

CENTER NAME _____

APPROVED _____ DATE _____

APPROVED BY CONSTRUCTION _____ DATE _____

CONDITION OF SPACE: (Merge Space)

Landlord to provide store per Tenant's specifications, which includes, but is not necessarily limited to the following:

Landlord shall deliver space code compliant for an occupied space.

All Landlord work shall be performed as not to unreasonably disrupt Tenant's business. To the extent reasonably practicable, all work relevant to the Expansion Premises shall be done prior to the removal of the separation wall between Rainbow and the expansion premises. Once the separation wall is removed, Tenant shall change all locks to all the expansion spaces for security purposes. Only Tenant's management personnel shall have access to the keys. Tenant's personnel must be present at all times when the Landlord's contractor and their employees and subcontractors are present.

Any contractor hired by the Landlord shall deliver to the Tenant their insurance cert. with Tenant's corporations listed as additional insured and complete Indemnity Agreements

LL shall be responsible to remediate all code violations prior to Tenant's possession of the space.

Landlord work shall not commence without prior written approval from Tenant .

All existing building fixtures i.e. HVAC diffusers and returns, lighting, strobes, horns, sprinkler heads, etc. shall be delivered in good working order and condition, per code for an occupied space.

1) **DEMOLITION** -The Landlord is financially responsible for demolition and removal of debris and load bearing and masonry walls and non-load bearing partitions unless written permission given by Tenant prior to commencement of Landlord work. Any load bearing/masonry walls required to be removed must be by Landlord with proper structural bracing as determined by a qualified professional in conjunction with any and all applicable codes at Landlord's expense.

2) Delivered in broom swept clean condition and free and clear of any/all personal property and/or debris.

3) **STOREFRONT** – Landlord shall merge the storefronts of all merged spaces to reflect one continuous glass storefront in good working order and repair, with storefront doors centered on the storefront with no post separating the doors or per Tenants requirements hold open device and butt joint glass on either side.

(LEASING REP NEEDS TO CHOOSE ONE A or B)

A) **STRIP OR DOWNTOWN:**

(LEASING REP NEEDS TO CHOOSE ONE 1 or 2)

1. **NEW STORE FRONT**-Full height glass panels with an aluminum store front system the entire width of the storefront with an exterior perforated aluminum roll down grille concealed in canopy above in good working order and repair over the entire storefront. In Hurricane prone areas Landlord to provide Hurricane Shutters. The storefront is to have one set of centered double 3'-0" x 9'-0" glass doors with closers in good working order and condition side-by-side having no center post. If a knee wall is required, said knee wall is to match existing storefront of other Tenants in the center and it cannot exceed 18" above curb or sidewalk.

2. **EXISTING STOREFRONTS TO REMAIN**-Should the Landlord elect not to merge the storefronts and center the entrance, the Landlord shall give the tenant additional tenant allowance of \$12,000 to complete the work on behalf of the Landlord. If the storefronts are not matching in appearance and an entirely new storefront is require, the Landlord shall increase the tenant allowance in the amount of \$40. Per sq. ft. based on the square footage of the new storefront.

B) **MALL:** Butt joint glazing with one set of 3'- 0" x 9' – 0" frameless glass doors in good working order and repair with no center post with hold open device. Butt joint glazing on both sides of the double doors the entire length of the storefront.

4) **CEILING** –Ceiling throughout to have matching tiles, metal grid, hard ceilings, soffits, elevation, layout and direction, etc, all to match with the existing Rainbow space. All ceilings are to be constructed in accordance with any and all applicable codes. All new layouts to be approved by Rainbow/5*7*9 construction dept prior to commencement of work. All tiles and grid shall be white in good working order and repair.

- New Armstrong ceiling tiles, 2x4 Second Look Cortega white, a minimum 10'-4" above finished floor but 11 ft to 12 ft is preferable/accepted throughout sales area and fitting room. Hard pan ceiling installed across the total front of the demised space 5' from the glazing line.
- If there are any open ceilings, they must be delivered free and clear of any/all loose wiring in conduits and abandoned wiring demolished in entirety all per code for an occupied space. All wiring must be enclosed in conduit per code for an occupied space. Open ceiling fire sprayed and painted three (2) coats of Super White Benjamin Moore paint with a flat finish.
- If there are any hard finished ceilings they shall be free of cracks and peeling paint. Delivered with a fresh coat of Benjamin Moore 'Super White' paint with a flat finish.
- Gypsum board ceiling at Toilet rooms to be a minimum of 8'-0" A.F.F. to be painted Benjamin Moore 'Super White' with a flat finish

5) **FLOORING** – Landlord is required to provide a drawing showing locations and dimensions of all columns or obstructions within the store. The floors of the merge space must have the same elevation in order to provide one continuous floor throughout without any elevation changes. Slab is to be prepared, made smooth and ready to accept floor finishes.

- Sales Area, Stockroom, Bathroom(s) and Fitting Room(s) – Wall Base –Rainbow Revision Style
- Stock Room & Bathroom Area - VCT Tile-Rainbow Revision Style

(LEASING REP NEEDS TO CHOOSE ONE A or B)

A) **STRIP OR DOWN TOWN**

- Inset Entrance Mats (J&J Commercial Carpet Style Catwalk Modular) are required and approved by Rainbow.

(LEASING REP TO CHOOSE 1 OR 2)

1. Sales Area and Fitting Room -Porcelain Tile and carpet–Rainbow Revision Style
2. Sales Area and Fitting Room -Vinyl Tile and carpet–Rainbow Revision Style

• **MALL-**

- Sales Area and Fitting Room -Porcelain Tile and carpet–Rainbow Revision Style

6) **WALLS**- All interior wall shall be sheet rocked from floor to 12" above ceiling and fire taped or caulked to roof deck (As code required) All demising walls to sheet rocked to deck and multiple layers (If code required), taped, spackled, sanded and painted three (2) coats of Benjamin Moore 'Super White' – egg shell finish on selling floor. semi-gloss finish in restrooms and stock room) If any walls being removed are load bearing and or masonry

walls, the Landlord will provide proper structural bracing as determined by a qualified professional in conjunction with any and all applicable codes at Landlord's expense in a manner to be aesthetically pleasing. All existing columns to be boxed out to 12" square from floor to underside of ceiling unless other required by code and painted Benjamin Moore 'Toronto Blue' with an eggshell finish.

- If any walls being removed are load bearing and or masonry walls, Landlord will remove and provide proper structural bracing as determined by a qualified professional in conjunction with any and all applicable codes at Landlord's expense in a manner to be aesthetically pleasing. All Landlord work in connection to any load bearing or masonry work shall be coordinated with Rainbow's construction department for times and days for allowed work. To prevent damage to merchandise, the LL shall erect a drop cloth wall on Rainbow side of the wall so as to prevent dust, etc. from covering Rainbow's merchandise and physical wall. Landlord work shall not commence without prior written approval from the Tenant.

7) **ELECTRICAL- 120/208 V, 3 phase, 4 wire 400 amp service.**

- Three (3) dedicated power and two (2) phone lines to the cash desk must be concealed via a floor trench to the desk, from the nearest wall – Conduit to be 1" A.F.F. with 36" of wire slack coiled up inside a junction box.
- Circuit Breaker Boxes delivered per code, typed labeled, with one 42 circuit panel and one sub-panel to accommodate HVAC requirements as required per code and in good working order and repair. Landlord shall provide breaker locks for all breakers that are used for HVAC, Cashwrap, exit and emergency devices.
- Quad Box to be installed above ceiling centered over cash desk area 12" above ceiling where ceiling is installed and 13'-0" A.F.F. where open to deck.
- Duplex outlets to be installed every 20' on all walls (closer if required by code) including stock room(s). A duplex at the entrance to fitting rooms on fitting room side. Outlets to be mounted 18" above finished floor or as required per all applicable codes.
- A Quad box is to be installed above the ceiling in the center of the stockroom area at 12" above ceiling where ceiling is installed and 13'-0" A.F.F. where open to deck.
- Dedicated outlet installed on both sides of entrance doors for EAS device (on one (1) dedicated circuit).
- EAS pedestal (Ketec, Inc. Elite Model) type device at entrance doors.
- A dedicated outlet required next to breaker-box for alarm
- A ¾" plywood backer panel to be installed for installation of all electrical, communication and fire alarm equipment.
- Install new phone lines with demarc located adjacent to electrical panel(s).
- If there is an existing central location for electrical and / or phone lines. Landlord shall pull said services into Tenant's space to Tenant approved location.

8) **LIGHTING**– Lighting in the merged spaces is to be balanced to reflect one 2'x4' fluorescent ceiling fixture per 48 sf. All fixtures are to match with existing Rainbow space. Track lighting is to be installed around the entire perimeter of the merged space, 3'-0" to 4'-0" from the walls, to reflect one track head per 2 linear feet. Lamps per Tenants specification. All Landlord shall provide Tenant with a scaled lighting and floor plan for the Tenants approval prior to commencement of work. Delivered in good working order and repair.

All new layouts to be approved by Rainbow/5*7*9 Construction Dept.

LIGHTING FOR ALL STORES

- The Landlord shall deliver the following in good working order and repair:
- 2 'x 4' prismatic lenses with reflectors with 4 lamp fixtures with Daylight lamps #850, selling floor requires one per every 48 sq. ft. in good working order and repair

- Stock Room- Double four foot (4') fluorescent lamp with reflector OR 2x4 acrylic lenses with 4 lamp, Daylight lamps #850 at one per every 75 sq. ft.
- Fitting Room(s) - One light fixture to be installed over each fitting room (2' x 2' over smaller and 2' x 4' over ADA) and install one light fixture every six (6) feet in the fitting room hallway the type being the same as the selling floor.
- Exit & Emergency Lights must be working and per all applicable codes for an occupied space on dedicated circuits.
- Track lights- 24'-0" strip lengths mounted to ceiling grid at 3'-0" to 4'-0" from perimeter walls. Lengths of track shall be 24'-0" maximum with 12" maximum spaces between 24'-0" lengths. One (1) Gimbal Track head every 2' (Eiko Par 3/23/41 K) Track lighting fixture & track to be finished "white". Contech Track is required to be used. Track to be installed along the storefront 1' off the glass at the storefront

9) FITTING ROOMS- All new layouts and locations to be approved by Rainbow/5*7*9 construction dept.. One (1) handicap and two (2) 4'x4' fitting rooms 18 gauge metal studs 16" on center with 5/8" Gypsum Board construction (maximum 8'-0" A.F.F. partition height) with solid core door(s) mounted with bottom of door 12" A.F.F., 50" high including handicap grabs rails and (1) clothes bar. Fitting rooms are to be constructed at Tenant's desired location, per drawings provided by Landlord.

Construct new fitting rooms as designated.

- Half door (36" x 36") at entrance from sales area with 8" deep shelf top paint Benjamin Moore "Super White" Semi gloss finish with self closing hinge(s).
- Supply and install each fitting room. Garner Dreamwall Mirrors, 16"x58"x1/8" with 1/2" bevel from Lowes unless otherwise required by code.
- Install benches in all fitting rooms, Garment 9" bar (Use Moen 9" Satin Nickel Handicap Bath Grip #LR2250SN) installed at 48" above finished floor in the Handicap fitting room and 60" above finished floor in all there fitting rooms. Block walls for benches & garment bar as required.
- Fitting room doors shall all have self closing hinges and self locking locks, all keyed with the same. (Schlage CSV Apollo Storeroom Lever Handle set in Satin Chrome, model #791286).
- Insure that air supplies and returns have been extended into fitting rooms as designated by Landlord's Engineer and as specified on Landlord provided drawings.
- Install clear silicone around fitting room mirrors, benches and top of wall base.
- Insure that there is the correct amount of sprinkler coverage as required by all applicable codes and as required by the Authority having Jurisdiction

10) SALES/STOCK

- Partition Wall must be constructed to all codes for an occupied space with a 3' x 7' solid core wood door or fire door if required by code with locking hardware (Schlage CSV Apollo Storeroom Lever Handle set in Satin Chrome, model #791286) keyed the same to match the lock(s) in the fitting room(s) with push lock on stock room side, mounted per code. Stock room sales area door to be located per Tenant on Landlord provided drawings. Door to have 36" kick plate satin chrome finish on both sides. All new layouts and locations are to be approved by Rainbow/5*7*9 construction dept. prior to commencement of work.
- There can be no columns or other obstructions on the selling floor without prior permission from the Tenant. Landlord to provide a drawing showing locations and dimensions of all columns or obstructions.
- Metal Fire door with no rust or defects and in good working order and repair, level and plumb if required.
- Exit to have a doorbell hardwired with buzzer mounted 12" above the ceiling over the cashwrap to a maximum height of 13'-0" A.F.F. Hinges must be working, doors to be level and plumb. Rear exit door(s) must have a Detex lock (ECL-230D) panic bar in good order and repair with keys. Doors are to be weather tight.

- Stock room sales area door to be located per Tenant on Landlord provided drawings with Schlage CSV Apollo Storeroom Lever Handset in satin chrome keyed on sales area side (keyed to match fitting room), with push lock on stock room side mounted per code. Door to have 36" kick plate satin chrome finish on both sides.

11) SIGNAGE/SIGN-BAND -Sign band area free and clear of previous Tenant's signage, holes filled in and finished to match surrounding area made ready to accept Tenant signage. Landlord to relocate Tenant's existing exterior signage to center of merged sign band area. Landlord to merge storefront sign bands as approved by tenant to have one to provide one continuous sign band for entire merged storefront.

- A minimum of one storefront sign. Corner locations, one sign each side.
- Pylon sign(s)-two signs for each side of pylon sign
- Double faced under canopy signage at entrance of store.
- A junction box with wires ready for final connections on a dedicated circuit with the seven day timer to a sign band area.

12) UTILITIES-Directly billed by and payable directly and separately to the public utility company. Landlord shall, at its sole cost and expense, cause to be installed the necessary mains, conduits and sewer facilities, natural gas, electric, water telephone and other utilities to the Premises that are necessary for Tenant to conduct business all per code for an occupied space. All utilities hereunder shall be separately metered by the Landlord. Landlord shall merge all utilities in the premise(s) to reflect one meter for each utility covering all premise(s). (Electric, gas, water) Additionally, the Landlord shall merge all electric circuits in the merged premises into one circuit panel. Sprinkler shut off valves, shall be merged by the Landlord. Fire alarms, smoke detectors, etc must be merged onto a single alarm monitoring panel.

13) HVAC - The Landlord must merge all HVAC systems into the single utility meter as required for the HVAC system to run effectively. Each HVAC unit shall have a Lighstat Model TME-AVU thermostat to regulate operation of the unit. The Tenant shall designate location for the Lightstat.

(LEASING REP NEEDS TO CHOOSE A or B)

A) **New** -Provide new Carrier, Lennox, York or Trane. One ton per **350** square feet, delivered in good working order and with all distributions ducts, drops, economizer, diffusers and registers to meet all applicable codes for an occupied space. The Landlord is to warrant all parts and labor for 5 years from commencement date. Copies of all manufacturers papers and guarantees to be given to Rainbow. Insure that air ducts have been extended into fitting rooms. Thermostats shall be located per manufacturer's recommendations as approved by Tenant. Landlord shall provide a third party air balance report. Diffusers and registers shall be new, otherwise, Landlord shall clean to 'like new' condition and in good working order and repair.

B) **Existing units**-A representation that the existing HVAC system shall be in good working order and repair and shall be a minimum of one ton per 350 square feet with all distributions ducts, drops, economizer, diffusers, registers, etc. to meet all applicable codes for an occupied space. Landlord to guarantee maintenance, repairs, and/or replacement for entire base and option periods. Landlord shall provide a third party air balance report. Diffusers and register shall be new, otherwise, Landlord shall clean to 'like new' condition and must be in good working order and repair. With new Lighstat Model TME-AVU thermostat.

14) CERTIFICATE OF OCCUPANCY (C.O.) - Landlord to cooperate with the Tenant in the processing of Tenant's C.O. However, if Landlord's work requires a C.O., then Landlord shall provide the same. If drawings

are required to get C.O., Landlord to provide. If the Authority having Jurisdiction will not provide the Landlord with a C.O., the Landlord shall provide to Tenant a Certificate of Completion prior to possession from Authority having Jurisdiction.

- 15) **PERMITS** - The Landlord to provide a copy of the Landlord's permit and copies of "passed" inspection reports by local governmental authority for all areas of Landlord's work. All Landlord work to be constructed per Local, State, Federal, ADA codes and as per requirements of Authority having Jurisdiction.
- 16) Landlord shall, at its sole expense, maintain, repair and replace all of the structural elements and exterior surfaces of the Premises, as well as the roof, roof membrane and roof covering, walls, concrete slab, footings, sidewalks, electrical, plumbing, and conduits exterior to the building. Land Lord shall be remediate all building violations prior to Tenant's possession of space. Tenant shall maintain, repair and replace the interior non-structural portions of the premises, ceiling, plate glass and doors.
- 17) **HAZ-MAT**- Landlord is responsible to remove any/all haz-mat or asbestos material at the entire premises, if governmental authorities require their removal. If a report is required for the premises to indicate that the premises are hazard free Landlord shall provide the same.
- 18) **FIRE SPRINKLER AND FIRE/SMOKE ALARM/DAMPER AND DUCT DETECTORS AND EXIT AND EMERGENCY LIGHTS** - as required by code for an occupied space and approved by Authority having Jurisdiction. Landlord is required to install, maintain/repair and or replace. All work must be completed to code for an occupied space in consideration with Tenant's proposed wall(s), millwork fixtures, and light fixture locations in mind and prior to Tenant's possession. All delivered in good working order and repair.
- 19) **BATHROOM(S)** - As per local and ADA code for an occupied space. With a new 6 gallon hot water tank. Drinking fountain(s) and mop sink with a faucet having a hose bibb.
- 20) No sprinkler risers, electrical equipment, etc. shall be located within the Tenant's space that services other Tenants. If such equipment existing in Tenant's space, Landlord shall reclaim the portion of space as required for equipment and separate from space as required to provide a separate entrance to service equipment as required
- 21) **PHOTOS**-Landlord/Broker to provide full set of photographs showing storefront, storefront doors, all interior walls, ceiling, exterior walls, roof, exterior doors, bathrooms, floors of existing space have been completed.
- 22) **ARCHITECTURAL DRAWINGS**-Landlord to provide full set of drawings showing elevations, architectural, mechanical, electrical, fire alarms/dampers, sprinklers, and any/all drawings which may be required to outline Landlords "White Box" responsibility. Drawings to be provided in an electronic .pdf, auto cad 2000 or 2004 format, and hard copy paper scaled plans. All new layouts to be approved by Rainbow/5*7*9 Construction Dept.