

Schedule 6 – Programming Requirements

1 INTERPRETATION OF THIS SCHEDULE

1.1 Asta Powerproject

The following capitalised terms used in this Schedule 6 have the meanings given to them in the proprietary computer software known as “Asta Powerproject project management software”, produced by Asta Development plc:

- (a) Task;
- (b) Calendar;
- (c) Constraint;
- (d) Critical;
- (e) Critical Path;
- (f) Early;
- (g) Float;
- (h) Free;
- (i) Lag;
- (j) Late;
- (k) Lead;
- (l) Link;
- (m) Linked;
- (n) Milestone;
- (o) Percent Complete;
- (p) Program Task;
- (q) Time Unit;
- (r) Predecessor;
- (s) Remaining Duration;
- (t) Successor; and
- (u) Total Float.

2 DBFM WORKS PROGRAM

2.1 Form of the DBFM Works Program

The DBFM Works Program must be prepared in accordance with the detailed requirements set out in this Schedule 6 and otherwise in accordance with any other requirements reasonably requested by the State or the Independent Certifier.

2.2 Content of the DBFM Works Program

The DBFM Works Program must:

- (a) contain the information specified in, and otherwise satisfy the requirements of, Sections 2.3 to 2.5 of this Schedule 6;
- (b) identify all Tasks for the DBFM Project from Contractual Close to 12 Months after the Date of Commercial Acceptance including:
 - (i) all DBFM Project Milestones;
 - (ii) all Tasks that form part of the Design Development Process;
 - (iii) all Tasks in respect of Authorisations which must be obtained prior to or during the construction of the DBFM Works, including the State Obtained Authorisations;
 - (iv) all construction Tasks;

- (v) all Tasks in respect of Project Co FF&E including selection, procurement, manufacture, installation or location, commissioning and testing;
 - (vi) the date on which the State will provide Project Co with the list of State FF&E;
 - (vii) all commissioning and testing Tasks (including with reference to the Completion Plans);
 - (viii) all Tasks in respect of Project Co mobilisation in preparation for the provision of the Services upon the Operational Commencement Date;
 - (ix) all Tasks in respect of the Commercial Opportunities, including any interdependencies between those Tasks and any Tasks in respect of the DBFM Works;
 - (x) all Tasks in respect of the financing of the DBFM Project and all other material commercial arrangements, such as the provision of all parent company guarantees, timing for various tranches of financing and dates for insurance policy renewals; and
 - (xi) all Tasks and Milestones for works on Surrounding Works which are logically linked to Tasks in respect of the DBFM Works;
- (c) identify the Tasks in the Schedule of State Works;
 - (d) identify the State Access Periods;
 - (e) identify the timings and content of data drops; and
 - (f) contain any other details reasonably requested by the State Representative and the Independent Certifier.

2.3 Construction Tasks

The DBFM Works Program must identify and be a single point of reference for all construction Tasks that comprise the DBFM Works including:

- (a) **(handover Tasks)**: all Tasks related to handover of control of the Construction Site from the PCS Works Contractor to Project Co;
- (b) **(Construction Site)**: the Construction Site establishment Tasks;
- (c) **(Authorisations)**: any Authorisations which must be obtained by Project Co prior to Completion or during the construction of the DBFM Works;
- (d) **(construction Tasks)**: all construction Tasks (which must be grouped into Tasks and show a commencement and completion Milestone for each of those Tasks);
- (e) **(remediation works)**: all Remediation that is the responsibility of Project Co; and
- (f) **(Surrounding Works)**: works that interface with the Surrounding Works.

2.4 Design Development Sub-Program

The DBFM Works Program must contain a separately identifiable Design Development Sub-Program that is consistent with the current Design Development Plan, Clause 11 and Schedule 5 (Design Development) of this Agreement and must identify and be a single point of reference for all Tasks associated with the Design Development Process including:

- (a) all Tasks that form part of the Design Development Process;
- (b) the timing for:
 - (i) conducting the Design Development Process;
 - (ii) all meetings with the User Groups;
 - (iii) the design peer reviews;
 - (iv) all design development presentations; and
 - (v) the review of design packages by the State, including the design reports;
- (c) the timing for conducting the delayed design and procurement of Project Co FF&E as described in Chapter C19 (Delayed Design and Procurement) of Schedule 12 (Design Specifications) of this Agreement and consistent with the Delayed Design and Procurement Plan, which forms part of the Design Development Plan; and

- (d) all other information concerning the Design Development Process reasonably requested by the State Representative or the Independent Certifier.

2.5 Completion Tasks

The DBFM Works Program must identify and be a single point of reference for all Tasks associated with Completion, including:

- (a) the timing for the submission and resubmission by Project Co of each of the Technical Completion Plan, the Technical Completion Report, the Commercial Acceptance Plan and the Commercial Acceptance Report (which timing must be consistent with the timing required by Clauses 18 and 20 of this Agreement, as applicable);
- (b) commissioning and testing generally;
- (c) the timing for completion of the Pitch and the Playing Surface, as those terms are defined in the Design Requirements;
- (d) the timing for the conduct of the Completion Tests;
- (e) the timing for the resolution of the Outstanding Items; and
- (f) the timing for the conduct of all other Tasks which must be carried out to satisfy the Completion Criteria, including those set out in the Completion Plans.

3 GENERAL REQUIREMENTS FOR THE PREPARATION OF THE DBFM WORKS PROGRAM

3.1 Software system

- (a) Project Co must prepare the DBFM Works Program by using Asta Powerproject version 12 (or later), which has been approved in writing by the State.
- (b) In this Schedule 6, any references to the provision of an electronic copy of a document produced by computer software, means an electronic copy of that document in the format of the software in which the document was originally created, that has been configured to allow the person to whom the electronic copy is provided to access and amend the information contained therein in the same manner as could the original creator(s) of that document.

3.2 Bid Project Management Plan

The DBFM Works Program must reflect the requirements of the Bid Project Management Plan set out in Attachment 3 (D&C Phase Plans) of this Agreement and all subsequent revisions of the Project Management Plan.

3.3 Form of DBFM Works Program generally

Without limiting Clause 6.2 of this Agreement, the DBFM Works Program must:

- (a) **(actual progress)**: reflect the actual progress of the DBFM Works being undertaken, provided that any delay to the Critical Path, achieving Technical Completion by the Date for Technical Completion or Commercial Acceptance by the Date for Commercial Acceptance must be separately shown and does not alter the obligation to achieve those dates by the relevant Date for Completion;
- (b) **(clear and sufficient detail)**: be clear and sufficiently detailed for the State to easily identify:
 - (i) the Critical Path for the execution of the DBFM Works;
 - (ii) the responsible party for each Task and Milestone in connection with the delivery of the DBFM Works or pertaining to the Services in the first 12 Months following the Date of Commercial Acceptance;
 - (iii) all Tasks that involve the State, the State Associates or the Independent Certifier, including the date by which Project Co will request any review by the State (which must be consistent with the terms of this Agreement);
 - (iv) all Tasks or Milestones that are dependent on external third party events including the obtaining of Authorisations (**Precursor Events**); and
 - (v) the nature, time for completion of, and the identity of any third party responsible for completing each Precursor Event;

- (c) **(Milestone)**: contain a single overall start Milestone and a single overall finish Milestone;
- (d) **(Critical Path)**: be in the form of a Critical Path network that enables the Critical Path to be calculated automatically by the computer software;
- (e) **(days as Time Unit)**: use days as its Time Unit (or such other period of time approved in writing by the State);
- (f) **(Calendars)**: contain Calendars which enable planned working and non-working periods in the future to be identified;
- (g) **(Tasks Linked)**: demonstrate that all the Tasks in the DBFM Works Program, apart from the start and finish Milestones, are logically linked;
- (h) **(labour resource histogram)**: provide a labour resource histogram that is consistent with the work depicted in the DBFM Works Program. The labour histogram should be able to categorise the various subcontractor resources and Project Co's own resources;
- (i) **(develop planned and actual resource s-curves)**: develop planned versus actual resource s-curves by phase;
- (j) **(Tasks)**: clearly identify:
 - (i) Tasks, their order, duration and interrelationship;
 - (ii) the durations and Total Float of all Tasks;
 - (iii) if known, the impact, and the estimated potential impact of any delaying events or circumstances;
 - (iv) all phases and sub-phases of the D&C Phase; and
 - (v) any other matters which may have a material effect on the time required to complete the DBFM Works;
- (k) **(staging and/or construction methodology)**: show the proposed staging or construction methodology (or both) of the DBFM Works;
- (l) **(other information)**: contain all other information reasonably requested by the State or Independent Certifier (or both);
- (m) **(prior State approval)**: not contain, without prior approval by the State:
 - (i) any Tasks of durations of longer than 30 Business Days;
 - (ii) any Constraints that fix the Early or Late start or finish dates of Tasks or override the dates that would otherwise be calculated in accordance with Critical Path network logic (except for the overall start Milestone). As late as possible (ALAP) Constraints, as relevant, are acceptable;
 - (iii) any Lags that extend beyond more than 50% of the duration of the Predecessor Task of the Lag;
 - (iv) any Free Float Constraints or Total Float Constraints;
 - (v) any other programming Tasks or methodologies which have the effect of creating false Criticality or constraining the DBFM Works Program from reacting dynamically to changes;
 - (vi) any logic Links containing Lags that fix or override the dates that would otherwise be calculated in accordance with Critical Path network logic;
 - (vii) Tasks without finish Successors (except for the overall finish Milestone);
or
 - (viii) Tasks without start Predecessors (except for the overall start Milestone);
and
- (n) **(contingency)**: include within Program Tasks.

4 UPDATING THE DBFM WORKS PROGRAM

4.1 Timing for submission of updated DBFM Works Program

Project Co must update and submit to the State and the Independent Certifier, the DBFM Works Program:

- (a) within 5 Business Days of Project Co being:
 - (i) granted an extension to any Date for Completion in accordance with Clause 17 of this Agreement or instructed to accelerate the DBFM Works in accordance with Clause 17.11 of this Agreement; or
 - (ii) directed to carry out a Modification in accordance with Clause 33 of this Agreement;
- (b) within 2 Business Days of Project Co deciding to make any material changes to the information contained in a DBFM Works Program;
- (c) no later than 5 Business Days prior to each meeting of the Contract Management Team to reflect the changes to the progress of the DBFM Works being undertaken or any other changes to the Tasks, times, durations or other information contained in the DBFM Works Program to accurately reflect actual progress of the DBFM Works; or
- (d) as otherwise necessary to reflect any changes to the nature or status of the DBFM Works,

provided that such updates must comply with this Schedule 6 and the other requirements of this Agreement and must not adjust any Date for Completion (unless an extension of time has been granted in accordance with this Agreement).

4.2 Submission of DBFM Works Program on request

If requested by the State at any time, Project Co must within 5 Business Days submit to the State and the Independent Certifier the updated DBFM Works Program showing the actual status and progress of the DBFM Works as against the original baseline of the DBFM Works Program.

4.3 Content and format of updated DBFM Works Program

- (a) Project Co must submit to the State and the Independent Certifier the updated DBFM Works Program in the following forms:
 - (i) 2 paper copies (which must be submitted on an A1 size sheet reduced to A3 and appropriately time scaled across the sheet so as to detail the sequence, duration and interaction of design, procurement, construction and commissioning);
 - (ii) 1 electronic versions in .pdf format; and
 - (iii) 1 electronic version in original file format.
- (b) The updated DBFM Works Program must:
 - (i) clearly identify the Percent Complete, based on value of work complete not time elapse, and the Remaining Duration of each Task;
 - (ii) clearly identify the Tasks that have started and which Tasks have finished during the reporting period;
 - (iii) be updated to the end of the previous reporting period using the software to record reporting period progress;
 - (iv) identify if Project Co will not achieve Completion until after any Date for Completion; and
 - (v) incorporate and display the version of the DBFM Works Program produced at the end of the previous reporting period as a baseline reflecting the actual status and progress of the DBFM Works.

4.4 Submission of report with any updated DBFM Works Program

- (a) With each update of any DBFM Works Program, Project Co must submit to the State and the Independent Certifier a written report reconciling the updated DBFM

Works Program with the version of the DBFM Works Program produced for the previous reporting period.

- (b) The report referred to in Section 4.4(a) of this Schedule 6 must as a minimum:
 - (i) identify and explain for Tasks that are on the Critical Path;
 - (ii) identify the reason for any changes to:
 - (A) the duration of Tasks since the previous reporting period;
 - (B) the presence or absence of logic Links or their Leads or Lags;
 - (C) the presence or absence of program Tasks or their Tasks IDs;
and
 - (D) the timing of Tasks;
 - (iii) summarise the material changes to any Tasks that are not on the Critical Path;
 - (iv) identify the estimated timing for the achievement of key DBFM Project stages including any Date for Completion; and
 - (v) contain any other information reasonably requested by the State or the Independent Certifier.