

SCHEDULE 7

SUBSTANTIAL COMPLETION CRITERIA

The Substantial Completion Criteria are:

- (a) all components of the Facility forming part of the Works have been designed and constructed and are substantially complete in accordance with the Technical Requirements, the Detailed Designs and Applicable Law;
- (b) all components of the Facility forming part of the Works are ready for use and are functioning as designed, subject only to minor deficiencies that, either individually or in the aggregate, do not adversely impact the operation of the Facility;
- (c) a certificate of substantial performance has been issued pursuant to *The Builders' Lien Act* (Saskatchewan);
- (d) demonstration of training, maintenance requirements, testing adjustment and balancing, commissioning, and close out submittals have been completed in accordance with Schedule 15 (Technical Requirements);
- (e) all operations and maintenance manuals combined with commissioning data have been delivered to the City as required by Schedule 15 (Technical Requirements);
- (f) a tax clearance certificate has been issued by the Saskatchewan Ministry of Finance;
- (g) a clearance letter has been issued by the Saskatchewan Workers' Compensation Board;
- (h) a fully executed Design and Construction Subcontractor Direct Agreement in the form attached at Schedule 12 (Design and Construction Subcontractor Direct Agreement) has been delivered to the City; and
- (i) all equipment warranties have been obtained and delivered to the City in accordance with Section 8(e) of the Agreement.