

CONSTRUCTION EXHIBIT "B" (#12246)
Highway 87 (S. Dumas Ave.) & 1st St
Dumas, TX 78029

1. The Wendy's Company will provide and install the equipment or items listed below.

All work in this group is to be scheduled and supervised by the GC in order to maintain a schedule that will satisfy the projected completion date of the project. The GC is to monitor the quality of workmanship and act as Wendy's agent in supervision of the installation of each item.

A. Kitchen equipment and seating including installation per schedule shown on sheet EQ1.1 & EQ1.2 of the architectural drawings.

All kitchen equipment is delivered and installed by Wendy's kitchen equipment consolidator or by specialty contractors for certain items. Prior to delivery the following must be completed:

- Floor tile installed & grouted
- Acoustical ceiling grid and panels
- HVAC systems
- Dining room paneling, and tile installed
- Wall coverings and/or finishes

All final plumbing and electrical connections are the responsibility of the General Contractor and Subcontractors.

B. Building permits.

Permits will be applied for by Wendy's Construction Manager. GC is responsible to complete any contractor information and obtain and pay for the Building Permit. The GC will send a separate invoice to Wendy's for the cost of the Building Permit without any mark up. Do not include the cost of the permit in your proposal. Any/all other permits, licenses or bonds required of General or Subcontractors will be the responsibility of the appropriate contractor and should be included in your proposal.

C. Cash register system, monitors, Wenview menu board & order confirmation board, Digital menu boards, vertical display boards & Red Roaster display.

These items will be installed by a Wendy's supplier during the last week of construction but will be scheduled and supervised by the General Contractor. GC to provide electric outlets and data conduit and boxes.

D. Communication system.

The Drive Thru communication system will be installed by a Wendy's supplier during the last week of construction after the items in C above are complete. The Drive Thru detector loops will be provided to the General contractor for installation at the time the concrete drive thru lane is poured. Integrity of the loop and wiring will be the responsibility of the General Contractor.

E. Ansul system.

The exhaust hood fire suppression system and installation are included in the Wendy's supplied hood package. The hoods are installed by the HVAC contractor and pull station rough-in is completed by the electrical contractor. The automatic gas valve shut off is supplied by Wendy's and installed by the plumbing or gas piping contractor. The fire suppression system is completed by a Wendy's subcontractor. All work is to be scheduled by the General Contractor.

F. Security system.

The security alarm system is supplied by Wendy's and installed by a Wendy's contractor. Electric conduits and receptacles are installed by the electrical contractor.

G. Walk-in cooler/ freezer.

The walk-in cooler/freezer is delivered and installed by a Wendy's supplier under a separate contract with Wendy's. Final electrical connection is by the GC/Electrical sub-contractor.

H. Building signage including final connections.

General Contractor to provide electrical feed for all building and site signs.

- I. **Site signage including final connections and concrete bases.**
Sign installation contractor and all sign materials are provided by Wendy's. General Contractor, through the electrical contractor, is responsible for conduit and wire to each sign location as shown on the plans. All concrete bases are installed by the sign contractor. All final electrical connections are completed by the sign contractor if the electrical contractor has completed all conduit and wiring. If circuits are not complete the electrical contractor will assume responsibility for the final connections. Scheduling and supervision are the responsibility of the General Contractor.
- J. **Music system.**
Sound system is furnished by Wendy's and installed by a Wendy's approved installer. Ceiling Grid must be in place for installation to proceed. General Contractor is responsible for scheduling.
- K. **Fire alarm system. (NOT APPLICABLE)**
Fire alarm system is furnished by Wendy's and installed by a Wendy's approved installer. General Contractor is responsible for installation scheduling and coordination of required inspections and confirmation of all requirements for electrical rough-in, audio/visual and manual pull station locations.
- L. **Telephone wiring.**
Telephone wiring and jack installation is to be completed by the Phone Company. Installation scheduling of telephone service and interface box, or terminal strip is the responsibility of the General Contractor. Installation of Fire Alarm telephone circuit is the exclusive responsibility of the Fire Alarm Contractor, a Wendy's subcontractor; however, scheduling is the responsibility of the General Contractor. General Contractor is responsible for site sleeve, rough in as shown on the plans, and plywood mounting pad for interface cabinet above office ceiling.
- M. **Free-Style soda system including CO2 tank.**
The dining room and drive-thru window Free-style soda system is furnished and installed by Coke. In addition, Coke is responsible for the installation of the potable water filtering system which is to be connected to the water shut-off valve installed by GC. The CO2 tank, along with the recessed exterior wall fill box is furnished by Wendy's. Installation scheduling is coordinated by the General Contractor during the last week of construction. Kitchen equipment installation must be completed prior to soda system installation. Soda lines are usually installed prior to the kitchen equipment installation.
- N. **Office desk, cabinets and shelving.**
All office equipment and furnishings are furnished and installed by the kitchen equipment consolidator at the time of kitchen equipment installation.
- O. **Stainless steel wall panels at fryer wall.**
Stainless steel wall panels and rear door kick panels are furnished and installed by the kitchen equipment consolidator at the time of kitchen equipment installation.
- P. **Safes**
Safes (2) are furnished by Wendy's and installed by Safe supplier during the last week of construction. Scheduling is coordinated by the General Contractor. All office cabinet installation must be completed prior to installation.
- Q. **Refrigeration.**
The refrigeration lines are installed by the ice machine installer. Water supply, drain lines, roof penetrations and electric connections are the responsibility of the General Contractor and must be complete at the time of refrigeration installation since start-up and testing is required. The cook-center refrigeration is completed by the kitchen equipment consolidator.
- R. **TV Monitor & Wi-Fi service**
Dining room TV monitor supplied and installed by Wendy's. General Contractor to provide ceiling outlets and roof penetrations for dish. Wi-Fi service and all necessary devices are to be provided and installed by Wendy's.

- S. **Order station canopy and clearance height bar**
GC to install foundation for order station canopy. Wendy's vendor to install order station canopy along with clearance height bar & concrete base.
- T. **PUW Awnings.**
Wendy's vendor to manufacture and install pick-up window awning. GC to provide Wendy's vendor with rough framing dimensions. GC to include electrical circuit for heat tape and final connection
- U. **Exterior building pin letters**
Supplied by Wendy's and installed by Wendy's sign contractor.
- V. **Grease tank**
Wendy's vendor to supply and install grease tank and flexible grease line run from kitchen grill/ fry area to tank. General Contractor to install solid piping to above ceiling at grill/ fry area.
- W. **Final Clean-up**
GC to provide a professional cleaning company to completely clean interior and exterior prior to turnover.

2. **The Wendy's Company will PROVIDE ONLY the equipment or items listed below:**

The General Contractor is responsible for receiving, storing, installing or coordinating the installation of the equipment listed.

- A. **Kitchen equipment per schedule shown on sheet EQ1.1 & EQ1.2 of the architectural drawings.**
All kitchen equipment as shown is furnished, delivered and installed by the kitchen equipment consolidator. The General Contractor is responsible to have all finishes completed prior to installation. The General Contractor and subcontractors are responsible for all final plumbing and electrical connections.
- B. **Exhaust hoods.**
The HVAC contractor is responsible for hood installation, black iron grease duct fabrication and installation and furnishing and installing duct wrap and clean out access doors.
- C. **Exhaust fans and curbs.**
Wendy's supplies the exhaust fans and curbs as a part of the hood package. GC/HVAC sub-contractor is responsible for the installation, wiring, hook up, & start up.
- D. **HVAC units, curbs.**
Wendy's supplies the HVAC (RTU's) units and curbs. The HVAC contractor is responsible for, receiving, crane to remove from truck, setting in place, installation and start up. All plenums and ductwork between the curbs and diffusers or grilles are furnished and installed by the HVAC contractor. Crane rental for equipment hoisting is also the responsibility of the HVAC contractor. Hoisting of the ICS, ice machine and cook center condensers is also required, but only if the condensers are at the job site at the time the HVAC equipment is hoisted. The electrical contractor is responsible for electrical connections to the exhaust fans and HVAC units and verification off the direction of rotation of all 3 phase fans. The General Contractor is responsible for scheduling and supervising the installation of all HVAC equipment. All ductwork, diffusers, dump boxes, etc. is by supplied & installed by the GC/HVAC sub-contractor
- E. **Kitchen hand sinks.**
The plumbing contractor is responsible for installing handsink(s) and furnishing water supply and waste plumbing and trims. The plumbing contractor is responsible for final adjustment of handsink and lavatory hot water temperature not to exceed 110F.
- F. **Stainless steel kitchen corners.**
The General Contractor is responsible for plumb and square installation of all stainless steel kitchen corners and end caps.

G. Restroom paper towel dispensers, lavatories and baby changing tables.

Touch-free battery operated lavatory faucets supplied by GC.

H. Ware Wash, Power soak sink and prep sink.

The plumbing contractor is responsible for installation of the prep sink(s) including furnishing and installation of all supply and waste piping. Water supply lines for sinks are to include hot and cold check valves located outside of the wall. Lever wastes and faucets are furnished by the kitchen equipment consolidator. Detergent and Sanitizing Blend Center will be installed by the kitchen equipment installer with the exception of the plastic tubing and components that can only be installed at the time of power soak sink installation by the plumbing contractor.

The plumbing contractor is responsible to install all water lines, etc. as detailed for the booster water heater supplied by others, and plumbing lines and hook up of ware wash. Electrical contractor to install power, disconnect and hookup as shown. Water line to booster water heater must be the 140 degree line, NOT the tempered water line. Booster heater temperature MUST be set at 160 degrees.

I. Dining room vinyl wall covering.

Vinyl wall covering is installed by the General Contractor.

J. Fire extinguishers and cabinets.

Fire extinguisher cabinets and portable extinguishers **will be furnished** by the General Contractor; **not Wendy's**. The General Contractor is responsible for communication with the local fire department to verify extinguisher types and locations.

K. Kitchen paper towel dispensers and toilet paper dispensers.

Towel dispensers and toilet paper dispensers will be furnished by Wendy's and installed by the General Contractor. The General Contractor is responsible to verify the correct ADA location for the toilet paper dispensers.

L. Miscellaneous interior signs.

Miscellaneous interior signs (Art Pack) are to be installed by the General Contractor in locations shown on the plans or as specified by the Wendy's Construction Manager

P. Recessed stainless steel mop sink

Wendy's equipment supplier to provide.

Q. Outdoor Seating Area

Seating elements and trash units delivered to site by Wendy's and installed by GC. Security fence for outdoor seating to be provided and installed by GC.

R. Lot Lights

Wendy's vendor will provide the lot light anchor bolts, poles and heads. GC responsible to furnish and install conduit, wire, concrete bases; and install poles & heads. All final connections by GC. The GC is responsible to coordinate delivery of anchor bolts, poles and heads.

3. Communication with Wendy's suppliers.

The general contractor is responsible to verify delivery dates for all equipment ordered by Wendy's. Requested delivery dates will be provided on a purchase order log that lists the item, supplier, contact name, phone and fax numbers. The general contractor is responsible for notifying Wendy's construction manager of any delays in delivery of equipment.

The general contractor is not to change any scheduled delivery dates without a prior discussion with Wendy's construction manager.

4. Receiving of equipment, materials and supplies ordered by Wendy's.

The general contractor is responsible for receiving all items ordered by Wendy's and verifying the condition of the items received. Visual inspection of all equipment and cartons must be made prior to signing for delivery. Damaged cartons must be noted on the shipper's delivery ticket or bill of lading. The shipper or supplier and Wendy's construction manager must be notified of any damaged equipment or damaged packaging within 24 hours.

Failure to receive and properly store materials including but not limited to Coke supplies may result in backcharges.

5. On site storage of equipment, materials or supplies ordered by Wendy's.

Wendy's Construction Manager and Capital Control Coordinator will make every attempt to request 'just in time delivery' of equipment and materials to minimize the storage time required. The construction schedule is how the delivery dates are established.

The General Contractor is responsible for providing clean, secure on-site storage for materials direct shipped to the job site for later installation.

The General Contractor may opt to have certain materials or equipment to their own offsite facility for staging or to a subcontractor's facility. Charges for this cannot exceed what would normally be associated with an on-site temporary storage trailer. Example of this is light poles delivered to an electrical contractor's facility. These would be rare conditions and are dependent on the facilities and available equipment of the subcontractor. This is to be discouraged and due diligence in maintaining the construction schedule and receiving 'just in time delivery' is preferred.

The ICS refrigerator/freezer is not to be used for temporary storage of any kind to avoid damage to the unit and to allow room for shelving and small wares at the time of kitchen equipment delivery.

The estimated size of temporary storage required is one 20' trailer or container dedicated exclusively to Wendy's material and equipment storage. Contractor storage of tools and equipment are to be stored elsewhere.

Open storage on site of certain materials is acceptable if minimum storage time is necessary, however, these materials must be protected from traffic, weather and theft with suitable covering and or protection from traffic or ground splash.

6. Storage of plans, specifications or other construction documents and receiving or shipping tickets.

The general contractor is required to provide secure space for storage and review of site and building plans and related documents. Dated and signed delivery tickets and bills of lading must be scanned and submitted to Wendy's Construction Manager using Wentrack and have available at any time. Permit copies of the site and building plans are consigned to the General Contractor. These are to be maintained in good condition and are to be used for review at the time of any building or site inspection. They are not to be used by subcontractors for daily work. A job set of prints with field notes, as built information or changes to the scope of work through change orders or addenda needs to be maintained by the General Contractor.

Copies of Wendy's project inspection reports and receipts or sign off cards or pass/fail notices from site and building inspectors needs to be maintained and available at all times.

Daily logs are to be maintained and should contain weather, manpower for general and subcontractors, deliveries, the day's activities, unusual conditions encountered and communications from suppliers, municipal or utility agents, landlords, or adjacent property owners and uploaded weekly to Wentrack.