

ATTACHMENT J

MISSION BAY NORTH

ARCHITECT'S CERTIFICATE

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FORM OF ARCHITECT'S CERTIFICATE
[Adapt For Major Phase or Project, As Applicable]

TO: San Francisco Redevelopment Date: _____
770 Golden Gate Avenue
San Francisco, CA 94102

FROM: Architect of Record

RE: Mission Bay North
[Major Phase: _____] [Insert Applicable Description]
[Project: _____]

Note: This certificate is being provided pursuant to Section 3.6(a) of that certain Mission Bay North Owner Participation Agreement between the San Francisco Redevelopment Agency and Catellus Development Corporation dated as of November 16, 1998, hereinafter referred to as the "North OPA". All terms used below which are defined terms in the North OPA have the same meaning herein as therein.

As the Architect of Record, I visited the [Major Phase _____] [Project _____] at intervals appropriate to the stage of construction, or as otherwise agreed by me and the Owner, to become generally familiar with the progress and quality of the construction completed and to determine in general if the construction was being performed in a manner indicating that the construction when completed would be in accordance with the Project Construction Documents [or Major Phase Concept Plan].

My opinions and statements provided in this certificate are limited to my on-site observations. I am not required to make nor have I made exhaustive or continuous on-site inspections to check the quality or quantity of the construction.

I neither retained nor exercised control over or charge of, nor am I responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the construction of the Improvements.

I shall not be responsible for the contractor's schedules or failure to carry out the work in accordance with the Project Construction Documents [or Major Phase Concept Plan]. I neither have nor have had control over or charge of acts or omissions of any contractor, subcontractor, or their agents or employees, or of any other person performing portions of the construction.

As Architect of Record for the construction of the Project Improvements [or Major Phase Open Space Improvements] and subject to the limitations set forth above, I hereby certify to the best of my knowledge, information and belief as follows:

1. I have observed the [Major Phase] [Project] on _____, and all the statements made below are made as of and are limited to the date of my observation.
2. I hereby certify that the Project Construction Documents [or Major Phase Concept Plan] provide for construction of the [Major Phase] [Project] in accordance with the "ADA Accessibility Guidelines for Buildings and Facilities", 28 CFR part 36, Appendix A (the "ADA Guidelines") and all applicable local and state laws and regulations with respect to accessibility for disabled or handicapped persons ("Handicap Accessibility").
3. Design of the Project Improvements [or Major Phase Open Space Improvements] has been performed in accordance with the ADA Guidelines and all applicable local and state laws and regulations with respect to Handicap Accessibility.

4. Construction of the Project Improvements [or Major Phase Open Space Improvements] has been performed in a good and workerlike manner and in accordance with those elements of the Project Construction Documents [or Major Phase Concept Plans] which have been approved by the Agency pursuant to Article 3 of the North OPA, except as may be noted on Schedule A attached hereto.

5. All work performed and materials and fixtures used in connection with the construction of the Project Improvements [or Major Phase Open Space Improvements] are in accordance with those elements of the Project Construction Documents [or Major Phase Concept Plans] which have been approved by the Agency pursuant to Article 3 of the North OPA, except as may be noted on Schedule A attached hereto.

6. Construction of the Project Improvements [or Major Phase Open Space Improvements] has been completed in compliance with all applicable building laws and ordinances, including the ADA Guidelines and all applicable local and state laws and regulations with respect to Handicap Accessibility, except as may be noted on Schedule A attached hereto.

7. The required certificates, approvals and permits of all governmental authorities having jurisdiction covering the work to date on the Project Improvements [or Major Phase Open Space Improvements] have been issued and are in force, and there is not an undischarged violation of applicable laws, regulations or orders of any governmental authority having jurisdiction of which I have notice as of the date hereof, except as may be noted on Schedule A attached hereto.

All statements and opinions made in this certificate are limited to the extent that I have not made exhaustive or continuous on-site inspections to check the quality or quantity of the construction nor have I reviewed the construction means, methods, techniques, sequences or

procedures and is limited to those matters approved by the Agency pursuant to Article 3 of the North OPA.

Architect

SCHEDULE A

EXCEPTIONS TO ARCHITECT'S CERTIFICATE

DATED _____

The statements made on the Architect's Certificate to which this Schedule is attached are subject to the following exceptions: