

APPENDIX 2B

REVIEW PROCEDURE

1. SUBMITTALS

Except as expressly set out otherwise in this Agreement, the provisions of this Appendix 2B will apply to any and all drawings, specifications or other documentation ("**Submittals**") required or specified by this Agreement, including Section 5.2 (Design Process) of Schedule 2 [Design and Construction Protocols], in respect of the Design and the Construction to be submitted to, reviewed, accepted or otherwise processed by the Authority prior to Service Commencement or after Service Commencement in respect of the completion of Deficiencies, including any and all subsequent revisions, amendments and changes thereto.

2. SUBMITTAL SCHEDULE

- (a) The schedule for Submittals (the "**Submittal Schedule**") is attached as Attachment 1 to this Appendix 2B. The Submittal Schedule may be amended by agreement of the parties in accordance with the terms of this Section 2.
- (b) Any amendment to the Submittal Schedule will provide for a progressive and orderly flow of Submittals from Project Co to the Authority as appropriate to allow sufficient time for review of each Submittal by the Authority, taking into account both the resources necessary to be available to the Authority to conduct such review (as anticipated by or inferred from the Submittal Schedule attached as Attachment 1 to this Appendix 2B) and any user group consultations in accordance with Appendix 2C [User Consultation Process].
- (c) Unless a longer period is required by this Agreement or is otherwise reasonably required by the Authority, the Authority will have:
 - (1) 15 Business Days for review of Submittals submitted in relation to the Design phases described in Section 5.2(b) of Schedule 2 [Design and Construction Protocols], including Submittals under Section 4 of this Appendix, or
 - (2) 10 Business Days for review of other Submittals,from the date the Authority received the Submittal (determined in accordance with Section 3(a) of this Appendix), provided that if Project Co has made major changes to the grouping and volume of Submittals, such period of time will be adjusted by the parties, acting reasonably, taking into account the factors set forth in this Section 2. If the Submittal Schedule is inconsistent with the foregoing review periods then it will be deemed to be amended to be consistent.
- (d) Project Co will, in scheduling Submittals and consultations with the User Consultation Group, and in the performance of the Design and the Construction, allow adequate time prior to performing the Design and the Construction that is the subject of the Submittals, for review of the Submittals by the Authority and the User Consultation Group as

applicable, and for Project Co to make changes to the Submittals, the Design and the Construction as may be required to account for any comments received from the Authority and the User Consultation Group.

- (e) If the Submittal Schedule indicates that a large number of Submittals will be made at one time, the Authority may request a longer period for review or a staggering of the Submittals, and Project Co will revise the Submittal Schedule accordingly, taking into account both the availability of resources required by the Authority to conduct such review and whether delay in the review of the subject matter of the Submittal will have a material impact on Project Co's ability to progress future anticipated Submittals and the Design or Construction in accordance with the Project Schedule.
- (f) Project Co will submit the then current Submittal Schedule to the Authority on a monthly basis until the Service Commencement Date.
- (g) All amended Submittal Schedules will be required to meet all the requirements of this Section 2.
- (h) Project Co will submit all Submittals to the Authority in accordance with the current amended Submittal Schedule.
- (i) Project Co will bear the risk of delays and additional costs caused as a result of the late submission of Submittals to the Authority, by Submittals which are rejected or required to be corrected and re-submitted in accordance with the terms of this Appendix 2B, or by changes in the Design and Construction required as a result of comments made pursuant to this Appendix 2B.

3. GENERAL REQUIREMENTS FOR SUBMITTALS

- (a) Unless otherwise specified by the Authority, Project Co will deliver copies of all Submittals to the Authority as follows:
 - (1) Project Co will deliver one full-size printed copy, one half-size printed copy, one electronic copy in PDF format and one electronic copy in AutoCAD format on CD to each of the following locations:
 - (A) the Authority's Vancouver project office at:

Northern Cancer Control Strategy
Attention: Hal Collier / Andrea McLean
675 West 10th Avenue, 15th Floor
Vancouver, BC V5Z 1L3
 - (B) the Authority's Prince George project office at:

Northern Cancer Control Strategy
Attention: Hal Collier / Lynn Bailey
1399 6th Avenue
Prince George, BC V2L 5L6

(C) the Authority's consultant's office at:

Stantec
Attention: Ian Carter
1100 - 111 Dunsmuir Street
Vancouver, BC V6B 6A3.

(2) Project Co will deliver one electronic copy in PDF format and one electronic copy in AutoCAD format to the following email address: amclean@phsa.ca (or such other email address as the Authority may designate by written notice to Project Co from time to time).

The period for Authority review of a Submittal (referred to in Section 2(c) of this Appendix) will commence on the date that the Submittal has been received at each of the locations set out in Sections 3(a)(1)(A) and 3(a)(1)(C) above (except that if a Submittal is received at either of those locations after 3:00 pm P.S.T. on a Business Day, it will be deemed to have been received at that location on the next Business Day).

- (b) Project Co will compile and maintain a register of the date, contents and status of the submission of all Submittals, including the date of receipt and content of all returned Submittals and comments thereon.
- (c) All Submittals will be in English.
- (d) All Submittals required by this Agreement, by applicable Law or Good Industry Practice to be signed or sealed by persons with professional designations (including where applicable by registered professional architects or engineers) will be so signed and, where applicable, sealed.
- (e) All Submittals will include all documents to be reviewed and will clearly identify the purpose of the Submittal (including whether the Submittal is being submitted for review by the User Consultation Group under Appendix 2C [User Consultation Process], for review under Section 4 below or for other purposes), Project Co's proposed course of action relating to the Submittal and the Design and the Construction that are the subject of the Submittal.
- (f) All Submittals will refer to the relevant provisions of the Design and Construction Specifications, the Services Protocols and Specifications (if applicable) and to any matter that has previously been subject to review. All Submittals (or covering documentation delivered with the Submittals) will include a statement confirming that the Submittals comply with, or identifying any elements of the Facility that for any reason vary from, the requirements of the Project Agreement, with particular reference to Schedule 2 (Design and Construction Protocols) and Schedule 3 (Design and Construction Specifications).
- (g) All Submittals will be clearly identified as a Submittal and will be delivered with appropriate covering documentation, which will include a list of all attached Submittals and for each Submittal: the document number(s) or drawing number(s); revision numbers (if applicable); document or drawing title(s); name of entity that prepared the Submittal;

the Submittal history showing date and delivery information and/or log number of all previous submissions of that Submittal; and identification of any previous Submittal superseded by the current Submittal.

4. REVIEW PROCEDURE

- (a) The Authority will review and respond to each Submittal in accordance with the applicable time periods set out in the Submittal Schedule (as may be amended from time to time in accordance with this Appendix).
- (b) Subject to Section 6 of this Appendix 2B, before commencing Construction of a particular component of the Project, and in the case of the Radiation Therapy Vaults before submitting its application for a Class II Nuclear Facility Construction Licence from the Canadian Nuclear Safety Commission, Project Co will submit to the Authority a Submittal:
 - (1) for which the user consultation process under Appendix 2C [User Consultation Process] has been concluded, and including an explanation of how the Design reflects the concerns and requests of the Facility Users, or why such concerns are not reflected in the Design; and
 - (2) describing that component, including all necessary design and other information as the Authority may reasonably require, including any design reports and calculations, reasonably necessary for the Authority to conduct an appropriate review to confirm that Design described in the Submittal conforms to the requirements of this Agreement (including the Design and Construction Specifications and the Proposal Extracts (Design and Construction)).
- (c) The Authority will review Submittals submitted under Section 4(b) above and assign one of the following 3 comments:
 - (1) “REVIEWED”;
 - (2) “CORRECT DEFICIENCIES”; or
 - (3) “REJECTED”.
- (d) The comment “REVIEWED” will be assigned to those Submittals that, in the opinion of the Authority, acting reasonably, appear to conform to the requirements of this Agreement, including the Design and Construction Specifications and the Proposal Extracts (Design and Construction).
- (e) The comment “CORRECT DEFICIENCIES” will be assigned to those Submittals that, in the opinion of the Authority, acting reasonably, appear to generally conform to the requirements of this Agreement, but in which minor deficiencies have been found and identified by the Authority’s review. Project Co will to the extent necessary correct these Submittals and provide a copy of such corrected Submittals to the Authority before Project Co implements the portions of such Submittals that have received comments, but Project Co may proceed on the portions of such Submittals that have not received

comments. If at any time it is discovered that Project Co has not corrected the deficiencies on Submittals that were correctly stamped "CORRECT DEFICIENCIES", then Project Co will be required to modify the Submittals and the relevant Design and the Construction as required to correct the deficiencies and Project Co may be required, at the Authority's discretion, acting reasonably, to resubmit relevant Submittals.

- (f) The comment "REJECTED" will be assigned to those Submittals that, in the opinion of the Authority, acting reasonably, contain significant deficiencies or do not generally conform with the requirements of this Agreement (including this Appendix 2B) or which are incomplete or insufficient for the purposes of a design review. Project Co will correct and re-submit these Submittals within 10 Business Days after the comment has been provided to Project Co. The Authority will then review such corrected Submittals and assign a comment to the corrected Submittal. Project Co will correct revise and resubmit Submittals as often as may be required to obtain a comment that permits Project Co to proceed. Except with the written consent of the Authority, Project Co will not proceed with any Design or Construction to which such Submittals receiving the comment "REJECTED" relate until Project Co obtains a comment that permits Project Co to proceed.
- (g) The Authority may request additional time for the review of any Submittal, including where the Submittal is voluminous or requires extensive review by representatives (including consultants) of the Authority, and Project Co will, in consultation with the Authority, extend such time for any reasonable requests by the Authority for such time period as the parties may reasonably agree.
- (h) If the Authority does not respond to a Submittal within the applicable time period for that Submittal as determined in accordance with Section 2(c) of this Appendix, the Submittal will be deemed "REVIEWED" and Project Co may proceed with and implement the Design and the Construction on the basis set forth in the applicable Submittal without any further action or documentation required.
- (i) Where the Authority issues the comment "CORRECT DEFICIENCIES" or "REJECTED", the Authority will provide reasons for the comment, referencing particulars of the Section(s) of the Agreement (including the Design and Construction Specifications) that the Submittal fails to satisfy, and if requested by Project Co, the Authority will meet with Project Co to discuss the reasons for the comment.
- (j) If at any time after assigning any comment to a Submittal or where Section 4(h) above has applied, the Authority or Project Co discovers deficiencies or any failure to conform to the requirements of this Agreement, the Authority or Project Co, as the case may be, will promptly notify the other Party of such deficiencies or non-conformance and the Authority may revise the comment assigned to any Submittal. If the parties agree or it is determined in accordance with the Dispute Resolution Procedure that the revised comment is correct, Project Co will make all such corrections to the Submittals and the Design and the Construction.

- (k) For the purpose of facilitating and expediting the review and correction of Submittals, the Authority and Project Co's Design and Construction Representatives will meet as may be mutually agreed to discuss and review any outstanding Submittals and any comments thereon.
- (l) Where an individual Submittal item is voluminous, the Authority at its discretion may elect to stamp only the cover page or first sheet of the Submittal with the appropriate comment, if any, and return to Project Co the cover page or first page together with individual pages or sheets on which comments are made, together with an explanation of the status of all pages not returned to Project Co. Any pages not returned without such an explanation as to their status will be deemed to be "REVIEWED" by the Authority.
- (m) In lieu of returning a Submittal, the Authority may by letter notify Project Co of the comment assigned to the Submittal and if such comment is "CORRECT DEFICIENCIES" or "REJECTED" the letter will contain comments in sufficient detail, including referencing applicable Section(s) of the Agreement, for Project Co to identify the correction sought.

5. REVIEWED DRAWINGS AND SPECIFICATIONS

- (a) The following Submittals will be deemed to be "**Reviewed Drawings and Specifications**":
 - (1) Submittals which the Authority has marked as "REVIEWED" under Section 4(d) of this Appendix;
 - (2) portions of Submittals that Project Co may proceed with under Section 4(e) of this Appendix;
 - (3) Submittals which have been deemed "REVIEWED" by the Authority under Section 4(h) of this Appendix.
- (b) Project Co's Design and Construction Representative will deliver promptly one complete copy of the Reviewed Drawings and Specifications to the Independent Certifier.

6. APPROVAL TO PROCEED IN ADVANCE OF REVIEWED DRAWINGS AND SPECIFICATIONS

- (a) Project Co may, with the prior written approval of the Authority, which approval will not be unreasonably withheld (and it will be reasonable for the Authority to withhold consent if in the Authority's opinion there is Design uncertainty), proceed with Construction of a component of the Project for which the review procedure described in Section 4 has not been completed (and therefore in advance of having Reviewed Drawings and Specifications for that component), provided that:
 - (1) in giving such approval the Authority does not waive any rights, or assume any risks, with respect to the Design;

- (2) the procedure described in Section 4 will still apply to such component and if following such procedure changes are required to the assumed Design then Project Co will at its cost make all required changes to the Construction; and
- (3) this Section does not apply to the Radiation Therapy Vaults.

7. DISPUTES

If Project Co disputes any comment issued by the Authority in respect of a Submittal made under Section 4 of this Appendix, Project Co will promptly notify the Authority of the details of such Dispute and will submit the reasons why Project Co believes a different comment should be assigned, together with appropriate supporting documentation. The Authority will review the Submittal, the reasons and supporting documentation and within 7 Business Days after receipt thereof will either confirm the original comment or notify Project Co of a revised comment. Nothing in this Section 7 will limit either party's right to refer a Dispute to the Dispute Resolution Procedure.

8. EFFECT OF REVIEW BY AUTHORITY

For clarity, Section 2.5 of Schedule 2 [Design and Construction Protocols] applies to any review or comment by the Authority on any Submittal.

9. SUBMITTAL EXPLANATION

At any time, the Authority may, acting reasonably, require Project Co, including Project Co's consultants, Sub-Contractors, and any other relevant personnel, at no additional cost to the Authority, to answer questions regarding Project Co's Submittals or to explain to the Authority and the Authority's advisors the intent of Project Co's Submittals, including in relation to any design and any associated documentation and as to its satisfaction of the Design and Construction Specifications. Project Co will answer all questions asked by the Authority in accordance with this Section as soon as practicable and in any event no later than 5 Business Days from the date it received the Authority's questions or such longer period agreed by the parties acting reasonably.

10. REVISIONS

- (a) Project Co will ensure that Submittals keep the same, unique reference number throughout the review process, and that all subsequent revisions of the same Submittal are identified by a sequential revision number. Correspondence related to such Submittal will reference the reference number and revision number.
- (b) Re-submittals will clearly show all revisions from the previous Submittal. Bound documents, including reports and manuals, will contain a preface that clearly states how revisions are marked and the previous revision number against which the revisions have been marked. A consistent format for mark-ups of documents will be used (e.g. deletions struck out and additions underscored). Revised portions of drawings will be clearly marked (with appropriate means to visually distinguish between the parts of the drawing that are revised and the parts that are not revised) and the revision number and description of the revision will be included on the drawing.

- (c) All revisions on print media will be initialled by hand by the individual designer, design checker and, where applicable, by the drafter and the drafting checker and will identify the persons who initialled the Submittal. Electronic versions of the Submittal will identify the persons who initialled the revisions to the printed version of the Submittal.

- (d) Project Co will keep all Reviewed Drawings and Specifications current. If any Reviewed Drawings and Specifications are revised as part of a Submittal, all other Reviewed Drawings and Specifications relying on or based on that Reviewed Drawings and Specifications will also be revised accordingly. All such revised Reviewed Drawings and Specifications will also be submitted with the Submittal to which it relates.

ATTACHMENT 1 (APPENDIX 2B)

SUBMITTAL SCHEDULE

DELETED IN ITS ENTIRETY