

Preamble

In consultation with the EHAE legal team, the LDC has devised the following guidelines for re-opening the Heckscher Building.

On Tuesday, April 28th, Governor Cuomo Announced the Creation of a New York Forward Re-Opening Advisory Board. Additionally, 12 steps were outlined for re-opening the state, of which 3 apply to the Heckscher Building:

- **CDC Guidelines:** Based on CDC recommendations, once a region experiences a 14-day decline in the hospitalization rate they may begin a phased re-opening.
- **Industries:** Businesses in each region will re-open in phases. Phase one will include opening construction and manufacturing functions with low risk. Phase two will open certain industries based on priority and risk level. Businesses considered "more essential" with inherent low risks of infection in the workplace and to customers will be prioritized, followed by other businesses considered "less essential" or those that present a higher risk of infection spread. Regions must not open attractions or businesses that would draw a large number of visitors from outside the local area.
- **Business Precautions:** Each business and industry must have a plan to protect employees and consumers, make the physical work space safer and implement processes that lower risk of infection in the business

The LDC plan, is subject to the phased re-opening as outlined in the NYS plan and in accordance with CDC guidelines and will be updated based upon future guidance and regulations.

Addendum to preamble, updated 5-8-20 New York Forward – Plan for Re-Opening

Governor Cuomo outlined a plan to re-open New York State. The plan focuses on getting people back to work and easing social isolation without triggering renewed spread of the virus or overwhelming the hospital system.

New York will re-open on a regional basis as each region meets the criteria necessary to protect public health as businesses re-open. New York State remains on PAUSE through May 15.

Phases of Re-Opening:

Once a region meets the criteria for reopening, it will do so in a phased manner which is based on an assessment of risk and economic impact (those businesses determined to have the lowest risk and the highest economic impact will open first, vs. those with the highest risk and lowest economic impact will open last, during Phase 4)

Phase 1:

Construction
Manufacturing and wholesale supply chain Select
Retail (curbside pickup)

Phase 2:

Professional services
Finance and Insurance
Retail
Administrative support

Real Estate/Rental
Leasing

Phase 3:

Restaurants and food services
Hotels and accommodations

Phase 4:

Arts, Entertainment and Recreation Education

Business Precautions: Each business and industry must have a plan to protect employees and consumers, make the physical work space safer and implement processes that lower risk of infection in the business.

- Adjust workplace hours and shift design as necessary to reduce density in the workplace
- Enact social distancing protocols
- Restrict non-essential travel for employees
- Require all employees and customers to wear masks if in frequent contact with others
- Implement strict cleaning and sanitation standards
- Enact a continuous health screening process for individuals to enter the workplace
- Continue tracing, tracking and reporting of cases
- Develop liability processes

- NYC will be entering Phase I of the NY Forward re-opening plan on 6/8/20

NYS has released guidelines which apply to all construction businesses in regions of New York that have been permitted to re-open, as well as to construction businesses statewide that were previously permitted to operate as essential.

During the COVID-19 public health emergency, all construction businesses should stay up to date with any changes to state and federal requirements related to construction activities and incorporate those changes into their operations. This guidance is not intended to replace any existing applicable local, state, and federal laws, regulations, and standards.

Please ensure that all contractors operating on Heckscher Building grounds are in compliance with the NYS guidelines. Guidelines can be found at: <https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/ConstructionShortGuidelines.pdf>

(updated 6/5/20)

NYC will be entering Phase II of the NY Forward re-opening plan on 6/22/20

NYS has released guidelines which apply to all business activities where the core function takes place within an office setting that have been permitted to reopen as well as to office-based businesses statewide that were previously permitted to operate as essential. This guidance may apply – but is not limited – to businesses and entities in the following sectors: Professional services, nonprofit, technology, administrative support, and higher education administration (excluding full campus reopening). Please note that these guidelines may also apply to business operating parts of their business functions under different guidelines (e.g. front office for a construction company). See Interim COVID-19 Guidance for Office-Based Work for full details.

During the COVID-19 public health emergency, all operators of office workspaces should stay up to date with any changes to state and federal requirements related to office workspaces and incorporate those changes into their operations. This guidance is not intended to replace any existing applicable local, state, and federal laws, regulations, and standards.

Additional details can be found at <https://forward.ny.gov/new-york-city-phase-two-industries>, and will be posted on the LDC web site:

<https://Heckscherbuilding.com>

NYC will be entering Phase III of the NY Forward re-opening plan on 7/6/20

Phase III has no impact on Heckscher Building operations

NYC will be entering Phase IV of the NY Forward re-opening plan on 7/20/20

Indoor museums have been excluded from this phase

Decisions on education will be on hold until the first week of August

Indoor dining continues to be excluded

There is no impact to the Heckscher Building at this time

NYC museums can re-open beginning 8/24/20 at 25% capacity; all patrons must wear PPE and observe social distancing. El Museo del Barrio will have Grand Re-opening on 9/12/20

Effective May 19, New York has adopted the Centers for Disease Control and Prevention's (CDC) "Interim Public Health Recommendations for Fully Vaccinated People," issued May 13, for most businesses and public settings.

Businesses are authorized to require masks and six feet of social distancing for employees and/or patrons within their establishments OR adhere to CDC guidance, which advises that fully vaccinated individuals do not need to wear masks or be socially distanced, but un-vaccinated individuals must continue to wear masks and be socially distanced in most settings.*

- The Department of Health strongly recommends masks and six feet of social distancing in indoor settings where vaccination status of individuals is unknown. Any mask requirements that businesses choose to implement must adhere to all applicable federal and state laws and regulations (e.g., Americans with Disabilities Act)

- *This provision applies across most commercial settings, including but not limited to retail, food services, offices, gyms and fitness centers, amusement and family entertainment, hair salons, barber shops and other personal care services, among other settings. However, Pre-K to 12 schools, public transit, homeless shelters, correctional facilities, nursing homes, and healthcare settings are exempt and must continue to follow the State's existing COVID-19 health guidelines until more New Yorkers are fully vaccinated.

Effective July 27th, the CDC has posted new recommendations for vaccinated individuals:

- To maximize protection from the Delta variant and prevent possibly spreading it to others, wear a mask indoors in public if you are in an area of substantial or high transmission. (NYC is designated by the CDC as an area of substantial transmission)

- Wearing a mask is most important if you have a weakened immune system or if, because of your age or an underlying medical condition, you are at increased risk for severe disease, or if someone in your household has a weakened immune system, is at increased risk for severe disease, or is unvaccinated. If this applies to you or your household, you might choose to wear a mask regardless of the level of transmission in your area.

Effective August 17th, NYC has enacted new restrictions for people 12 years and older: All are required to show proof they have received at least one dose of a COVID-19 vaccine for:

- Indoor dining
- Indoor fitness
- Indoor entertainment

EMDB visitors and staff will be impacted by this new mandate and signage will be posted accordingly

Effective 3/4/22, following CDC guidance, the Heckscher Building will transition to a 'Mask Friendly' environment. Masks wearing is encouraged, but not mandatory. All other COVID protocols remain in effect.

Effective 8-18-22, NYC DOE issued new guidelines for city schools regarding vaccination & masks:

All visitors must show proof of at least one dose of the COVID-19 vaccination to enter a DOE school building. Visitors do not include students attending school or school related activities in a DOE school building.

Students and staff, regardless of vaccination status, are required to wear a mask when:

Returning to school on the sixth day after testing positive for COVID-19, through day 10 after symptom onset or date of positive test, whichever is earlier, including when traveling on a school bus.

Entering the school medical room, nurse's office, or school-based health center.

Exhibiting symptoms of COVID-19 at school.

Students and staff, regardless of vaccination status, are strongly recommended to wear a mask:

When they were exposed to someone with COVID-19, whether the exposure occurred in school or outside of school. The person should wear a mask for 10 days after their last day of exposure and get tested at least 24 hours apart on day 4 and day 5 of their exposure.

When they are moderately-to-severely immunocompromised, and masking is recommended by their healthcare provider.

In crowded indoor settings

Effective 12-9-22, NYC issued new guidance based on the emergence of a triple wave of Covid-19, Influenza and RSV:

1. Everyone, even if vaccinated and even if they have had COVID-19 or flu before, should wear a mask as follows: a. Wear a mask at all times when in an indoor public setting, including inside stores, offices, lobbies, hallways, elevators, public transportation, schools, child care facilities, and other public shared spaces, and when in a crowded outdoor setting. b. Wear a mask if sick and unable to separate from others, such as when traveling to and from a health care provider, picking up groceries, and when in shared living spaces. c. For people who have tested positive for COVID-19, per CDC and New York State guidance, in addition to isolating at home for at least 5 days, wear a mask at all times whenever in public or around other people for at least 10 days after their symptoms began (or, if they had no symptoms, for 10 days after their test date).
2. People who are at increased risk of severe illness from one or more respiratory viruses, including people 65 years and older, infants, people with a weakened immune system, people with certain underlying medical conditions, people who are pregnant, and people who are not up to date on their flu or COVID-19 vaccinations, should consider taking additional precautions to avoid exposure to respiratory viruses. This may include, for example, limiting attendance at large indoor gatherings, wearing a mask when gathering with others, and asking people to wear a mask and get a COVID-19 test prior to gathering. People who are at increased risk of severe illness, especially those 65 years and older, should talk to their health care provider immediately after they become sick or test positive, given the significant benefit of COVID-19 and flu treatment.
3. All masks should fully cover the nose and mouth and rest snugly above the nose, below the mouth, and on the sides of the face. Higher-quality masks, such as KN95 and KF94 masks and N95 respirators, can offer an additional layer of protection. Wearing a cloth mask over a disposable mask and knotting the ear loops to tighten masks are additional techniques to improve fit and protection.
4. In addition to wearing a high-quality mask as described above, everyone should take the following precautions: a. Stay up to date on their COVID-19 and flu vaccinations, even if they have been vaccinated against these viruses previously. For COVID-19, all eligible people should get the updated bivalent booster shot, even if they have had COVID-19 or received COVID-19 booster shots previously. b. Get tested for COVID-19 and flu right away if they have symptoms, and, in addition, get tested for COVID-19 before and after travel or large gatherings, before visiting someone at high risk for complications for COVID-19, and 5 days after being exposed to someone with COVID-19 (or sooner if symptoms develop). c. Stay home if sick (and do not send children to school or day care if they are sick) and avoid close contact with others. d. Follow good hand hygiene, including washing their hands often or using hand sanitizer when soap and water are not available; not touching their eyes, nose and mouth with unwashed hands; and covering their coughs and sneezes with the arm or a tissue. e. Contact their health care provider if they have symptoms of respiratory illness – including cough, congestion or other signs of a cold – to find out whether they need testing, care, or treatment. In case of emergency, people should call 911 or go to the nearest hospital.

5. The mask advisory applies to all individuals in New York City ages two years and older who can medically tolerate wearing a mask. The mask advisory does not apply when an individual is performing an activity that cannot be done while wearing a mask such as actively eating or drinking

Effective 1-19-23: The Heckscher building will no longer require proof of vaccination for entry and the 2 person elevator capacity has been lifted. While masks are no longer mandatory, they are highly recommended in common areas. Designated stairwells and elevators will remain in place.

EHLDC Re-Opening Plan

Please be advised that this plan is based on current CDC & NYS guidance in response to the Covid-19 Pandemic, the LDC anticipates further guidance and regulations will be issued by the Government as NY moves forward with a re-opening plan, accordingly, these responses are subject to change based upon further guidance and regulations.

Temperature Assessment

- Temperature Assessment Requirements
 - LDC Staff – Employee temperatures will be taken prior to entry to the building
 - Heckscher Building Tenant staff members and visitors/vendors – Temperatures will be taken prior to entry to the building
 - SCAN-Harbor/ Capital Prep students & EMDB Educational Program students - temperatures will be taken prior to entry
- Those having their temperature taken will be advised that an elevated temperature is a symptom of Covid-19, however an elevated temperature does not mean that they have Covid-19.

Temperature Assessment

- *Please note, the LDC is simply taking every precaution in the interest of protecting tenants and guests. Temperature readings will be taken with a non-contact scanner as those are recognized as being the least intrusive means by which to take a temperature.*
- The LDC will deny building access to anyone with an elevated temperature (*CDC guidelines consider a temperature of 100.4 or higher to be elevated*)
- Beginning Monday, 6/22, all building occupants will be scanned upon entry using either the freestanding temperature machines, or via a hand-held scanner
Beginning Monday 9/14, all building occupants will be scanned upon every entry to the building

Security Desk

- For LDC employee protection, sneeze guards will be placed at the 104th St Lobby security desk.
- In the vicinity of the EMDB coat check there will be a security station w/ sneeze guards installed
- It is expected that all tenants and their visitors/vendors be respectful of the Heckscher Building security staff, and abide by their guidance
- Beginning 3/31, the 5th Ave Lobby will be open for entry & exit to EMDB & Parks employees only, on Monday - Friday from 8 am - 4 pm. Temperature check and ID card scans will still be implemented. Any visitors, contractors, vendors or staff without ID badges must continue to enter & exit through the 104th St Lobby.

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Mail & Package Delivery

- A Mail Station will be located in the 104th St. lobby for tenant collection – Mail should be collected by tenants daily
- Oversize deliveries (which require elevator usage) must have a tenant representative present to accompany vendor – please also continue to follow elevator request procedure for these deliveries
- All food and water deliveries must have a tenant representative present to accompany vendor
 - Due to scientific analysis concerning the lifespan of Covid-19 on various surfaces such as cardboard, all packages and mail should be either left in the tenant designated area for 24 hours or disinfected by the tenant prior to removal from the lobby area (updated 5-15-20)
 - In order to better coordinate building operations, gate access must be pre-approved by LDC prior to delivery. There will be 2 delivery windows 8am -11am and 1pm - 4pm. Gate to be assigned by LDC (updated 8-18-21)

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Building Access

- Building entry & exit will be through the 104th St Lobby only
- 5th Ave Lobby is to be used for evacuations only
 - When EMDB museum re-opens, the 5th Ave Lobby will be open to museum Gallery/Theater guests only
- ADA access via the 5th Avenue Lobby (updated 5-8-20)
- The LDC office must be notified in advance of any visitors to the building. The cut-off for notification will be 1pm on the business day prior to arrival (updated 7-27-20)
- Beginning 3/31, the 5th Ave Lobby will be open for entry & exit to EMDB & Parks employees only, on Monday - Friday from 8 am - 4 pm. Temperature check and ID card scans will still be implemented. Any visitors, contractors, vendors or staff without ID badges must continue to enter & exit through the 104th St Lobby.

Elevator Access

- The LDC is enforcing Social Distancing requirements in all common spaces, including elevator usage
 - Elevator access is limited to 1 occupant at a time
 - As of 10/28/20 Elevator occupancy has been increased to two, using designated areas only
 - Occupants are encouraged to be mindful of those who must use an elevator as a result of medical necessity
 - As of 10/28/20, Elevators 1 & 3 will be used for freight by the designated tenants
- Elevator Designations
 - 1 & 2 – Designated to be used by EMDB, HCE & Parks (updated 8-18-21)
 - 3 & 4 – Designated to be used by SCAN Harbor/Capital Prep & Reece School

Stairwell Access

- Tenant Stairwell assignment *(New assignments will be in effect at all times except during an emergency evacuation or as directed by the FSD on duty)*
 - Stairwell A - Parks Department
 - Stairwell B – SCAN/Harbor, Capital Prep & Reece
 - Stairwell C – EMDB & HCE (Updated 8-18-21)
 - Stairwell D – CP students between 7:30 am -8:50 am M-F only

Social Distancing in Common Areas

- Masks will be required in all Common spaces (and gloves are recommended) – under NY Law, all individuals in public/common areas are required to wear a mask, this includes children/minors
- Corridors, Stairwells & Lobby areas – The LDC will require the recommended 6-foot distance between tenant staff members, visitors/vendors and students
- Students must be accompanied by adult supervision at all times when traversing common space
- Lobby access will be restricted to entry and exit only. Any Tenant activities are prohibited
- Masks are recommended, but no longer required (3-4-22)

Gang Bathrooms (Multiple Occupancy)

- All Gang bathrooms in the Heckscher Building will be temporarily converted to single occupancy use
- Tenants will be given keys for access
- Signage will be placed on doors to advise new usage restrictions

Water Supply & HVAC System/AC Units

- The LDC will be flushing and disinfecting the Heckscher Building water supply
- The LDC will be cleaning & replacing HVAC filters as per ASHRAE recommendations
- Tenants are encouraged to follow ASHRAE recommendations for filter replacements in their equipment and outside air volumes. Window AC units should also have their filters changed frequently
- Per CDC Guidance for Reopening Buildings After Prolonged Shutdown or Reduced Operation, issued May 7th, tenants should be aware of two microbial hazards, Legionella and mold, which can develop following prolonged inactivity. Tenants should request inspection of their HVAC systems and provide the LDC with a copy of the assessment (updated 5-15-20)

Water Coolers

- As a precaution, all water coolers will be temporarily taken out of service
- Due to CDC concerns regarding Legionella, it is recommended that any water in the building not be considered potable (suitable for drinking) until further notice (updated 5-15-20)

Social Distancing within Tenant Space

- Please comply with CDC and NY Guidelines on Social Distancing within your space

Tenant Disinfection of Space

- Please comply with CDC and NY Guidelines for disinfection of tenant space

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Additions or Changes to Original Document

- **NY Forward Plan - added to preamble, 5-8-20, K. Wakeman EHAE**
- **ADA Access – added to building access, 5-8-20, K. Wakeman EHAE**
- **Package disinfection - added to Mail & deliveries, 5-15-20, K. Wakeman EHAE**
- **CDC guidance - added to Water Supply & HVAC systems/AC units, 5-15-20, K. Wakeman EHAE**
- **Non-potable water - added to Water Coolers, 5-15-20, K. Wakeman EHAE**
- **Phase I construction guidelines - added to preamble, 6-5-20, K. Wakeman EHAE**
- **Phase II construction guidelines - added to preamble, 6-18-20, K. Wakeman EHAE**
- **Tenant temperature screening - added to temperature assessment, 6-18-20, K. Wakeman EHAE**
- **Tenant Stairwell designations - amended in stairwell access, 6-23-20, K. Wakeman EHAE**
- **Tenant Elevator designations - amended in Elevator access, 7-2-20, K. Wakeman EHAE**
- **Phase III begins - added to preamble, 7-6-20, K. Wakeman EHAE**
- **Phase IV begins - added to preamble, 7-20-20, K. Wakeman, EHAE**
- **1pm visitor notification - added to building access, 7-27-20, K. Wakeman, EHAE**
- **Museum re-opening - added to preamble, 9-17-20, K. Wakeman, EHAE**
- **Additional temperature screen - added to temperature Screening, 9-17-20, K. Wakeman EHAE**
- **Elevator occupancy & freight - changes to Elevator Access, 10-28-20, K. Wakeman EHAE**
- **Security Desk & Building Access - opening of 5th Ave Lobby, 3-25-21, K. Wakeman EHAE**
- **Stairwell Use - CP use of Stair D, 3-25-21, K. Wakeman EHAE**
- **Addendum to Pre-amble - Updated CDC guidelines, 5-20-21, K. Wakeman EHAE**
- **Addendum to Pre-amble - Updated CDC guidelines, 7-28-21, K. Wakeman EHAE**
- **Addendum to Pre-amble - Updated NYC guidelines, 8-18-21, K. Wakeman EHAE**
- **Mail & Package Delivery - Added delivery windows & gate usage, 8-18-21, K. Wakeman EHAE**
- **Elevator & Stairwell usage - Made changes to HCE designations, 8-18-21, K. Wakeman EHAE**
- **Addendum to Pre-amble - Mask requirement lifted, 3-4-22, K. Wakeman, EHAE**
- **Common Areas - Masks are recommended, not required, 3-4-22, K. Wakeman, EHAE**
- **Addendum to pre-amble - NYC DOE guidance update, 8-18-22, K. Wakeman, EHAE**
- **Addendum to pre-amble - NYC Commissioner's Advisory update, 12-12-22, K. Wakeman, EHAE**
- **Addendum to pre-amble - Covid regulations update, 1-19-23, K. Wakeman, EHAE**