

TENANT REQUIREMENTS DURING CONSTRUCTION

GENERAL

Procedures as follows will be enforced to ensure no interruption by Tenant contractors to business or public movement at St. Vital Centre.

Refer to "Requirements before Construction" for submittals and other action that must be undertaken before approval to proceed with construction will be granted by the Landlord.

ADMINISTRATION

Building Codes:

- Tenants have full responsibility for compliance with all applicable governing codes, local by-laws and ordinances for their occupancy type.

Permits:

- Prior to commencement of construction, the Tenant is responsible for obtaining building permits and all approvals pertaining to his space from authorities having jurisdiction;
 - Building permits are obtained from the City of Winnipeg, Department of Environmental Planning;
 - Drawings submitted for permits/approvals must have the Landlord's prior written approval;
- A copy of the Tenant reviewed working drawings which the Landlord has approved, along with the building permit, must be kept on the site for the duration of construction and be available for viewing by the Landlord's representative at all times;
- Approvals and permits must be posted in a visible location.

SITE PREPARATION AND WORKERS

Security:

- Security of the Leased Premises during construction and fixturing period is the sole responsibility of the Tenant;
- The Landlord shall have no liability for any loss or damage including the theft of building materials, equipment or supplies.

Tenant's Construction Workers:

- All work is to be performed by workers qualified and competent in their field.

Working Hours:

- The Tenant's contractors and suppliers will be subject to restrictions which may be imposed by the Landlord in regard to the hours of work, scheduling and co-ordination of work.

Public Safety:

- It is the responsibility of the Tenant to ensure that its contractors exercise all caution in matters relating to public and construction safety and to comply with the standards established by authorities having jurisdiction. From time to time, the Landlord or the Landlord's general contractor may issue to Tenant's contractor safety instructions, which must be strictly adhered to;
- All work is to be governed by the latest Construction Safety Act and the Tenant's contractor must abide by these;
- No materials, supplies, etc. are to be moved through mall during mall hours without Landlord's written approval;
- Restrict access to construction site and post notice.

Disposals:

- Tenant space and adjacent areas shall be kept free from accumulations of waste materials/rubbish;
- Perform clean-up on a daily basis; Landlord may, if deemed necessary, perform clean-ups (at the Tenant's expense);
- Construction garbage must be disposed of in Tenant garbage bins only, that are to be placed in a location as directed by the Landlord.

Construction Storefront Hoarding:

- Prior to commencing any work, temporary hoarding shall be installed around the storefront of the Leased Premises;
- Refer to "Hoarding".

LANDLORD BUILDING COMPONENTS

- For procedures on work that affects the various Landlord building components, refer to the following:
 - "Building Systems - Architectural"
 - "Building Systems - Structural"
 - "Building Systems - Mechanical"
 - "Building Systems - Electrical".

PROJECT CLOSE-OUT

Deficiencies:

- The Tenant shall make good any deficiencies discovered by the Landlord or by the building inspectors whether in his own premises or in adjacent premises affected by the Tenant's construction.

Final Cleaning:

- On completion of construction, all rubbish, tools, equipment and surplus materials are to be removed from the Tenant Space and adjacent areas affected;
- The Tenant must ensure proper clean-up of all areas related to its work to the satisfaction of the Landlord prior to opening for business;
- Any damage or staining must be repaired immediately by the Tenant;
- Mall flooring installed within the Design Control Zone shall be cleaned to the satisfaction of the Landlord (at the Tenant's expense).

Statutory Declaration:

- At the Landlord's request, the Tenant is to submit to the Landlord: Contractor's Statutory Declaration and evidence of compliance with the requirements of the Worker's Compensation Act.