

## Welcome to 787 Seventh Avenue

Welcome to 787 Seventh Avenue, a Premier CommonWealth Partners Property. This information manual was developed to provide our tenants with an overview of the policies and procedures, operations, emergency procedures and rules and regulations at 787 Seventh Avenue.

787 Seventh Avenue is one of New York's skyline icons and a leader among premier office towers in design, service, safety and security. This handbook is to provide you with a better understanding of 787 Seventh Avenue and to facilitate your company's operations. There is a great deal of information contained within. Please take the time to familiarize yourself with this handbook and it will become a valuable resource for you and your company.

The property is owned by FSP 787 Seventh, LLC, a joint venture between CommonWealth Partners and CalPERS, and was acquired in January 2016. The property is managed by CommonWealth Partners Management Services (CWP) a Los Angeles based company that owns and manages premier institutional-quality office properties across the United States ([www.commonwealth-partners.com](http://www.commonwealth-partners.com)). CWP has established a reputation for excellence by providing superior results to its tenants and business partners alike.

The material contained in this manual is prepared and supplied as a general guide for our tenants. Neither management nor ownership assumes any liability in connection with any of the information contained herein. Management also reserves the right to change any policy or procedure in this manual without notice, at any time, at its sole discretion. If at any time you need more detailed information regarding any building policy or procedure, please call the Building Management Office at (212) 554-8879.



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**Section 1: General Information**

**BUILDING ADDRESS**

787 Seventh Avenue  
New York, NY 10019

**BUILDING MANAGEMENT**

CommonWealth Partners (CWP)  
787 Seventh Avenue- Mezzanine Level  
(212) 554-8879 Phone  
(212) 554-8890 Fax

787 Seventh Avenue is staffed with professionally trained management personnel. Office hours are Monday through Friday, 8:00am – 5:30pm, except holidays. At 5:30pm the Building Management Office phones are transferred to Lobby Security. The main phone line is answered 24 hours a day, 7 days a week.

The Building Management Office is located on the Mezzanine Level. The door to our office is just outside of the West 52<sup>nd</sup> Street revolving door. Please inquire with the lobby security guard for directions.

The Building Management Office Staff includes the following:

<b><u>Title</u></b>	<b><u>Telephone No.</u></b>
Property Manager	(212) 554-8880
Senior Property Manager	(212) 554-8885
Senior Property Accountant	(212) 554-8868
Tenant Service Coordinator	(212) 554-1039
Tenant Service Coordinator	(212) 554-8879
Fire Safety Director	(212) 554-4518
Lobby Security	(212) 554-2231

The Building Management Office has also created a building website <http://787seventhave.info> for the convenience of building tenants. The website includes a link to the work order request system, property information and contact information.

**HOLIDAYS**

A number of holidays are recognized by the various labor unions involved with providing services at 787 Seventh Avenue. The Building Management Office will issue notices advising of any upcoming holiday so that you can plan your operation schedule accordingly.

The following holidays are generally recognized as Federal, State and Union holidays:

- New Year's Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Christmas Day

. The Building Management Office will be closed in observance of the following holidays:

- New Year's Day\*
- Martin Luther King, Jr. Day
- President's Day
- Memorial Day
- Independence Day\*
- Labor Day
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Day\*

\*When these holidays fall on a weekend, the Building Management Office observes the Monday or Friday designated as the Federal Holiday.

### **PAYMENT OF RENT AND OTHER CHARGES**

Rent is due on the first day of the month. A rent statement, which includes service request charges from the prior month is delivered prior to the start of each calendar month.

Rent and miscellaneous invoice payments should be made payable to FSP 787 Seventh, LLC and mailed to:

**FSP 787 Seventh, LLC  
P.O. Box 780378  
Philadelphia, PA 19178-0378**

Overnight Address:

**FSP 787 Seventh LLC  
Lockbox- 780378  
Wells Fargo Bank  
MAC Y1372-045  
401 Market Street  
Philadelphia, PA 19106**

Payments made via wire transfer should utilize the following information:

<b>Bank Name:</b>	<b>Wells Fargo Bank, N.A.</b>
<b>Bank City, State:</b>	<b>San Francisco</b>
<b>Account Name:</b>	<b>FSP 787 Seventh LLC</b>
<b>Account #:</b>	<b>4125916924</b>
<b>Routing #:</b>	<b>121000248</b>

Please do not bring payment for rent or any invoice to the Building Management Office; this will only delay the processing of your payment.

### **BUILDING ACCESS**

Tenants have 24 hour, 7 days per week access to the building with the use of their building access card. Tenant employees that do not have or have forgotten their building access card will only be granted access after permission has been received from an authorized tenant contact. Building personnel are strictly forbidden from providing access into any tenant spaces for any tenant or contractor unless specifically directed by the Building Management Office and the access has been authorized by the tenant.

### **VISITOR MANAGEMENT SYSTEM**

All visitors are required to check in with the lobby security desk in order to obtain a visitor's pass. The Workspeed System facilitates the process of identifying visitors and confirming their arrival with the tenant.

Authorized tenants can pre-register the visitor's name by logging in into the system in advance. When the visitor arrives, the lobby desk will request an identification card from the visitor and verify his or her name on the system. Once confirmed, the system automatically prints the pass with a bar code, which will allow the visitor to pass through lobby turnstiles.

### **ADA ACCESS**

787 Seventh Avenue provides barrier-free access and facilities for people with disabilities. There are two automatic doors located at the Seventh Avenue main entrance and the South Galleria entrance.

### **ELEVATORS**

787 Seventh Avenue is equipped with thirty-one (31) passenger elevators, three (3) freight elevators, two (2) truck elevators and two (2) auto car elevators (see Exhibit A, for elevator locations). Passenger elevators are fully automatic and are available 24 hours a day for tenant use. Elevator service in the building is divided as follows:

**787 Seventh Avenue**

Elevator #'s 1-8  
Elevator #'s 3, 4  
Elevator #'s 10-16  
Elevator # 9  
Elevator #'s 17-22  
Elevator #'s 23-26  
Annex Elevator #'s 27, 28  
Parking Elevator # 29  
Freight Elevator #'s 30-32  
Auditorium Elevator #'s 34, 35

**Floors**

Lobby, 9, 11-23  
P1, Concourse, Lobby, 9,11-23  
Lobby, 34, 36-50  
Lobby, 2, 34, 36-50  
Lobby, 23-33  
Lobby, 2-9  
Lobby, 2-8  
Sub Cellar- Lobby  
Sub Cellar-50  
Lobby, Auditorium Level

**Elevator Malfunctions:** In the event that an elevator stops between floors, remember to remain calm. All of the elevators in the building are equipped with call buttons marked “Alarm” which are located under the rows of floor buttons. Should an elevator malfunction, press the Alarm button to notify building security staff. A member of the security staff will be in constant communication with you while the situation is resolved.

**Freight Elevators:** 787 Seventh Avenue has three (3) freight elevators located in the service corridor at the lobby level. Freight elevators are available on a first-come, first-served basis during normal business hours (8:00am to 5:00pm, Monday through Friday). Use of the freight elevators for deliveries or moves after hours must be scheduled by submitting service request in Workspeed.

Tenant shall not store any items nor obstruct any freight areas as per NYC Fire Code. Tenant will be given 24 hours from notice to remove the aforementioned items or they shall be removed and discarded at Tenant’s sole expense.

**LOADING DOCK**

The loading dock is open Monday through Friday from 7:00am until 5:00pm. The loading dock is located on West 52<sup>nd</sup> Street between 7th & 6th Avenue. All deliveries must be directed through the loading dock. Delivery personnel must enter through the dock, show proper identification and sign in before building security will allow access to the building.

It is the tenant’s responsibility to notify the Building Management Office of any deliveries. Deliveries during normal business hours are limited to 30 minutes. Any deliveries requiring more than 30 minutes will need to be scheduled after normal business hours. Dock access will not be allowed after hours or on weekends unless submitted into the Workspeed system.

**Building Management reserves the right to stop any unauthorized deliveries and may request that they be rescheduled at an appropriate time.**

Each tenant must make the necessary arrangements to transport the items to their suite at the time of delivery. Building personnel are not equipped for such tasks and no items may be stored on the dock.

## **MAJOR DELIVERIES AND MOVES**

Furniture deliveries and moves must be scheduled on weekends or after 5:00pm on weekdays. Moves must be coordinated through the Building Management Office at least 48 hours in advance.

The moving company's certificate of insurance that meets the Building's insurance requirements must be submitted to the Building Management Office prior to the move date.

Please be aware that the tenant is responsible for moving all supplies, furniture, fixtures and personal property into, within and out of the building.

Tenant is responsible for ensuring that their moving/delivery vendors adhere to the following rules, it is recommended that a copy of these procedures be given to the moving company prior to the move:

1. Freight elevators must be reserved 48hrs in advance; it is advantageous to reserve an elevator as soon as a confirmed move date is available. **Under no circumstances are passenger elevators to be used for moving equipment, furniture, boxes, etc.**
2. To reserve a freight elevator & loading dock services, please submit a service request through Workspeed.
3. Tenants are responsible for the cost of freight elevator operators and security officer coverage during the move/delivery.
4. Your moving contractor will be responsible for any damage to the building incurred during the move. To avoid unnecessary damage:
  - a. Protect all entrances, doorways, and walls affected by the move
  - b. Cover all floors traversed during the move with appropriate material
5. Your moving contractor is responsible for removing all trash and bulky packing cartons

## **MAIL DROP OFF/DELIVERIES**

**USPS:** The United States Postal Service delivers mail to the building Monday through Friday (excluding holidays). Delivery times are subject to adjustment by the USPS. For outgoing mail, the nearest USPS mailbox is on the corner of West 51<sup>st</sup> and 7<sup>th</sup> Avenue.

Building policy prohibits the use of carts used in the transportation of mail in the passenger elevators to prevent damage.

If you experience problems with your mail service, please contact the nearest Post Office at:

US Post Office  
322 W. 52nd Street  
New York, NY 10019  
Telephone Number: (212) 265-3672

## **MESSENGER CENTER**

All couriers are to report to the mailroom between the hours of 8am and 7pm. With the exception of **FedEx**, **DHL**, and **UPS**, messengers are not permitted upstairs. The messenger center will accept and deliver the package to the tenant for signature.

The Building Messenger Center is located in the Concourse Level and can be reached at 212-554-8873.

All incoming packages will be delivered to the Messenger Center and promptly dispatched to your office by an in-house uniformed messenger. All outgoing packages will be collected from your office and held at the Messenger Center until released to the messenger service of your choice. Incoming and outgoing packages are entered into a computerized tracking system.

**FEDEX & UPS:** Drop boxes are located near the Freight Elevators on the Lobby Level. The last pickup times are 5:30 pm and 8:00 pm, Monday-Friday (subject to change by FedEx and UPS).

## **BUILDING EQUIPMENT PASSES**

As a part of our security program, we require a property removal pass to accompany any item(s) not readily identifiable as personal property that is being removed from the building. The property removal passes can be obtained by submitting a request through Workspeed. The removal pass must be signed by an authorized employee of the tenant and must be presented to a building security officer when exiting the building.

## **CABLE TELEVISION**

Time Warner Cable is available for tenants. For more information on rates and installation, you can go to <https://business.timewarnercable.com/> or call 1 (800) 892-4357.

## **NO SMOKING POLICY**

787 Seventh Avenue is a non-smoking building. Smoking is prohibited in all areas within the building.

As of July 24, 2003 the City of New York passed the Clean Indoor Air Act which prohibits smoking in most public places and places of employment in the City of New York. Smoking is prohibited within 25 feet of the building entrances. Exhibit B highlights the designated smoking areas for the building. Smoking in any other area is strictly prohibited.

Each tenant of the building will be responsible for enforcing the no smoking act within their leased space. Any fines issued by the City of New York for violations of the act will be passed on to the tenant responsible for the violation.

***Section 2: Tenant Amenities***

**ATHLETIC & SWIM CLUB FITNESS CENTER**

Conveniently located in the Concourse Level, Athletic & Swim Club, New York, NY, offers a personalized fitness experience that supports professional and personal success through a more healthy and fit lifestyle. For more information, please visit their website: <http://www.clubcorp.com/Clubs/The-Athletic-Swim-Club-at-Equitable-Center>

**ATRIUM**

The impressive soaring Atrium lobby features the 75' original artwork, "Mural with Blue Brushstroke," by Roy Lichtenstein and the 40' semi-circular settee designed and executed by Scott Burton.

**AUDITORIUM**

The 487-seat Auditorium, managed by Equitable Production Group, is an ideal venue for corporate announcements, shareholder meetings, press conferences, or any other special event that needs just the right space and technical support. The auditorium is located on the PM Level & SC Level. For more information, please visit their website: [axaeventproductioncenter.com](http://axaeventproductioncenter.com)

**CITIBANK**

A full service Citibank retail branch is located in the Atrium near the 7<sup>th</sup> Avenue entrance.

**THE GALLERIA**

The through-block Galleria between 787 Seventh Avenue and 1285 Avenue of the Americas is sheltered by glass skylights and features sculptures and seating for the public's enjoyment. The Galleria also provides escalator access to the concourse level, the Athletic & Swim Club, the Rockefeller Center retail complex and N.Y.C subways.

**GATEWAY NEWSSTAND**

Gateway Newsstand is conveniently located in the Atrium near the 7<sup>th</sup> Avenue Entrance. They carry a variety of newspapers, snack foods, beverage, etc. Store hours are Monday through Friday 7:00am to 7:00pm, except holidays.

**ALDO SOHM WINE BAR**

Opened in September 2014 Aldo Sohm Wine Bar allows Sohm and his team to share their enthusiasm for wine. It is a casual and convivial place where guests are welcome at the bar as they would be in Sohm's living room, seating themselves in the central bar area and surrounding high-top tables or in the comfortable lounge before exploring the ever-changing wine list. For more information please visit their website: <http://www.aldosohmwinebar.com/about>

### **BAR AMERICAIN**

An American brasserie, Bar Americain celebrates the foods of America with a healthy dose of the bold flavors Bobby Flay is most known for. For more information visit their website: <http://baramericain.com/nyc/about>

### **EUROPA CAFE**

Europa Café offers a variety of breakfast, lunch, dinner and catering items. To view their menu or to place an order, please view their website: <https://www.europacafe.com/>

### **LE BERNARDIN**

Born in Paris in 1972 by sibling duo Maguy and Gilbert Le Coze, Le Bernardin only served fish: Fresh, simple and prepared with respect. After receiving its first Michelin star in 1976, and two more in 1980, the Le Coze's set to open Le Bernardin in New York in 1986. For information please visit their website: <https://www.le-bernardin.com/home>

### **LE BERNARDIN PRIVE**

The newest addition to Le Bernardin's private dining options, Le Bernardin Privé echoes the understated elegance of the midtown restaurant's dining room. For more information please visit their website: <http://www.le-bernardinprive.com/>

### **PRET A MANGER**

Pret a Manger's menu includes breakfast, lunch, dinner and catering items. Please visit their website to view their full menu: <https://www.pret.com/en-us/our-menu>

### **STARBUCKS**

Starbucks is located on 52nd Street & has an entrance from the inside of the building located in the North Lobby.

### **BIKE STORAGE**

787 Seventh Avenue has bicycle storage racks located on P1 that can accommodate 40 bikes. Anyone that would like to utilize the bike storage room should contact the Building Management Office at (212) 554-8879 to receive access. The bike room can only be accessed from the loading dock and is open Monday through Friday from 6:00 am to 11:30pm.

### **PARKING**

787 Seventh Avenue offers parking facilities with our two-level garage containing 82 parking spaces leased on a first come, first served basis.

The garage levels are serviced by a card access only passenger elevator in the North Lobby.

The automobile entrance to the garage is located on 52<sup>nd</sup> Street. An elevator operator is on duty Monday through Friday, 6:00 am to 11:30 pm. Access at other times may be made by contacting Security at the Lobby Desk.

### **Section 3: 787 SEVENTH AVENUE**

Tenant employees that are authorized to request services have been given user names and passwords to access the building's service request system which is called Workspeed. All requests for work should be submitted through the Workspeed online system, unless there is an emergency. If there is an emergency (smoke smell, leak/flood, etc.) call the Building Management Office at (212) 554-8879 immediately!

Any charges for work requests that are billable will be billed to the tenant on their monthly rent statement.

#### **GENERAL MAINTENANCE**

Many general maintenance items can be handled by our on-site 24/7 engineering staff.

To submit a service request, go to the building's website <http://787seventhave.info> click on the Tenant Links at the top of the page and then click the Service Requests tab. Log-in to the Workspeed site, click on Service Request, click on Create Service Request, click on Service Type and enter the required information. If you are entering the work order on behalf of another employee, please be sure to enter their name and phone number so that our engineers can locate the person/area that needs work. Please make sure to enter a detailed description of the problem including the specific location (e.g. NW corner, John Doe's cubicle, Room #2095, Ladies Restroom).

If you have been authorized by your company to enter work request but do not have a log-in, please contact the Building Management Office at (212) 554-8879. Detailed instructions on how to use the Workspeed online request system are available by calling the Building Management Office.

**Hot/Cold Calls:** Please note that if you are experiencing a problem with the temperature in your area, it is very important to enter all requests through the Workspeed system. Space heaters are **strictly prohibited** and will be confiscated if found. In addition to being a safety hazard and against City of New York Fire Code, space heaters can disturb the accuracy of building thermostats and cause employees in the surrounding areas to be too cold.

#### **OVERTIME HEATING/AIR CONDITIONING (HVAC)**

If the temperature in your office needs to be adjusted, please enter a request with details of the area into Workspeed, our online work order system. The engineering team will receive the request directly and address them in the order that they were received.

##### Requesting Overtime Heating or Air Conditioning

The building provides heat and air conditioning from 8:00 am to 6:00 pm, business days (or per the terms of your lease).

If you require heating or cooling during other times, please enter a request in Workspeed, our on line work order system, no later than 2pm that the service is being requested for (or 2pm on a Friday if the service is for the weekend).

Please list specific date and time frame of when you will require the additional service. If you occupy more than one floor please list the floor(s) you require the service.

**There is an additional charge for afterhours heating or cooling. Please contact the Building Management Office regarding charges.**

### **WINDOW WASHING**

The building's exterior and interior windows are cleaned several times annually. Tenants will be notified prior to each interior window washing cycle. The lobby windows, interior and exterior, are cleaned on a monthly basis.

### **CLEANING**

General office cleaning is provided Monday through Friday (except holidays) as stipulated in your lease. Should you require supplemental cleaning services above and beyond what is provided by base building cleaning, the Building Management Office can help you make the necessary arrangements for cleaning.

If you should have an extraordinary amount of trash, old furniture, office equipment or any other items you wish to discard you must contact the Building Management Office by entering a Workspeed request to order a dumpster for the removal of these items. Our carting company charges us for all additional trash and therefore there is a charge associated with this service.

Rubbish or discarded equipment must not be stored in elevator lobbies, corridors, stairwells or building closets even for a short period of time. This is a fire code violation.

Additional Porter Services:

Our Day Porters have very specific tasks each day which cannot be disrupted by tenants asking them to perform tasks. Porter services may be requested through the online work order request system, Workspeed. Requests will be addressed in the order of which they are received as well as priority level of ensuring the overall welfare of the building.

During normal business hours, a regular building porter can be scheduled to perform tenant work. Please enter a request in Workspeed for such services (standard building charges will apply).

For any porters requested to perform tenant work on Saturdays, Sundays or holidays, the union regulations stipulate a minimum guarantee of four (4) hours pay at the overtime rate. Please enter a request in Workspeed for such services (standard building charges will apply).

Extermination:

Extermination of the building's common areas is provided. It is the responsibility of tenants to exterminate their premises.

### **SECURITY**

787 7<sup>th</sup> Avenue Security Officers are on duty 24 hours a day, 7 days a week. To contact Building Security, call (212) 554-2231/4518.

The Security contractor at 787 Seventh Avenue is responsible for security in the lobbies, dock area and all common areas within the building. Individual tenants of 787 Seventh Avenue are each responsible for the security of their respective areas and may call upon the Building Security to assist them at any time.

Building Security Officers are not armed and are only intended to serve as protection for the building and as a deterrent to crime. Actual enforcement of local laws is the role of the NYPD who should be contacted along with the Building Management Office if a crime or situation requiring the use of force occurs.

***Please remember that security is everyone's responsibility.*** Valuables should be stored in a safe place and doors locked after hours. The Building Management Office or Building Security should be contacted if any strangers behaving in a suspicious manner are noticed in the office areas. Only with tenant cooperation can a secure building be maintained.

### **SECURITY TIPS**

Building Management takes many precautions to protect tenant property; however, tenants are wholly responsible for the security of all persons and property within their suite. By following a few simple rules, much can be done to eliminate or reduce incidents of theft or intruders.

- Never leave a suite door unlocked while the reception area is unattended, even if it is only momentarily. This may be the single, most important rule to prevent thefts and intruders from entering your suite. They know it is not uncommon for reception areas to be left unattended, especially when a firm is opening up for the business day and at the close of the business day.
- Rear doors or secondary entrances should be kept locked at all times.
- Hang coats and wraps away from the entrance to the office to reduce the possibility of their being easily stolen while you are busy. Keep valuables out of sight at all times.
- Keep purses and gift packages out of sight and locked inside a cabinet or desk if possible.
- Lock desks when not seated at them.
- The building prohibits all solicitors and peddlers. While there are many legitimate solicitors, most tenants do not desire to be bothered. Please call the Building Management Office immediately to report all solicitors and peddlers so they may be properly escorted from the building.
- Do not let persons other than your employees and clients into building restrooms.
- Building personnel are always ready to properly identify themselves. Persons posing as working for the building which you may not readily recognize should be reported to the Building Management Office immediately. Every tenant has the right to question all those who enter their suite for proper identification.

- Receptionists should be instructed to keep all visitors in the reception area, and ask the person being visited to come out and greet the visitor. Delivery and service personnel should be escorted to their work location rather than directing them. This will reduce the possibility of unauthorized people entering a unauthorized areas within your office.
- Following your own instincts is critical. If there is ever any doubt or you don't feel right about an individual in your suite, hallway, elevator or restroom, immediately call the Building Management Office to investigate.

***Section 4: Building Rules and Regulations***

- (1) The sidewalks, entrances, passages, courts, elevators, vestibules, stairways, corridors, or halls shall not be obstructed or encumbered by Tenant or used for any purpose other than ingress and egress to and from the Premises and for delivery of merchandise and equipment in prompt and efficient manner, using elevators and passageways designated for such delivery by Landlord.
- (2) No awnings, air-conditioning units, fans or other projections shall be attached to the outside walls of the Building. No curtains, blinds, shades, or screens, other than those which conform to Building standards as established by Landlord from time to time, shall be attached to or hung in, or used in connection with, any window or door of the Premises, without the prior written consent of Landlord which shall not be unreasonably withheld or delayed. Such awnings, projections, curtains, blinds, shades, screens or other fixtures must be of a quality, type, design and color, and attached in the manner reasonably approved by Landlord. All electrical fixtures hung in offices or spaces along the perimeter of the Premises must be of a quality, type, design and bulb color approved by Landlord, which consent shall not be withheld or delayed unreasonably unless the prior consent of Landlord has been obtained for other lamping.
- (3) No sign, advertisement, notice or other lettering shall be exhibited, inscribed, painted or affixed by Tenant on any part of the outside of the Premises or Building or on the inside of the Premises if the same can be seen from the outside of the Premises without the prior written consent of Landlord except that the names of Tenant and any Related Entity may appear on the entrance door of the Premises. In the event of the violation of the foregoing by Tenant, if Tenant has refused to remove same after reasonable notice from Landlord, Landlord may remove same without any liability, and may charge the reasonable expense incurred by such removal to Tenant. Interior signs on doors and directory tablet shall be of a size, color and style reasonably acceptable to Landlord.
- (4) The exterior windows and doors that reflect or admit light and air into the Premises or the halls, passageways or other public places in the Building, shall not be covered or obstructed by Tenant.
- (5) No showcases or other articles shall be put in front of or affixed to any part of the exterior of the Building, nor placed in the halls, corridors or vestibules, nor shall any article obstruct any air-conditioning supply or exhaust without the prior written consent of Landlord.
- (6) The water and wash closets and other plumbing fixtures shall not be used for any purposes other than those for which they were constructed, and no sweepings, rubbish, rags, acids or other substances shall be deposited therein. All damages resulting from any misuse of the fixtures shall be borne by Tenant.
- (7) Subject to the provisions of Article 3 of this Lease, Tenant shall not mark, paint, drill into, or in any way deface any part of the Premises or the Building. No boring, cutting or stringing of wires shall be permitted, except with the prior written consent of Landlord, which consent shall not be unreasonably withheld or delayed, and as Landlord may direct.
- (8) No space in the Building shall be used for manufacturing, for the storage of merchandise, or for the sale of merchandise, goods or property of any kind at auction or otherwise.
- (9) Tenant shall not make, or permit to be made, any unseemly or unreasonably disturbing noises or unreasonably disturb or unreasonably interfere with occupants of this or neighboring buildings or

premises or those having business with them whether by the use of any musical instrument, radio, television set, talking machine, unmusical noise, whistling, singing, or in any other way.

(10) Tenant, or any of Tenant's employees, agents, visitors or licensees, shall not at any time bring or keep upon the Premises any inflammable, combustible or explosive fluid, chemical or substance except such as are incidental to usual office occupancy.

(11) No additional locks or bolts of any kind shall be placed upon any of the doors or windows by Tenant, nor shall any changes be made in existing locks or the mechanism thereof, unless Tenant promptly provides Landlord with the key or combination thereto. Tenant must, upon the termination of its tenancy, return to Landlord all keys of stores, offices and toilet rooms, and in the event of the loss of any keys furnished at Landlord's expense, Tenant shall pay to Landlord the reasonable cost thereof.

(12) No bicycles, vehicles or animals of any kind, except for seeing eye dogs, shall be brought into or kept by Tenant in or about the Premises or the Building.

(13) All removals, or the carrying in or out of any safes, freight, furniture or bulky matter of any description must take place in the manner and during the hours which Landlord or its agent reasonably may determine from time to time. Landlord reserves the right to inspect all safes, freight or other bulky articles to be brought into the Building and to exclude from the Building all safes, freight or other bulky articles which violate any of these Rules and Regulations or the Lease of which these Rules and Regulations are a part.

(14) Tenant shall not occupy or permit any portion of the Premises demised to it to be occupied as an office for a public stenographer or typist, or for the possession, storage, manufacture, or sale of liquor, narcotics, dope, or as a barber or manicure shop, or as an employment bureau. Tenant shall not engage or pay any employees on the Premises, except those actually working for Tenant at the Premises, nor advertise for labor giving an address at the Premises.

(15) Tenant shall not purchase spring water, ice, towels or other like service, or accept barbering or bootblacking services in the Premises, from any company or persons not approved by Landlord, which approval shall not be withheld or delayed unreasonably and at hours and under regulations other than as reasonably fixed by Landlord.

(16) Landlord shall have the right to prohibit any advertising by Tenant which makes reference to the name or address of the Building or includes a likeness of the Building and, in Landlord's reasonable opinion, tends to impair the reputation of the Building or its desirability as a building for offices, and upon written notice from Landlord, Tenant shall refrain from or discontinue such advertising.

(17) Landlord reserves the right to exclude from the Building between the hours of 6 p.m. and 8 a.m. and at all hours on Saturdays, Sundays and legal holidays all persons who do not present a pass to the Building signed or approved by Landlord. Tenant shall be responsible for all persons for whom a pass shall be issued at the request of Tenant.

(18) Tenant shall, at its expense, provide artificial light for the employees of Landlord while doing janitor service or other cleaning, and in making repairs or alterations in the Premises.

(19) The requirements of Tenant will be attended to only upon written application at the office of the Building. Building employees shall not perform any work or do anything outside of the regular duties, unless under special instructions from the office of Landlord.

- (20) Canvassing, soliciting and peddling in the Building is prohibited and Tenant shall co-operate to prevent the same.
- (21) There shall not be used in any space, or in the public halls of the Building, either by Tenant or by jobbers or others, in the delivery or receipt of merchandise, any hand trucks, except those equipped with rubber tires and side guards.
- (22) Tenant may, at its sole cost and expense and subject to compliance with all applicable Requirements and the provisions of Article 3 and 4 of this Lease, install and maintain vending machines for the exclusive use by Tenant, its officers, employees and business guests, provided that each machine, where necessary shall have a waterproof mat thereunder and be connected to a drain.
- (23) Tenant shall keep the entrance door to the Premises closed at all times.
- (24) Tenant shall comply with and abide by the reasonable standard operating procedures established by Landlord for the Building including, but not limited to, security, lobby, garbage disposal, freight elevator, and other operational issues.
- (25) Tenant shall, at its expense, issue to each employee of Tenant, an identification card containing the name of the company and a photograph and signature of such employee.
- (26) The access points to roof setbacks, if any, shall not be obstructed or encumbered by Tenant and Landlord shall have access thereto at all reasonable times and, except in the case of emergency, upon reasonable notice to Tenant.
- (27) During an alarm condition no one except for approved building personnel and first responders should be within 15 yards of the Lobby Desk. This is important to maintain the safety of all building employees, to avoid unnecessary distractions and any unintentional interference during any emergency situation.
- (28) Drainage of Sprinkler System/refills and smoke head deactivations must be submitted via email to the Building Office by 3:00 p.m. the day prior to the specific action. Contractor shall be required to leave a valid government issued form of identification with the Lobby Security Desk prior to commencement of the above mentioned actions. Upon completion of the exercise, the identification will be returned to the contractor.
- (29) Access to an electric closet shall be granted only when a valid government issued photo identification is presented and left at the lobby desk. Upon completion of the work and inspection by building engineer, identification will be returned to the Vendor.
- (30) Tenant shall not store any items nor obstruct any freight areas as per NYC Fire Code. Tenant will be given 24 hours from notice to remove the aforementioned items or they shall be removed and discarded at Tenant's sole expense.
- (31) Tenant is required to fund any Emergency Action Plan/Fire Safety Plan (EAP/FSP) updates if required by a tenant project.

## ***Section 5: Emergency Procedures***

### **GENERAL INFORMATION**

787 Seventh Avenue was designed to minimize the chance of a life-threatening emergency and reduce damage in the event that one occurs. Our building has a fire-resistant structure and many systems designed to protect life and property. In the event of a fire alarm, alarms received from smoke detectors, sprinkler systems and manual pull stations cause an immediate localized response and send a signal when warranted to the fire department. These devices also shut down air handling equipment to prevent the spread of smoke and fire. Backup power ensures that stairwells are always lit and glow in the dark markings and signage further illuminates exit paths. The building's fire life safety system is monitored 24 hours a day from the Fire Command Station. The system is also monitored by an off-site alarm monitoring company. 787 Seventh Avenue has created a comprehensive Emergency Action Plan (EAP) for non-fire emergencies as well. Please contact the Building Management Office for more information or to set up a meeting with our Fire Safety Director.

### **MEDICAL EMERGENCY**

1. **Do not move the person. Call paramedics at 911.** Report the person's exact location and clearly describe his or her condition as best you can.
2. **Call Building Security at (212) 554-2231/4518.** We will hold an elevator ready for the paramedic team.
3. **Stay with the victim and send one person to the freight elevator lobby** to greet the medical responders and lead them to the victim.

### **FIRE ALARM**

1. **Move quickly to the nearest safe exit stairwell.** Remain calm and listen for instructions over the public address system.
2. **Close doors,** but do not lock doors behind you. Feel door handles before opening them. Do not open any that are hot.
3. **Do not use the elevators.**
4. **A warden team member will check for smoke in the stairwell.** If smoke is present, use alternate stairwell.
5. **If instructed to relocate, walk down AT LEAST two floors below the floor in alarm.** Look for the "RE-ENTRY FLOOR" sign on the inside of stairwell doors and re-enter the floor there. Reassemble in the corridor so the warden team members can account for everyone from your area.
6. **Listen** for further instructions.
7. **If you need special help relocating,** wait with your assigned assistants at the stairwell or other designated area.

### **SMOKE OR FIRE PRESENT**

1. **Safety of life** – remove everyone from the immediate area of danger. Confine the fire by closing doors as you leave. Do not lock doors.

2. **Notification** – Activate the nearest manual pull station. This will alert your floor by activating the visible and audible alarms. This will also notify building security and the fire department.
3. **Alert you floor warden.**
4. **Proceed to the nearest safe stairwell and relocate** at least two floors below the fire. If smoke is present, stay low.
5. **Listen for further instructions**

### **EVACUATION ORDER**

In certain situations it may be necessary to evacuate the building to street level. Listen closely for instructions from building staff. A **Partial Evacuation** will only involve specific floors, whereas a **full evacuation** will require occupants on all floors to leave the building. Always listen to instructions carefully. Know the location of your company's assembly area, proceed there and follow roll call procedures. Building staff will work with local authorities to keep you informed and provide further instructions.

### **SHELTER IN PLACE/IN-BUILDING RELOCATION**

If a threatening situation should occur outside of the building, you may be instructed to seek immediate shelter within the building rather than evacuate. There are two basic in-building responses, the first is called **Shelter In Place** and means that you should remain in place at your workstation. The second response is called **Building Relocation** and means you will be directed to move to a designated area within the building. Always listen to instructions carefully. During certain situations, such as a chemical or biological threat in the area, building staff may shut down air handling equipment to isolate the building from outside contamination and ask that you remain inside. Entrance to the building may be restricted until local authorities give approval. If you choose to leave when advised to stay, you do so at great risk to yourself and others that you may come in contact and you may not be allowed back into the building.

### **POWER FAILURE**

If normal power fails, an emergency generator will automatically provide electricity to public corridors, stairwells, stairwell exit signs and the fire alarms and communications systems.

A battery powered portable radio should be available in your offices for information and updates on any extensive power failure.

### **BOMB THREAT**

When a call is received, there are several things to do:

1. **Remain calm and listen carefully**
2. **Get as much information as possible.** Ask who, what, where, when, why? Note the callers gender, speech peculiarity and background noises.
3. **Call 911.** Describe in detail the information that you received over the phone.

4. **Call Building Security** at (212)554-2231/4518 and let them know the details of the call and that you have notified the police.
5. **If you discover a suspicious object, do not touch it.** Call the 911 and Building Security at (212)554-2231/4518.

### **TENANT RESPONSIBILITIES**

Under New York fire code, tenants of high-rise office buildings must participate in emergency response plans and make responsible and dependable employees available for designation as Fire Wardens, Deputy Fire Wardens, Searchers, and Aides to people with Physical Challenges. An organization chart listing the names, locations and telephone numbers of the people so designated is to be supplied to the Fire Safety Director and kept current.

Tenants are required to participate in periodic fire drills as required under Local Law #5, and are required to provide necessary equipment for fire drills and emergency such as whistles, arm bands, flashlights, etc. All employees should be instructed that fire drills are not to be taken lightly and to cooperate with the instructions of Wardens assigned to their areas.

Employees should be instructed to report all unusual odors indicating a possible fire to their Fire Warden or Deputy Fire Warden, but to pull the fire alarm box only if they detect an actual fire or smoke condition. All fires, no matter how small or quickly extinguished, must be reported.

Primary responsibility for safety of employees rests with each tenant. It may be necessary to tailor the plan outlined below to suit your space and number of employees.

For additional information on Emergency Procedures, please contact the Building Management Office to set up a meeting with our Fire Safety/EAP Director.