

City of Portland, Maine - Building or Use Permit Application

389 Congress Street, 04101 Tel: (207) 874-8703, FAX: (207) 8716

| | | | |
|--|--|--|--|
| Job No: 2012-03-3566-ALTCOMM | Date Applied: 3/22/2012 | CBL: 268- A-002-001 | |
| Location of Construction: 191 RIVERSIDE ST | Owner Name: CAR SUM ME RIVER LLC | Owner Address: 8270 GREENSBORO DR STE 950 MCLEAN, VA 22102 | Phone: |
| Business Name: Berlin City Automotive | Contractor Name: ALLIEDCOOK CONSTRUCTION | Contractor Address: 8 US ROUTE ONE SCARBOROUGH MAINE 04074 | Phone: (207) 772-2888 |
| Lessee/Buyer's Name: Ron Redfern - (Berlin City) | Phone: 1-877-724-4712 | Permit Type: BLDG ADDITION | Zone: B-4 |
| Past Use: Automotive Sales and Service | Proposed Use: Same: Automotive Sales and Service - to erect 48' x 245.66' addition to the rear service bays | Cost of Work: \$811,000.00 | CEO District: |
| | | Fire Dept: <input checked="" type="checkbox"/> Approved w/conditions <input type="checkbox"/> Denied <input type="checkbox"/> N/A Signature: <i>Capt. Perone 4/16/12</i> | Inspection: Use Group: <i>B/S-1</i> Type: <i>ZB</i> <i>IBC-2009</i> Signature: |
| Proposed Project Description: Expansion to add service bays | | Pedestrian Activities District (P.A.D.) | |
| Permit Taken By: Brad | | Zoning Approval | |

1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.
2. Building Permits do not include plumbing, septic or electrical work.
3. Building permits are void if work is not started within six (6) months of the date of issuance. False informatin may invalidate a building permit and stop all work.

SCANNED

| Special Zone or Reviews | Zoning Appeal | Historic Preservation |
|---|---|--|
| <input type="checkbox"/> Shoreland <i>N/A</i> <input type="checkbox"/> Wetlands <input type="checkbox"/> Flood Zone <i>Philly Zone X</i> <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Site Plan <i>previous 2008-0155</i> <input type="checkbox"/> Maj <input type="checkbox"/> Min <input type="checkbox"/> MM Date: <i>OK with conditions 3/23/12</i> | <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date: | <input checked="" type="checkbox"/> Not in Dist or Landmark <input type="checkbox"/> Does not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date: |

CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

| | | | |
|---|---------|------|-------|
| SIGNATURE OF APPLICANT | ADDRESS | DATE | PHONE |
| RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE | | DATE | PHONE |

268 A002

2012-03-3566

ALTCOMM

191 RIVERSIDE

Berlin City Dealership

PLANS IN LARGE PLAN AREA

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK



CITY OF PORTLAND

BUILDING PERMIT

This is to certify that **CAR SUM ME RIVER LLC**

Located At **191 RIVERSIDE ST**

Job ID: **2012-03-3566-ALTCOMM**

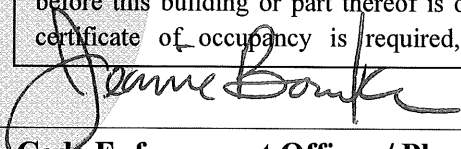
CBL: **268- A-002-001**

has permission to Erect 48' x 245.66 addition to the rear service bays
provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statues of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of the buildings and structures, and of the application on file in the department.

Notification of inspection and written permission procured before this building or part thereof is lathed or otherwise closed-in. 48 HOUR NOTICE IS REQUIRED.

A final inspection must be completed by owner before this building or part thereof is occupied. If a certificate of occupancy is required, it must be

Fire Prevention Officer



Code Enforcement Officer / Plan Reviewer

10/12/2012

**THIS CARD MUST BE POSTED ON THE STREET SIDE OF THE PROPERTY
PENALTY FOR REMOVING THIS CARD**

SCANNED

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY)

or email: buildinginspections@portlandmaine.gov

With the issuance of this permit, the owner, builder or their designee is required to provide adequate notice to the city of Portland Inspections Services for the following inspections. Appointments must be requested 48 to 72 hours in advance of the required inspection. The inspection date will need to be confirmed by this office.

- **Please read the conditions of approval that is attached to this permit!! Contact this office if you have any questions.**
- **Permits expire in 6 months. If the project is not started or ceases for 6 months.**
- **If the inspection requirements are not followed as stated below additional fees may be incurred due to the issuance of a "Stop Work Order" and subsequent release to continue.**

Footings/Setbacks prior to pouring concrete

Foundation/Rebar

Close In Elec/Plmb/Frame prior to insulate or gyp

Final Inspection

The project cannot move to the next phase prior to the required inspection and approval to continue, REGARDLESS OF THE NOTICE OF CIRCUMSTANCES.

IF THE PERMIT REQUIRES A CERTIFICATE OF OCCUPANCY, IT MUST BE PAID FOR AND ISSUED TO THE OWNER OR DESIGNEE BEFORE THE SPACE MAY BE OCCUPIED.



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Director of Planning and Urban Development
Jeff Levine

Job ID: 2012-03-3566-ALTCOMM

Located At: 191 RIVERSIDE ST

CBL: 268- A-002-001

Conditions of Approval:

Zoning

1. Separate permits shall be required for any new signage.
2. This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
3. This B-4 zone has maximum noise allowances. The City of Portland strictly enforces the level of sound generated on the property. Any verified noise violations shall require the owner to take mitigating measures to bring the property and the noise it generates into compliance.
4. This permit does not include the new showroom addition and does not include the new car delivery addition. **Separate permits are required for reviews and approvals.**

Fire

1. Installation shall comply with City Code Chapter 10.
2. All construction shall comply with City Code Chapter 10.
3. Central Station monitoring for addressable fire alarm systems shall be by point.
4. Any Fire alarm or Sprinkler systems shall be reviewed by a licensed contractor(s) for code compliance. Compliance letters are required.
5. A separate Fire Alarm Permit is required for new systems; or for work effecting more than 5 fire alarm devices; or replacement of a fire alarm panel with a different model. This review does not include approval of fire alarm system design or installation.
6. Fire Alarm system shall be maintained. If system is to be off line over 4 hours a fire watch shall be in place. Dispatch notification required 874-8576.
7. The fire alarm system shall comply with the City of Portland Standard for Signaling Systems for the Protection of Life and Property. All fire alarm installation and servicing companies shall have a Certificate of Fitness from the Fire Department.
8. All fire alarm records required by NFPA 72 should be stored in an approved cabinet located at the FACP labeled "FIRE ALARM RECORDS".
9. Records cabinet, FACP, annunciator(s), and pull stations shall be keyed alike.
10. Fire alarm system requires a wireless master box connection per city ordinance. Master box design and installation shall in conformance with Fire Department Regulations and approved by Fire Department Electrical Division.
11. All smoke detectors and smoke alarms shall be photoelectric.

12. A separate Suppression System Permit is required for all new suppression systems or sprinkler work effecting more than 20 heads. This review does not include approval of sprinkler system design or installation.
13. A sprinkler supervisory system shall be provided in accordance with NFPA 101, *Life Safety Code*, and NFPA 72, *National Fire Alarm and Signaling Code*. Sprinkler supervisory systems shall monitor for water flow and sprinkler supervisory signals via an approved fire alarm panel to central station. One smoke detector shall be located over the panel, a manual pull station located at the front door, and an audible water flow alarm provided.
14. Sprinkler protection shall be maintained. Where the system is to be shut down for maintenance or repair, the system shall be checked at the end of each day to insure the system has been placed back in service.
15. System acceptance and commissioning must be coordinated with alarm and suppression system contractors and the Fire Department. Call 874-8703 to schedule.
16. Installation of a sprinkler or fire alarm system requires a Knox Box to be installed per city ordinance.
17. Fire extinguishers are required per NFPA 1.
18. All means of egress to remain accessible at all times.
19. No means of egress shall be affected by this renovation.
20. Occupancies with an occupant load of 100 persons or more require panic hardware on all doors serving as a means of egress.

Building

1. Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.
2. Any modifications to existing building systems and new systems (HVAC, electrical, plumbing) shall meet IECC 2009 or ASHRAE 90.1-2007 requirements for energy code compliance.
3. Separate permits are required for any electrical, plumbing, sprinkler, fire alarm, HVAC systems, heating appliances, including pellet/wood stoves, commercial hood exhaust systems and fuel tanks. Separate plans may need to be submitted for approval as a part of this process.
4. Ventilation of this space is required per ASHRAE 62.2 or 62.1, 2007 edition.

Brad Saucier - Riverside Street, Berlin City Expansion - Building Permit Issuance

From: Philip DiPierro
To: Code Enforcement & Inspections
Date: 10/9/2012 4:22 PM
Subject: Riverside Street, Berlin City Expansion - Building Permit Issuance

Hi all, this project, site plan #2012-472, the Berlin City Toyota Expansion project located at 191 Riverside Street, meets minimum DRC site plan requirements for the issuance of the building permit. Please see 1S for sign off.

Feel free to contact me with any questions.

Thanks.

Phil

Service Bay Addition

Entered 3/22/12



General Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

JOB # 2012-03-3566-Altcomm B-4

| | | |
|---|--|---|
| Location/Address of Construction: 191 Riverside Street | | |
| Total Square Footage of Proposed Structure/Area 11,792sf | Square Footage of Lot Existing Building | |
| Tax Assessor's Chart, Block & Lot Chart# Block# Lot# 268 A002 001 | Applicant *must be owner, Lessee or Buyer* Name Berlin City Automotive Address 255 Maine Mall Rd. City, State & Zip S. Portland, ME 04106 | Telephone: 1-877-724-4712 Contact: Ron Redfern |
| Lessee/DBA (If Applicable) N/A | Owner (if different from Applicant) Name CAR SUM ME RIVER LLC Address N/A City, State & Zip | Cost Of Work: \$810,496.00 C of O Fee: \$ Total Fee: \$ |
| Current legal use (i.e. single family) commercial use (Car Dealership) If vacant, what was the previous use? Proposed Specific use: Car Dealership Service Center Is property part of a subdivision? No Project description: Building expansion to match existing as required to add proposed service bays | | |
| Contractor's name: AlliedCook Construction Corp. Address: 8 US Route One City, State & Zip Scarborough, ME 04074 Telephone: (207) 772-2888 Who should we contact when the permit is ready: JP Schwartz (AlliedCook) Telephone: (207) 415-0080 Mailing address: PO Box 1396, Portland, ME 04103 | | |

RECEIVED
MAR 22 2012
Dept. of Building Inspections
City of Portland Maine
48' x 245.66'

Please submit all of the information outlined on the applicable Checklist. Failure to do so will result in the automatic denial of your permit.
New Showroom Addition & NOT part of this permit
New Car Delivery Addition

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov, or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature: [Signature] Date: 3/21/12

This is not a permit; you may not commence ANY work until the permit is issue



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Receipts Details:

Tender Information: Check , Check Number: 43805

Tender Amount: 8004.00

Receipt Header:

Cashier Id: bsaucier

Receipt Date: 3/22/2012

Receipt Number: 42077

Receipt Details:

| | | | |
|--|---------|----------------|-----------|
| Referance ID: | 5751 | Fee Type: | BP-Constr |
| Receipt Number: | 0 | Payment Date: | |
| Transaction Amount: | 8004.00 | Charge Amount: | 8130.00 |
| Job ID: Job ID: 2012-03-3566-ALTCOMM - Expansion to add service bays | | | |
| Additional Comments: 191 Riverside; | | | |

Thank You for your Payment!



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Receipts Details:

Tender Information: Check , Check Number: 655780

Tender Amount: 126.00

Receipt Header:

Cashier Id: bsaucier

Receipt Date: 3/22/2012

Receipt Number: 42078

Receipt Details:

| | | | |
|--|--------|----------------|-----------|
| Referance ID: | 5751 | Fee Type: | BP-Constr |
| Receipt Number: | 0 | Payment Date: | |
| Transaction Amount: | 126.00 | Charge Amount: | 126.00 |
| Job ID: Job ID: 2012-03-3566-ALTCOMM - Expansion to add service bays | | | |
| Additional Comments: 191 Riverside; part 2 | | | |

Thank You for your Payment!



Certificate of Design Application

From Designer: Nudell Architects
 Date: 03-21-2012
 Job Name: TSL Service Addition
 Address of Construction: 191 Riverside Street, Portland Maine

2009 International Building Code
 Construction project was designed to the building code criteria listed below:

Building Code & Year IBC 2009 Use Group Classification (s) B / S-1 / S-2
 Type of Construction 2B **2009 IBC**
 Will the Structure have a Fire suppression system in Accordance with Section 903.3.1 of the ~~2003~~ **2009** IRC Yes
 Is the Structure mixed use? yes If yes, separated or non separated or non separated (section 302.3) Separated
 Supervisory alarm System? _____ Geotechnical/Soils report required? (See Section 1802.2) Refer to Specification

Structural Design Calculations

_____ Submitted for all structural members (106.1 - 106.11)

Design Loads on Construction Documents (1603)

Uniformly distributed floor live loads (7603.11, 1807)

| Floor Area Use | Loads Shown |
|---------------------|--------------------|
| <u>Service bays</u> | <u>40 PSF</u> |
| <u>Concentrated</u> | <u>3000 pounds</u> |
| _____ | _____ |
| _____ | _____ |

Wind loads (1603.1.4, 1609)

100 mph Design option utilized (1609.1.1, 1609.6)
100 mph Basic wind speed (1809.3)
1 Building category and wind importance Factor, I_p
B table 1604.5, 1609.5)
1609.4 Wind exposure category (1609.4)
+/- 0.18 Internal pressure coefficient (ASCE 7)
0.5 Component and cladding pressures (1609.1.1, 1609.6.2.2)
 _____ Main force wind pressures (7603.1.1, 1609.6.2.1)

Earth design data (1603.1.5, 1614-1623)

_____ Design option utilized (1614.1)
1 Seismic use group ("Category")
0.487, 0.182 Spectral response coefficients, S_D & S_{D1} (1615.1)
E Site class (1615.1.5)

Note 1: ordinary concentrically braced frames & moment frames, structural steel system not specifically detailed for seismic resistance (R=3)

N/A Live load reduction
N/A Roof live loads (1603.1.2, 1607.11)
46.2 PSF Roof snow loads (1603.7.3, 1608)
60 PSF Ground snow load, P_g (1608.2)
46.2 PSF If $P_g > 10$ psf, flat-roof snow load P_f
1.0 If $P_g > 10$ psf, snow exposure factor, C_e
1.0 If $P_g > 10$ psf, snow load importance factor, I_s
1.1 Roof thermal factor, C_t (1608.4)
N/A Sloped roof snowload, P_s (1608.4)
C Seismic design category (1616.3)
See Note 1 Basic seismic force resisting system (1617.6.2)
3.3 Response modification coefficient, R_d and
EQUIVALENT deflection amplification factor, C_d (1617.6.2)
LATERAL FORCE Analysis procedure (1616.6, 1617.5)
0.16W Design base shear (1617.4, 1617.5.1)

Flood loads (1803.1.6, 1612)

_____ Flood Hazard area (1612.3)
 _____ Elevation of structure

Other loads

_____ Concentrated loads (1607.4)
 _____ Partition loads (1607.5)
 _____ Misc. loads (Table 1607.8, 1607.6.1, 1607.7, 1607.12, 1607.13, 1610, 1611, 2404)



New Commercial Permit Application Checklist

All of the following information is required and must be submitted. Checking off each item as you prepare your application package will ensure your package is complete and will help to expedite the permitting process.

One (1) complete Set of construction drawings must include:

Note: Construction documents for costs in excess of \$50,000.00 must be prepared by a Design Professional and bear their seal.

- Cross sections w/framing details
- Detail of any new walls or permanent partitions
- Floor plans and elevations
- Window and door schedules
- Foundation plans with rebar specifications and required drainage and damp proofing (if applicable)
- Detail egress requirements and fire separations
- Insulation R-factors of walls, ceilings, floors and U-factors of windows as per the IEEC 2003
- Complete the Accessibility Certificate and The Certificate of Design
- A statement of special inspections as required per the IBC 2003
- Complete electrical and plumbing layout.
- Mechanical drawings for any specialized equipment such as furnaces, chimneys, gas equipment, HVAC equipment (air handling) or other types of work that may require special review.
- Reduced plans or electronic files in PDF format are required if originals are larger than 11" x 17".
- Per State Fire Marshall, all new bathrooms must be ADA compliant.

Separate permits are required for internal & external plumbing, HVAC and electrical installations.

~~Nine (9) copies of the minor (< 10,000 sf) or major (> 10,000 sf) site plan application is required that includes:~~

- A stamped boundary survey to scale showing north arrow, zoning district and setbacks to a scale of $\geq 1" = 20'$ on paper $\geq 11" \times 17"$
- The shape and dimension of the lot, footprint of the proposed structure and the distance from the actual property lines. Photocopies of the plat or hand draw footprints not to scale will not be accepted.
- Location and dimensions of parking areas and driveways, street spaces and building frontage
- Finish floor or sill elevation (based on mean sea level datum)
- Location and size of both existing utilities in the street and the proposed utilities serving the building
- Existing and proposed grade contours
- Silt fence (erosion control) locations

Fire Department requirements.

The following shall be submitted on a separate sheet:

- Name, address and phone number of applicant **and** the project architect.
- Proposed use of structure (NFPA and IBC classification)
- Square footage of proposed structure (total and per story)
- Existing and proposed fire protection of structure.
- Separate plans shall be submitted for
 - a) Suppression system
 - b) Detection System (separate permit is required)
- A separate Life Safety Plan must include:
 - a) Fire resistance ratings of all means of egress
 - b) Travel distance from most remote point to exit discharge
 - c) Location of any required fire extinguishers
 - d) Location of emergency lighting
 - e) Location of exit signs
 - f) NFPA 101 code summary
- Elevators shall be sized to fit an 80" x 24" stretcher.

For questions on Fire Department requirements call the Fire Prevention Officer at (207) 874-8405.

Please submit all of the information outlined in this application checklist. If the application is incomplete, the application may be refused.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov, or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

Permit Fee: \$30.00 for the first \$1000.00 construction cost, \$10.00 per additional \$1000.00 cost

This is not a Permit; you may not commence any work until the Permit is issued.



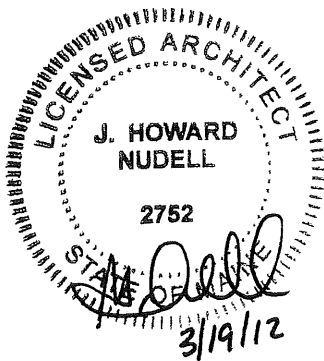
Accessibility Building Code Certificate

Designer: Nudell Architects

Address of Project: 191 Riverside Street, Portland Maine

Nature of Project: Building expansion to match existing as
required to add proposed service bays.

The technical submissions covering the proposed construction work as described above have been designed in compliance with applicable referenced standards found in the Maine Human Rights Law and Federal Americans with Disability Act. Residential Buildings with 4 units or more must conform to the Federal Fair Housing Accessibility Standards. Please provide proof of compliance if applicable.



Signature: _____

Title: President

Firm: Nudell Architects

Address: 31690 W Twelve Mile Road
Farmington Hills, Mi 48334

Phone: 248-324-8800

Project contact: Jason Fochtman

For more information or to download this form and other permit applications visit the Inspections Division on our website at www.portlandmaine.gov



Certificate of Design

Date: 3/21/2012

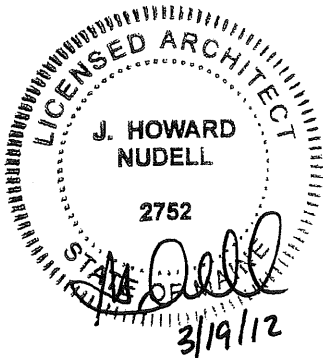
From: Nudell Architects

These plans and / or specifications covering construction work on:

TSL Building service addition

Have been designed and drawn up by the undersigned, a Maine registered Architect / Engineer according to the ~~2003 International Building Code~~ and local amendments.

2009 International Building Code



Signature: _____

Title: President

Firm: Nudell Architects

Address: 31690 W Twelve Mile Road

Farmington Hills, Mi 48334

Phone: 248-324-8800

Project contact: Jason Fochtman

For more information or to download this form and other permit applications visit the Inspections Division on our website at www.portlandmaine.gov

Comments Submitted

Applicant: Berlin City
Address: 191 Riverside St

Date: 10/21/08
C-B-L: 268-A-002

CHECK-LIST AGAINST ZONING ORDINANCE

Date -

revised plans dated 3/9/09

Zone Location - B-4

Housing Replacement

Interior or corner lot -
Still waiting for info
Proposed Use/Work -

to Demolish bldgs on 4 Lot 5 (3 residential D.A)
Adding 48' x 149' Addition on rear 2 308 New York Spc,
for Vehicle Inventory Storage

Sewage Disposal - City

Lot Street Frontage - 60' min - 60' + shown

Front Yard - N/A

56' or 60' based on diff plans
shown

Rear Yard - 20' min

20' + shown (100')

Side Yard - 10' min
in 2 stories

150' to side on Addition
well over on North Side

Projections -

Width of Lot - 60' min

Height - 65' max.

Lot Area - Existing: 336,805 + 92,034[#] = 428,839[#]

Lot Coverage/ Impervious Surface - 80% - 71% given

Area per Family -

Off-street Parking - meeting - EXTRA

Loading Bays -

Site Plan - 2008-0155

Shoreland Zoning/ Stream Protection - N/A

Flood Plains Panel 6 - Zone F - They are paying toward the housing

→ Housing Replacement - NO Pavement Setback requirement in B-4

Project: Berlin City TSL Showroom and Service Bay Additions, Portland, Maine
Date Prepared: March 26, 2012

Structural Statement of Special Inspections – Exhibit A

Project: *Berlin City TSL Showroom and Service Bay Additions*

Location: *Portland, Maine*

Owner: *Summit Automotive Partners*

This *Statement of Special Inspections* encompass the following discipline: **Structural**

This *Statement of Special Inspections* is submitted as a condition for permit issuance in accordance with the Special Inspection and Structural Testing requirements of the Building Code. It includes a schedule of Special Inspection services applicable to this project as well as the name of the Structural Special Inspection Coordinator (SSIC) and the identity of other approved agencies to be retained for conducting these inspections and tests.

The Structural Special Inspection Coordinator shall keep records of all Structural inspections and shall furnish inspection reports to the Building Code Official (BCO) and the Structural Registered Design Professional in Responsible Charge (SRDP). Discovered discrepancies shall be brought to the immediate attention of the Contractor for correction. If such discrepancies are not corrected, the discrepancies shall be brought to the attention of the Building Official and the Structural Registered Design Professional in Responsible Charge. The Special Inspection program does not relieve the Contractor of his or her responsibilities.

Interim reports shall be submitted to the Building Official and the Structural Registered Design Professional in Responsible Charge at an interval determined by the SSIC and the BCO.

A *Final Report of Special Inspections* documenting completion of all required Special Inspections, testing and correction of any discrepancies noted in the inspections shall be submitted to the BCO prior to issuance of a Certificate of Use and Occupancy.

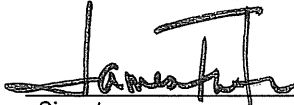
Job site safety and means and methods of construction are solely the responsibility of the Contractor.

Interim Report Frequency: Upon request of Building Official _____ or per attached schedule.

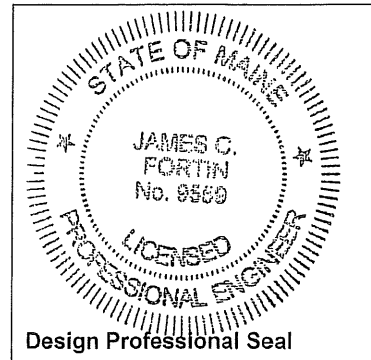
Prepared by:

James C Fortin, P.E.

(type or print name of the Structural Registered Design Professional in Responsible Charge)


Signature

3/26/12
Date



Owner's Authorization:

Building Code Official's Acceptance:

Signature

Date

Signature

Date

RECEIVED

APR 24 2012

Dept. of Building Inspections
City of Portland Maine

Structural Statement of Special Inspections (Continued) – Exhibit A

List of Agents

Project: Berlin City TSL Showroom and Service Bay Additions
 Location: Portland, Maine
 Owner: Summit Automotive Partners
 This Statement of Special Inspections encompass the following discipline: **Structural**

(Note: Statement of Special Inspections for other disciplines may be included under a separate cover)

This Statement of Special Inspections / Quality Assurance Plan includes the following building systems:

- Soils and Foundations
- Cast-in-Place Concrete
- Precast Concrete System
- Masonry Systems
- Structural Steel
- Wood Construction
- Special Cases

| Special Inspection Agencies | Firm | Address, Telephone, e-mail |
|--|--|---|
| 1. STRUCTURAL Special Inspections Coordinator (SSIC) | James C. Fortin, P.E. Becker Structural Engineers | 75 York Street Portland, Maine 04101 (207) 879-1838 jim@beckerstructural.com |
| 2. Special Inspector (SI-1) | James C. Fortin, P.E. Becker Structural Engineers | 75 York Street Portland, Maine 04101 (207) 879-1838 jim@beckerstructural.com |
| 3. Special Inspector (SI-2) | TBD by Owner | |
| 4. Testing Agency (TA-1) | TBD by Owner | |
| 5. Testing Agency (TA-2) | | |
| 6. Other (O1) | | |

Note: The inspectors and testing agencies shall be engaged by the Owner or the Owner's Agent, and not by the Contractor or Subcontractor whose work is to be inspected or tested. Any conflict of interest must be disclosed to the Building Official, prior to commencing work.

Project: Berlin City TSL Showroom and Service Bay Additions, Portland, Maine
Date Prepared: March 26, 2012

Structural Statement of Special Inspections (Continued) – Exhibit A

Final Report of Special Inspections (SSIC/SI 1)

[To be completed by the Structural Special Inspections Coordinator (SSIC/SI 1). Note that all Agent's Final Reports must be received prior to issuance.]

Project: *Berlin City TSL Showroom and Service Bay Additions*

Location: *Portland, Maine*

Owner: *Summit Automotive Partners*

Owner's Address: *130301 East Arapahoe Road, Suite 200
Centennial, CO 80112*

Architect of Record: *Barbara Derbis* *Nudell Architects*
(name) *(firm)*

Structural Registered Design
Professional in Responsible Charge: *James C Fortin, P.E.* *Becker Structural Engineers, Inc.*
(name) *(firm)*

To the best of my information, knowledge and belief, the Special Inspections required for this project, and itemized in the *Statement of Special Inspections* submitted for permit, have been performed and all discovered discrepancies have been reported and resolved.

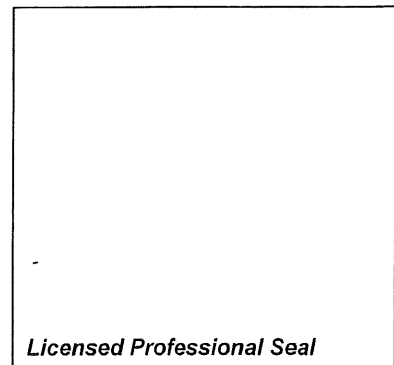
Interim reports submitted prior to this final report form a basis for and are to be considered an integral part of this final report.

Respectfully submitted,
Structural Special Inspection Coordinator

(Type or print name)

(Firm Name)

Signature Date



Project: Berlin City TSL Showroom and Service Bay Additions, Portland, Maine
Date Prepared: March 26, 2012

Structural Statement of Special Inspections (Continued) – Exhibit A

Special Inspector's/Agent's Final Report

Project: *Berlin City TSL Showroom and Service Bay Additions*

Special Inspector or
Agent:

(name)

(firm)

Designation:

To the best of my information, knowledge and belief, the Special Inspections or testing required for this project, and designated for this Inspector/Agent in the *Statement of Special Inspections* submitted for permit, have been performed and all discovered discrepancies have been reported and resolved.

Interim reports submitted prior to this final report form a basis for and are to be considered an integral part of this final report.

Respectfully submitted,
Special Inspector or Agent:

(Type or print name)

Signature

Date

*Licensed Professional Seal or
Certification Number*

Structural Schedule of Special Inspections – Exhibit B

Qualifications of Inspectors and Testing Technicians

The qualifications of all personnel performing Special Inspection and testing activities are subject to the approval of the Building Official. The credentials of all Inspectors and testing technicians shall be provided to the Special Inspector for their records. *NOTE VERIFICATION THAT QUALIFIED INDIVIDUALS ARE AVAILABLE TO PERFORM STIPULATED TESTING AND/OR INSPECTION SHOULD BE PROVIDED PRIOR TO SUBMITTING STATEMENT. AGENT QUALIFICATIONS IN SCHEDULE ARE SUGGESTIONS ONLY; FINAL QUALIFICATIONS ARE SUBJECT TO THE DISCRETION OF THE REGISTERED DESIGN PROFESSIONAL PREPARING THE SCHEDULE.*

Key for Minimum Qualifications of Inspection Agents:

When the Registered Design Professional in Responsible Charge or Special Inspector of Record deems it appropriate that the individual performing a stipulated test or inspection have a specific certification, license or experience as indicated below, such requirement shall be listed below and shall be clearly identified within the schedule under the Agent Qualification Designation.

| | |
|-------|---|
| PE/SE | Structural Engineer – a licensed SE or PE specializing in the design of building structures |
| PE/GE | Geotechnical Engineer – a licensed PE specializing in soil mechanics and foundations |
| EIT | Engineer-In-Training – a graduate engineer who has passed the Fundamentals of Engineering examination |

Experienced Testing Technician

| | |
|-----|---|
| ETT | Experienced Testing Technician – An Experienced Testing Technician with a minimum 5 years experience with the stipulated test or inspection |
|-----|---|

American Concrete Institute (ACI) Certification

| | |
|----------|---|
| ACI-CFTT | Concrete Field Testing Technician – Grade 1 |
| ACI-CCI | Concrete Construction Inspector |
| ACI-LTT | Laboratory Testing Technician – Grade 1&2 |
| ACI-STT | Strength Testing Technician |

American Welding Society (AWS) Certification

| | |
|--------------|--------------------------------------|
| AWS-CWI | Certified Welding Inspector |
| AWS/AISC-SSI | Certified Structural Steel Inspector |

American Society of Non-Destructive Testing (ASNT) Certification

| | |
|------|---|
| ASNT | Non-Destructive Testing Technician – Level II or III. |
|------|---|

International Code Council (ICC) Certification

| | |
|----------|--|
| ICC-SMSI | Structural Masonry Special Inspector |
| ICC-SWSI | Structural Steel and Welding Special Inspector |
| ICC-SFSI | Spray-Applied Fireproofing Special Inspector |
| ICC-PCSI | Prestressed Concrete Special Inspector |
| ICC-RCSI | Reinforced Concrete Special Inspector |

National Institute for Certification in Engineering Technologies (NICET)

| | |
|-----------|--|
| NICET-CT | Concrete Technician – Levels I, II, III & IV |
| NICET-ST | Soils Technician - Levels I, II, III & IV |
| NICET-GET | Geotechnical Engineering Technician - Levels I, II, III & IV |

Other

Structural Schedule of Special Inspections – Exhibit B
SOILS & FOUNDATION CONSTRUCTION

| VERIFICATION AND INSPECTION | Y/N | EXTENT: CONTINUOUS, PERIODIC, SUBMITTAL, OR NONE | COMMENTS | AGENT | AGENT QUALIFICATION | TASK COMPLETED |
|---|-----|--|--------------|-------|------------------------|-------------------|
| IBC Section 1704.7, 1704.8, 1704.9 | | | | | | |
| 1. Verify existing soil conditions, fill placement and load bearing requirements | | | | | | |
| a. Prior to placement of prepared fill, determine that the site has been prepared in accordance with the approved soils report. | Y | P | IBC 1704.7.1 | SI-2 | PE/GE | |
| b. During placement and compaction of fill material, verify material being used and maximum lift thickness comply with the approved soils report. | Y | P | IBC 1704.7.2 | SI-2 | PE/GE | |
| c. Test in-place dry density of compacted fill complies with the approved soils report. | Y | P | IBC 1704.7.2 | TA-1 | PE/GE, EIT or ETT | |
| 2. Pile foundations: | | | | | | |
| a. Observe and record procedures for static load testing of piles. | N | | | | | |
| b. Observe and record procedures for dynamic load testing of piles. | N | | | | | |
| c. Record installation of each pile and results of load test. Include cutoff and tip elevations of each pile relative to permanent reference. | N | | | | | |
| d. Test welded splices of steel piles | N | | | | | |
| 3. Pier foundations: Verify installation of pier foundations for buildings assigned to Seismic Design Category C, D, E or F. | N | | | | | |
| a. Verify pier diameter and length | N | | | | | |
| b. Verify pier embedment (socket) into bedrock | N | | | | | |
| c. Verify suitability of end bearing strata | N | | | | | |

Structural Schedule of Special Inspections – Exhibit B
CONCRETE CONSTRUCTION

| VERIFICATION AND INSPECTION | Y/N | EXTENT: CONTINUOUS, PERIODIC, SUBMITTAL, OR NONE | COMMENTS | AGENT | AGENT QUALIFICATION | TASK COMPLETED |
|---|-----|--|--|-------|------------------------------|-------------------|
| IBC Section 1704.4 | | | | | | |
| 1. Inspection of reinforcing steel, including prestressing tendons, and placement | Y | C | ACI 318: 3.5, 7.1-7.7 | SI-1 | PE, EIT, ACI-CCI or ICC-RCSI | |
| 2. Inspection of reinforcing steel welding in accordance with Table 1704.3, Item 5B | N | | Welding of Reinf Not Allowed | - | AWS-CWI | |
| 3. Inspect bolts to be installed in concrete prior to and during placement of concrete where allowable loads have been increased | Y | C | IBC 1912.5 | SI-1 | PE, EIT, ACI-CCI or ICC-RCSI | |
| 4. Verifying use of required design mix | Y | P | ACI 318: Ch 4, 5.2-5.4 | TA-1 | ACI-CFTT or ACI-STT | |
| 5. At time fresh concrete is sampled to fabricate specimens for strength test, perform slump and air content test and temperature | Y | C | ASTM C 172 ASTM C 31 ACI 318: 5.6, 5.8 | TA-1 | ACI-CFTT or ACI-STT | |
| 6. Inspection of concrete and shotcrete placement for proper application techniques | Y | C | ACI 318: 5.9, 5.10 | TA-1 | PE, EIT, ACI-CCI or ICC-RCSI | |
| 7. Inspection for maintenance of specified curing temperature and techniques | Y | P | ACI 318: 5.11-5.13 | TA-1 | PE, EIT, ACI-CCI or ICC-RCSI | |
| 8. Inspection of Prestressed Concrete | | | | | | |
| a. Application of prestressing force. | N | | | | | |
| b. Grouting of bonded prestressing tendons in seismic force resisting system | N | | | | | |
| 9. Erection of precast concrete members | N | | | | | |
| 10. Verification of in-situ concrete strength, prior to stressing of tendons in post-tensioned concrete and prior to removal of shores and forms beams and structural slabs | N | | | | | |

Structural Schedule of Special Inspections – Exhibit B - STEEL CONSTRUCTION

| VERIFICATION AND INSPECTION | Y/N | EXTENT: CONTINUOUS, PERIODIC, SUBMITTAL, OR NONE | COMMENTS | AGENT | AGENT QUALIFICATION | TASK COMPLETED |
|---|-----|--|--|----------|------------------------|-------------------|
| IBC Section 1704.3 | | | | | | |
| 1. Material verification of high-strength bolts, nuts and washers: | | | | | | |
| a. Identification markings to conform to ASTM standards specified in the approved construction documents. | Y | P | Applicable ASTM material specifications; AISC 335, Section A3.4; AISC LRFD, Section A3.3 | TA-1 | AWS/AISC-SSI | |
| b. Manufacturer's certificate of compliance required. | Y | S | | SI-1 | PE/SE or EIT | |
| 2. Inspection of high-strength bolting | | | | | | |
| a. Bearing-type connections. | Y | P | AISC LRFD Section M2.5 | TA-1 | AWS/AISC-SSI | |
| b. Slip-critical connections. | Y | C | IBC Sect 1704.3.3 | TA-1 | AWS/AISC-SSI | |
| 3. Material verification of structural steel (IBC Sect 1708.4): | | | | | | |
| a. Identification markings to conform to ASTM standards specified in the approved construction documents. | Y | P | ASTM A 6 or ASTM A 568 IBC Sect 1708.4 | TA-1 | AWS/AISC-SSI | |
| b. Manufacturers' certified mill test reports. | Y | S | ASTM A 6 or ASTM A 568 IBC Sect 1708.4 | SI-1 | PE/SE or EIT | |
| 4. Material verification of weld filler materials: | | | | | | |
| a. Identification markings to conform to AWS specification in the approved construction documents. | Y | P | AISC, ASD, Section A3.6; AISC LRFD, Section A3.5 | TA-1 | AWS-CWI | |
| b. Manufacturer's certificate of compliance required. | Y | S | | SI-1 | PE/SE or EIT | |
| 5. Submit current AWS D1.1 welder certificate for all field welders who will be welding on this project. | Y | S | AWS D1.1 | SI-1 | PE/SE or EIT | |
| 6. Inspection of welding (IBC 1704.3.1): | | | | | | |
| . Structural steel: | | | | | | |
| 1) Complete and partial penetration groove welds. NOTE: For extent marked "C", Agent must be present to observe full welding process | Y | C | AWS D1.1 | TA-1 | AWS-CWI | |
| 2) Multipass fillet welds. | Y | C | | TA-1 | AWS-CWI | |
| 3) Single-pass fillet welds > 5/16" | Y | C | | TA-1 | AWS-CWI | |
| 4) Single-pass fillet welds < 5/16" | Y | P | | TA-1 | AWS-CWI | |
| 5) Floor and deck welds. | Y | P | | AWS D1.3 | TA-1 | AWS-CWI |
| b. Reinforcing steel (IBC Sect 1903.5.2): | | | | | | |
| 1) Verification of weldability of reinforcing steel other than ASTM A706. | N | | | | | |
| 2) Reinforcing steel-resisting flexural and axial forces in intermediate and special moment frames, and boundary elements of special reinforced concrete shear walls and shear reinforcement. | N | | | | | |
| 3) Shear reinforcement. | N | | | | | |
| 4) Other reinforcing steel. | N | | | | | |
| 7. Inspection of steel frame joint details for compliance (IBC Sect 1704.3.2) with approved construction documents: | | | | | | |
| a. Details such as bracing and stiffening. | Y | P | | SI-1 | PE/SE or EIT | |
| b. Member locations. | Y | P | | SI-1 | PE/SE or EIT | |
| c. Application of joint details at each connection. | Y | P | | SI-1 | PE/SE or EIT | |

Structural Schedule of Special Inspection Services – Exhibit B
FABRICATION AND IMPLEMENTATION PROCEDURES – STRUCTURAL STEEL

| VERIFICATION AND INSPECTION IBC Section 1704.2 | Y/N | EXTENT: CONTINUOUS, PERIODIC, SUBMITTAL, OR NONE | COMMENTS | AGENT | AGENT QUALIFICATION | TASK COMPLETED |
|--|-----|--|---|-------|------------------------|-------------------|
| 1. Fabrications Procedures: Review of fabricator's written procedural and quality control manuals and periodic auditing of fabrication practices by an approved special inspection agency. At the completion of fabrication, the approved fabricator shall submit a certificate of compliance to the building code official stating that the work was performed in accordance with the approved construction documents. -OR- 2. AISC Certification | Y | S | Fabricator shall submit one of the two qualifications | SI-1 | PE/SE or EIT | |
| 3. At completion of fabrication, the approved fabricator shall submit a certificate of compliance to the building code official stating that the work was performed in accordance with the approved construction documents. | Y | S | IBC 1704.2.2 | SI-1 | PE/SE or EIT | |

Structural Schedule of Special Inspections – Exhibit C
SEISMIC RESISTANCE - STRUCTURAL

| VERIFICATION AND INSPECTION | Y/N | EXTENT: CONTINUOUS, PERIODIC, SUBMITTAL, OR NONE | COMMENTS | AGENT | AGENT QUALIFICATION | TASK COMPLETED |
|---|-----|--|-----------------------------------|-------|------------------------|-------------------|
| IBC Section 1707 | | | | | | |
| 1. Special inspections for seismic resistance. Special inspection as specified in this section is required for the following: | | | Seismic Design Category: C R=3 | | | |
| a. The seismic-force-resisting systems in structures assigned to Seismic Design Category C, D, E or F | N | | | | | |
| 2. Structural steel: Continuous special inspection for structural welding in accordance with AISC 341. Note: Agent must be present to observe certain welding process. | N | | | | | |
| 3. Structural wood: | | | | | | |
| a. Continuous special inspection during field gluing operations of elements of the seismic-force-resisting system. | N | | | | | |
| b. Periodic special inspections for nailing, bolting, anchoring and other fastening of components within the seismic-force-resisting system, including drag struts, braces and hold-downs | N | | | | | |
| 4. Cold-formed steel framing: Periodic special inspections during welding operations of elements of the seismic-force-resisting system. Periodic special inspections for screw attachment, bolting, anchoring and other fastening of components within the seismic-force-resisting system, including struts, braces, and hold-downs | N | | | | | |
| 4. Seismic isolation system. Provide periodic special inspection during the fabrication and installation of isolator units and energy dissipation devices if used as part of the seismic isolation system | N | | | | | |

Contractor's Statement of Responsibility – Exhibit D

Each contractor responsible for the construction or fabrication of a system or component designated in the Quality Assurance Plan must submit a Statement of Responsibility to the Building Official and the Owner prior to the commencement of work on the system or component. The Statement of Responsibility is required for Seismic Design Category C or higher. Make additional copies of this form as required.

Forms shall be completed by the following:

1. General Contractor – Allied Cook Construction
2. Steel Fabricator
3. Steel Erector

Project: ***Berlin City TSL Showroom and Service Additions, Portland, Maine***

Contractor's Name: **Allied Cook Construction**

Address: 8 US Route 1, Scarborough, Maine 04074

License No.:

Description of designated building systems and components included in the Statement of Responsibility:

Contractor's Acknowledgment of Special Requirements

I hereby acknowledge that I have received, read, and understand the Quality Assurance Plan and Special Inspection program.

I hereby acknowledge that control will be exercised to obtain conformance with the construction documents approved by the Building Official.

Signature

Date

Contractor's Provisions for Quality Control

Procedures for exercising control within the contractor's organization, the method and frequency of reporting and the distribution of reports is attached to this Statement.

Identification and qualifications of the person(s) exercising such control and their position(s) in the organization are attached to this Statement.

EXHIBIT E — Terms and Conditions

This is an exhibit attached to and made part of the agreement dated March 26, 2012 between Becker Structural Engineers, Inc and Summit Automotive Partners
(Special Inspector) (Owner)

Section 1 - General

1.1 This Agreement

- 1.1.1 These Terms and Conditions, along with the Letter Agreement, and Exhibits A through D, form the Agreement as if they were part of one and the same document. Unless otherwise specified, this Agreement shall be governed by the laws of the principal place of business of the Special Inspector (SI).
- 1.1.2 The Letter Agreement and Exhibits A through D may limit or negate the applicability of portions of these Terms and Conditions. Such limitation shall take precedence over provisions of this Exhibit.

1.2 General obligations of the Special Inspector and the Owner:

- 1.2.1 Becker Structural Engineers, Inc. hereinafter referred to as the Special Inspector (SI), shall provide Special Inspection Services related to the project as summarized in the Schedule of Special Inspections, Exhibit B, and as further detailed in these Terms and Conditions.
- 1.2.2 The Owner shall provide to the SI a complete set of Contract Documents, sealed by the Design Professional and approved by the Building Official.
- 1.2.3 The Owner shall direct the Contractor to notify the SI of the Contractor's progress so the SI will have at least 24 hours notice prior to performance of work that will require inspection or testing.
- 1.2.4 The Owner shall designate a person to act with authority on his or her behalf in all aspects of the project.
- 1.2.5 The SI shall designate a person or persons to act with authority on his or her behalf with respect to all aspects of the project,
- 1.2.6 The SI or his or her designee shall notify the Contractor of his or her presence and responsibilities at the job site.
- 1.2.7 The SI shall submit interim reports as may be required by the Building Official.
- 1.2.8 The SI shall submit to the Building Official the final report of the SI before issuance of the Certificate of Occupancy.

1.3 Definitions

- 1.3.1 **Special Inspection Program** is the mandatory quality assurance requirements for structural elements.
- 1.3.2 **Special Inspector (SI)** is the Owner's agent that implements the Special Inspection Program for the project.
- 1.3.3 **Statement of Special Inspections** is the document filed with and approved by the Building Official that lists the materials and work requiring special inspection as stated in Exhibits A through D. This document shall include the inspections to be performed, and the individuals, agencies and/or firms to be retained for conducting such inspections.
- 1.3.4 **Testing Laboratory** is an agency or firm qualified to inspect structural elements and perform field and laboratory test to determine the characteristics and quality of building materials and workmanship.
- 1.3.5 **Contract Documents** are the Engineering and Architectural Drawings and Specifications issued for

construction purposes, plus the Clarification Drawings, Addenda and Change Orders issued and acknowledged, including Contractors designed elements.

- 1.3.6 **Inspect and Inspection** are visual observation of materials, equipment, or construction work, on an intermittent basis, and as defined in Exhibits A through D, to determine that the work is in substantial conformance with the requirements of the Contract Documents.

Section 2 - Services

- 2.1.1 Services include implementation of the Special Inspection Program as designated in the Summary of Special Inspections for the Project and further detailed below. Some inspection and testing duties are to be performed by Testing Laboratories retained by either the Owner or the SI, as agreed.

- 2.1.2 Unless otherwise stated in the Agreement, the SI will provide only the following Services, as applicable to the Project.

- 2.1.3 Administrative Services:

- The SI shall keep records of all inspections related to the "Schedule of Special inspections Services", Exhibit B.
- The SI shall review inspection and materials testing reports and will bring discrepancies to the attention of the Contractor.
- The SI shall distribute reports to the Building Official, the Architect, SER, Contractor, and the Owner. Reports will be submitted monthly unless more frequent submissions are requested by the Building Official.

- 2.1.4 In-Plant Review:

- The SI shall review the Fabricator's facility to verify that the Fabricator maintains detailed fabrication and quality control procedures which provide a basis for inspection control of workmanship and the Fabricator's ability to conform to approved drawings, project specifications and referenced standards. The SI shall review the procedures for completeness and adequacy relative to the Building Code requirement for the Fabricator's scope of work.
- The SI shall not be responsible for the means, methods, techniques, sequences, or procedures selected by the Fabricator or safety precautions and program incident to the work of the Fabricator. The SI's efforts will be directed toward providing a greater degree of confidence for the Owner and the Building Official that the completed work of the Fabricator will conform to the Contract Documents. The SI shall not be responsible for the failure of the Fabricator to perform the work in accordance with the Contract Documents.

- 2.1.5 Certificate of Compliance Review:

- Certificates of Compliance shall be reviewed for conformance with the standards specified in the Contract Documents. Discrepancies will be brought to the attention of the Contractor.

- 2.1.6 Field Review:

- The SI shall make site visits to inspect work designated to be reviewed by the SI in the Statement of Special Inspections for the Project.
- The SI shall prepare a report following each site visit.
- The SI shall not be responsible for the means, methods, techniques, sequences, or procedures of construction selected by the Contractor or safety precautions and programs incident to the work of the Contractor. The SI's efforts will be directed toward providing a greater degree of confidence for the Owner and the Building Official that the completed work of the Contractor will conform to the Contract Documents. The SI shall not be responsible for the failure of the Contractor to perform the construction work in accordance with the Contract Documents.

- 2.1.7 Material Testing and Inspection:

- The SI shall review reports from Testing Laboratories to determine if the testing laboratory has verified conformance of the reported item of work with the Contract Documents.
- The SI shall initiate appropriate action in response to those reports, if required.

Section 3 - Fees and Payments

3.1 Fees and Other Compensation

3.1.1 Fees and Compensation for Reimbursable Expenses are set forth in the letter Agreement.

3.2 Payments on Account

3.2.1 Invoices for the SI's services shall be submitted, at the SI's option, either upon completion of any phase of service or on a monthly basis. Invoices shall be payable when rendered and shall be considered PAST DUE if not paid within 30 days after the invoice date.

3.2.2 Retainers, if applicable, shall be credited to the final invoice(s).

3.2.3 Any inquiry or questions concerning the substance or content of an invoice shall be made to the SI in writing within 10 days of receipt of the invoice. A failure to notify the SI within this period shall constitute an acknowledgement that the service has been provided and that the invoice is correct.

3.3 Late Payments

3.3.1 A service charge will be charged at the rate of 1.5% (18% true annual rate) per month or the maximum allowable by law on the then outstanding balance of PAST DUE accounts. In the event any portion of an account remains unpaid 90 days after billing, the Owner shall pay all costs of collection, including reasonable attorney's fees.

3.3.2 In the event that any portion of an account remains unpaid 30 days after billing, the SI may, without waiving any claim or right against the Owner, and without liability whatsoever to the Owner, suspend or terminate the performance of all services.

Section 4 - Insurance, Indemnifications and Risk Allocation

4.1 Insurance

4.1.1 The SI shall secure and endeavor to maintain professional liability insurance, commercial general liability insurance and automobile liability insurance to protect the SI from claims for negligence, bodily injury, death, or property damage which may arise out of the performance of the SI's services under this Agreement, and from claims under the Workers' Compensation acts. The SI shall, if requested in writing, issue a certificate confirming such insurance to the Owner.

4.1.2 The Owner shall verify that the Contractor maintains insurance that will adequately protect the Contractor from claims.

4.2 Indemnifications

4.2.1 The Owner shall indemnify and hold harmless the SI and all of its personnel, from and against any and all claims, damages, losses and expenses (including reasonable attorney's fees) arising out of or resulting from the performance of the services, provided that any such claims, damage, loss or expense are caused in whole or in part by the negligent act or omission and/or strict liability of the Owner, anyone directly or indirectly employed by the Owner (except the SI) or anyone for whose acts any of them may be liable.

4.2.2 The Owner shall indemnify and hold harmless the SI and all of its personnel, from and against any and all claims, damages, losses and expenses (including reasonable attorney's fees) arising from the presence, discharge, release or escape of asbestos, hazardous waste, or other contaminants at the site.

4.3 Risk Allocation

- 4.3.1 In recognition of the relative risks, rewards and benefits of the Project to both the Owner and the SI, the risks have been allocated such that the Owner agrees that, to the fullest extent permitted by law, the SI's total liability to the Owner for any and all injuries, claims, losses, expenses, damages or claim expenses arising out of this Agreement, from any cause Or causes, shall not exceed the amount of \$50,000, the amount of SI's fee (whichever is greater). In the event the Client does not wish to limit BSE's liability for this work, or subsequent work done under this project number, to the greater of \$50,000 or BSE's fee, BSE may agree to a higher limitation of liability if parties mutually agree in writing to an increase in BSE's fee because of the higher risk BSE may assume. Such causes include, but are not limited to, the SI's negligence, errors, omissions, strict liability, breach of contract or breach of warranty.


Section 5 - Miscellaneous Provisions

5.1 Termination, Successors and Assigns

- 5.1.1 This agreement may be terminated upon 10 days written notice by either party should the other fail to perform its obligations hereunder. In the event of termination, the Owner shall pay the SI for all services rendered to the date of termination, all reimbursable expenses, and reasonable termination expenses.
- 5.1.2 The Owner and the SI each binds himself or herself, partners, successors, executors, administrators, assigns and legal representative to the other party of this Agreement and to the partners, successors, executors, administrators, assigns, and legal representative of such other party in respect to all covenants, agreements, and obligations of this Agreement.
- 5.1.3 Neither the Owner nor the SI shall assign, sublet or transfer any rights under or interest in (including but without limitations, monies that may be due or monies that are due) this Agreement, without the written consent of the other, except as stated in the paragraph above, and except to the extent that the effect of this limitation may be restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assigner from any duty or responsibility under this Agreement. Nothing contained in this paragraph shall prevent the SI from employing such independent consultants, associates and subcontractors as he or she may deem appropriate to assist in the performance of services hereunder.
- 5.1.4 The SI and Owner agree that the services performed by the SI pursuant to this Agreement are solely for the benefit of the Owner and are not intended by either the Si or the Owner to benefit any other person or entity. To the extent that any other person or entity, including but not limited to the Contractor and/or any of its Subcontractors and other Design Professionals, is benefited by the services performed by the SI pursuant to this Agreement, such benefit is purely incidental and such other person or entity shall not be deemed a third party beneficiary to this contract.

5.2 Disputes Resolution

- 5.2.1 All claims, counterclaims, disputes and other matters in question between the parties hereto arising out of or relating to this Agreement or the breach thereof will be presented to non-binding mediation, subject to the parties agreeing to a mediator(s).



**NUDELL
ARCHITECTS**

3160 W. Twelve Mile Road
Farmington Hills, Michigan 48334
1 248 324 6800 / 248 324 6550

OFFICES IN

Dallas Texas
972 367 6800

Orlando Florida
407 740 8022

Chicago Illinois
912 656 7444

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project title
**EXISTING TSL
BUILDING
SERVICE
ADDITION**

sheet title
**WALL
SECTIONS &
DETAILS**

DO NOT SCALE DRAWINGS
USE DIMENSIONS ONLY

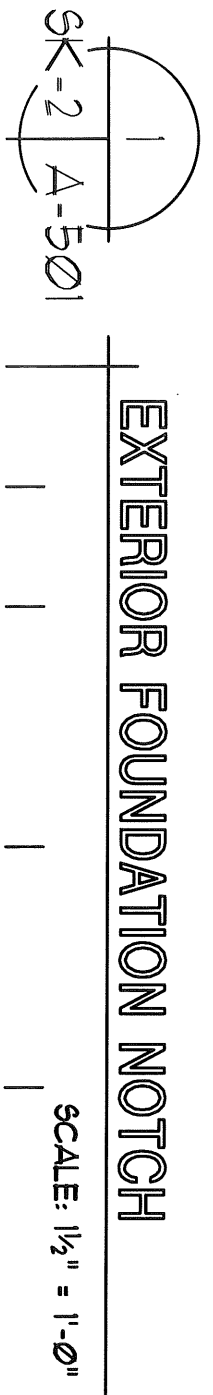
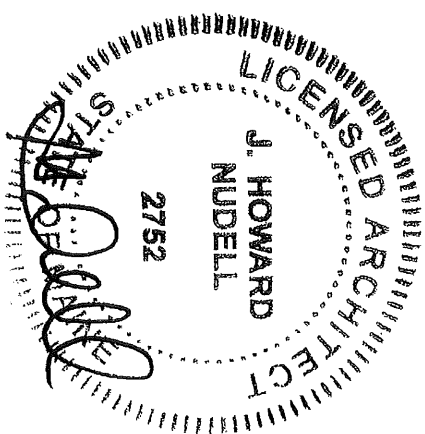
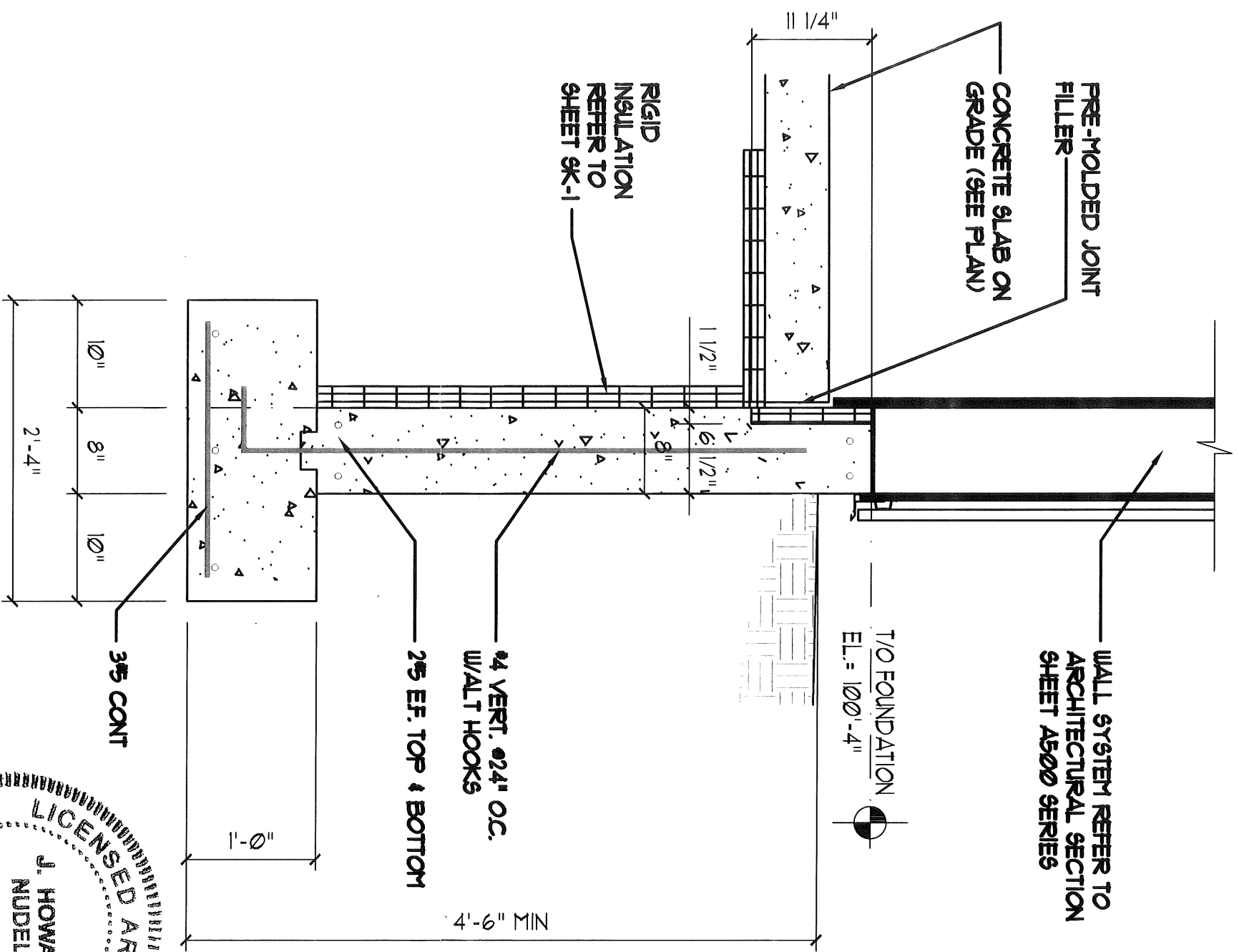
project number
2008-27901

drawn JAF
checked BD
approved JHN

issued for _____

BULLETIN NO. 2 4-23-12

sheet
SK-2



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APR 24 2012
Dept. of Building Inspections
City of Portland Maine

