

DEVELOPMENT AND CONSTRUCTION MANAGEMENT PLAN

MRP 600 RI LLC and MBR Investment Partners LLC (the “**Applicant**”) seek 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, which will involve the construction of three new buildings – Blocks 1a, 1b and 5b (collectively, the “**Buildings**”) on the site of the Rhode Island Avenue Shopping Center. The Applicant will submit this Development and Construction Management Plan (the “**Plan**”) to the Zoning Commission and will request that the Zoning Commission include compliance with this Plan as a condition of approval in Zoning Commission Case No. 15-16.

1. Communication

a. **Applicant’s Representative.** The Applicant shall designate a representative to be the key contact during the period of construction of the Project for interaction with the owners of property within 200 feet of the Property and Advisory Neighborhood Commission (“**ANC**”) 5E.

The Applicant’s representative (the “**Representative**”) will have a local office and will be accessible during all business hours. At any time construction activity is occurring on the Property, the Representative or his/her designee shall be available on-site or by telephone to receive communications from the surrounding community. The name and work telephone number of the Representative or his/her appointed designee shall be conspicuously posted on the Property and shall be readily available to members of the community. In addition, a name and telephone number of a person designated by the Applicant to contact in case of emergency during hours in which no construction activity is occurring shall be readily available to members of the community.

b. **Duties of the Applicant's Representative.** The Representative and his/her designee will be able to answer questions and receive comments about the site activities, address any concerns members of the community might have throughout the construction process, and have authority to remedy promptly violations of this Plan and enforce its provisions. The Representative, designee and emergency contact shall:

- (i) Receive notice of violations of this Plan;
- (ii) Respond as soon as possible, to the person who has reported the violation, and to the Single Member District representative 5E02, or her designee; and
- (iii) Act to remedy the violation as soon as possible.

c. Quarterly Meetings. The Representative shall also host quarterly meetings with the community to provide updates on the status of construction. Notice of the date and location of these meetings shall be provided to ANC 5E at least two weeks prior to the meeting date.

d. Pre-Construction Meeting. The Representative shall host a meeting with the community once it has chosen its general contractor but prior to the start of any construction of Phase I. The purpose of the meeting will be to discuss opportunities to provide through access from 4th Street, NE to the MBT prior to the completion of construction of Phase I. It is MRP's intention to provide such access prior to the completion of construction of Phase I to the extent feasible. MRP will work in good faith with the community to provide such access as soon as feasible. Notice of the date and location of this meeting will be provided to the ANC 5E at least two weeks prior to the meeting date.

2. **Construction** The Applicant shall require that all of their personnel and vendors, including supply and service vendors, will comply with all applicable District of Columbia Municipal Regulations applicable 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 general contractor and all subcontractors.

a. **Permits:** The Applicant will secure all permits that are required to complete the Project. All plans and permits will be on-site as required under the DC Construction Code.

b. **Site Management:**

(i) The Applicant will erect and maintain construction fencing and barricades in order to screen and secure the site during the construction process. The Applicant and its contractors will work with community members and 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 shall be no adverse water impacts on the adjacent neighborhood.

(ii) A minimum amount of lighting, directed away from residential properties, will be provided on the Property at night. These lights will be sufficient to provide necessary security and to comply with federal and municipal safety standards.

c. **Traffic and Construction Control Plan:** All ingress and egress for construction purposes will be from construction entrances on Rhode Island Avenue; no vehicles will enter or exit the site from 4th Street, NE. At each construction entrance, a flagman, as required, will be positioned to direct the flow of construction traffic and to maintain the public's safety.

d. **Construction Parking:** On street parking of construction workers shall be prohibited. On-site parking will be made available to construction workers; otherwise, workers will be required to park off-site at public parking lots or to use mass transit. A list of public parking lots will be provided to the Applicant's general contractor. The general contractor will coordinate off-site parking with its subcontractors to eliminate parking by construction personnel on adjacent residential streets. The Applicant will include a statement in its contract with the general contractor that parking by construction personnel and subcontractors in areas not specifically designated for parking is prohibited; such materials will be clear that parking on neighborhood streets, including 4th Street, NE, is prohibited. Construction staging shall be provided on the Property; under no circumstances shall any staging vehicles be located on 4th Street, NE.

e. **Cleanliness:** The Applicant will remove rubbish and construction debris continuously during the construction period during the normal construction workday. In addition, the Applicant will monitor and police the construction site daily or more often as required to ensure cleanliness. The Applicant will also undertake a program of pest control to ensure that no increase in pest activity occurs during the construction period. All excavation or back fill trucks will be covered before proceeding from the Property onto city streets. Dust and debris will be removed from the Property on an as needed basis.

f. **Work Hours:** The normal construction work week will be Monday through Friday from 7:00 a.m. until 7:00 p.m., and Saturday from 8:00 a.m. until 5:00 p.m. All work hours will comply with DCRA guidelines. No construction activity will occur on Sundays without approval from DCRA. All trucks for delivery of materials, construction or otherwise,

will arrive, depart and operate on the Property only during the foregoing hours. There will be no queuing of construction related vehicles or arrival of workers prior to stated work hours.

g. **Contractors and Subcontractors:** The Applicant will require that all contractors and subcontractors be contractually required to follow the terms of, and comply with, the policies set forth in this Plan. The Applicant will also require that all contractors and subcontractors use only licensed vehicles and drivers and they comply with all DC traffic laws and regulations.

h. **Traffic, Loading, and Parking:**

- (i) Specific truck queuing and routing will be determined in coordination with the DC Department of Transportation during the public space permit review process of the Applicant's Traffic Control Plan.
- (ii) A flagperson will be assigned to expedite movement of construction related traffic, if any consistent traffic backups occur on any of the streets adjacent to the Property.
- (iii) No construction related parking will be permitted on the adjacent neighborhood streets.

3. **Security.** The Applicant's general contractor will be responsible for providing adequate security for areas within the limits of construction. The Applicant's general contractor will notify the D.C. Metropolitan Police Department and the Rhode Island Avenue Shopping Center security officers prior to the start of construction and provide a point of contact to ensure proper communication and security coverage.

4. **Pedestrian Circulation.** ~~Access through the Property from 4th Street to the Metropolitan Branch Trail will be inhibited by construction of the Buildings. Nevertheless,~~

~~the~~ Construction of the Project will inhibit access through the Property from 4th Street, NE to the Metropolitan Branch Trail and the stairs to the pedestrian bridge. Nevertheless, the Applicant will endeavor to minimize the period that such access is impeded, to the extent possible. As noted in Paragraph 1(c), Applicant's Representative will hold quarterly meetings with the community to provide updates on the status of construction and access through the site. The Applicant will provide notice that there is no through access to the Metropolitan Branch Trail on 4th Street, NE and will provide an estimated date of when through access to the Trail will be reinstated. The Applicant will provide a similar notice on social media, including the Facebook page for the Metropolitan Branch Trail. ~~The~~ Applicant will make a good faith effort to maintain circulation around the perimeter of the Property throughout construction of the Buildings.

~~The~~ Despite the foregoing, the Applicant will maintain through access on the Trail and the pedestrian bridge throughout construction of the ~~Buildings~~ Project.

5. **Compliance with Codes:** In the event that there is a conflict between this Plan and the Construction Codes of the District of Columbia, the Applicant shall be permitted to comply with the applicable code(s) without violating the terms of this Plan.