for maintaining the code-required fire rating at all demising wall penetrations (ductwork, piping, conduit etc.). This work shall include the installation of fire stops and fire-rated penetration seals as required by code.

Sales area wall merchandise display system criteria:

- Wall standards within twenty feet of the storefront are to be recessed flush with the wall finish material.
- Wall standards installed in any demising wall may not compromise the fire rating of the demising wall.
- All slatwall used in the Sales Area must be provided with slot liners which are finished to be compatible with the finish of the slats.

Wall Finishes and Store Fixtures

Interior wall finishes are to be high quality, long lasting, and durable. Finishes shall comply with all applicable building codes and insurance. Underwriter requirements for appropriate fire resistance and flame spread ratings are subject to Landlord approval.

All trade fixtures shall be first-class new fixtures with durable finishes consistent with anticipated use.

All finished wood shall be millwork quality kiln dried with a durable protective finish where exposed to public contact.

Asbestos containing materials, fiberglass, formaldehydes or any other known hazardous materials are prohibited.

Prohibited wall finishes:

- Plywood Paneling
- Reflective wallpaper or tambour

NOTE: the use of slat-wall, grid-wall, pegboard, artificial finishes, faux products, or synthetic stone, brick, wood, etc will be closely reviewed for extent, finish, and visual impact with respect to quality of appearance.

Floor Finishes

All transitions between floor finishes of unequal thickness are to be accomplished by a gradual transition with floor leveling compound to create a smooth and level walking surface. Tripping Hazards such as carpet trim strips and reducer trim are not permitted.

Carpeting, if used in sales areas, shall be of the highest quality. Commercial grade high-quality cut pile or loop/cut pile combination is required.

The reuse of any existing floor finish is strictly prohibited.

Prohibited floor finishes:

- Single-color, low-profile, all-loop carpeting in the sales area.
- Vinyl tile or any other sheet goods flooring (such as rubber flooring) in the sales area.
- Simulated materials, such as simulated wood of any kind.
- Slick or slippery finishes that may lead to falling
- Painted, stained, or exposed concrete (unless otherwise expressly approved by Landlord in Tenant's lease).

Waterproofing Membrane

If the premises concrete slab is not on grade, Tenant shall install a waterproofing barrier membrane, in accordance with Landlords specifications, in all areas that may be exposed to fluids or liquids including, but not limited to, restrooms, food preparation and service areas, laundry and dry cleaning areas, and photo processing areas. Said membrane shall extend 6" up all adjacent walls. All drains must be accessible and have cleanouts.

The Tenant shall sleeve, fire-stop, flash and caulk all penetrations so as to provide an adequate seal. Refer to the required water-proofing specifications included as part of the construction manual.

Tenants are required to use a Landlord approved waterproofing contractor.

Each Tenant space wet area will be required to undergo an on-site, four-hour flood test to be performed by the Tenant contractor while witnessed and documented by Landlord personnel.

If Tenant currently occupies any portion of the premises, or, if any portion of the premises was previously occupied by a former tenant, Tenant shall remove all pervious floor penetrations not intended to be re-used (and patch & repair the floor to original condition) and reseal all remaining floor penetrations to be re-used utilizing Landlord's waterproofing specifications.

Interior Ceiling Criteria

Tenants are encouraged to utilize the max height within premises for any planar ceilings within the sales area. The ceiling shall be a minimum height of the storefront opening in Landlords building within the Design Control Zone subject to structural limitations.

Interior ceilings shall be open, drywall and/or acoustical ceiling tiles. No more than 50% of the sales area may have acoustical ceiling tiles. Acoustical ceiling tiles are not permitted for the first third of the depth of the premises. Additional materials may be approved if shown to be integral to the Tenant's design. Ceiling support systems shall attach to structural members only, are not permitted to be attached to Landlord's roof or floor decking, bridging or wind bracing, and shall comply with Seismic Zone requirements.

Acceptable Ceiling Finishes:

- High-quality lay in ceilings, maximum size 2' x 2' within a matching color suspension grid are allowed in the furthestmost 2/3 of the store.
- Painted gypsum board ceilings or other high-quality non-combustible ceiling materials; Tenants are encouraged to utilize coffers or coves to provide design/lighting detail to the ceiling.
- Open sales area ceilings only where all structural, mechanical, and electrical elements above the sales area are painted.

The Tenant shall provide access to all Tenant and Landlord systems & controls within the premises, including direct access to any fire sprinkler valve, through accessible ceiling tile or flush access panels.

General Construction & Structural Requirements

Supplemental Structural Framing

Supplemental structural support framing shall be designed by a licensed structural engineer employed by Tenant to adequately support the Tenant's suspended equipment within the premises.

The Landlord may require that engineering analysis, review to design be performed by Landlord's engineer at Tenant's expense.

Structural Alterations

No alterations, additions, reinforcements, or modifications to Landlord's structure to accommodate Tenant's work shall be performed, without obtaining Landlord's prior written approval.

The Landlord may require that approved structural or mechanical/electrical modifications be performed by the Landlord's contractor under contract to Tenant at Tenant's expense, and Landlord's engineer at Tenant's expense.

Mezzanine Structures (if approved by Landlord in Tenant's lease)

Mezzanine structures within any Tenant space shall require review and approval in writing by the Landlord's structural engineer at the Tenant's expense. All mezzanines shall be designed to be self-supporting.

Concrete Floor Slab

All concrete work by Tenant for slab on grade or structural slab shall comply with the more stringent of Landlord's project standards, the American Concrete Institute's standards or installation, performance, finishing, and ASTM specifications and requirements.

General Structural Conditions

The Tenant's construction, fixturing and normal occupancy load shall not exceed 75 lbs/ s.f. loading capacity without Landlord's prior written consent. All storefront construction shall be floor supported only with an appropriate structural system. No vertical load shall be suspended from Landlord's storefront bulkhead system. Welding to the base building structure is not permitted.

Tenant shall not drill, screw, weld, or shoot into Landlord's structure or structural members. All attachments shall be with beam clamps, clips, wire, or bolts with washers. Do not attach any construction directly to Landlord's roof deck. Joists, beams, trusses, and girders may be used for lateral bracing and spanning support. Do not support any construction from Landlord's cross-bracing or bridging.

Roof

All roof work, penetration, flashing, and repair shall be performed by Landlord's roofer at Tenant's expense.

Demising Walls

Demising walls between Tenant spaces shall conform to UL design U419.

Signage Criteria

General Signage Criteria

All signage is to be of the highest quality design and construction. Tenant signage must be designed to be proportionate in scale to the elevation to which it is affixed. The signage shall be designed to complement the storefront design and general building design.

Each tenant is required to provide a primary storefront sign for the premises. One primary building sign is permitted for each tenant storefront and, at Landlord's sole discretion, on building returns. No tenant signs are permitted on the roof.

The general design intent is to have as much light and tenant identification as possible in the upper level glass canopies, so there can maximum visibility from the Street.

General Requirements

Signs shall not be mounted to the storefront system.

The wording of the sign is limited to the Tenant's trade name (DBA) and logo. Tag lines (regardless of DBA) and signs advertising products, services, vendors, or containing marketing phrases are strictly prohibited.

The maximum height of any single letter shall not exceed 36" and the average letter height of the entire sign shall not exceed 30". No sign shall be any closer than 24" to the end of the storefront or the corner of a building.

All interior signs and graphics that are within 5 ft. of the tenant's storefront must be specifically approved in writing by Landlord.

All attachments, labels, fasteners, mounting brackets, wiring, clips, transformers, disconnects, lamps and other mechanisms required to support the signage must be concealed from view and be weather resistant.

All signs shall be illuminated.

Acceptable Primary Storefront Sign Types:

- Dimensional metal, glass, or other material with a permanent appearance.
- Reverse channel letter with halo illumination, opaque letter-side and faces and non-reflective background.
- Internal illuminated individual channel letters with acrylic faces.

Unacceptable Primary Storefront Sign Types:

- Box or cabinet type signs.
- Sign implying audible equipment, and/or moving, flashing, or blinking lights.
- Luminous vacuum-formed type plastic letter signs.
- Exposed neon
- Cloth, paper, cardboard signs or signs of other temporary or non-durable materials
- Signs using highly reflective finish materials (i.e. Polished brass, chrome, etc.).

Blade Signs

Blade signs may be permitted at Landlord's sole discretion. The shape is not restricted but, the maximum length along any one side shall not exceed 42". Letter height shall be proportional to the overall sign. Minimum clearance height to sidewalk is 10'-5".

The graphic element of the sign may be paint, enamel, appliqué, dimensional graphic/lettering or may be pushed out of the panel material for a three-dimensional appearance (routed or incised is also approved).

The panel should be supported by a bracket mounted at a right angle to the tenant's storefront with a complimentary design, color, and finish.

Must be fabricated from one single panel and constructed of metal, wood, glass, or other solid surface material (no plastic). The blade sign shall not be internally illuminated (but, may be indirectly illuminated).

Blade signs shall be non-illuminated.

Signage Approval Process

Landlord's approval of Tenant's storefront signage shall be based on the size and style of the sign and lettering, the location of the sign within the storefront, and the cohesive integration of the sign into the overall storefront design.

Approval of the Tenant's design or working drawings by the Landlord shall not constitute review and approval of the Tenant's signage. Tenant shall submit one set of the Tenant's sign shop drawings for review and approval by Landlord. Fabrication or installation of the Tenant's signage shall not commence before the Landlord's approval of the sign shop drawings.

The Tenant is responsible to obtain sign and electrical permits as may be required by the local jurisdiction.

Sign Shop Drawings

Sign shop drawings must be submitted by the Tenant, for the Landlord review and approval, prior to fabrication and installation of the sign. These shop drawings provide complete information for the Landlord to understand the signage design and appearance.

Sign Shop Drawings Shall:

- Provide a store elevation, dimensioning each sign location.
- Provide a section(s) through the sign relative to the lease line.
- Identify the materials, color scheme, fabrication techniques, illumination and mounting systems, and the access for repairs and/or re-lamping (photographs of similar signs should be submitted if available).

Blade sign shop drawings to include, in addition to number 3 above, colored elevation of sign indicating the dimensions of all graphics and elements, including sign height, length, and depth. Minimum scale should be 1" to 1'-0".

General

Submission Requirements

Prior to the preparation of Tenant's plans, Tenant shall visit the premises to verify existing conditions and construction to ensure that none of Tenant's work shall be in conflict with any existing Landlord or adjacent tenant improvement and construction.

Tenant shall schedule and sequence all drawing and construction activity to allow the premises to be open for construction activity to allow the premises to be open for business as required in the lease. The following timelines are minimum requirements and do not alter or waive tenant's obligation to open the premises as provided in the lease.

Preliminary Drawings

Within ten (10) days of lease execution, Tenant shall submit to Landlord two (2) sets of blackline prints of Tenants preliminary drawings showing the intended design of the store, which shall include, but not be limited to, the following:

- Floor plan and fixture plan.
- Storefront and interior elevations.
- Sections through storefront.
- Reflected ceiling plans
- Color rendering of storefront or photos of tenant prototype.
- Material and color sample board.
- Sign design, size, and location.
- Merchandising plan of space including both permanent and moveable fixture locations

If the preliminary drawings are returned to Tenant without Landlord's approval, then the preliminary drawings shall be revised by tenant and resubmitted within ten (10) days of the date returned and the same procedure shall be repeated until Landlord fully approved the preliminary drawings.

Working Drawings

Within twenty (20) days of Landlord's approval of Tenant's preliminary drawings (but, in no event any later than forty (40) days after lease execution), Tenant shall submit to Landlord three (3) sets of blackline prints of Tenant's working drawings.

If the working drawings are returned to the tenant without Landlord's approval, then the working drawings shall be revised by Tenant and resubmitted within (10) days of the date returned and the same procedure shall be repeated until Landlord fully approves the working drawings.

Any changes and/or modifications requested by the Tenant subsequent to the review and approval of the final shall require the written consent of the Landlord or Landlord's Tenant Coordinators.

Tenant's working drawings shall be prepared in strict compliance with Landlord's Design Criteria as established in the Tenant Information Package and shall adhere to Tenant's "Approved" or "Approved as Noted" preliminary drawings.

Working drawings shall include, but not be limited to, the following items below:

- Floor plan fully dimensioned.
- Item and fixture layout.
- Sections.
- Ceiling plan.
- Elevations and sections of storefront, storefront signs, and special conditions indicated.
- Sections and details of types of partitions used.
- Schedule with jamb details, including list of hardware.
- Sample board for storefront and interior finishes.
- Plumbing, heating, ventilating, and cooling plans and riser diagrams and electrical details.
- Submittal form and other items noted as being required in the engineering design criteria.

Signage shop drawings shall also be submitted for Landlord's review in accordance with the requirements listed in the signage criteria.

Jurisdiction Authorities

All Tenant work shall comply with authorities, agencies, or entities having jurisdiction over the premises, including the Building Department, Fire Department, local utility company, Health Department, Fire Insurance Underwriter, and the Landlord.

All construction is to comply with the requirements of applicable codes and laws, including accessibility requirements.

The Landlord does not review the Tenant's drawings for compliance with building code or accessibility requirements. Therefore, it is solely the Tenant's responsibility to ensure compliance with these codes and the requirements of jurisdictional authorities.

Tenant shall have sole responsibility for compliance with all applicable statutes, codes, ordinances, and other regulations for all work. In those instances where multiple standards and requirements apply, the strictest of such standards and/or requirements must be complied with unless prohibited by applicable code.

General Disclosure

Landlord's approval of Tenant's drawings is contingent upon Tenant's compliance with Landlord's comments and shall not be construed so as to hold Landlord liable for either the architectural and engineering design of the premises or the accuracy of the information contained in Tenant's drawings. Should any conflict arise between any of Tenant's drawings and the lease, Landlord's approval of Tenant's drawings will in no way alter, amend, or waive the requirements or criteria of the lease.

SIMON PROPERTY GROUP
MEP/FP CRITERIA: Packaged Rooftop Units

HVAC Criteria

General

Tenant's drawings are to clearly show all modification to existing installations that are required to accommodate Tenant improvements.

Tenant's HVAC drawings shall be prepared and stamped by a Professional Engineer.

Unless already existing and in compliance with Landlord's requirements, Tenant is required to install, upgrade, and/or furnish any and all equipment, ductwork, etc. for Tenant's HVAC service installation.

The design, materials, and installation shall conform to the best current practice in the respective trades and shall be consistent with good engineering practice, manufacturer's recommendations, industry technical references, and standards.

Any modification or upgrade of existing base building services or construction must receive the prior written approval from the Landlord prior to drawing submission. Upgrades shall be subject to building capacity and access availability.

Any unused HVAC equipment, ductwork, piping, wiring, etc. within or serving the demised premises must be removed.

Structure

Locate RTU where designated by Landlord or provide written documentation by a registered structural engineer where alternate location is proposed or a location is unavailable.

When required, Tenant shall provide supplemental structural support framing designed by a licensed structural engineer employed by Tenant to adequately support the Tenant's equipment. The Landlord may require that engineering analysis, review, or design be performed by Landlord's engineer at Tenant's expense.

No alterations, additions, reinforcements, or modifications to Landlord's structure to accommodate Tenant's work shall be performed without obtaining Landlord's prior written approval. The Landlord may require that approved structural modifications be performed by the Landlord's contractor under contract to Tenant at Tenant's expense.

Tenant shall not drill, screw, weld, or shoot into Landlord's structure or structural members. All attachments shall be with beam clamps, clips, or bolts with washers. Do not attach any construction directly to Landlord's roof deck. Joists, beams, trusses, and girders may be used for lateral bracing and spanning support. Do not support any construction from Landlord's cross-bracing or bridging.

Roof openings greater than 12" on any side shall have a steel angle frame below the roof, clamped to the structure to support the deck opening.

Rooftop Unit

The Tenant must incorporate HVAC load calculations into their submission to the Landlord. A form has been provided in the criteria package for Tenant's who prefer not to perform more detailed calculations. All calculations shall be performed per ASHRAE.

Unit must be sized appropriately to maintain space comfort. As a guideline, the unit shall be sized to 90% to 110% of the calculated load.

If existing rooftop unit is over 10 years old or unless otherwise approved by the Landlord in writing, Tenant shall provide a new rooftop unit(s). Landlord will not consider permitting the reuse of existing rooftop unit(s) until a report on the capacity and condition of the existing equipment by a company employing full time certified HVAC/ refrigeration specialists has been submitted by the Tenant to the Landlord in writing. This report shall include test data used in confirming the equipment's capabilities and shall be signed by the Tenant's Mechanical Engineer, indicating that they have reviewed the information and find it accurate and the equipment suitable for reuse.

Indicate column line designations and rooftop unit support joists on HVAC plan.

Rooftop units must be located a minimum of 5'-0" from Landlord's demising walls when possible to maintain a 10'-0" min. clearance between adjacent Tenants' rooftop equipment.

Curb adapters are not permitted. If existing RTU is supported on post & rail system, it shall be replaced with a full perimeter curb.

Hall guard is required on condensing coil.

Tenant's HVAC contractor must label all of the Tenant's rooftop equipment to ensure proper identification.

All roof work shall be done by the Landlord's roofing contractor at Tenant's expense.

Air Distribution

All ductwork shall be galvanized sheet-metal designed, shop fabricated and installed to SMACNA standards. Ductboard is not permitted.

All supply air ductwork shall be externally insulated with 1-1/2" thick foil face insulation.

Internally lined ductwork may be used for acoustic purposes only, NOT as a substitute for external insulation.

Externally insulated flexible duct, not to exceed 5'-0" in length, may only be used for connection to supply diffusers. Flex duct shall be properly supported and fastened to metal duct and diffuser with mechanically tightened draw bands.

Install volume/control dampers on each duct to a diffuser.

The heat gain from enclosed display windows must be ventilated.

Return Air

An open ceiling plenum return air system shall be used. Ducted return system is not permitted except at Food Tenants and other odor producing Tenants or as determined by the Landlord.

Provide return/relief grilles. Size at one square foot of grille for 300 square feet of gross leasable area.

Toilet Exhaust

Tenant shall use central toilet exhaust duct where one exists. Exhaust systems requiring continuous operation or exhaust requirements in excess of 150 CFM must be provided entirely by the Tenant and routed independently to the building exterior. Where the Landlord central toilet exhaust duct does not exist, Tenant shall discharge directly to roof. Locate roof penetrations a minimum of 10'-0" for any existing outdoor air intakes or designated equipment locations. Gooseneck type exhaust discharge is prohibited. All roof work associated with exhaust system, shall be performed by Landlord's designated roofer at Tenant's expense.

Tenant shall provide a ceiling exhaust fan, with a back draft damper sized to overcome the resistance of Tenant installed components and all ductwork. Minimum duct size shall be 6" in diameter.

The toilet room light switch (with delay timer if included) shall control the fan to provide intermittent operation.

Air Balance

Tenant's drawings must incorporate outdoor / exhaust air balance summary calculations into their design drawings.

Tenant must employ an air balancing firm designated by the Landlord. Provide a certified air balance report to the Landlord when construction has been completed.

Condensate Drainage

Condensate drain and trap shall be copper. Condensate trap should be at a depth sufficient to overcome positive/negative static pressure of fan (3" minimum).

HVAC Controls

Control system shall employ a seven-day time clock or programmable thermostat to automate equipment operation. Supply fan operation shall be continuous during occupied hours.

Controls shall provide for closure of outside air dampers when fans are off to prevent uncontrolled infiltration of air. The outside air damper shall be opened during occupied operation.

Plumbing Criteria

General

Tenant's drawings are to clearly show ALL modifications to existing installation that are required to accommodate Tenant improvements.

Tenant's plumbing drawings shall be prepared and stamped by a Professional Engineer.

Unless already existing and in compliance with Landlord's requirements, Tenant is required to install, upgrade, and/or furnish any and all equipment, piping, etc. for Tenant's plumbing installation, including services.

The design, materials, and installation shall conform to the best current practice in the respective trades and shall be consistent with good engineering practice, manufacturer's recommendations, industry technical references and standards.

Any modification or upgrade of existing base building services or construction must receive the prior written approval from the Landlord, prior to drawing submission. Upgrades shall be subject to building capacity and access availability.

Tenant may or may not be a customer of the Utility Company; however, the design should be executed as if Tenant was acquiring water and sewer directly from the Utility Company. Only one connection to the Landlord's plumbing system is permitted.

Domestic water is supplied at the pressure available from the utility minus piping pressure losses to the point of connection. Tenants requiring specific pressure should test the available pressure and install regulators or booster pump systems to meet their needs.

Tenants shall connect to vent header if existing, or extend vents through roof. All roofing work must be by Landlord's roofer at Tenant's expense.

Tenant shall provide sanitary/vent riser diagrams and a water piping/riser diagram on design drawings.

Any unused plumbing equipment, piping, etc. within or serving the demised premises must be removed.

Piping Materials

Below ground waste and vent shall be service-weight cast iron or schedule 40 PVC. All no-hub connections shall be with cast iron coupling, similar to "MG" couplings including tie-in to Landlord main. Stainless steel band no-hub connections are not permitted below ground.

Above ground waste shall be service-weight cast iron. Above ground vent shall be cast iron or schedule 40 galvanized steel. PVC piping is not permitted above ground.

Below ground water shall be type "K" (soft) copper with no joints below ground.

Above ground water shall be type "L" copper.

Location of Piping

All plumbing equipment shall be properly suspended from Landlord's structure. All floor mounted equipment (water heaters, etc.) shall impose a floor load no greater than 75 ft.

No sanitary, vent, water, or gas piping will be permitted within the demising walls.

Hinged access doors must be installed to provide access to all plumbing equipment including but not limited to valves, cleanouts, meters, and indirectly connected piping or as designated by the Landlord.

Piping Components

Tenant's connection to Landlord's cold water main is to include a service isolation valve.

Any and all piping not reused, within the demised premises must be removed. Insulate all hot water, cold water, and condensate drain piping.

Tenants shall provide at least one, full-size, cleanout in toilet and kitchen areas. Cleanout may be wall or floor type, but must be accessible from within the Tenant's space.

One floor drain must be installed in toilet rooms and other locations that may be exposed to liquids, such as food service areas.

All floor drains must have trap primers.

Interceptors and separators shall be provided to prevent the discharge of oil, grease, hair, coffee granules, and other substances harmful to the building drainage system. Refer to the Criteria Drawings MEP-3 for further requirements.

Waterproof Membrane

If the premises concrete slab is not on grade, Tenant shall install a waterproofing barrier membrane in accordance with Landlord's specifications in all areas that may be exposed to fluid or liquids including—but not limited to—restrooms, food preparation and service areas, laundry and dry cleaning areas, and photo processing areas. All floor pipe penetrations, cleanouts, and floor drains must be sealed watertight, with membrane and flashing extended into clamping collar, per manufacturer's specifications. Refer to architectural criteria.

Water Heaters

Storage type water heaters shall be installed with relief valves and drain pans discharging to a floor drain.

Instantaneous water heaters are only acceptable if they do not substantially impact the Tenant's electrical service.

All water heaters 3KW and larger shall be 3 phase.

Shock absorbers, thermal expansion tanks, and vacuum breakers shall be provided in accordance with good engineering practices.

Natural gas water heaters are not permitted except where written approval from Landlord has been granted prior to drawing submission.

Gas Service

Tenant is responsible for verifying available capacity, pressure, service, connection, and meter installation with the Landlord and the local utility.

Gas meter is by Tenant at Tenant's expense. Install per utility company requirements.

All piping above the roof shall be finished with a rust inhibitive primer. All gas piping shall have identification labels.

Roof-mounted piping shall be installed on free-floating, prefabricated supports similar to Miro model 24-R on walkway tread pads. Remove ballast (stone) from beneath any roof support. The use of wood for supports is prohibited.

Domestic Water

Tenant is responsible for verifying available capacity, pressure, service connections, and meter installation with the Landlord and the local utility.

Where Tenant is not a customer of the utility company, all Food Tenants and other heavy water users shall provide a double-check valve assembly and a Rockwell or equal, utility grade water meter with both directly read and remote reader.

Metering assembly to be properly located and adequately supported to allow for easy reading, maintenance, repair and replacement.

The meter and checks shall be accessible for maintenance and reading without removing the device from the line.

Fire Protection Criteria

General

Tenant's drawings are to clearly show ALL modifications to existing installation that are required to accommodate Tenant improvements.

Tenant's fire protection drawings shall be prepared and stamped by a Certified Sprinkler Designer.

Unless already existing and in compliance with Landlord's requirement, Tenant is required to install, upgrade, and/or furnish any and all equipment, piping, etc. for Tenant's sprinkler installation, including services.

The design, materials, and installation shall conform to the best current practice in the respective trades and shall be consistent with good engineering practice, manufacturer's recommendations, industry technical references and standards.

Any modification or upgrade of existing base building services or construction must receive the prior written approval from the Landlord, prior to drawing submission. Upgrades shall be subject to building capacity and access availability.

Fire protection water is supplied at the pressure available from the utility minus piping pressure losses to the point of connection. Tenants shall design their piping system to accommodate the existing available pressure.

Only one connection to the Landlord's fire protection main is permitted and shall only provide coverage for the Tenant's demised premises.

Any unused fire protection equipment, piping, etc. within the demised premises must be removed.

Reuse of all or part of existing equipment is subject to the field certification of the capacity and condition of the component. Contract documents shall provide minimum performance parameters, refurbishing specifications and establish a verification procedure, including a mandatory written report. This report shall detail inspection and service to be performed, repair reporting procedures, additional recommendations, and performance test results. Copies of field verification report shall be submitted to the Landlord to validate reuse.

Simon Property Group requires all tenants to use SimplexGrinnell for all fire protection work. Tenant or Tenant's General Contract is required to contract with (and pay for) all tenant sprinkler work directly with SimplexGrinnell. For pricing and scheduling, call SimplexGrinnell Representative at 1-800/ 299-4377 (ext. 8488).

All shut-downs must be scheduled with Landlord Representative.

Fire protection system shall be charged and operable when contractor(s) not on site.

Sprinkler head shall be quick response.

Electrical Criteria

General

Tenant's drawings are to clearly show ALL modifications to existing installation that are required to accommodate Tenant improvements.

Tenant's electrical drawings shall be prepared and stamped by a Professional Engineer.

Unless already existing and in compliance with Landlord's requirements, Tenant is required to install, upgrade, and/or furnish and all equipment, conduit, wiring, etc. for Tenant's electrical installation, including service.

The design, materials, and installation shall conform to the best current practice in the respective trades and shall be consistent with good engineering practice, manufacturer's recommendations, industry technical references and standards.

Any modification or upgrade of existing base building services or construction must receive the prior written approval from the Landlord, prior to drawing submission. Upgrades shall be subject to building capacity and access availability.

Tenant may or may not be a customer of the Utility Company. However, the design should be executed as if Tenant was acquiring power directly from the Utility Company. Only one connection to the Landlord's power distribution system is permitted.

Temporary power will not be provided. Tenant contractor must install permanent feeder conductors from the Landlord's service distribution point immediately for use as the source of light and power during construction.

Any unused electrical equipment, conduit, wiring, etc. within or serving the demised premises must be removed.

Electrical Panels

Landlord will not consider permitting the re-use of existing electrical panel(s) until a report on the capacity and condition of the existing equipment by a company employing full-time certified electrical service specialists has been submitted by the Tenant to the Landlord in writing. This report shall include test data used in confirming the equipment's capabilities and shall be signed by the Tenant's Electrical Engineer, indicating that they have reviewed the information and find it accurate and the equipment suitable for reuse.

Tenant shall provide detailed service sizing calculation on their drawings by filling out the form in the manual or other similar summary form. All calculations shall be per NEC.

Tenant shall provide a detailed one-line diagram, depicting all existing conditions and new work to be performed. Diagram is to include the Landlord's distribution equipment, metering (where utility metered), means to disconnect the service and overcurrent protections. Coordinate metering requirements, location of service, access to service, location of service disconnect and type of overcurrent protection (fused is preferred) including fault current data with existing condition, local code authorities and the local utility company. Tenant's engineer shall specify appropriate AIC rating for Tenant equipment.

Tenant shall provide a main disconnect means within the leased space in addition to any required by code or the utility company at service entry point.

Circuit breakers shall be bolt-on, not plug-in type.

Switching duty breaker on all devices used for turning loads on/off.

Tenant shall have breaker locks on control and timeclock circuits.

Arrange load to maintain a balance between phases of 10% or less.

24-Hour/7-Day Time Clock is required to control storefront entry lights, show window lights, show window receptacles, and storefront signage.

Electrical devices, time-clocks, panels, cabinets, etc. shall be mounted on a plywood backer-board.

Grounding

Grounding must be to building steel with exothermic weld or split bolt connection. Do not ground to cold water pipe.

Transformers

All transformers shall be 2 phase. Single phase transformers are not permitted. 30 KVA and smaller transformer may be suspended from Landlord's roof structure.

Mount transformer on vibration isolators.

Conduit and Wiring

All wiring must be in conduit. All conduits shall be concealed where possible.

Flexible conduit shall be MC only.

Flexible conduit is not permitted within demising walls.

Exposed conduit shall be installed in straight lines, parallel with or at right angles to the building structure. Do not loop excess flexible conduit in ceiling space.

Wire shall be copper THHN or THWN with insulation.

HVAC Wiring

Tenant shall provide a main disconnecting means at each HVAC unit.

Rooftop units and exhaust fans are to be wired within their roof curbs if so designed, or utilize factory fabricated roof piping curbs. Pitch pockets are not permitted.

A 110-volt duplex outlet shall be installed within reach of the HVAC unit.

Service Access

All electrical work shall be installed so as to be readily accessible for operating, servicing, maintaining, and repairing.

Fluorescent Lighting

Exposed fluorescent tubes or fixtures with paracube, or prismatic lenses are not permitted in public areas.

Ballasts shall be high power factor, electronic with CBM or ETL label and have a THD of + 20%.

Specialty Tenant Criteria

Odor Producing Tenants

Tenant with internally generated odors or other contaminants shall include all Food Service Tenants, Nail Salons, Hair Salons, Pet Shops, Photo Processors, and others if determined by the Landlord, shall be required to install and maintain an exhaust air system sized for 50 cfm per square foot of storefront opening.

At the sole discretion of the Landlord, the exhaust air system may be reduced to 25 cfm/square foot of storefront opening when a “buffer” of at least 10’-0” has been provided between any odor producing element within the Tenant space and the storefront opening. This buffer may be retail displays, reception counters, or other similar permanent elements.

Exhaust Calculation for Odor Producing Tenants: Storefront Opening Area
Sq. ft by multiplied by . ft =

Replacement (make-up) air shall be drawn from mall common area for exhaust systems up to 2500 SCFM and from dedicated makeup air units for larger exhaust capacities. Total replacement air through makeup air units and outside air through the air conditional unit shall be a minimum of 10% less than the exhaust air quantity.

Tenant shall install an indicator pilot lamp 12” above thermostat for the purpose of verifying exhaust fan operation.

Odor exhaust and makeup air fan operation shall be continuous during occupied hours.

Replacement Air (Makeup Air)

The make-up air shall be heated and air-conditioned when introduced into public areas. In non-public areas, the make-up air shall be heated to a minimum of 45^oF.

Replacement air units shall be installed on full perimeter curbs, similar to packaged RTUs.

Interior make-up air ductwork shall be wrapped up with 1-1/2” thick, foil-faced, fiberglass insulation.

All supply air diffusers within 10’-0” of any hood shall be adjusted or designed to blow air away from the hood.

Sanitary Waste Systems

Grease interceptors, lint traps, and solids interceptors shall be installed on any plumbing fixtures that have the potential of introducing grease, lint, hair, etc. into the building sanitary system.

Tenant shall not dispose of any hazardous chemical into the building sanitary system. Photo processing tenants, if necessary, shall install an approved system for silver recovery.

Locate all interceptors to allow adequate access for cleaning and maintenance.

Food Tenant Criteria

Grease Exhaust Systems

All new or renovated space must comply with current Criteria and codes.

Grease exhaust fans shall be designed to be roof mounted directly on top of the exhaust duct in an upblast configuration. Utility set or “squirrel cage” type fans are prohibited.

Fans are to be UL listed for grease and be proved with a drain that allows for single point drainage of grease, water, and other residues. The drain shall empty into a weatherproof grease containment system, either a baffled grease trap as manufactured by Greenheck or containing specially engineered absorbent material similar to Grease Terminator 2 as manufactured by the Loren Cook Co.

The roof area around the exhaust fan shall be protected with a Grease-Guard G-2 grease collection system, as manufactured by Facilitec Corporation, 1-800/284-8273.

Fan base shall be hinged to allow easy access for duct cleaning and have a safety chain or cable to prevent fan housing from damaging the roof when fan is hinged open.

Lower Level Tenants, in multi-level malls must have vented curb extensions.

All fan discharges shall be 40” above adjoining surfaces, and a minimum of 10’-0” from intakes, buildings, or roof edges.

Unobstructed access panels in ductwork are required at each change in direction and as required to clean the entire length of the ductwork. Access panels shall be gasketed “grease-tight,” and shall be of the same black-iron material as the ductwork. Galvanized, double-wall, or other comfort air-conditioning access doors shall not be used.

All grease ductwork, must be tested to 1-1/2” positive pressure, and demonstrated to the Landlord’s representative to have no loss in pressure after 10 minutes. Installation shall not proceed beyond this point until this test has been verified by the Landlord’s representative.

After pressure testing and inspection by the Landlord’s representative and the local authority, the ductwork shall be wrapped with fireproof insulation UL listed as a 1-hour separation for kitchen exhaust applications.

Grease Hoods

Compensating and short circuit hoods, those hoods that introduce outdoor air directly into the hood, are not permitted.

Hoods shall bear a current (2002 or later) UL 710 Label for Type I hoods. Labels and listing prior to 2002 are not acceptable.

Landlord will not consider permitting the reuse of existing grease exhaust hood(s) until a report on the capacity and condition of the existing equipment by a company employing full-time certified HVAC service specialists has been submitted by the Tenant to the Landlord in writing. This report shall include test data used in confirming the equipment's capabilities and shall be signed by the Tenant's Mechanical Engineer, indicating they have reviewed the information and find it accurate and the equipment is suitable for reuse. This report shall include test data used in confirming the equipment's capabilities, a statement of confirmation the hood is not a compensating or short-circuit design and bears a UL 710 label dated 2002 or later.

Where feasible, partial or full-end panels shall be installed on the open ends of the hood.

All island-type hoods shall have a minimum overhang of 12" on any open sides rather than the 6" code minimum.

Hood systems shall include grease extraction filters similar to Grease-X-Tractor filter as manufactured by Greenheck Fan Corporation (715/ 3596171) or KSA multi-cyclone filters by Halton Mfg. (270/ 237-5600). Standard, baffle-type filters are not acceptable and if existing, must be replaced.

Dishwasher Exhaust

Dishwasher vapors must be captured by a hood. An exhaust grill at the ceiling is not acceptable for this purpose.

Hood and ductwork shall be constructed of aluminum or stainless steel, and to be watertight. Pitch ductwork and install joints in such a manner to allow moisture to drain back to hood or drain.

Grease Interceptors

Do not connect hand-wash sinks, toilet room fixtures, or garbage disposals to the grease interceptor unless otherwise required by the local authorities.

Grease interceptors shall be sized as required by Local Building Codes and as required by the Landlord. Sizing calculations shall be submitted to the Landlord for approval prior to construction.

Grease interceptors may be installed above the floor where they receive the discharge from only one sink.

Where the grease interceptor receives waste from more than one fixture, grease producing Tenants shall install either a recessed interceptor when the Tenant is on a slab-on-grade and the interceptor is 150 lb. capacity or less, or a remotely located interceptor when larger than 150 lb. or required by the local authorities to be remotely located. All grease interceptors shall be in a location approved by the Landlord.

Beverage Lines

PVC piping is NOT permitted in ceiling plenums above or below the Tenant's space, including beverage lines and sleeves. Flame and smoke rated polyethylene or equal shall be used.

Beverage line floor penetrations in upper level installations shall be provided with sleeves that extend up through the floor a minimum of 1” and are sealed to prohibit spills from leaking to the Tenant below.

KITCHEN DESIGNER NOTICE: Kitchen designers and kitchen equipment suppliers should be made aware of the specific requirements of this document as it pertains to specifications and/or installation of services and equipment for Food Court Tenants.

For questions regarding site access, storefront and architectural criteria, engineering design, delivery dates, the scope of Landlord and Tenant work and store opening requirements, please contact your Tenant Coordinator or call 317-636-1600 for assistance.

These criteria provide general design information and construction requirements only. However, for specific information regarding the division of responsibilities of the Landlord and Tenant with respect to the premises, please review your lease, the Tenant Information Package and contact your Tenant Coordinator.

Pre-Construction and Opening Requirements

Pre-Construction Meeting

A minimum of five (5) days prior to starting construction, the CONTRACTOR shall contact the LANDLORD to arrange a pre-construction meeting at the site. Attendance should include the GENERAL CONTRACTOR, superintendent, and major sub-contractors to be used in the construction. **Bob Webb at 574-271-5531 is the person that will hold the precon meeting.**

At the pre-construction meeting, the GENERAL CONTRACTOR shall provide the following:

1) BUILDING PERMIT

A copy of each of the Local Building Permits and, if applicable, health permits.

2) WORKERS' COMPENSATION CERTIFICATE

3) INSURANCE CERTIFICATE

The Certificate of Liability Insurance should be in the minimum amount of \$2,000,000, in the aggregate, \$1,000,000 each occurrence and should reflect the following as "Additional Insured":

Additional Insured: Simon Property Group, L.P., a Delaware Limited partnership, its managing agent, Simon Property Group, Inc., and their respective officers, directors, shareholders, members, partners, parents, subsidiaries, related and affiliated entities, agents, servants, and employees.

4) PERFORMANCE, LABOR, and MATERIAL BOND

5) SUB-CONTRACTORS LIST

The subcontractors list shall set forth the name, address, and telephone numbers (and emergency numbers) of TENANT'S general contractor and sub-contractors.

6) PRE-CONSTRUCTION FEES (not subject to waiver or cap.)

a. Construction deposit

A construction deposit in the amount of \$2,000 payable to Simon Property Group from which the LANDLORD may deduct from LANDLORD'S cost to repair damage caused by Tenant's Contractor(s) to common areas or other Tenants' areas.

Union-Affiliated Guidelines

In an effort to establish acceptable and unified construction quality and productivity standards, the Landlord has chosen to engage a Union-affiliated contractor for construction. As such, Landlord strongly recommends that all union trades, traditionally and customarily, performing construction crafts be engaged to promote project-wide continuity.

This shall not serve as a limitation to a Tenant's right to employ the most qualified low bidder for a construction/trade contract. However, Tenant shall take all necessary action to avoid labor

disputes and difficulties on the project and shall do all things to avoid work stoppage or delay on account thereof, regardless of whether the impact is to Tenant, Landlord, or other tenants. In an event of work stoppage, Tenant will cooperate with Landlord to remove the source of the work stoppage at Landlord's sole discretion so that the project shall be completed on schedule in a cost-efficient manner as initially contemplated.

Permits and Licensing

1) PLAN REVIEW PERMIT:

Instructions for drawing submission for building permit

All specifications are to be included within the construction drawings. Project manuals or specification booklets are not acceptable.

City of Mishawaka Building Department
600 East 3rd Street
Mishawaka, IN 46544
Telephone: 574-258-1607

All tenants must also apply with the State of Indiana at: www.in.gov/dhs/
Telephone: 317-232-6418

Tenants with food operations must contact the following for additional requirements:

City of Mishawaka Building Department
600 East 3rd Street
Mishawaka, IN 46544
Telephone: 574-253-9750

2) LICENSING

All contractors must be licensed by the appropriate jurisdictional authorities

3) SPRINKLER DRAWINGS

In addition to complying with the local authority requirements for submission of sprinkler shop drawings, the sprinkler contractors shall submit a minimum of five (5) sets of sprinkler shop drawings and hydraulic calculations (if applicable) to Global Risk Consultants for approval.

Please contact one of the following:

William J. Cary
Global Risk Consultants Corp.
2551 East Saratoga Street
Gilbert, AZ 85296
Telephone: 480/ 926-8858

williamcary@globalriskconsultants.com

Michele Czarnecki
Global Risk Consultants
6122 Kings Way
Saugatuck, MI 49453
Telephone: 269/ 857-8189

michele.czarnecki@globalriskconsultants.com

Global Risk Consultants will return one (1) set to the sprinkler contractor. Review time typically two (2) weeks. Mark installation date on plans if plans need to be expedited.

4) MALL BUILDING DATA

- 5) TENANT'S ADDRESS
Tenant's Name: (DBA)
University Park Mall
Suite:
6501 N. Grape Road
Mishawaka, IN 46545
- 6) LEGAL OWNER*
Simon Property Group, Inc.
225 West Washington St.
Indianapolis, IN 46204
- 7) MALL ADDRESS AND PHONE
University Park Mall Mall Manager is Sara Zappia – Ops Director is Robert Webb
6501 N. Grape Road
Mishawaka, IN46545
Telephone: 574-271-5531
- 8) LANDLORD CORPORATE OFFICE
Simon Property Group
Attn: Tenant Coordination
225 West Washington Street
Indianapolis, IN 46204
Telephone: 317/ 636-1600
Email: tmailbox@simon.com

Utilities

Contact the following utility company representatives for information concerning local installation requirements, application for service, billing procedures, Etc.

GAS SERVICE

- Gas service is available for restaurants only
- Gas service is provided by LANDLORD. If a meter is required per LANDLORD'S approval on TENANT'S mechanical drawing, install in accordance with Landlord criteria.
- Company: Nipsco
- 307 North Michigan
- South Bend, IN
- Telephone: 800-422-6199

TELEPHONE SERVICE

- Company: At&T
- 220 N. Meridian Street
- Indianapolis, IN 46204
- Telephone: 800-257-0902

ELECTRIC SERVICE

- Electric service is provided by LANDLORD. If a meter is required per LANDLORD'S approval on TENANT'S electrical drawing, install in accordance with Landlord criteria.
- Company: Mishawaka Utilities
- 126 North Church
- Mishawaka, IN 46544
- Telephone: 574-258-1630

FIRE DEPARTMENT

- Mishawaka Fire Department
- 333 E. Douglas Road
- Mishawaka, IN 46544
- Telephone: 574-247-0928

Construction

Temporary Provisions

ALL TENANTS:

1) Temporary Construction Barricade

If required by LANDLORD, a temporary construction barricade at the storefront shall be installed by LANDLORD at TENANT'S expense.

No barricades shall be removed or dismantled without the express written consent of the LANDLORD. Any Barricade removed without prior consent will be reconstructed by LANDLORD at TENANT'S expense.

2) Construction Signage

The CONTRACTOR is not allowed to post any company name or sign on the temporary construction barricade or anywhere outside the premise. The CONTRACTOR shall post all signage required by LANDLORD.

3) Temporary Power

Tenant must make provisions for temporary power.

4) Temporary Water

Contact the LANDLORD for access to temporary water service.

5) Temporary Toilet

The shopping center toilet facilities will not be available for contractor's use. Contact the LANDLORD for temporary toilet locations.

Construction Requirements

The following rules govern TENANT'S construction on LANDLORD'S property. All references to "CONTRACTOR" shall mean the GENERAL CONTRACTOR or the TENANT if acting as own contractor.

1) On-site Documents

The CONTRACTOR will keep the following documents on-site and accessible at all times during construction:

- LANDLORD approved TENANT drawings. The CONTRACTOR will build from ONE set of drawings by adding any Building Department comments into the LANDLORD'S approved set. This set of drawings will be primary working drawings and displayed at all times during construction.
- A complete set of building department permitted (stamped) drawings.
- LANDLORD'S construction manual, which is an illustrated manual depicting the LANDLORD'S do's and don'ts for tenant coordination.

2) Concrete

Concrete must be saw-cut or core-drilled (no jack-hammering or breaking of concrete is permitted). Prior approval must be obtained from LANDLORD prior to penetrating any structural or structurally reinforced concrete.

3) Protection of Property

The CONTRACTOR shall be responsible for protecting the LANDLORD'S and any other party's property from damage.

4) Fire Extinguishers

The CONTRACTOR shall provide adequate fire extinguishers within the premises, tagged for date of inspection, while under construction.

5) Site Access and Parking

The CONTRACTOR shall be responsible to ensure that all construction employees working in the premises use the designated parking areas. There will be no construction trailers allowed on the property. Parking will not be permitted in any of the driveways, fire lanes, and truck docks except for temporary loading and unloading, as approved by the LANDLORD.

6) Delivery of Materials

The TENANT'S delivery address is your DBA and specific mall address. Please call the mall management for your address. The CONTRACTOR shall be responsible to coordinate all materials deliveries to the premises, whether for construction, fixturing or merchandising, in accordance to LANDLORD'S traffic control plan. All deliveries shall be made through the rear door of the premises either via the adjacent service corridor or truck dock area. Contact the mall management prior to the delivery of materials and equipment which are too large to enter through the rear door of the Premises. Where there is no rear door to access space, all deliveries, trash removal, etc. must be coordinated as directed by the LANDLORD.

7) Work area and Storage

The CONTRACTOR'S work area will be restricted to the TENANT'S leased premises. Service and fire corridors and truck docks shall be kept clear of all materials, equipment, debris and trash at all times.

8) Landlord Inspections

The TENANT'S construction work will be observed periodically by the LANDLORD to verify that the work is being constructed as approved by the LANDLORD. All work not in conformance with LANDLORD'S approved Tenant drawings must be immediately corrected at CONTRACTOR'S expense.

9) Safety

The CONTRACTOR shall be responsible to ensure that all work is performed in accordance with O.S.H.A. standards. The LANDLORD may, without any liability therefore, stop work that is in violation of O.S.H.A. standards or which may, in the LANDLORD'S opinion, cause injury or harm to persons or property.

CONTRACTOR must obtain a written permit from the LANDLORD'S REPRESENTATIVE prior to any "hot" work (e.g. welding, soldering, torch-work, etc.) It shall be the duty and responsibility of the CONTRACTOR performing any cutting or welding to comply with the safety provisions of the National Fire Protection Association's National Fire Codes pertaining to such work and the CONTRACTOR shall be responsible for all damages resulting from failure to so comply. Use of fuel operated engines inside the Mall will not be permitted.

10) Below Grade Construction

Prior to beginning any below grade construction work, the CONTRACTOR must meet with the LANDLORD to review the locations of any underground utility services that may be located in the premises. Any Below Grade construction must be inspected by LANDLORD prior to backfilling.

11) Interruption of Utilities

The CONTRACTOR must receive the LANDLORD approval at least three (3) days prior to any modification of utility services that may temporarily interrupt such service to other tenants or the shopping center.

12) Trash Removal and Dumpster

All trash will be confined to the premises and removed at the end of each day by the CONTRACTOR. Any trash found in the service corridors, adjacent tenant units, and/or other public areas will be removed by the LANDLORD and the cost for same charged to the CONTRACTOR, plus a \$150 violation fee per occurrence. The location of the dumpsters will be determined by the LANDLORD.

13) Sprinkler Drain-Down

Tenant's CONTRACTOR shall contact the Mall Management for sprinkler drain-downs.

14) Roof and Building Modifications

Roofing penetrations require advance approval by the Landlord. All work including structural supports, curbing and flashing shall be installed in accordance with Landlord's standard project details. All roof work including cutting of the roof shall be performed by the LANDLORD'S roofing contractor under contract to CONTRACTOR and at CONTRACTOR'S expense.

15) Roof Protection Boards

Roof protection board shall be installed around any roof top HVAC equipment by the LANDLORD'S roofing contractor under contract to the CONTRACTOR at CONTRACTOR'S expense.

Opening

Opening Requirements

1) Punch List

Upon completion of construction and a minimum of two (2) days PRIOR to opening, the CONTRACTOR shall request that the LANDLORD conduct a final observation and compile a punch list. The premises will be allowed to open for business only after the items have satisfactorily completed. TENANT'S construction deposit may be used by LANDLORD to correct said items if they still remain uncorrected 30 days after opening.

2) Documents

The following certificates/documents shall be submitted to LANDLORD prior to opening:

- A) Certificate of Occupancy
- B) Business License
- C) Certified Tenant Air Balance Report
- D) Health Permit (if applicable)
- E) Punch List

Post Opening Requirements

The CONTRACTOR will be required to submit the following items to LANDLORD within 30 days of store opening (forms are available from Landlord):

- 1) An original notarized "GENERAL CONTRACTOR'S Affidavit and Final Waiver of Lien".
- 2) The original signed and notarized "Subcontractor's Affidavit and Waiver of Lien" for each contractor with contracts over \$2,500.00.

Landlord Required Contractors

Roofing Contractor
City Roofing Inc.
Kenneth Cobb at 574-295-5100

Sprinkler Contractor
Simplex Grinnell

Trash Removal Contractor
BFI

Barricade Contractor
Varsity Contractors, Inc.
6501 N. Grape Road
Mishawaka, IN 46545
574-271-5531