

## SCHEDULE 3

### INTERMEDIATE DESIGN SUBMITTAL EXTRACTS

#### SECTION A INTERMEDIATE DESIGN SUBMITTAL EXTRACTS

##### A1. General

- A1.1 The Intermediate Design Submittal Extracts consist of those portions of the Intermediate Design Submittal 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 **“Intermediate Design Submittal Extracts”**. Unless otherwise noted, Section references in this Schedule 3 are references to the Intermediate Design Submittal.
- A1.2 The inclusion of a document or item within the Intermediate Design Submittal Extracts does not constitute acceptance by the City of the subject matter of such document in accordance with Schedule 5 – Review Procedure. All Intermediate Design Submittal Extracts shall remain subject to review in accordance with Schedule 5 - Review Procedure, if applicable. In the event of a conflict or inconsistency between the Intermediate Design Submittal 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 Intermediate Design Submittal Extract within this Schedule 3 to another “Section”, “Annex”, or other reference to the Intermediate Design Submittal have been retained for reference only, and are no longer valid unless that “Section”, “Annex”, or reference has also been included in this Schedule 3 as an Intermediate Design Submittal Extract.

##### A2. Technical Submission

The City and Design Builder acknowledge and agree that the technical submission submitted as part of the Intermediate Design Submittal (including (i) any clarifications to such technical submission agreed to by the Parties during the Development Phase, and (ii) revisions to reflect discussions between Design Builder and the City during the Development Phase) 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: Intermediate Design Submittal 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 Intermediate Design Submittal to be attached to this Schedule 3.]