

## SCHEDULE 3

### DESIGN BUILDER’S PROPOSAL EXTRACTS

#### SECTION A DESIGN BUILDER’S PROPOSAL EXTRACTS

##### A1. General

- A1.1 Design Builder’s Proposal Extracts consist of those portions of Design Builder’s Proposal that are identified in Table 1 of this Schedule 3. For clarity, all items listed in Table 1 of this Schedule 3 shall be considered to be “**Design Builder’s Proposal Extracts**”. Unless otherwise noted, Section references in this Schedule 3 are references to Design Builder’s Proposal.
- A1.2 The inclusion of a document or item within the Design Builder’s Proposal Extracts does not constitute acceptance by the City of the subject matter of such document in accordance with Schedule 5 – Review Procedure. All Design Builder’s Proposal Extracts shall remain subject to review in accordance with Schedule 5 - Review Procedure, if applicable. In the event of a conflict or inconsistency between Design Builder’s Proposal Extracts and the remainder of the Design Build Agreement, Section A4 of the Design Build Agreement shall apply.
- A1.3 The City and Design Builder acknowledge and agree that references noted in any Design Builder’s Proposal Extract within this Schedule 3 to another “Section”, “Annex”, or other reference to Design Builder’s Proposal have been retained for reference only, and are no longer valid unless that “Section”, “Annex”, or reference has also been included in this Schedule 3 as a Design Builder’s Proposal Extract.

##### A2. Technical Submission

The City and Design Builder acknowledge and agree that the technical submission submitted as part of Design Builder’s Proposal (including (i) any clarifications to such technical submission agreed to by the Parties during such RFP process, and (ii) revisions to reflect discussions between Design Builder and the City during such RFP process) will form the basis on which Design Builder will prepare its design reports pursuant to Schedule 5 – Review Procedure. For clarity, the acknowledgement and agreement in this Section A.2 of Schedule 3 is not intended to relieve Design Builder from its obligation to comply with the requirements of Schedule 5 – Review Procedure, Schedule 18 – Technical Requirements or the other requirements of the Design Build Agreement, including rectifying any non-compliances and unobservables.

**Table 1: Design Builder’s Proposal Extracts**



**[NOTE TO PROPONENTS:** The City may, in its sole discretion, and as contemplated by Section E1.2 of the Design Build Agreement, select portions of Design Builder’s Proposal to be attached to this Schedule 3.]