

DANIS

PAYMENT APPLICATION INSTRUCTIONS FOR DANIS SUBCONTRACTORS

- 1) Subcontractor Application For Payment
The attached form must be filled out, signed by an authorized representative of your company, and notarized. This form must be submitted **EACH** time you bill Danis.

- 2) Affidavit
The attached form must be completely filled out, signed by an authorized representative of your company, and notarized. This form must be submitted **EACH** time you bill Danis. List any Subcontractors working for you and/or Material Suppliers that your company will pay with money *from this pay request*.

If no money is due to any Subcontractors working for you or Material Suppliers from this pay request, state "None".

The amount on line three of the paragraph below "Laborers" (page two) is the amount of this pay request.

- 3) Unconditional Lien Waiver And Release (by Subcontractor/Supplier to Danis' Subcontractor)
Each of your Subcontractors and Material Suppliers listed on your *previous* month's Affidavit must complete this form. This form must be submitted to Danis prior to your next payment. This form does not need to be submitted if your company did not list any Subcontractors or Material Suppliers on your previous month's Affidavit.

- 4) Final Lien Waiver and Release in Full (By Subcontractor/Supplier to Danis Subcontractor)
Each Subcontractor and Material Supplier that was listed on any of your previous Affidavits must complete this form before your final retainer can be released. The waiver is final and *cannot* indicate that any monies are due them for this project. This form does not need to be submitted if your company did not list any Subcontractors or Material Suppliers on any of your Affidavits.

- 5) Conditional Final Lien Waiver And Release In Full (By Subcontractor/Supplier to Danis)
This form is to be completed and submitted with your company's final invoice to Danis for the project. The amount should be the final subcontract amount after all change orders.

Subcontractors must have on file with Danis a Certificate of Insurance meeting all of the Requirements listed in paragraph nine (9) of our subcontract agreement covering all projects with Danis. The Subcontractor must maintain these policies annually at their own expense. For any job or type of work with insurance requirements other than our standard insurance levels, the subcontractor must provide the coverage limits listed in their subcontract or addendum to the subcontract.

Current workers compensation certificates must be submitted and maintained by the subcontractor.

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Affidavit of Subcontractor

State of _____

County of _____

Date _____

(Signer's Name) _____, being first duly sworn, says that he/she is (Signer's Title) _____ of (Name of Subcontractor) _____ the Subcontractor having a contract with **DANIS BUILDING CONSTRUCTION COMPANY** or a subsidiary or affiliate thereof (the "CONTRACTOR") for a (Type of Project: i.e.: school, hospital, office, etc.) _____ situated on or around or in front of the following described property in _____ County, (State) _____, known as: (Name of Project) _____ whereof (Name of Owner) _____ was the owner, part owner or lessee.

SUBCONTRACTORS

Affiant further says that the following shows the names and addresses of every subcontractor in its employ, giving the amount, if any, which is due, or to become due to them, or any of them, for work done or machinery, material or fuel furnished to the date hereof under said contract.

NAME	ADDRESS	TRADE	AMOUNT DUE OR TO BECOME DUE FROM THIS DRAW FOR WORK AND MATERIALS	

MATERIALMEN

Affiant further says that the following shows the names and addresses of every person furnishing machinery, material or fuel to it, giving the amount, if any, which is due, or to become due to them, or any of them, for machinery, material or fuel furnished to date hereof under said contract.

NAME	ADDRESS	KIND OF MACHINERY, MATERIAL OR FUEL	AMOUNT DUE OR TO BECOME DUE FROM THIS DRAW FOR MATERIAL	

LABORERS

Affiant further says that the following shows the names and addresses of every unpaid laborer in its employ furnishing labor under said contract, giving the amount, if any, which is due, or to become due, for labor done to date hereof.

Note- if the fact is that every laborer has been paid in full recite: "Every laborer has been paid in full". If not, then give each unpaid laborer's name and address and the amount due or to become due.

	ADDRESS	HOURS	AMOUNT DUE OR TO BECOME DUE FROM THIS DRAW FOR LABOR FURNISHED	

Affiant further states that there is due or to become due to *(Name of Subcontractor)* _____ for work performed or machinery, material or fuel furnished to **Contractor** to date hereof under said contracts, the sum of \$_____.

That the amounts due or to become due to said subcontractors, materialmen and laborers for work done or machinery, material or fuel furnished to the date hereof to *(Name of Subcontractor)* _____ are fully and correctly set forth opposite their names, respectively, in the aforesaid statements, and further evidenced by certificates of every person furnishing machinery, material or fuel, attached hereto and made a part hereof.

Affiant further says that *(Name of Subcontractor)* _____ has not employed or purchased or procured machinery, material or fuel from, or subcontracted with any person, firm or corporation, other than those above mentioned, and owes for no labor performed, or machinery, material or fuel furnished, under said contracts, other than above set forth.

SUBCONTRACTOR'S SIGNATURE

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, at _____ (City/County),
_____ (State) this _____ day of _____, 20_____.

NOTARY PUBLIC'S SIGNATURE & SEAL

This Agreement may be used by Danis Building Construction Company and its subsidiaries or affiliates.

ACORD® CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY)

PRODUCER Agents Name Address Phone Number	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.
	COMPANIES AFFORDING COVERAGE
	COMPANY LETTER <i>Danis Building Construction Company</i> A <i>(Midwest & Southeast)</i>
INSURED Name of Contractor Address	COMPANY LETTER B <i>Standard Subcontract, Master Trade & Work Order</i>
	COMPANY LETTER C <i>Certificate Sample</i>
	COMPANY LETTER D
	COMPANY LETTER E

COVERAGES - THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED.

OPERATIONS - THIS CERTIFICATE OF INSURANCE COVERS ALL OPERATIONS OF THE INSURED FOR THE CERTIFICATE HOLDER.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
	GENERAL LIABILITY	Must disclose if a residential exclusion exists in any policy			GENERAL AGGREGATE	\$1,000,000
<input checked="" type="checkbox"/>	COMMERCIAL GENERAL LIABILITY				PRODUCTS-COMP/OP AGG.	\$1,000,000
	<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR.				PERSONAL & ADV. INJURY	\$1,000,000
	OWNER'S & CONTRACTOR'S PROT.				EACH OCCURRENCE	\$1,000,000
<input checked="" type="checkbox"/>	PER PROJECT AGGREGATE				FIRE DAMAGE (Any one fire)	\$ 50,000
					MED. EXPENSE (Any one person)	\$ 5,000
	AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT	\$1,000,000
<input checked="" type="checkbox"/>	ANY AUTO				BODILY INJURY (Per person)	
	ALL OWNED AUTOS				BODILY INJURY (Per accident)	
<input checked="" type="checkbox"/>	SCHEDULED AUTOS				PROPERTY DAMAGE	
<input checked="" type="checkbox"/>	HIRED AUTOS					
<input checked="" type="checkbox"/>	NON-OWNED AUTOS					
	EXCESS LIABILITY	\$5,000,000 Umbrella is required if subcontract price is over \$1,000,000			EACH OCCURRENCE	\$2,000,000
<input checked="" type="checkbox"/>	UMBRELLA FORM				AGGREGATE	\$2,000,000
	OTHER THAN UMBRELLA FORM					
	WORKER'S COMPENSATION AND EMPLOYERS' LIABILITY	For Projects Located Other than in Ohio			<input checked="" type="checkbox"/> STATUTORY LIMITS	
					EACH ACCIDENT	\$1,000,000
					DISEASE-POLICY LIMIT	\$1,000,000
					DISEASE-EACH EMPLOYEE	\$1,000,000
	EMPLOYERS LIABILITY OHIO STOP GAP - With Intentional Tort Coverage	For Projects Located in Ohio			Bodily Injury Each Employee / Aggregate	\$500,000
	PROFESSIONAL LIABILITY				Per Claim / Aggregate	\$1,000,000
	ENVIRONMENTAL IMPAIRMENT LIABILITY	For Projects w/ Haz Mat	Rider in Subcontract		Per Occurrence / Aggregate	\$2,000,000

OTHER PROVISIONS
 DANIS BUILDING CONSTRUCTION COMPANY, THE OWNER OF THE PROJECT, AND EACH OF THEIR RESPECTIVE OFFICERS, AGENTS, AND EMPLOYEES ARE NAMED AS ADDITIONAL INSURED (GL Form CG2010 11/85 - Auto form CA2048) UNDER EACH OF THE ABOVE-REFERENCED POLICIES (EXCEPT WORKERS COMPENSATION & PROFESSIONAL LIABILITY). SUCH INSURANCE SHALL BE PRIMARY AND ANY INSURANCE MAINTAINED BY THE ADDITIONAL INSURED SHALL BE EXCESS AND NON-CONTRIBUTORY UNTIL ALL OF THE LIMITS OF INSURANCE LISTED ABOVE (INCLUDING THE EXCESS LIABILITY) HAVE BEEN EXHAUSTED THROUGH THE PAYMENT OF CLAIMS. A RESIDENTIAL EXCLUSION DOES NOT APPLY TO ANY POLICY.

CERTIFICATE HOLDER Must be company specific 3233 Newmark Drive Miamisburg OH 45342 <i>DGCC Midwest & Southeast ~ Std, MTA & WO ~ Jan 2007</i>	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELED AND/OR MATERIALLY CHANGED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL PROVIDE 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT. AUTHORIZED REPRESENTATIVE
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DANIS

ATTN: ALL SUBCONTRACTORS

RE: HAZARD COMMUNICATIONS PROGRAM

Sir or Madam:

Attached is a copy of Danis' Hazardous Communications Program. In compliance with OSHA's Hazard Communications Standard #29CFR/1926.59, a list of the hazardous chemicals and their Material Safety Data Sheets are available at the jobsite.

Please send us a copy of your Hazardous Communications Program and the inventory of hazardous chemicals that you will be using on this job, along with the corresponding Material Safety Data Sheets.

Yours very truly,

John S. Danis

John S. Danis
Chairman

Attachment

DANIS

HAZARDOUS COMMUNICATION PROGRAM

This program includes guidelines on identification of chemical hazards and the preparation and proper use of container labels, placards and other types of warning devices.

A. Chemical Inventory

1. Danis maintains an inventory of all known chemicals in use on the worksite. A chemical inventory list is available from the Project Manager.
2. Hazardous chemicals brought onto the worksite by Danis will be included on the hazardous chemical inventory list.

B. Container Labeling

1. All chemicals on site will be stored in their original or approved containers with a proper label attached, except small quantities for immediate use. Any container not properly labeled should be given to the Project Manager or Superintendent for labeling or proper disposal.
2. Workers may dispense chemicals from original containers only in small quantities intended for immediate use. Any chemical left after work is completed must be returned to the original container or the Project Manager or Superintendent for proper handling.
3. No unmarked containers of any size are to be left in the work area unattended.
4. Danis will rely on manufacturer applied labels whenever possible, and will ensure that these labels are maintained. Containers that are not labeled or on which the manufacturer's label has been removed will be relabeled.
5. Danis will ensure that each container is labeled with the identity of the hazardous chemical container and any appropriate hazard warning.

C. Material Safety Data Sheets (MSDS)

1. Suppliers by law must provide MSDS on all hazardous materials.
2. Employees working with hazardous materials may request a copy of the MSDS. Requests for MSDS should be made to the project manger.
3. MSDS should be available and standard chemical reference may also be available on the site to provide immediate reference to chemical safety information.
4. An emergency procedure to gain access to MSDS information will be established at each project site, if required.

D. Employee Training

Employees will be trained to work safely with hazardous materials. Employee training will include:

1. Methods that may be used to detect a release of hazardous chemical(s) in the workplace.
2. Physical and health hazards associated with chemicals.
3. Protective measures to be taken.

4. Safe work practices, emergency responses and use of personal protective equipment.
5. Information on the Hazard Communication Standard including Labeling and Warning systems and an explanation on Material Safety Data Sheets.
6. All new employees will be provided with a copy of the Hazard Communication Program. Acknowledgment form must be signed.

E. Personal Protective Equipment (PPE)

Required PPE is available from Danis. Any employee found in violation of PPE requirements may be subject to disciplinary actions up to and including discharge.

F. Emergency Response

1. Any incident of over exposure or spill of a hazardous chemical/substance must be reported to Danis at once.
2. The Superintendent will be responsible for ensuring that proper emergency response actions are taken in leak/spill situations.

G. Hazards of Non-Routing Tasks

1. Supervisors will inform employees of any special tasks that may arise which would involve possible exposure to hazardous chemical and/or hazardous materials.
2. Review of safe work procedures and use of required PPE will be conducted prior to the start of such tasks. Where necessary, areas will be posted to indicate the nature of the hazard involved.

H. Informing Other Employees

1. Other on-site employees are required to adhere to the provisions of the Hazard Communication Standard.
2. Information on hazardous chemical and hazardous materials known to be present will be exchanged with other employers. Employers will be responsible for providing necessary information to their employees.
3. Other on-site employers will be provided with a copy of the Danis Hazard Communication Program. Subcontractors will also provide Danis with a copy of their Hazard Communication Program.

I. Posting

Danis has posted information for employees at this job site on the Hazard Communication Standard. This information can be found at job site bulletin boards.