September 28, 2007

DEVELOPMENT AND CONSTRUCTION MANAGEMENT PLAN
FOR PUD AT HARRY THOMAS WAY AND ECKINGTON PLACE

NoMa West Residential I, LLC (the "**Applicant**") seeks to mitigate any adverse impact on the surrounding neighborhood resulting from construction activity related to the Applicant's plans to construct a planned unit development consisting of approximately 600 residential units at the corner of Harry Thomas Way and Eckington Place (the "**Project**").

1.   **Communication.**

 a. **Neighborhood Contact Person.** Advisory Neighborhood Commission 5C shall designate a single contact person ("**Neighborhood Contact Person**"), who may change from time to time, to represent the surrounding community during construction of the Project. The initial Neighborhood Contact Person shall be determined prior to the start of construction activity on the Applicant's property. The name and telephone number of the Neighborhood Contact Person shall be conspicuously posted on the Applicant's property, and shall be readily available to members of the community. The Neighborhood Contact Person shall be available to receive complaints or other communications from the community regarding the construction of the Project and disseminate information from the Applicant and/or Applicant's Representative to the community. The Neighborhood Contact Person shall have the pertinent contact information for the Applicant's Representative (described below), including cell numbers and beeper numbers, as appropriate, and contact information in case of emergency during hours in which no construction activity is occurring.

 b. **Applicant's Representative.** The Applicant shall designate a representative ("**Applicant's Representative**") to be the key contact for the Neighborhood Contact Person and Advisory Neighborhood Commission 5C (the "**ANC**") during construction of the Project.

The Applicant's Representative shall have a local office and shall be accessible during business hours via telephone (including voicemail), email, letter or facsimile to receive complaints or other communications from the Neighborhood Contact Person or the ANC during construction of the Project. The name and telephone number of the Applicant's Representative shall be conspicuously posted on the Applicant's property and shall be readily available to members of the community.

 c. **Duties of the Applicant's Representative.** The Applicant's Representative or his/her designee shall coordinate with the Neighborhood Contact Person to answer questions and receive comments about the site activities, address any concerns members of the community might have throughout the construction process, and the Applicant's Representative shall have authority to promptly remedy violations of this Development and Construction Management Plan and enforce its provisions. The Applicant's Representative or his/her designee shall:

  (i) receive notice of violations of this Development and Construction Management Plan from the Neighborhood Contact Person;

  (ii) respond as soon as possible to the Neighborhood Contact Person regarding any reported violations of this plan;

     (iii)   act to remedy the violation within a reasonable time period and based on the severity of the alleged violation; and

     (iv)   advise the Neighborhood Contact Person within a reasonable time period of the remedy and time frame for curing the violation(s).

     d.   **Resume Bank.** The Applicant's Representative and/or the Neighborhood Contact Person shall maintain a resume bank for members of the community to submit resumes for potential employment on this Project and future projects of the Applicant in the District of Columbia and surrounding jurisdictions. The Applicant encourages the submission of resumes of architects, project managers, and other real estate professionals, in addition to resumes of tradesmen and construction workers.

2.   **Construction.** The Applicant shall require its personnel and vendors, including supply and service vendors, comply with all applicable District of Columbia Municipal Regulations relating to hours of work, noise, dirt, trash, and public health and safety. The following is a discussion of construction-related issues and shall be binding on the Applicant, its subcontractors and any successors and/or assigns of the Applicant.

     a.   **Permits.** The Applicant shall secure all permits required to complete the Project. All plans and permits shall be on-site, as required under the District of Columbia Construction Code.

     b.   **Site Management.**

     (i)   The Applicant shall erect and maintain construction fencing and barricades in order to secure the site during construction. The Applicant and its contractors shall work with the Department of Consumer and Regulatory Affairs to maintain temporary storm water management systems throughout the Project's construction, until such time as the permanent facilities are constructed, approved and functioning such that there are no adverse water impacts on the adjacent neighborhood.

     (ii)   The Applicant shall maintain a low-level of security lighting on its Property during the construction of the Project. These lights shall be sufficient to provide necessary security and to comply with federal and municipal safety standards.

     (iii)   Subject to District of Columbia approval, the Applicant shall attempt to locate the construction trailer(s) so as to minimize impacts on adjacent neighbors.

     c.   **Cleanliness.** The Applicant shall remove rubbish and construction debris from its property on a routine basis during the construction of the Project. In addition, the Applicant shall monitor and police the construction site to ensure cleanliness of the site. All excavation or back fill trucks shall be covered before proceeding from the Applicant's property onto city streets. Portable latrines shall be located to minimize impacts upon adjacent properties.

d. Work Hours.

(i) The normal construction work week shall be Monday through Friday, from 7:00 a.m. until 7:00 p.m., Saturday from 8:00 a.m. until 4:00 p.m., and on a limited basis as required to meet development schedules on Sunday from 9:00 am until 2:00 pm. All trucks for delivery of materials, construction or otherwise, shall arrive, depart and operate on the Applicant's property only during the foregoing hours. There shall be no queuing of construction related vehicles or arrival of workers more than thirty (30) minutes prior to stated work hours.

(ii) The Applicant shall make good faith efforts to limit work that is likely to disturb the residents of the adjacent neighborhoods to weekdays, except where limitations on work during the week require work on Saturdays and Sundays to meet the requirements of construction teams for a 40-hour work week or to maintain the Project's development schedule.

(iii) The Applicant shall not permit any activity on the Applicant's property that requires the movement of heavy vehicle traffic or other significant traffic, to or from, the Applicant's property or which generates sound levels in excess of sixty decibels (60 db) or otherwise is likely to significantly disturb the residents of the adjacent neighborhoods prior to 7:00 AM or after 7:00 PM on weekdays and prior to 8:00 AM or after 4:00 PM on weekends.

e. Contractors and Subcontractors. The Applicant shall require that all contractors and subcontractors and vendors doing business on the Project be contractually required to follow the terms of, and comply with, the policies set forth in this Development and Construction Management Plan.

f. Traffic, Loading, and Parking.

(i) Truck queuing and routing shall be coordinated with the District Department of Transportation and adjacent property owners.

(ii) The Applicant shall use its best efforts to ensure that construction related traffic does not travel on R, Quincy, or Q Streets N.E. (not including the future Q Street Extension) or impede rush hour traffic on Eckington Place and Florida Avenue. A flagperson shall be assigned to expedite movement of construction related traffic if any consistent traffic backups occur on any of these streets.

(iii) No construction vehicles shall be parked on the surrounding residential streets.

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