

## APPENDIX 2B

### USER CONSULTATION PROCESS

#### 1. OVERVIEW

- (a) Project Co acknowledges that consultation with the Facility Users is an essential step in the completion of the detailed design of the Facility and accordingly Project Co will conduct consultations with the User Consultation Group in respect of components of the design as reasonably required to have regard to Facility Users' requests and requirements.
- (b) The parties will undertake consultations with the User Consultation Group in accordance with the following:
  - (1) consultations will be conducted at an early stage of the design, and at appropriate stages of design development, to facilitate meaningful input from Facility Users;
  - (2) the User Consultation Group will include clinical Facility Users (such as physicians and nurses) and technical Facility Users (such as staff from the following Authority departments: facility planning, plant services, information management and information technology, security, and staff from various departments who will be responsible for the various types of Equipment included in the Facility) but will not include the general public;
  - (3) the Authority will appoint a core group (the "**Core Group**") to manage and co-ordinate input from the User Consultation Group;
  - (4) consultation meetings will be interactive meetings at which Project Co will test possible design ideas and options with the User Consultation Group and the Core Group, and the Core Group will provide feedback to Project Co; and
  - (5) Project Co will endeavour to develop the design to incorporate all requests and design preferences expressed by the Core Group (subject to the terms of this Appendix), and Project Co will explain any requests or preference that have not been incorporated.

#### 2. USER CONSULTATION PROCESS

- (a) Project Co will, for each component of the Facility design:
  - (1) prepare and deliver to the Authority's Design and Construction Representative drawings, specifications and other documentation and materials together with a written design brief (collectively a "**User Consultation Group Submittal**") describing the design component (and highlighting design options) in appropriate detail as necessary for meaningful consultations with the User Consultation Group;

- (2) make a presentation to the User Consultation Group describing the design component;
  - (3) consult with the User Consultation Group and Core Group and obtain comments from the Core Group at an early stage of design, and at appropriate stages of development of the design; and
  - (4) after receiving input from the Core Group, revise the next User Consultation Group Submittal(s) to incorporate comments and requests made by the Core Group (subject to the terms of this Appendix) and consult again with the Core Group on the revised Submittal(s) if requested by the Authority acting reasonably (having regard for the nature and extent of User Consultation Group comments on the initial Submittals and the nature and extent of changes made by Project Co to the Submittals).
- (b) The parties will co-operate to determine the specific nature and level of detail of drawings, specifications and other documentation and materials that will be provided prior to and as part of any particular User Consultation Group consultation. All User Consultation Group Submittals will comply with the requirements of Section 3 of Appendix 2C [Review Procedure]. Project Co will deliver copies of all materials to be presented at a consultation meeting at least 2 Business Days before the date of that meeting. Electronic copies of drawings will be in PDF format.
  - (c) An agreed preliminary schedule for consultations with the User Consultation Group, and for Submittals to the User Consultation Group in advance of such consultations, is included in the Submittal Schedule.
  - (d) The parties acknowledge that design development is an iterative and interactive process and that additional User Consultation Group meetings may be required from those shown on the preliminary schedule included in the Submittal Schedule. The parties will co-operate to amend the Submittal Schedule as may be required from time to time to ensure that sufficient consultations with the User Consultation Group in relation to each component of the design (and changes to the design resulting from such consultations) are completed prior to Project Co making a Submittal under Section 4(b) of Appendix 2C [Review Procedure] for each component of the design. For clarity, amendments to the Submittal Schedule will be subject to the requirements of Appendix 2C [Review Procedure].
  - (e) User Consultation Group consultation meetings will be held in Surrey, at space made available by the Authority.
  - (f) Project Co will keep minutes and records of all User Consultation Group consultation meetings, and within 3 Business Days of each meeting Project Co will deliver to the Authority a copy of the minutes and records related to that meeting. If the Authority notifies Project Co of any errors in the minutes, Project Co will correct such errors within 3 Business Days of the Authority's notice.

- (g) The Authority will specify from time to time the particular persons to be included in the User Consultation Group for particular consultation meetings.
- (h) The parties will have further consultations with the User Consultation Group with respect to the design if any amendments to the design are proposed or required by reason of a change in Laws, a requirement of the City (or other Governmental Authority) or result from the design process set out in Section 5.3 of Schedule 2 [Design and Construction Protocols] or during the Construction and which, in any of the foregoing cases, will have a material effect on Facility Users.
- (i) The Authority will not be bound by any input or comments provided to Project Co in connection with the consultations with the User Consultation Group.

### **3. CHANGES**

- (a) If Project Co considers that compliance with any comment raised by a User Consultation Group or Core Group member would lead to a Change, Project Co will, before taking into account such comment or objection, notify the Authority. If it is agreed by the Authority that such comments or objections would lead to a Change then the procedure as detailed in Schedule 6 [Changes, Minor Works and Innovation Proposals] will apply. If the parties are unable to reach agreement, then either party may refer the matter directly to the Referee in accordance with Schedule 13 [Dispute Resolution Procedure].
- (b) In all cases, the parties will cooperate to identify potential alternative solutions to any comments or objections raised that would not lead to a Change.

### **4. THE AUTHORITY'S SUPPORT AND ASSISTANCE**

- (a) The Authority will make reasonable efforts, as requested by Project Co, to assist and support Project Co with the user consultation process including making arrangements for the persons specified by the Authority under Section 2(g) of this Appendix to be available to participate in scheduled User Consultation Group meetings, but nothing in this Section 4 will be interpreted to give the Authority responsibility for the design, the design schedule or the user consultation process.