

Date: August 2nd, 2025

Signatures contained below indicate agreement on the attached document entitled *Construction Management Agreement for 901 Monroe Street (ZC No. 24-15)* between 901 Monroe Street LLC (“The Applicant”) and the 200-Footers and the Brookland Neighborhood Civic Association (“The 200-Footers Group”)

AUTHORIZED SIGNER OF THE APPLICANT

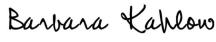
DocuSigned by:

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Name: Andrew Vincent

Organization: 901 Monroe Street LLC

AUTHORIZED SIGNER OF THE 200-FOOTERS GROUP

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Name: Barbara Kahlow

Organization: The 200-Footers

Construction Management Agreement for 901 Monroe Street (ZC No. 24-15)

#. Construction Management: The Applicant will undertake the following actions to mitigate any adverse impact on adjacent properties resulting from construction activity related to the development of the project.

1. Alley Construction Logistics: The north-south public alley behind the six abutting 10th Street row-houses is the only ingress and egress route for the car driveways of these residents and their porches, living rooms, and bedrooms face this 10-foot alley and are the sole means of their essential air and light on that side. The Applicant will endeavor to minimize construction disruption in the north-south public alley with the objective of not having closures last longer than a day. Any closure of the public alley lasting longer than one hour for construction activities will come with advance notice of at least forty-eight (48) hours. This public alley shall never be used for staging. For purposes of this CMA, staging is defined as “use of any portion of said public alley for construction-related purposes, such as a construction trailer, construction equipment, a materials trailer, building materials and other related uses by the Applicant.”
2. Traffic and Construction Control Plan: Vehicular ingress and egress will be only through approved, permitted construction entrances to be approved by DDOT. The Applicant will minimize truck and vehicle queuing (which is deemed to be waiting for more than 15 minutes) or idling in the 3400 blocks of 9th and 10th Street and the 900 blocks of Lawrence and Kearney Streets. Nor are workers’ vehicles allowed to queue or idle in the residential areas before the 7 a.m. or 8 a.m. start of the construction day. However, vehicles may regularly queue along the northernmost section of 9th Street on the east side of the street. There will be one or more regulated construction entrances for workers on foot, especially after the building superstructure is up. The Applicant will seek to have flagmen positioned on 9th, 10th, and Lawrence Streets to direct the flow of construction traffic and to maintain the public’s safety in this residential area, subject to a DDOT approved Traffic Construction Plan.
 - a. Throughout construction, the Applicant agrees to ensure safe pedestrian access around the perimeter of the site. The Applicant agrees to develop and implement (after approval by DDOT) a plan for temporary pedestrian and vehicular circulation during construction. At a minimum, the plan shall identify temporary sidewalks, interim lighting, fencing around the site, construction vehicle routes, and any other features necessary to ensure safe pedestrian and vehicular travel around the site during construction.
 - b. The Applicant agrees to notify all adjacent property owners as well as all property owners facing the property across perimeter streets in writing or, if mutually agreeable, by e-mail, at least 48 hours in advance of any street or alley closure of more than one hour duration on any street, “emergencies” excepted, with “emergencies” as jointly defined by the Applicant and the 200-Footers Group.

3. Construction Trucks: The Applicant will minimize the use of 9th, 10th, Lawrence, or Kearney Streets as construction truck or construction-related truck thoroughfares. There should be no construction truck parking along the 3400 blocks of 9th and 10th Streets and the 900 blocks of Lawrence and Kearney Streets.
4. Construction Parking: Parking for construction workers will be provided within the fenced boundaries of the construction site. Construction personnel will be encouraged to utilize mass transit, including Metro rail and Metro bus. Parking by construction personnel along the 3400 blocks of 9th and 10th Streets and the 900 blocks of Lawrence and Kearney Streets will not be permitted. Construction personnel can utilize short-term parking in the Brookland-CUA Metro parking lot or park elsewhere off-site and be shuttled to the site.
5. Site Management:
 - a. Fence: Once construction commences, a six foot (6') high construction fence with privacy fabric will be erected to screen construction activities and debris from the nearby affected properties. All construction trailers, all construction materials, and all equipment, and portable toilets will be located and always retained on the Applicant's property behind the construction fence for the duration of the construction. The construction fence will shield the trailers and portable toilets from the neighborhood and residential areas.
 - b. Odors: The Applicant will use best efforts to minimize noxious odors emanating from the construction site.
 - c. Lighting: Ongoing temporary on-site lighting during construction will be erected for the site to provide lighting for safety and security. No generators will be used at night to provide temporary site lighting. The Applicant will keep the lighting directed into the site only and not impact the surrounding community. In addition, the Applicant will maintain current lighting in the North-South alley at all times, subject to temporary construction needs.
 - d. Electrical Generators: All electrical generators and compressors will be turned off at the end of each day's construction activities, i.e., by 7 p.m.
 - e. Stormwater Management: The Applicant will maintain temporary stormwater management systems throughout the Project's construction until such time as the permanent facilities are constructed, approved and functioning such that there shall be no adverse water impacts on the adjacent neighborhood.
 - f. No Disruption of Services to Property Owners in Square 3829: The Applicant will work with all relevant utility providers to assure that construction activity on the 901 Monroe Street Property will minimize the disruption of utility, cable or phone services to other property owners within Square 3829, and that this will occur at no cost to the Square 3829 Property Owners.

6. Hazardous Waste, Hazardous Materials and Pollutants: The Applicant shall not use, generate, manufacture, store, transport or dispose of, on or over the construction area any flammable liquids, radioactive materials, hazardous materials, hazardous wastes, hazardous or toxic substances, or any other “hazardous materials” as defined under Federal or DC law. However, materials that are commonly used in the construction of mixed-use projects such as the project proposed by the Applicant are not subject to this provision #6. The Applicant does not anticipate that any blasting will be required, however, should blasting be required the Applicant shall notify the Neighborhood Contact Person (discussed in provision #10) at least 48 hours prior to any blasting. The Applicant shall also give 48 hours notice to the Neighborhood Contact Person prior to the commencement of Foundation work.
7. Rodent Infestation: The Applicant will enact a substantive rodent abatement/rodent control program during pre-construction and while construction activity is occurring on the 901 Monroe Street Property. Rodents are deemed to include rats, possums, raccoons, snakes, etc. Upon receipt of any rodent complaint, rodent damage and/or rodent issues from 200 Footers up until completion of project, the Applicant will immediately address with a professional pest control company.
8. Cleanliness: The Applicant will require the continuous removal of rubbish and construction debris during the normal construction day and during any other periods of work. During construction activities, there will be a dumpster on-site (*i.e.*, inside of the fence) for the removal of trash and construction debris. The dumpster will remain contained and not overflow onto the ground. The removal and replacement of the dumpster will take place during normal working hours on Monday through Saturday. The Applicant will undertake a program of pest control to ensure that no increase in pest activity occurs during the construction period (see provision #7). All back-fill trucks will be covered before proceeding from the Applicant’s property onto city streets.
 - a. The areas adjacent to the site will be policed on days of construction activity by the contractor and will always remain clean of any trash or debris resulting from construction activities. The Applicant will ensure regular cleaning of construction debris from the north-south alley and all surrounding streets (*i.e.*, 9th, 10th, and Lawrence).
 - b. At the end of each work day during construction, the Applicant agrees to ensure that any streets used for hauling construction materials and the entrance to the construction site are free of mud, dirt, trash, dust and debris from the construction activity and that all streets adjacent to the construction site are free of construction trash and debris.
 - c. The Applicant agrees to report the presence of potholes adjacent to the site to relevant authorities during the construction period.
9. Work Hours and Workers: The normal construction work-week will be Monday through Friday, 7 a.m. to 7 p.m., and Saturday, 8 a.m. to 4 p.m. The Applicant will make good faith

efforts to limit the work that could disturb the residents of the neighborhood to weekdays, except where limitations on work during the week require work on Saturdays to meet the requirements of construction teams for a 40-hour work week. No Sunday work hours will be utilized.

- a. Trucks: All trucks for delivery of materials, construction or otherwise, will arrive, depart and operate on the Applicant's property during the foregoing hours. The Applicant agrees to minimize queuing (which is deemed to be waiting for more than 15 minutes), idling, standing, or parking of delivery trucks on the 3400 blocks of 9th and 10th Streets and the 900 blocks of Lawrence or Kearney Streets. However, regular queueing may occur on the northernmost section of 9th Street on the east side of the street.
- b. Workers: Workers will not loiter or play loud music and will be encouraged not to talk loudly on 9th, 10th, Lawrence, and Kearney Street.
- c. Noise (also see provision #14): There will be no noise generating activities prior to the start of the work day. There will be no start-up or idling of equipment prior to the start of the workday. Indoor construction activity, defined as activity occurring entirely within a structure fully enclosed on all sides by insulated exterior walls, windows and or doors shall end at midnight each day, and any such activity that occurs after 7:00 p.m. shall not annoy or disturb reasonable persons of normal sensitivities. The Applicant agrees to place a minimum of one (1) sign per street-front around the perimeter indicating the permissible hours of construction, to place additional signage within construction field offices, and to provide a written copy of the permissible hours and rules of construction to all subcontractors prior to the start of their work.

10. Communication: The Applicant shall designate a representative (the "Representative") to be the key contact for interaction with members of the community (especially the 200 Footers) regarding construction. The Representative will have a local office, cell, and voice mail and be accessible during all business hours. The Representative will respond to all community queries within the same business day (Monday-Saturday). In addition, the Applicant will provide an emergency point of contact who can be reached 24 hours a day for construction concerns. The name of the key contact and his or her telephone numbers will be conspicuously posted on the Applicant's property at all times. The Applicant will work with residents of 10th Street, NE whose homes are adjacent to the development site, residents of 9th Street, NE whose homes are directly across the street from the 901 Monroe Street Property, and residents of the 900 block of Lawrence Street, NE, to designate a contact person ("Neighborhood Contact Person"), who may change from time to time, to represent the surrounding community. The initial Neighborhood Contact Person shall be designated by the community and will be determined prior to the start of construction activity on the Property. The Neighborhood Contact Person will receive and disseminate information from the Applicant to the community. The Applicant shall provide to the Neighborhood Contact Person, and keep updated, the names of and pertinent information about the Representative, the designee and

emergency contact including their cell phone numbers. The community may also designate an alternate Neighborhood Contact Person, who will receive information related to construction activity and represent the community in the absence of the primary Neighborhood Contact person.

- a. The Applicant's designated Representative shall: (a) receive notice of violations of the Construction Management Plan/Agreement; (b) respond to the person who reported the violation within the same business day (Monday-Saturday); (c) act to remedy the violation as soon as possible; (d) correspond with the Neighborhood Contact Person to explain the complaint, proposed remedy, and timeframe for resolution of the problem; and (e) maintain a log of all complaints received and the steps taken to address the complaints (this log shall be continually available for inspection by the 200 Footers).
- b. Before commencing any clearing, or grading activities, the Applicant shall hold a meeting with the 200 Footers to review the construction hauling route, location of construction worker parking, plan for temporary pedestrian and vehicular circulation, and hours and overall schedule for construction. The Applicant further agrees to meet with the 200 Footers should the exigencies of construction require modifications to any details specified herein. In addition, the Applicant shall meet with the 200 Footers periodically during the construction activities and shall meet with the 200 Footers, at a minimum, once every three (3) months in order to review status/resolution of any construction or construction management issues from the prior quarter and provide an overview of major work for the upcoming quarter.
- c. Copies of the plans shall be available and permits shall be posted on the construction site and provided to each subcontractor before its work commences.

11. Contractors: The Applicant will enforce contractor compliance with all rules and regulations described herein with all such conditions included in all general and subcontractor oral and written contracts. The Applicant will require that all contractors and subcontractors use only licensed vehicles and that they comply with all DC traffic laws and regulations.

12. Pre- and Post-Construction Surveys. The Applicant will hire an independent testing and inspection firm. Prior to commencement of work on the Property, the Applicant will reach out to the owners of adjacent properties to inquire if such owners wish to have their property and all improvements on the property thoroughly surveyed by an independent professional. The owners of the following properties will be contacted: the rowhouses on the west side of 9th Street in Square 3829W, the six rowhouses on the west side of 10th Street in Square 3829, the properties in the 900 block of Lawrence Street (907-919 Lawrence Street) on the south side of Lawrence Street in Square 3830, 1000 Monroe Street in Square 3881, and 901 Newton Street in Square 3827. The owners of these properties will hereby called "Adjacent Owners." The surveys will include photographs and video evidence of the condition of each surveyed Adjacent Owner property. After

substantial completion of the excavation and construction work on the Property, a final survey of each interested Adjacent Owner property (with photographs and video evidence) will be undertaken by the same independent professional. The surveys are intended to provide the Applicant and each participating Adjacent Owner a reference point from which to determine the effect, if any, that construction activity on the Property had on each Adjacent Owner's property. The surveys will be performed at the Applicant's sole cost and expense. Each survey report shall be provided to the Applicant and to the Adjacent Owner. If the Applicant is not permitted access to an Adjacent Owner property, the Applicant is not required to perform the above-noted survey for that particular Adjacent Owner property.

Should the Applicant become aware of any cracks that develop in improvements on the Surveyed Properties during construction, a program of crack monitoring administered by a qualified independent company shall be put in place immediately.

13. Responsibility for Damage to Adjacent Owner Property. The Applicant agrees to repair, at its own expense, any damage to the property or improvements thereon of an Adjacent Owner, which is proximately caused by the construction activity on the Property. All repairs shall be commenced within 60 days of the Applicant and the Adjacent Owner agreeing upon the necessary and appropriate repairs. Prior to beginning the pre-construction survey, the name and firm's biographical information will be provided to the owners of the Surveyed Properties. Any damage to adjacent properties that is valued less than \$5,000, as agreed upon by Applicant and Adjacent Owner, shall be repaired by the Applicant commencing within three business days (Monday-Saturday) unless Applicant and Adjacent Owner jointly agree to monetary reimbursement instead of repairs..
14. Noise (see also provision #9.c). The Applicant will not permit any activity on the Applicant's property which generates sound levels in excess of eighty decibels (80 db.) measured 25 feet from edge of site per DC Department of Buildings' Noise Regulation Handbook. Additionally, all electrical generators and compressors will not be turned on before 7:00 a.m. on weekdays and 8:00 a.m. on Saturdays and will be turned off by 7:00 p.m. All exterior work and interior work at any hour shall not exceed eighty decibels (80 db.). At all times, workers will be prohibited from playing loud music and will be encouraged not to talk loudly on 9th, 10th, Lawrence, and Kearney Streets.
15. Permits (see also provision #10.c). All plans and permits will be on-site as required under the DC Construction Code and available for inspection by the community.
16. Tree Protection and Replacement. The Applicant agrees to implement a tree protection plan which will designate any trees proposed to be saved by the Applicant. These trees may be located on the 901 Monroe Street Property. The tree protection plan shall be prepared by a certified arborist or a horticultural professional with demonstrated expertise in tree protection techniques on urban sites and shall be submitted and approved by DDOT prior to the issuance of a clearing, grading or demolition permit.

17. Crane Swing Agreements. The Applicant shall endeavor to enter into agreements with each property owner should there be crane swings above its adjacent property.
18. Maintenance Prior to Construction. The Applicant agrees to maintain the site in a clean, safe and well-maintained condition prior to the issuance of a clearing, grading or demolition permit.
19. Post-Completion Cleanup. The Applicant will work with the 200-Footers Group to determine the terms at a later date.