

GENERAL SERVICES ADMINISTRATION
PUBLIC BUILDINGS SERVICE

SUPPLEMENTAL
AGREEMENT

DATE

NOV 23 2010

SUPPLEMENTAL LEASE AGREEMENT

No. 01 Revised

TO LEASE NO. GS-11B-02126

ADDRESS OF PREMISES

20 M Street SE, Washington, DC 20003

THIS AGREEMENT, made and entered into this date by and between: Southeast Realty LLC

Whose address is: c/o Lerner Enterprises, 2000 Tower Oaks Boulevard, 8th Floor, Rockville, MD 20852

and whose interest in the property hereinafter described is that of the Owner, hereinafter called the Lessor, and the UNITED STATES OF AMERICA, hereinafter called the Government:

WHEREAS, the parties hereto desire to amend the above Lease and to completely delete SLA 1 and replace it with Revised SLA 1.

NOW THEREFORE, these parties for the considerations hereinafter covenant and agree that the said Lease is amended, effective **October 01, 2009** as follows:

1. The design of the tenant improvements (TI) for the project shall incorporate the necessary parameters to meet the requirements of LEED®-CI (Leadership in Energy and Environmental Design for Commercial Interiors) Silver Level Certification. The Government recognizes that the Building Shell has achieved LEED-NC, Gold Level Certification. The Government shall be responsible for all costs and time associated with meeting LEED Silver Level Certification for the Tenant Improvements, including but not limited to architectural, engineering, LEED professional consulting services, building shell modifications, construction registration, and submission to and review by USGBC.
2. The Lessor is responsible for the following:
 - A. The Lessor shall submit to the Contracting Officer a scorecard documenting the proposed credits to meet Silver Level Certification. The Lessor shall also submit a brief statement outlining how each of the credits proposed on the scorecard will be achieved.
 - B. From the entirety of available LEED Credits, the Lessor must endeavor to achieve the following Credits on the project:
 1. Water Efficiency: Credit 1: Water Use Reduction 30%
 2. Energy & Atmosphere: Credit 1.1 Optimize Energy Performance – Lighting Power
 3. Energy & Atmosphere: Credit 1.3 Optimize Energy Performance- HVAC
 4. Energy & Atmosphere: Credit 2: Enhanced Commissioning
 5. Materials and Resources: Credit 5: Regional Materials 20% Manufactured Regionally
 6. Indoor Environmental Quality: Credit 2: Increased Ventilation
 7. Indoor Environmental Quality: Credit 3.2: Construction IAQ Management Plan, Before Occupancy
 8. Innovation & Design: Credit 2 LEED® Accredited Professional
 - C. The Lessor will identify the USGBC LEED® accredited professionals (APs) as team members, including their roles throughout the project.
3. In the event that criteria for LEED credits conflict with the SFO or the Program of Requirements, the LEED criteria shall have precedence. The Government recognizes that there may be several strategies used to achieve specific targeted credits and the total number of credits targeted. The Government agrees that Lessor shall determine which strategies to employ.
4. The Government recognizes that Items which are installed by the Government, including but not limited to furnishing, equipment, task lighting, etc, must comply with the LEED criteria established by Lessor. The Government shall submit required documentation to the Lessor to ensure timely coordination and submission to USGBC. If the Government does comply with the criteria established by Lessor, the Lessor shall not be responsible for any adverse impact on the ability to achieve LEED Silver certification.

All other terms and conditions of the Lease shall remain in force and effect.

IN WITNESS WHEREOF, the parties subscribed their names as of the above date.

Lessor: Southeast Realty LLC

By: Admiral Partners, LLC, its sole Manager

By: Lerner Enterprises, LLC, its Managing Member

By: 
(Signature) Mark D. Lerner

Manager (Title)

IN THE PRESENCE OF (witnessed by):


(Signature)

2000 TOWER OAKS BOULEVARD
ROCKVILLE, MD 20852
(Address)

UNITED STATES OF AMERICA: General Services Administration

By: 
Contracting Officer, GSA, NCR, PBS, WPG
(Official Title)