

ADDENDUM TO ALTERATION AGREEMENT  
(COVID-19)

Addendum to Alteration Agreement ("Agreement") entered into as of this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by and between Fleetwood Park Corp. ("Apartment Corporation"), \_\_\_\_\_, (individually or collectively "Lessee") and \_\_\_\_\_ ("Contractor").

**WITNESSETH:**

**WHEREAS**, the Apartment Corporation owns and operates a building known as and located at 754-800 Bronx River Rd. Bronxville NY 10708 ("Building") for the benefit of its tenants-shareholders; and

**WHEREAS**, Lessee is a shareholder of the Apartment Corporation and the proprietary lease of the apartment \_\_\_\_ ("Apartment") in building \_\_\_\_; and

**WHEREAS**, Lessee has engaged Contractor to perform certain renovations to the Apartment ("Project") as more fully set forth in the alteration agreement ("Alteration Agreement") to which this Agreement is attached; and

**WHEREAS**, in March, 2020 as a result of the Covid-19 Coronavirus pandemic, the State of New York by Executive Order suspended all construction projects in the State of New York; and

**WHEREAS**, as of May, 2020 construction projects are allowed to resume or be commenced in the Mid-Hudson area; and

**WHEREAS**, the State of New York has published construction guidelines applicable to all construction projects within the State of New York ("NYS Construction Guidelines"); and

**WHEREAS**, the Apartment Corporation wishes to incorporate the NYS Construction Guidelines into the Alteration Agreement executed by the Apartment Corporation, Lessee and Contractor,

**NOW, THEREFORE** in consideration of the foregoing premises, it is hereby agreed among the parties hereto that the Alteration Agreement is hereby supplemented as follows:

1. The NYS Construction Guidelines are hereby incorporated by reference into the Alteration Agreement as if the NYS Construction Guidelines were originally a part thereof. To the extent that the NYS Construction Guidelines conflict with any provisions of the Alteration Agreement, the NYS Construction Guidelines shall control.
2. Lessee and Contractor agree to strictly follow the NYS Construction Guidelines.
3. In the event that the Lessee and/or Contractor fail to strictly follow the NYS Construction Guidelines, the Apartment Corporation shall be entitled to suspend the Project.

4. To the fullest extent permitted by law, Contractor and Lessee shall indemnify and hold harmless the Apartment Corporation, the Board of Directors of the Apartment Corporation, the individual Board members serving on the Board of Directors of the Apartment Corporation, the managing agent for the Apartment Corporation, and any architect, engineer or consultant engaged by the Apartment Corporation to review or monitor the Project and agents and employees of any of them from and against any Loss (as said term is defined below) (i) arising out of or resulting from performance of the Project in the Unit or (ii) occurring while any of Contractor's or any of its subcontractor's property, equipment, or personnel or agents or materialmen are in or about the Unit or common areas of the Building. "Loss" refers to any and all direct, indirect, consequential damages or other liabilities, losses, claims, demands, actions and expenses whether to person or property, including loss of use, resulting therefrom (including, without limitation, legal fees and disbursements), including without limitation, all liabilities, damages, losses, claims, demands, actions and economic cost and whether or not based on statutory, contractual, tort or other duties. Such obligations shall not be construed to negate, abridge or reduce other rights or obligations of indemnity which would otherwise exist as to a party or person described in this paragraph. Lessee's and Contractor's obligations of indemnification shall survive the termination or completion of the Project.

5. If the Project was in process before March, 2020, execution of this Agreement is a condition of the Apartment Corporation allowing the Project to resume.

6. The provisions of this agreement shall bind and inure to the benefit of the parties hereto and their respective heirs, executors, administrators and/or assigns.

7. This Agreement may be executed in counterparts. Electronic signatures shall suffice for original signatures.

**Apartment Corporation:**

Fleetwood Park Corp.  
("Apartment Corporation")

By Agent:\_\_\_\_\_

**Lessee:**

Name: \_\_\_\_\_

\_\_\_\_\_  
(Signature "Lessee")

**General Contractor:**

\_\_\_\_\_  
(Name of Company "Contractor")

By:\_\_\_\_\_ Name:\_\_\_\_\_



# Reopening New York

## Construction Guidelines for Employers and Employees



These guidelines apply to all construction businesses in regions of New York that have been permitted to [re-open](#), as well as to construction businesses statewide that were previously permitted to operate as essential.

During the COVID-19 public health emergency, all construction businesses should stay up to date with any changes to state and federal requirements related to construction activities and incorporate those changes into their operations. This guidance is not intended to replace any existing applicable local, state, and federal laws, regulations, and standards.

	Mandatory	Recommended Best Practices
Physical Distancing	<ul style="list-style-type: none"><li>✓ Ensure 6 ft. distance between personnel, unless safety or core function of the work activity requires a shorter distance.</li><li>✓ Any time personnel are less than 6 ft. apart from one another, personnel must wear acceptable face coverings.</li><li>✓ For any work occurring indoors, limit workforce presence to no more than 1 worker per 250 sq. ft. on site, excluding supervisors in this calculation, unless additional personal protective measures are implemented (e.g. face coverings at all times).</li><li>✓ Tightly confined spaces (e.g. elevators, hoists) should be occupied by only one individual at a time, unless all occupants are wearing face coverings. If occupied by more than one person, keep occupancy under 50% of maximum capacity.</li><li>✓ Post social distancing markers using tape or signs that denote 6 ft. of spacing in commonly used and other applicable areas on the site (e.g. clock in/out stations, health screening stations).</li><li>✓ Limit in-person gatherings as much as possible and use tele- or video-conferencing whenever possible. Essential in-person gatherings (e.g. meetings) should be held in open, well-ventilated spaces with appropriate social distancing among participants.</li><li>✓ Establish designated areas for pick-ups and deliveries, limiting contact to the extent possible.</li></ul>	<ul style="list-style-type: none"><li>✓ Create additional space for employees by limiting in-person presence to only personnel necessary for the current task(s), adjusting workplace hours, staggering arrival/departure times, creating A/B teams, and/or scheduling only one team in an area at a time.</li><li>✓ Modify alignment of workstations to maintain 6 ft. distance and avoid multiple crews and/or teams working in one area. If not feasible, provide and require face coverings or enact physical barriers (e.g. plastic shielding walls), in accordance with <a href="#">OSHA guidelines</a>, in areas where they would not impair air flow, heating, cooling, or ventilation.</li><li>✓ Reduce bi-directional foot traffic by posting signs with arrows in narrow aisles, hallways, or spaces.</li><li>✓ Have employees work from home whenever possible.</li><li>✓ Prohibit non-essential visitors on the site.</li></ul>
Protective Equipment	<ul style="list-style-type: none"><li>✓ Employers must provide employees with an acceptable face covering at no-cost to the employee and have an adequate supply of coverings in case of replacement.</li></ul>	

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	Mandatory	Recommended Best Practices
Protective Equipment (cont'd)	<ul style="list-style-type: none"><li>✓ Acceptable face coverings include but are not limited to cloth (e.g. homemade sewn, quick cut, bandana) and surgical masks, unless the nature of the work requires stricter PPE (e.g. N95 respirator, face shield).</li><li>✓ Face coverings must be cleaned or replaced after use or when damaged or soiled, may not be shared, and should be properly stored or discarded.</li><li>✓ Limit the sharing of objects (e.g. tools, machinery, materials, vehicles) and discourage touching of shared surfaces; or, when in contact with shared objects or frequently touched areas, wear gloves (trade-appropriate or medical); or, sanitize or wash hands before and after contact.</li></ul>	
Cleaning and Hygiene	<ul style="list-style-type: none"><li>✓ Adhere to hygiene and sanitation requirements from the <a href="#">Centers for Disease Control and Prevention</a> (CDC) and <a href="#">Department of Health</a> (DOH) and maintain cleaning logs on site that document date, time, and scope of cleaning.</li><li>✓ Provide and maintain hand hygiene stations for personnel, including handwashing with soap, water, and paper towels, as well as an alcohol-based hand sanitizer containing 60% or more alcohol for areas where handwashing is not feasible.</li><li>✓ Provide and encourage employees to use cleaning/disinfecting supplies before and after use of shared and frequently touched surfaces, followed by hand hygiene.</li><li>✓ Conduct regular cleaning and disinfection at least every day, and more frequent cleaning and disinfection of shared objects (e.g. tools) and surfaces, as well as high transit areas, such as restrooms and common areas.</li><li>✓ Cleaning and disinfecting of the site, shared surfaces, and other areas, as well as equipment and tools, should be performed using Department of Environmental Conservation (DEC) <a href="#">products</a> identified by the Environmental Protection Agency (EPA) as effective against COVID-19.</li></ul>	<ul style="list-style-type: none"><li>✓ Wherever possible, increase ventilation of outdoor air (e.g. opening windows and doors) while maintaining safety precautions.</li><li>✓ Encourage employees to bring lunch from home and reserve adequate space for employees to observe social distancing while eating meals.</li></ul>

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	Mandatory	Recommended Best Practices
Cleaning and Hygiene (cont'd)	<ul style="list-style-type: none"><li>✓ If cleaning or disinfection products or the act of cleaning and disinfecting causes safety hazards or degrades the material or machinery, personnel should have access to a hand hygiene station between use and/or be supplied with disposable gloves.</li><li>✓ Prohibit shared food and beverages (e.g. buffet-style meals).</li></ul>	
Communication	<ul style="list-style-type: none"><li>✓ Affirm you have reviewed and understand the state-issued industry guidelines, and that you will implement them.</li><li>✓ Post signage throughout the site to remind personnel to adhere to proper hygiene, social distancing rules, appropriate use of PPE, and cleaning and disinfecting protocols.</li><li>✓ Train all personnel on new protocols and frequently communicate safety guidelines.</li><li>✓ Establish a communication plan for employees, visitors, and clients with a consistent means to provide updated information.</li><li>✓ Maintain a continuous log of every person, including workers and visitors, who may have close contact with other individuals at the work site or area; excluding deliveries that are performed with appropriate PPE or through contactless means.</li><li>✓ If a worker tests positive for COVID-19, employer must immediately notify state and local health departments and cooperate with contact tracing efforts, including notification of potential contacts, such as workers or visitors who had close contact with the individual, while maintaining confidentiality required by state and federal law and regulations.</li><li>✓ Conspicuously post completed safety plans on site.</li></ul>	

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	Mandatory	Recommended Best Practices
Screening	<ul style="list-style-type: none"><li>✓ Employees who are sick should stay home or return home, if they become ill at work.</li><li>✓ Implement mandatory health screening assessment (e.g. questionnaire, temperature check) before employees begin work each day and for essential visitors, asking about (1) COVID-19 <a href="#">symptoms</a> in past 14 days, (2) positive COVID-19 test in past 14 days, and/or (3) close contact with confirmed or suspected COVID-19 case in past 14 days. Assessment responses must be reviewed every day and such review must be documented.  Employees who present with COVID-19 symptoms should be sent home to contact their health care provider for medical assessment and COVID-19 testing. If tested positive, employee may only return completing a 14-day quarantine.  Employees who present with no symptoms but have tested positive in past 14 days may only return to work after completing a 14-day quarantine.  Employees who have had close contact with a confirmed or suspected person with COVID-19 but are not experiencing any symptoms should inform their employer and may be able to work with additional precautions, including regular monitoring for symptoms and temperature, required face covering all times, and appropriate social distancing from others.</li><li>✓ On-site screeners should be trained by employer-identified individuals familiar with CDC, DOH, and OSHA protocols and wear appropriate PPE, including at a minimum, a face covering.</li><li>✓ Have a plan for cleaning, disinfection, and contact tracing in the event of a positive case.</li></ul>	<ul style="list-style-type: none"><li>✓ Perform screening remotely (e.g. by telephone or electronic survey), before reporting to the site, to the extent possible.</li></ul>

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