

ATTACHMENT I

SUBCONTRACTOR SAFETY, HEALTH, AND ENVIRONMENTAL MINIMUM PERFORMANCE STANDARD (MPS)

Jacor Construction, Inc constantly strives to provide a safe and productive work environment. The following items are intended as a guide to help improve Subcontractor compliance with environmental, health, and safety laws and recognition of safe work practices. This section is not intended as a complete safety program in itself. Subcontractor is required to conduct a complete Safety and Injury Prevention Program (IIPP) in compliance with CAL OSHA standards and in full cooperation with Jacor Construction, Inc program. (See also Terms and Conditions Sections 2, Item F and 10.)

A. GENERAL EXPECTATIONS

Subcontractors shall develop and maintain safety, health and environmental programs and procedures that meet or exceed Federal, State, and Local laws, regulations and standards. They shall also agree to comply with any Owner and/or Jacor Construction, Inc Company site specific requirements. The subcontractor shall be able to provide reasonable documentation to demonstrate compliance with minimum performance standards (MPS).

Subcontractors shall make Jacor Construction, Inc immediately aware of any unique safety, health, or environmental concerns related to their work and make timely efforts to notify other affected contractors working on site and protect the public from hazards.

The MPS compliance shall be expected of any additional tier subcontractors under the first tier subcontractor's control. Subcontractors shall be responsible for the content and cost of any training required by the MPS, and shall document that the training is completed before the job starts.

Subcontractors shall be responsible for costs related to fines and citations issued by regulating agencies to them and others caused by or related to their work.

Subcontractor shall perform and document pre-task planning to identify any hazards related to their work. This shall be available for inspection by Jacor Construction, Inc at any time.

B. STAFFING REQUIREMENTS AND EXPECTATIONS

A designated safety person (DSP) shall be assigned to coordinate project safety requirements regardless of staffing levels. If the project requires more than one shift, each shift will require a DSP. The DSP shall be trained in emergency procedures. If the project develops a Safety Committee, the subcontractor shall make a representative available to participate in committee activities.

Subcontractor shall provide an adequate number of first aid trained people to respond to emergency events. Jacor Construction, Inc shall be notified of any changes in First Aid/CPR staffing during the project. Subcontractors shall provide Jacor Construction, Inc a site-specific emergency plan identifying CPR/First Aid staff, First Aid equipment, and the nearest medical

clinic or hospital.

A full time Safety Professional acceptable to Jacor Construction, Inc Incorporated will be provided when subcontractor-staffing levels reach 100 employees.

C. ORIENTATION AND TRAINING

Subcontractor's employees shall receive a site specific orientation at initial assignment.

Subcontractors shall document employee attendance at site specific safety orientation and make a copy available to Jacor Construction, Inc Builders. In addition, Jacor Construction, Inc and other subcontractors should be made aware of any special training required as a result of their activities.

Subcontractors are responsible for all safety, health and environmental training related to their work.

C. SAFETY MEETINGS

Subcontractors will conduct their own safety meetings as required by law. In addition, Subcontractor's personnel will attend Jacor Construction, Inc weekly toolbox training meetings and coordination meetings if directed by the Jacor Construction, Inc Project Superintendent. Subcontractors are to provide Jacor Construction, Inc Project Superintendent with a copy of their safety meeting reports.

Subcontractor's superintendent, foreman, or DSP shall be represented at all of Jacor Construction, Inc's scheduled safety/coordination meetings.

D. BARRICADES & PERIMETER PROTECTION

Subcontractors shall assure that all their jobsite personnel understand that removal of barricades and other perimeter protection must have prior approval of Jacor Construction, Inc Project Superintendent. Subcontractor's personnel are responsible for any barricade or perimeter protection removed because of their work. Subcontractor will be solely responsible for work safety during the period of temporary removal.

E. INJURY & ACCIDENT REPORTS

Under the Terms and Conditions of Jacor Construction, Inc Subcontract Agreement, all Subcontractors are required to notify Jacor Construction, Inc Project Superintendent immediately of any incident/accident and furnish, within 24 hours, a written report. Notification shall include copies of all reports of any injury to their employees and/or accidents involving other people or property damage caused by their actions. Subcontractors should have post-incident drug testing

procedures.

In the event of media involvement, subcontractors will cooperate with Jacor Construction, Inc or Owner Crisis Management efforts.

F. AUDITS AND INSPECTIONS

Subcontractors shall conduct and document daily safety audits of their work areas and shall cooperate with any regulatory agency consultation or compliance inspections.

G. ENFORCEMENT

A plan for disciplinary action for violation of known safety requirements shall be part of subcontractor's IIPP.

If Jacor Construction, Inc identifies any Subcontractor employee violating project safety requirements the identified employee will be removed from the job immediately.

H. FIRE & FLAMMABLE MATERIAL

The following items represent basic fire control procedures to be followed by all Subcontractors:

1. Flammable liquids and/or combustible solids are to be stored only in properly labeled, approved, closed, secured metal containers.
2. Combustible waste materials are to be picked up and properly disposed of; at least once a shift and more often if necessary.
3. Locate extra fire extinguishers near welding operations.
4. Oxygen and acetylene cylinders are to be secured upright, stored separately (20' or more apart) and away from other combustible materials.
5. Control or contain welding, cutting, or grinding sparks; if necessary, provide a fire watch.
6. Jacor Construction, Inc shall be notified immediately of any explosive material brought on the project site.
7. The amount of flammable/combustible liquids stored for use in temporary containers shall be limited to what will be used in one shift.

I. HOUSEKEEPING

Each Subcontractor is responsible for cleanup and removal of their debris, excess material, trash, and tools on a daily basis. All work areas shall be kept clean at all times. (See also Section 10N

and Terms and Conditions Section 11, Item Q.). Failure to perform this function will result in the Subcontractor being charged for cleanup being performed by others.

J. HAZARDOUS WASTE

Subcontractor is responsible for the generation, management, and proper disposal of any flammable explosives, ignitable liquids, radioactive materials, toxic substances, or any related materials or substances, including, without limitation, any substance defined as or included in the definition of "hazardous wastes" under any applicable federal, state or local law, regulation or ordinance.

The subcontractor agrees not to bring hazardous wastes on site or generate hazardous waste without the knowledge and consent of Jacor Construction, Inc.

Exception: Small quantities, (less than 4 liters total and 1 liter in any single container) AND the hazardous materials are totally consumed or removed during the shift. In this case the work must be performed without any emission or discharge to the air, soil, storm drains, or exposure to other workers.

Note: The Tenant and Landlord shall have the right to use, generate and store on the Premises and the building, and transport to and from the premises and the building, those hazardous materials which are generally used in the ordinary course in first class office buildings (collectively, "permitted materials") provided, however, that Tenant's and Landlord's use, generation, storage and transport thereof is in compliance with all applicable federal, state and local laws, regulations and ordinances.

Subcontractors are responsible for Proposition 65 notification requirements, codes and regulations, and for maintaining a list of all materials containing hazardous substances. A complete list of these materials and copies of the MSDS (Material Safety Data Sheet) are to be given to Jacor Construction, Inc no later than the first day said materials are brought on the site.

Subcontractors are responsible for training and documenting their employees training in the proper safety precautions for use and disposal of said materials. Furthermore, Subcontractors using hazardous materials shall notify other Subcontractors' field supervisors and employees of their use and maintain proper controls to eliminate their exposure to said materials. It shall be the responsibility of the Subcontractor to maintain all hazardous substances in properly identified containers kept in properly controlled areas. The removal from the site of excess materials or disposal of waste materials is the sole responsibility of the Subcontractor.

L. PROJECT SAFETY INSPECTION AND ENFORCEMENT

Safety Hazard Notices (Exhibit G-5) will be sent to Subcontractors observed violating safety regulations. Failure to correct conditions that are noted on a safety hazard notice places the offending Subcontractor in violation of their contract. This may result in progress payments being withheld until the conditions noted are corrected. If the hazard is serious, Jacor

Construction, Inc may be forced to stop all of the offending Subcontractor's work activities until the hazard is corrected at the Subcontractors expense.

Subcontractors will be directed to remove from the project, any employee who refuses to comply with or has been repeatedly observed violating safety regulations.

M. TEMPORARY POWER

Temporary power 15 and 20 amp. service shall be protected by Ground Fault Circuit Interrupters (GFCI).

Temporary power cords shall be heavy-duty construction grade, NO JUNIOR GRADE CORDS will be allowed on site.

Damaged cords shall immediately be removed from service.

N. WORKER SAFETY

All Subcontractors' agents shall be dressed in appropriate clothing when entering jobsite, including long pants, rubber soled shoes, safety glasses (when required) and hardhats. Sleeveless shirts and open-toed shoes will not be allowed. Subcontractors' agents include field personnel, management, vendors, second tier subs and visitors.

The Subcontractor agrees to provide personal protective equipment (PPE) and adequate training for the use of PPE to all of their employees as required by applicable OSHA standards. Jacor Construction, Inc is not responsible for providing hardhats, work gloves, goggles, etc. to anyone but their own personnel.

O. FIRSTAID

Subcontractor's field crew must have a First-Aid kit and immediate access to a medical facility for use in an emergency. An effective emergency communication system is the responsibility of the Subcontractors for their activities.