

ADDENDUM - ONE

DATED 12/11/09

1. Contract Language Required: The construction contract with the general contractor (and shall cause its general contractor to insert the following provision in all of the subcontracts or material supply contracts entered into by the general contractor) to contain the following provision: "The parties hereto acknowledge and agree that to the extent permitted by law and notwithstanding the terms of any provisions of this agreement to the contrary, in no event shall Petco Animal Supplies Stores, Inc., a Delaware corporation (or any of its affiliated or parent entities) be liable or responsible in any way for the performance of the obligations of the "owner" and/or "general contractor", as the case may be, under the terms and conditions of this agreement, including, without limitation, the payment of any sums which may be due or become due under this agreement"

2. Construction Entrance: All construction vehicular traffic will be required to enter and exit the site from Healthy Way.

3. Building Inspections Plan Review Letter: The enclosed plan review letter is included for compliance requirements. Please note Comment 4 that states that "The use of wood is not permitted in type 1 or 2 construction except as blocking, nailers and limited trim. All plywood attached to metal stud partitions shall be FRTW (Fire retardant treated wood)".

4. Site Plan Clarifications:

- A.** The contractor shall assume that the existing grade must be stripped approximately 8" to reach proper sub-grade for placement of porous fill and concrete floor slab, as required.
- B.** The contractor shall be required to furnish and install two 4" conduits with conductors, properly sized to supply the 800 amp electrical service shown inside the building from an existing Dominion Power transformer located approximately 125' from the rear of the building. The conduits must be installed across the existing service drive, similar to the phone conduit shown on the site plan. **Cost for this work = \$-----**
- C.** The contractor shall assume that the dumpster enclosure, as detailed on the Petco Tenant Improvement Plans, will be required. (This work not shown on the site plan.) **Deduct, if omitted = \$-----**
- D.** The contractor shall assume that 4 cart corrals must be furnished and installed, per the site plan. **Deduct for each corral omitted = \$-----**

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5. Architectural Plan Clarifications:

- A.** The contractor shall include an allowance of \$3,500 for the mechanical roof screen shown on the Roof Plan sheet AS1.2.
- B.** The contractor shall be required to furnish and install intermediate pickets or rails (spacing not to exceed 4" maximum clearance) on the loading ramp guard rail, where the difference in grade exceeds 30", as required.

6. Bid Requirements:

- A.** The contractor shall be allowed to submit their proposed list of subcontractors within 24 hours of the bid time, in lieu of including it with the bid form.
- B.** The contractor shall be allowed to submit their proposed construction schedule within 24 hours of the bid time, in lieu of including it with the bid form. The project is not proposed to have an accelerated delivery schedule that would require premium costs to construct. The owner would expect a completed project, ready for occupancy in approximately 5-6 months from contract execution.

End.