

SCHEDULE 18

COMMUNICATIONS AND PUBLIC CONSULTATION PROTOCOL

1. GENERAL

1.1 Communications Principles

The Project represents an important transit infrastructure commitment by the Region of Waterloo. Project Co is responsible to design, build, finance, operate and maintain the Project. As these responsibilities are carried out, comprehensive plans for communications and public consultation are required to ensure the public is well informed and engaged, where necessary, and to meet the Region's communications and public consultation requirements. This plan will support effective communications between the Project Co and the Region, Grand River Transit users, System Users, local residents and businesses as well as visitors to the Region of Waterloo.

The Region will partner with Project Co to deliver communications and public consultation activities that will:

- (a) maintain transit ridership during construction and operation;
- (b) maintain transit user satisfaction;
- (c) communicate traffic/transit changes to the public;
- (d) enhance opportunities for open, transparent, effective and pro-active communications with the public;
- (e) recognize the contribution of the Parties in this Project Agreement;
- (f) foster and maintain positive and constructive relationships with the public including communities and businesses that may be affected by construction activities;
- (g) develop and execute a customer relations protocol to be used during the Maintenance Term and Operations Term;
- (h) plan, develop and execute annual marketing communications and customer relations strategies during the Operations Term; and
- (i) provide regular and timely updates about operations during the Operations Term.

The scope of this protocol includes, but is not limited to, all print and electronic communications related to planning, design, environmental assessments, environmental permits and approvals, construction, maintenance, operation, milestones, tenders, community and Stakeholder relations, media responses, website information, branded products and social media updates and responses.

Communications, media and Stakeholder/community relations activities require appropriate approvals from the Project partners and should follow the guidelines set out in the Region's "Corporate Communications Roles and Responsibilities" document. All materials will need to be approved by the

Region. Where required, provincial and federal government approval will be facilitated through the Region.

### **1.2 Communications Working Group**

The Region and Project Co will provide staff to support all communications and public consultation activities related to the Project. These staff will form the Communications Working Group, whose responsibilities include developing and implementing communications, public consultation and community engagement activities for the Project.

Immediately following Financial Close, the Communications Working Group will meet to identify their working relationship, roles and, responsibilities matrix, approvals processes and procedures based on this Schedule 18 and the Project Agreement.

### **1.3 Accessibility**

All public communications from Project Co shall be deemed communications from the Region for the purposes of the *Accessibility for Ontarians with Disabilities Act*, (Ontario).

## **2. REGION RESPONSIBILITIES**

### **2.1 Lead Communications, Community Engagement and Public Consultation Role**

The Region, as the Project owner, will assume the lead communications role. The Region will take primary responsibility for all communications matters related to transit policy, transit fares, and the development of messaging and public education messaging on the importance of transit, its long-term benefits and the need for transit investments. The Region will:

- (a) provide identified, dedicated lead communications contacts with applicable skills and experience with 24/7 availability on applicable aspects of communications and issues management;
- (b) provide an identified, dedicated media-trained lead media spokesperson, with back-up media-trained personnel, as required, with 24/7 availability on applicable aspects of communications;
- (c) act as primary media contact for the Project;
- (d) provide final review and approval of all public communications and community engagement materials;
- (e) communicate promptly with all relevant parties on crisis issues and communicate within 24 hours on general issues; and
- (f) provide coordinated updates to internal/external Stakeholders, as required.

### **2.2 Region Communications Responsibilities During the Design and Construction Works**

Up to the Substantial Completion Date of the Project, the Region will be responsible for the following matters:

- (a) Communications: Develop, in cooperation with Project Co, a comprehensive communications strategy and program that includes community relations, community engagement, coordinated issues management, such as complaints management and dispute resolution, coordinated media relations, marketing, special events, employee communications and government relations.
- (b) Crisis Communications: Undertake, in cooperation with Project Co, required planning for potential crisis issues related to the Project. A plan will be developed within 30 days following Financial Close outlining the roles and responsibilities of both the Region and Project Co during a crisis situation. In the event of an unforeseen emergency situation, the Region shall be responsible for necessary communications activities outside of construction-related incidents and emergencies.
- (c) Media Inquiries: Assess the purpose of media inquiries and identify the appropriate spokesperson to respond.
- (d) System Related Communication: Provide all communications related to the provision of Region Activities and lead all communications otherwise related to the System.
- (e) Social Media: Maintain a Project blog and provide timely responses to public queries and notify the public of meetings, events or initiatives relating to the Project.
- (f) Performance Review: Review, on a periodic basis, Project Co’s performance in providing communications support as outlined in Section 3 of this Schedule 18.

**2.3 Communications Responsibilities of the Region and Project Co During the Maintenance and Operations Term**

- (a) No later than 30 days prior to the Substantial Completion Date, the Parties will agree on a communications protocol to apply during the Maintenance Term and Operations Term.
- (b) Project Co will partner with the Region to plan, develop and execute annual strategic marketing communications and customer relations plans until the Expiry Date. These plans will focus on customer service, the preparation and delivery of critical incident communications, cooperation and coordination in general communications activities, and reporting.

**3. PROJECT CO RESPONSIBILITIES**

**3.1 Support Communications Role**

Projects of this size are of significant interest to the public, Stakeholders and the media and have a significant impact on residents, businesses, commuters and others during construction, operation and maintenance. Project Co is required to be committed to working with the Region and any Region Party to engage the public, Stakeholders and the media through communications, consultations, liaison and notification as the Project is commissioned, constructed, operated and maintained.

During the Construction Period, the emphasis of communication, consultation and community liaison and notification activities will be on involving and informing the public, Stakeholders and the media of construction activities and their impact.

During the Operations Term and Maintenance Term, the emphasis of communication will be on customer service, the preparation and delivery of critical incident communications, cooperation and coordination in general communications activities, and reporting.

Project Co will support the Region with respect to communications related to the Project. Project Co will:

- (a) provide, maintain and staff a Regional Municipality of Waterloo - based office within sixty (60) days after Commercial Close but no later than the start of Construction Clearing and Grubbing, at which Region personnel can collocate and where Stakeholders can access consultation event-related materials and Project related information can be communicated during normal business hours during the Construction Period;
- (b) provide identified, media-trained media spokesperson (with back-up media-trained personnel, as required) from Project Co to address and respond to issues and concerns during the Construction Period, Operations Term and Maintenance Term;
- (c) respond to communications issues in accordance with agreed timeframes;
- (d) maintain and update Project Co's Project website, as required, to facilitate public outreach and to post critical design milestones in the development of the Project, subject to review and approval by the Region;
- (e) support the Region's Project website through the timely provision of static (written) and dynamic (multimedia) content, including, but not limited to:
  - (i) a weekly blog post on Project construction with a minimum length of 150 words;
  - (ii) a monthly feature article highlighting one aspect of Project design, construction or Project benefits, with a minimum length of 500 words;
  - (iii) notifications of public consultations, consultation materials and post-consultation summaries; and
  - (iv) monthly graphics and renderings showcasing the design of each Station Stop, together with monthly high-resolution construction progress photos;
- (f) support website integration with other Region departments and government Stakeholders, including, but not limited to, Grand River Transit, Planning, Housing and Community Services, Design & Construction, as well as Corporate Communications;
- (g) review and/or provide communications and/or technical materials reasonably requested by the Region;
- (h) update, in collaboration with the Region, internal/external Stakeholders, as required, including involvement and participation in community events;
- (i) provide the public/ media reasonable access to the Site for milestone events;
- (j) direct all media enquiries and interview requests to the Region's lead communications contact;

- (k) maintain a written record of all material public enquiries, complaints and communications and providing copies to the Region's lead communications contact on a weekly basis (or immediately if urgent);
- (l) report to the Region on communications matters on an agreed upon basis;
- (m) participate in Region communications meetings, as required;
- (n) during a crisis situation, ensure and make available sufficient communications and Project resources to work effectively with the Region and proactively manage and perform its communications responsibilities; and
- (o) facilitate reasonable access to construction sites for designated photographers/videographers for the purpose of creating documentary and archival imagery.

**3.2 Project Co Communications Responsibilities During the Design and Construction Works and Public Infrastructure Works**

- (a) Within 30 days following Financial Close and in collaboration with the Region, Project Co will organize a formal partnering session with the Region to develop, maintain and implement a design and construction liaison and communications plan that includes:
  - (i) linkages to appropriate Region-wide initiatives including related infrastructure, program and communications initiatives;
  - (ii) a description of Project Co's approach to all communications aspects of the Project;
  - (iii) a description of Project Co's communications team, including the roles and responsibilities for each team member and any Project Co Party who will provide any aspect of the communications program;
  - (iv) the identification of proposed communication tools to be used to partner and report to the Region, for coordinated media and community relations, for coordinated issues management, for complaints management and dispute resolution and for coordinated crisis communications, with the goal of keeping the community and other Stakeholders informed with respect to the progress of the Project;
  - (v) assist the Region with community engagement strategies and tactics, including, but not limited to, newsletters, construction notices and items associated with public consultation, events and initiatives, construction-related signage, local or community-based communications that require a quick turnaround and social media;
  - (vi) public consultation and information for planning, environmental assessments and environmental permits or approvals, pre-construction and construction activities, including, but not limited to: preparing and formatting the content for advertising, storyboards, construction notices, letter, e-mail notifications, posters, Stakeholder briefings, neighbourhood meetings, flyers, informational and decorative hoarding in accordance with Region design templates. Project Co shall be responsible to prepare and

- submit individual consultation event plans for each consultation event with the general public prior to each such event;
- (vii) public education and advertising campaign based on the Region's advertisement strategy for the Project and contribute funding to advertisement and public education campaigns related to the construction of the Project;
  - (viii) a list of all Project tenders to be issued on a biweekly basis to the Region's communications team via the Region Representative, and shall advise the Region two weeks prior to the posting of each tender to allow for any potential issue management concerns to be addressed;
  - (ix) internet content for the Project, the System and the Public Infrastructure, including information about construction, its impact on roads, residents and businesses, and posting of a look ahead schedule;
  - (x) the Region's design templates for all information related to the Project and comply with Project identity standards on all information materials;
  - (xi) content, design, production and distribution of design, construction and operation related information materials, which plan shall state that such materials are to be provided in a timely manner;
  - (xii) a staffed information line and recording to update public about design and construction activities; and
  - (xiii) participating in planning and executing special events for the Project as needed.
- (b) Up to the Substantial Completion Date Project Co will:
- (i) update the design and construction liaison and communications plan on an annual basis or as reasonably requested by the Region;
  - (ii) coordinate with the Region in the implementation of the design and construction liaison and communications plan;
  - (iii) provide a dedicated representative who will attend regular meetings with the Region to discuss communication issues and developments;
  - (iv) produce monthly progress reports, which will include information on activities, public and media enquiries, any emerging issues, and actions taken in response to issues;
  - (v) in coordination with the Region, provide regular updates to the immediately affected property owners and neighbourhoods on Design and Construction Works related issues with particular attention to communicating the scope, schedule and status of the Design and Construction Works and reasonable advance notice of the schedule, where reasonably possible. This will include processes to proactively address any Design and Construction Works related inquiries and issues (e.g., public inquiries and complaints re noise, hours of work, dust, etc.);

- (vi) provide regular updates to the Region related to the management of local traffic during the Design and Construction Works;
  - (vii) as soon as practicable following Financial Close develop, in collaboration with the Region, a crisis communication plan outlining roles and responsibilities for a list of potential crisis issues that could develop during the Design and Construction Works; and
  - (viii) follow any guidelines provided by the Region related to signage or advertising at the Site.
- (c) Within 60 days following Financial Close, Project Co will:
- (i) develop, in consultation with the Region, a community and Stakeholder outreach plan for the design and construction phases of the Project.
  - (ii) develop a promotional introductory video (no less than 5 minutes) introducing Project Co and outlining the vision for the Project implementation.
- (d) Project Co shall prepare a Complaint Protocol addressing how it will deal with and respond to inquiries, suggestions and complaints received during the entire Design and Construction Works. Project Co acknowledges that its Complaint Protocol will be placed in the public record.
- (i) All complaints, inquiry and suggestion responses will be approved by Region Communications staff.
  - (ii) Region and Project Co will agree upon a maximum response time to these complaints, inquiries and suggestions.
  - (iii) Project Co will be responsible for maintaining an inquiry tracking software system and will track all complaints, inquiries and suggestions received and responses.

**3.3 Project Co Responsibilities During Operations Services**

- (a) Project Co shall ensure that all uniforms of staff of Project Co or a Project Co Party performing the Operations Services are consistent with the Region’s corporate image and livery and that the design of the uniforms is approved by the Region prior to being issued to Project Co or any of its employees and subcontractors.

**3.4 Project Co Communications Responsibilities During Operations and Maintenance**

- (a) Throughout the term of the Project Agreement, collaborate with the Region to plan, develop and execute annual marketing communications and a customer relations plan for the Operations Term and Maintenance Term.
- (b) Without limiting the generality of the foregoing, during the Operations Term and Maintenance Term, Project Co will:
  - (i) coordinate and collaborate in developing and executing customer relations plans to keep customers informed of schedules and maintenance program;

- (ii) support a positive relationship with customers in consideration of customers' complete transit experience. This includes: the customer experience with the built environment of the System; customer experience with Project Co staff; and Project Co support of Region staff regarding customer relations. Consideration shall include but is not limited to: accessible and clear visual, verbal, and/or electronic communication of fare and route information, as well as management and response to customer complaints;
- (iii) notify the public of operational information and changes in operation, which may include but is not limited to: schedule changes, delays, connections to other transit modes, special events, slowed operations, and short turns; and
- (iv) report all safety incidents on the System and the Public Infrastructure involving customers and the public. In addition, fully cooperate with Region authorities during incident investigation. Project Co will provide CCTV records, Maintenance Management Information System data, and other relevant information as requested for purposes of incident investigation.
- (v) develop, maintain and implement an operations and maintenance communications plan that includes:
  - (A) linkages to appropriate Region wide initiatives, including related infrastructure, program and communications initiatives;
  - (B) a description of Project Co's approach to all communications aspects of the Project;
  - (C) a description of Project Co's communications team, including the roles and responsibilities for each team member and any Project Co Party who will provide any aspect of the communications program;
  - (D) the identification of proposed communication tools to be used to partner and report to the Region, for coordinated media and community relations, for coordinated issues management, for complaints management and dispute resolution and for coordinated crisis communications, with the goal of keeping the community and other Stakeholders informed with respect to the operations and maintenance of the Project;
  - (E) assisting the Region with community engagement strategies and tactics, including, but not limited to, newsletters, items associated with public consultation, events and initiatives, local or community based communications that require a quick turnaround and social media;
  - (F) a public education and advertising campaign based on the Region's advertisement strategy for the Project and contribute funding to advertisement and public education campaigns related to the operations and maintenance of the Project;
  - (G) content, design, production and distribution of operations and maintenance related information materials; and



(H) participating in planning and executing special events for the Project as needed.

**4. PUBLIC DISCLOSURE AND MEDIA RELEASES**

**4.1 Public Disclosure and Media Releases**

- (a) Project Co shall not, and shall ensure that no Project Co Party shall, issue or disseminate any media release, public announcement or public disclosure (whether for publication in the press, on the radio, television, internet or any other medium) relating to the Project, this Project Agreement, the Region Activities or any matters related thereto, without the prior written consent of the Region, in its sole and absolute discretion, or, in the case of any media release, public announcement or public disclosure required by Applicable Law, without the prior written consent of the Region.
- (b) Unless otherwise required by Applicable Law (but only to that extent), neither Party shall use the other Party's name or refer to the other Party, directly or indirectly, in any media release, public announcement or public disclosure (whether for publication in the press, on the radio, television, internet or any other medium) relating to the Project, this Project Agreement, the Region Activities or any matter related thereto, without the prior written consent of the other Party.
- (c) Project Co shall comply, and shall ensure that all Project Co Parties comply, at all times, with the Region's media release and publicity protocols or guidelines, as such protocols and/or guidelines are updated by the Region from time to time.

**5. CONSTRUCTION SIGNAGE**

**5.1 Construction Signage Guidelines**

With respect to any signage that may be produced for, erected and maintained at or on the Site or Project, Project Co, Project Co Parties and/or the Lenders, as applicable, shall:

- (a) include the Region of Waterloo logo, Ontario logo, Canada wordmark and any Project related logo/branding;
- (b) be in both official languages, English and French;
- (c) ensure that the signage is no larger than the larger of: (i) an existing government Project sign on the Site; or (ii) 16 feet by 8 feet;
- (d) adhere to local by-laws including by-laws regarding placement and size;
- (e) consider signage material suitable for long-term outdoor exposure;
- (f) provide a mock-up of the signage to the Region Representative for approval prior to printing; and
- (g) be responsible for installation, maintenance and removal of the signage.

## 6. CONSULTATION

### 6.1 General

- (a) The design and development of the Project shall be implemented with adherence to the Stakeholder consultation commitments and requirements (if any) as set out in the Environmental Approvals.
- (b) Consultations shall be conducted on a range of topics, some of which will be overarching and apply to the length of the Project (e.g. overall general construction approach; urban design, landscaping and aesthetics), while others may be more stage, topic or geographic area-specific (e.g. noise mitigation; dust control; access to affected businesses). The nature or form of the consultation may vary based on the topic being addressed.

### 6.2 Stakeholders

As a general Project principle, the views and perspectives of various Stakeholders are to be given respectful consideration and due weight. Those to be consulted will include, but not be limited to the following:

- (a) the Region of Waterloo;
- (b) the general public (including property owners, ratepayer and neighbourhood groups, and citizens at large);
- (c) the area municipalities of Cambridge, Kitchener and Waterloo;
- (d) business (both individual operators and representative groups, such as Chambers of Commerce/ Board of Trade and local Business Improvement Areas);
- (e) transportation service providers;
- (f) conservation authorities and other Governmental Authorities;
- (g) Utility Companies;
- (h) Emergency Services Providers; and
- (i) various community interest groups, including environmental groups, health groups, natural and cultural heritage groups, and others.

### 6.3 Region of Waterloo Responsibilities

The Region will collaborate with Project Co to develop all public consultation activities and events during the Design and Construction Works. The Region will:

- (a) provide, when required, appropriate staff, independent consultation/facilitation specialists and advance media relations services to attend and be resources to various consultation events;

- (b) support consultations by providing advice on and approval in respect of the following items which Project Co is to prepare and submit in accordance with the Review Procedure:
  - (i) comprehensive and meeting-specific consultation plans;
  - (ii) consultation event summaries — both ‘quick turnaround’ synopses and more comprehensive reports;
  - (iii) proposals for Project Co Parties who will participate in and/or present at consultations and related meetings and workshops;
  - (iv) identify Stakeholders and together with Project Co, determining how Stakeholder input will be considered, responded to, and/or accommodated in the Project;
  - (v) provide access communications tools to notify the public of impact to traffic during the Construction Period;
  - (vi) develop protocols for media inquiries related to the Project; and
  - (vii) provide progress reporting, including accurate and timely information, to present to Regional Council.

#### 6.4 Project Co Responsibilities

Project Co will support the Region in conducting and implementing the consultation program and related communication activities. During the Design and Construction Works Project Co shall:

- (a) prepare and submit individual plans for each consultation event prior to each such event, including clear objectives, target audiences, meeting format/approaches and related tactics appropriate for the audience and prepare all informational materials to be used as part of the consultation event;
- (b) coordinate the development and placement and cover the related costs of any advertising and public notices to promote public consultation events and ensuring appropriate notice is provided to the public and target audiences in advance of consultation events;
- (c) secure and cover the related costs (including, without limitation, venue rental, equipment rental, catering) of all meeting venues and prepare site-specific layout plans;
- (d) provide all equipment and supplies necessary to conduct the consultation events (including, but not limited to, computers, projectors, cables, power cords, screens, easels, flip-charts, pens/markers, registration/sign-in sheets, etc.);
- (e) provide a contact for and coordinating responses to any consultation events for which a participant RSVP is being requested;
- (f) attend with representatives of the Region at Stakeholder meetings, municipal council and local government presentations, and such other meetings as the Region deems necessary or desirable, including the provision of sufficient personnel to staff the events at sign-in tables, displays, roundtable discussions, as presenters, etc;

- (g) provide personnel experienced and sufficiently skilled/equipped to make professional presentations and answer questions at consultation events;
- (h) for all Stakeholder consultations, prepare consultation event summaries — both quick turnaround synopses for the Region’s exclusive use and more comprehensive reports at the conclusion of a particular consultation program component (for example, a set of workshops) identified in the overall consultation plan or where significant public concerns are identified;
- (i) together with the Region, determine how Stakeholder input shall be considered, responded to, and/or accommodated in the Project, and provide respectful, meaningful, and timely feedback to those providing comments/ideas;
- (j) prepare and maintain a current list and a log of all Stakeholder communications and contacts;
- (k) prepare a final consultation summary report for Substantial Completion, that describes and integrates all facets of the consultation program, including how Project Co has addressed Stakeholder input during the Construction Period, and that can serve as the official consultation record;
- (l) provide any necessary information required to demonstrate compliance with and fulfillment of the consultation-related provisions of the Environmental Assessment;
- (m) ensure that sufficient insurance and liability coverage is in place for any public consultation events/venues;
- (n) exhibit a high degree of professionalism and courteousness in the conduct of the consultation program;
- (o) support a store front office that will be provided by the Region with updated communications material and a staff member for up to 10 hours a week;
- (p) support the Region liaison and Regional Council by providing information and attending Regional Council meetings as needed. In addition, Project Co’s technical staff will work directly with local authorities and provide accurate information about the Project’s progress and upcoming activities; and
- (q) if necessary, update the comprehensive overall consultation plan on an annual basis, and submit the updated plan to the Region and implement and comply with any updates.