

APPENDIX 4G

UTILITY MANAGEMENT SERVICES

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1.1 General Requirements

1.1.1 Project Co will:

1.1.1.1 perform the Utility Management Services in compliance with this Appendix and all other requirements of this Agreement; and

1.1.1.2 continuously perform the Utility Management Services throughout the Operating Period in a manner that will promote the provision of an adequate continuous supply of all Utilities to all applicable Facility locations 24 hours a day, 365 (366) days per year.

1.2 Management and Administration

1.2.1 The Authority will from time to time as required enter into contracts with Utility Companies for the supply of Utilities, and will be responsible for all payments related to such contracts. As set out in Schedule 8 [Payments], the direct costs of diesel fuel will be a flow through to the Authority and will be invoiced on a monthly basis, without mark up.

1.2.2 Project Co will:

1.2.2.1 provide such reasonable assistance related to such contracts with Utility Companies as may be requested by the Authority, and manage all of the following Utilities within the Facility:

1.2.2.1(1) electricity,

1.2.2.1(2) domestic water;

1.2.2.1(3) storm waste

1.2.2.1(4) sanitary sewage

1.2.2.1(5) neighbourhood energy (hot water);

1.2.2.1(6) BC Net;

1.2.2.1(7) telephone, and CATV;

1.2.2.1(8) natural gas/propane; and

1.2.2.1(9) Emergency Generator fuel.

1.2.2.2 ensure the Utility Management Services are cost effective, comprehensive in nature and address the technical, managerial, and operational issues, and maintain the integrity of supply of Utilities as set out in this Appendix. As part of the Utility Management Services Project Co will:

1.2.2.2(1) administer hazard and safety notices, recording, distributing and evaluating such notices and ensuring that all required notification procedures regarding any equipment or plant failure are complied with;

1.2.2.2(2) advise on Utilities consumption and cost implications throughout the Operating Period for plant upgrading/modernization schemes and new developments;

1.2.2.2(3) provide, manage and operate an effective Building Management System;

1.2.2.2(4) work with the Authority to establish a Utilities conservation policy that sets consumption reduction targets; and

1.2.2.2(5) ensure that Project Co Persons, including Project Contractor employees and Sub-Contractor employees are made aware of the aims of the energy policy and are given guidance on its implementation;

1.2.2.3 ensure all physical connections for telephone and data services are provided and maintained at all times;

1.2.2.4 be responsible for:

1.2.2.4(1) securing and maintaining connections to Utility Company and/or Authority central Plant Services of appropriate specifications and adequate capacity to supply the requirements of the Facility under all operating conditions anticipated as at the Effective Date (including standby

provisions in the event of an earthquake or other catastrophic event);

1.2.2.5 review and provide comment to the Authority on the Utility supply specifications and provide technical support, advice and assistance in the negotiation of tariffs;

1.2.2.6 inform the Authority Operating Period Representative of all scheduled interruptions of which Project Co is aware to any Utility supply that may affect the Authority Activities and/or Project Co's operations and cooperate and participate in scheduled Site-wide testing, maintenance and seasonal change over routines initiated and coordinated by the Authority;

1.2.2.7 maintain appropriate records in relation to all Permits, including:

1.2.2.7(1) ensuring all test certificates and appropriate documentation and records (in particular those relating to any aspects of safety or statutory compliance) are maintained accurately and updated appropriately and are available for inspection by the Authority or any other relevant party;

1.2.2.7(2) ensuring all information and records are up to date, precise and accurate and available for inspection by the Authority or any other relevant party;

1.2.2.7(3) preparing and supplying all information reasonably required by any party, to whom the Authority is obliged to present information at any time in relation to the performance of the Utility Management Services, plus all statistical records and reporting which may be required by provincial or federal Government Authorities;

1.2.2.7(4) maintaining records detailing any complaints made with respect to any of the Utility Management Services and action taken; and

1.2.2.7(5) maintaining records that have been provided to Project Co by the Authority; and

1.2.2.8 provide technical support, advice and assistance, upon request, in connection with the Authority's negotiation of Utility contracts, tariffs and bulk purchase agreements