

GENERAL CONTRACTOR QUALIFICATION REQUIREMENTS

The following minimum criteria must be met for all general contractors seeking approval to build within a Scenic Land Company development:

1. General Contractors must at the time of approval and for the duration of construction within the development maintain insurance meeting the following limits and requirements:
 - a. Commercial General Liability of not less than \$2,000,000 aggregate and per occurrence.
 - b. Worker's compensation coverage meeting statutory limits.
 - c. The abovementioned policies must list Scenic Land Company, the development HOA, & the development specific Scenic Land entity as additional named insured or loss payee as the context permits. At Scenic Land's request, General Contractor shall produce copy of the policy including its declarations page demonstrating compliance with this requirement.
2. General Contractors must be prepared to provide a full-time on-site qualified company representative with at least 10-years experience as a construction superintendent, and maintain the presence of that superintendent for the duration of construction within the development. Each such on-site superintendents shall be assigned to no more than three (3) home construction projects at any one time. In the event that general contractor is found to be in violation of this requirement, Developer shall be entitled to levy a penalty in the amount of \$200/day and doubles each occurrence up to a maximum of \$1,000/day.
3. General Contractors must provide evidence of completion of the following OSHA Training Requirements:
 - a. OSHA 10 - <http://www.osha.com/courses/10-hour-construction.html>
 - b. OSHA 30 - <http://www.osha.com/courses/30-hour-construction.html>
4. General Contractors may not have had any bankruptcies in the past 10 years.
5. General Contractors must meet the following licensing requirements:
 - a. State Contractor's License (with minimum limits of 2x contract amount for all residences under construction by the General Contractor in the development).
 - b. Applicable Local Business Licenses.
6. General Contractors must agree to and adhere to the development Design Guidelines and other Developer terms including but not limited to the following:
 - a. Provision of a \$20K+ deposit or letter of credit from a reputable banking institution for each home under construction. The terms of deposit or letter of credit will provide that, in the event that General Contractor's work necessitates repair of damage to any home or community amenity, the deposit can be accessed or the letter of credit called and the proceeds applied by Developer toward the cost of repairs.
 - b. Marketing Fee Agreement.
7. An Officer or Owner of the General Contractors with a minimum of 10 years with the company shall hold one of the following four year degrees:

- a. Construction Management,
 - b. Structural Engineering, or
 - c. Architecture.
8. General Contractors shall provide Letters of Recommendation from two architectural firms and five clients (within last 5 years) with respect to the construction of residences of similar size and scope to those General Contractor desires to undertake in the development.
 9. Unless otherwise approved by Developer, General Contractors shall use either AIA or NAHB standard form contracts with deviation or revision notes attached. A copy of each signed contract shall be provided to Developer before commencement of construction.
 10. General Contractors must submit a Formal Application with \$1,000 application fee. Should application not be approved, 50% of application fee will be refunded.
 11. General Contractors must provide a list of Subcontractors and Suppliers to be utilized. General Contractor shall ensure that all subcontractors maintain levels of liability insurance appropriate for the scope of their involvement as well as worker's compensation coverage meeting statutory requirements. General Contractor shall obtain and provide evidence thereof to Developer on request.
 12. General Contractors must obtain final approval by the Developer. Factors which Developer may consider in granting or withholding final approval include the following:
 - a. Whether the General Contractor has an Experience Modification Rate (EMR) greater than .90. (*the lower the EMR factor the better the safety record of the company*)
 - b. Whether the General Contractor has 10 years operational experience with an established place of business in commercially zoned location, open for business during normal business hours with full-time personnel to answer the phone and provide appropriate records as requested.
 - c. Whether the General Contractor can provide a letter from bank and/or CPA stating a 1.20 current ratio has been maintained each month for the previous 12 months.
 - d. Whether the General Contractor has been a BBB Member for at least 10 years and a score of A- or better.
 - e. General Contractor's history of legal proceedings, including but not limited to construction defect claims and payment disputes.

These requirements are subject to change without notification, provided however that no approval previously awarded will be revoked based on subsequent changes. Approval of a General Contractor for a residence shall not be deemed approval for a different residence. Approval of a General Contractor in one Scenic Land development does not provide a General Contractor similar approved status in another development. Only an approved General Contractor may solicit business within a Scenic Land development or utilize the marketing materials of the development.