

## Memo – Development Agreement Amendment

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The Development Agreement “the Agreement” is a joint agreement between the Town of Yarmouth, the Municipality of the District of Yarmouth, the Municipality of the District of Argyle, and the Mariners Centre Management Authority.

As a result of recent approvals to the Mariners Centre Expansion Project Committee, Colliers Project Leaders was requested to prepare amendments to the Agreement to update the roles and responsibilities of the project representatives as well as align the project governance with the upcoming activities as the project progresses into the design development, tendering and construction phases. The rationale for the proposed updates are as follows:

- 1) Page 4 – “Project Lead” Definition: It is proposed that the Project Lead will be approved by the MCEB and act as a member of the EPC. This role will be modified to focus mostly on stakeholder management and act as a MCEB representative. The role of Project Manager on a major project, like the Mariners Centre Expansion, is a full-time role. This amendment will help reduce the level of time commitment required from the Project Lead, and allow the individual to be more effective in the current role.
- 2) Page 7 – Section 4.3 Vacancies: It is proposed to include a section where the MCEB may replace an EPC member to ensure that the committee has the appropriate resources to support the project through the project lifecycle. The authority to make this type of decision would be more appropriate coming from the MCEB, who would have more active participation with the EPC members.
- 3) Page 7 – Section 4.8 Records: It is proposed to replace Project Lead with Project Manager, since the Project Lead would be a part of the EPC as outlined in the revised definition noted in item 1 above.
- 4) Page 8 – Section 5.6 Retainer of Project Manager: It is proposed to add an option for the MCEB to approve the appointment of a staff member as Project Manager for the design development, tendering and/or construction phases. It would be appropriate to leverage an existing resource, if available, rather than undergo a competitive process.
- 5) Page 8 – Section 5.7 Retainer of Project Lead: It is proposed to replace Expansion Steering Committee with MCEB, to be consistent with the amendment noted in item 1 above.
- 6) Page 9 – Section 5.7 Retainer of Project Lead: It is proposed to include a section noting the Project Lead’s priority is stakeholder management for the MCEB on the EPC. This role should be re-emphasized, as the EPC, specifically the project manager, will play a more active role in the day-to-day duties of the project execution.

The amendments proposed above are presented to the MCEB, to shall be address with the Councils for agreement.