

MINUTES OF THE MEETING
of the
MASSACHUSETTS CONVENTION CENTER AUTHORITY
November 16, 2017

A meeting of the Massachusetts Convention Center Authority was held on November 16, 2017 in Board Room 201 at the Boston Convention & Exhibition Center, 415 Summer Street, Boston, Massachusetts. Members in attendance were: Chairman John McDonnell, Dominick Ianno, Paul Sacco, Jack Hart, Barbara Capuano, Cindy Brown, Fred Wittmann, Michelle Consalvo, John Natoli and Karen Diane Johnson. Gregg Liscotti participated remotely by telephone.

Staff members in attendance were: David Gibbons, Fred Peterson, Michael Esmond, Nate Little, Milt Herbert, Maureen Shea Baker, Mark O'Leary, Michael Palmer and Dennis Callahan.

I. ROLL CALL

Chair McDonnell called the meeting to order at 10:05 a.m., and a quorum was established by a call of the roll.

II. MINUTES

Upon a motion duly made and seconded, the Minutes of the October 19, 2017 meeting were approved.

III. EXECUTIVE DIRECTOR'S REPORT

1. David Gibbons reported today marks an exciting milestone for the Authority as we will present the rankings and recommendations of the Authority's Designer Selection Panel regarding the selection of a consultant for the Master Planning and Feasibility Request for Proposal for your consideration. The RFP drew seven proposals from among the world's best design and architecture firms and they brought their best talent to the BCEC on November 2 to make their respective pitches to the Designer Selection Panel and staff. On behalf of the Authority, I want to thank our Designer Selection Panel and acknowledge their work and dedication in evaluating the applications, performing the oral interviews, and contributing their expertise and insight throughout a highly competitive and intensive procurement process. This has been a deliberative and thorough effort that has brought us to this point and our pledge remains that the Authority will continue to be transparent, inclusive and thoughtful moving forward with these planning activities.

2. David Gibbons reported that during our board meeting in October, he had mentioned that the Authority and the Massachusetts Restaurant Association had just held our first annual Restaurant Appreciation Breakfast and Forum with nearly eighty members of Boston's restaurant and hospitality community in attendance. During that event Mr. Gibbons announced that the Authority would be creating a new partnership with Madison Park High

School to support its restaurant and hospitality programs by pledging \$5,000 to each of the respective programs on an annual basis. Authority staff also had the pleasure to visit Madison Park High the following week to meet with school leaders, educators, and representatives from the City of Boston to present our gift to the school's Executive Director, Kevin McCaskill. This partnership could not be more timely, or more necessary, as the restaurant and hospitality business faces acute workforce shortages in Boston and across the Commonwealth. These challenges will only increase as large projects come on line including the Wynn Casino, Omni Hotel, and MGM Springfield which just launched an employment campaign aimed at filling 3,000 jobs at the resort and delivering a major boost to Western Mass. Competition for talent is fierce, scarce and increasingly expensive and the Authority will continue to seek out opportunities to be a catalyst for workforce development in the areas which are key to our future success.

3. David Gibbons reported that with the Lawn on D Powered by Citizens officially closed for the 2017 season. Mr. Gibbons recognized and celebrated the great work the Authority team has done to bring Boston's premier event space to profitability this season. This achievement sets the stage for a self-sustaining operating model that will allow us to keep the Lawn on D fresh and relevant for guests while creating more opportunities to deliver public programming and quality family entertainment to the community in the years to come. The work on next season is already underway and we've got great momentum on which to build.

4. David Gibbons reported activity has continued to increase at each of our venues over the past couple of months. While the Hynes recently hosted the International Genetically Engineered Machine Foundation, the BCEC welcomed Greenbuild International and its 20,000 attendees. Greenbuild is the world's largest conference focused on sustainable building and design and they aim to make both a positive impact on the environment and in the local community. Our Building Services Manager, Evan Harwood, and External Relations team connected Greenbuild with local non-profits, including the Gavin Foundation and Habitat for Humanity, to donate excess building materials, furniture, and other goods through our Conventions C.A.R.E program.

In closing, Mr. Gibbons extended best wishes for a safe and happy holiday season on behalf of everyone at the Authority as we look forward to what promises to be another great year in 2018.

IV. BCMC SALES AND MARKETING REPORT

Milt Herbert gave a brief sales report, including the following highlighted information:

1. Citywide Convention Sales & Hotel Relations. Year to date (July 2017-October 2017) the BCMC team closed 4 Bulls-Eye events at the BCEC. Projected total BCEC Room Nights for this period totaled 45,533. At the Hynes the team closed 3 Bulls-Eye events with a projected 25,425 room nights. In total for this period, 7 bulls-eyes, 8 non-bulls eyes for a total of 15 events. Combined BCEC and Hynes hotel room nights accounted for 82,867. Mr. Herbert highlighted four particular events for this period: Association for Unmanned Vehicles (2020) with 14,370 room nights, 10,000 attendees, National Association of Independent Schools (2022), with 6,108 rooms nights and 6,000 attendees, National Scientific Teachers Association (2027),

21,975 room nights, 15,000 attendees and American Mathematical Society Joint Mathematics, (2023) 13,364 room nights and 6,000 attendees.

2. Citywide Convention Sales & Hotel Relations. The total number of events for FY 2017 was at 92 with an estimated 755,248 number of hotel rooms.

3. Event & Media Sales. Year to date through October: the BCMC team closed 65 events, 24 at the BCEC and 18 at the Hynes. The total hotel room nights are estimated at 5,559 combined, 1566 at the BCEC and 3993 at the Hynes.

4. Marketing Initiatives included an Ice Cream Mission, Nano Campaign, Pumpkin Pie, and a Sales Mission in Washington, D.C.

V. REPORT OF THE DEVELOPMENT & CONSTRUCTION COMMITTEE

Paul Sacco stated that the Development & Construction Committee had met and recommends the approval of the following votes before you today.

Mr. Sacco introduced John Donahue to present the following votes:

1. Board Vote-Snow Removal Services Contract Award

The Massachusetts Convention Center Authority has solicited quotes pursuant to State Contract FAC77 for Snow Removal Services. The selected Contractor will be responsible for clearing all snow/ice from all roadways, lots and other areas as directed by the Authority for the Boston properties and locations.

At a recent meeting of the Development & Construction Committee, after a presentation of the procurement process, the Committee voted to recommend that the Board authorize the Executive Director to enter into a contract with GTA Landscaping, Inc., to perform Snow Removal Services in an amount not to exceed \$390,000, on a time and materials agreement.

A vote to implement the Development & Construction Committee's recommendation would take the following form:

VOTE: The Board authorized the Executive Director to enter into a contract with GTA Landscaping, Inc. for Snow Removal Services in an amount not to exceed \$390,000.

2. Board Vote - Owner's Project Management Services; AECOM/Tishman

The Authority is in the process of transitioning to a new Owner's Project Manager, effective January 1, 2018 and based on the Authority's Owner's Project Management Services Request for Proposal that was advertised in May 2017 and previous Board vote authorizations.

The current Owner's Project Manager ("OPM") is AECOM/Tishman. The Authority's current OPM contract with AECOM/Tishman expires on December 31, 2017.

Current contract funding for OPM services was last funded in fall of 2016, and has remained sufficient until present time. As a result of the new OPM contract being effective on January 1, 2018, the Authority is only requesting additional supplemental funding for AECOM/Tishman through December 31, 2017 for AECOM/Tishman to complete necessary steps related to the Authority's current capital projects.

A vote to implement the Development & Construction Committee's recommendation would take the following form:

VOTE: That the Massachusetts Convention Center Authority hereby authorizes the Executive Director to amend the contract for Owner's Project Management Services with AECOM/Tishman to add an amount not to exceed \$350,000, inclusive of reimbursable expenses.

3. Board Vote-Owner's Project Management Services Fee

In connection with the competitive procurement for the Authority's Owner Project Management Services Request for Proposals, at its October 19, 2017 meeting, the Board authorized the Executive Director to negotiate a fee with the first-ranked finalist Arcadis US, and upon satisfactory negotiation, to execute a contract for Owner Project Management Services, in accordance with the RFP dated June 2, 2017. Upon receipt of the initial fee proposal, plus reimbursable expenses the parties reviewed the various scope of services, the consultants hourly billing rates, staffing hours, and capital project assignments and have reached an agreement of the consultant's fee for the period of November 27, 2018 to June 30, 2018 in an amount not to exceed \$1,321,697, plus Authority approved reasonable expenses.

At a recent meeting of the Development & Construction Committee, after a presentation of the proposed consultant's fees, the Committee voted to recommend that the Board ratify the Executive Director's authorization and entering into a contract with Arcadis US to perform Owner Project Management Services in an amount not to exceed \$1,321,697, plus Authority approved reasonable expenses

A vote to implement the Development & Construction Committee's recommendation would take the following form:

VOTE: The Board ratifies the Executive Director's negotiation and authorization to enter into a contract with Arcadis US for Owner Project Management Services in an amount not to exceed \$1,321,697, plus reasonable Authority approved reasonable expenses.

4. Board Vote: Authorize the Executive Director to Execute Activity and Use Limitation and TSCA Deed Restriction for the South Lot Remediation.

The South Lot Remediation Project included localized excavation and removal of contaminated soils beneath the existing Boston Convention & Exhibition Center (“BCEC”) south parking lot and truck marshalling area. The selected remedial approach consisted of the Risk-Based Cleanup whereby soils with certain concentrations of polychlorinated biphenyls (PCBs) and other constituents were excavated and disposed of off-site. Throughout the remediation project Haley & Aldrich performed Licensed Site Professional services on the site for the Authority. As part of the project close out and Massachusetts Department of Environmental Protection (MassDEP) and United States Environmental Protection Agency (EPA) regulations, the Authority is required to file a Massachusetts Contingency Plan (MCP) Activity and Use Limitation (AUL) and Toxic Substances Control Act (TSCA) Deed Restriction, prepared by Haley and Aldrich, which is consistent with current and future uses of the site. Additionally, the Authority is required to provide notice to any current Record Interest Holder of the AUL and file the AUL and TSCA deed restriction with the Suffolk County Register of Deeds. In order to file and record such documents the Executive Director must receive authority to do so from the Authority Board.

A vote to implement the Development and Construction Committee’s recommendation and to authorize the Executive Director to make the required filings and recordation would take the following form:

VOTE: The Massachusetts Convention Center Authority in connection with Department of Environmental Protection Release Tracking No.: 3-16211 hereby authorizes the Executive Director to execute, file and record, where applicable, on behalf of the Authority, the Activity and Use Limitation and the TSCA deed restriction, in connection therewith and any further, additional, supplemental, substituted or associated documentation required in connection with the above project close out.

VI. REPORT OF ADMINISTRATION, FINANCE & PERSONNEL COMMITTEE

Dominick Ianno introduced Michael Esmond who reported that staff and members of the Administration, Finance & Personnel Committee met on November 9, 2017 with Wainwright Investment Counsel who gave a presentation on the process of establishing an Investment Statement Policy and strategy for the Authority’s Pension and OPEB (“Other Post-Employment Benefit”) Plans. Mr. Esmond noted that the Authority will have approximately \$14.4 million (\$11.5 million in Pension Plan and \$2.9 million in OPEB Plan) to invest.

VII. OLD BUSINESS

There was no old business.

VIII. NEW BUSINESS

The Chair introduced David Gibbons who introduced the following vote:

1. Board Vote: BCEC Master Planning Services Agreement

The selection of a design team for the Boston Convention & Exhibition Convention Center Master Planning and Feasibility services is governed by the Authority's Designer Selection Procedures, adopted pursuant to G.L. c.7C, Sec. 46, *et seq.*, and approved by the Commonwealth of Massachusetts's Designer Selection Board.

The Authority issued a Request for Proposals for Master Planning and Feasibility Services on August 2, 2017. Seven firms submitted timely applications in response to the RFP: (1) Elkus Manfredi, tvsdesign and Moody Nolan, (2) Gensler Architecture/Design, (3) Jones Lange LaSalle, Utile and LMN, (4) NBBJP and FXFOWLE, (5) Perkins Eastman, (6) Populous Architects and (7) Steffian Bradley Architects. On October 4, 2017, the Designer Selection Panel (the "Panel") undertook a thorough review of the seven proposals. Aided by staff analyses of the applications, the Panel reviewed and discussed each application in light of the published selection criteria. The Panel decided to invite four of the proposers, (1) Elkus Manfredi, tvsdesign and Moody Nolan, (2) Gensler Architecture/Design, (3) Perkins Eastman, and (4) Populous Architects to be interviewed by the Panel.

On November 2, 2017 the above referenced firms made oral presentations to the Panel. The Panel allotted each team an hour and a half of time, with a 60-minute presentation by the teams, followed by questions from the Panel and staff. Immediately following the final oral presentation, the Panel convened to select and rank finalists.

The Authority's Designer Selection Panel has selected and ranked three firms for award of the contract for design services for the BCEC Master Planning and Feasibility services contract. The Panel's report, in accordance with the Authority's Designer Selection Procedures, is attached hereto. The firms were ranked by the Panel as follows:

1. Populous
2. Elkus Manfredi, tvsdesign and Moody Nolan
3. Gensler

The rules further provide that the Authority shall award the contract after negotiation of a satisfactory fee, such negotiation to be carried out by the executive director, who shall negotiate with the first-ranked finalist, and with other finalists in the order of rank only if a satisfactory fee cannot be negotiated with a higher-ranked finalist.

A vote to proceed with the award of the contract for BCEC Master Planning and Feasibility services would take the following form:

VOTE: **The Massachusetts Convention Center Authority hereby authorizes the executive director to negotiate a fee and execute a contract with Populous Architects for design services relating to Master Planning and Feasibility Services for the Boston Convention & Exhibition Center, in accordance the Request for Proposals dated August 2, 2017.**

2. Board Vote-Application for Appointment of Manager: Boston Convention & Exhibition Center and Hynes Convention Center; Authorization of Executive Director, General Counsel and Board Secretary to Execute Application and Renewal Documents

The Chair introduced Dennis Callahan who introduced the following votes:

VOTE: **To authorize David Gibbons, Executive Director, Dennis C. Callahan, General Counsel, Assistant-Secretary and Michele Consalvo, Secretary to sign the application submitted in the name of the Massachusetts Convention Center Authority, and to execute in the Corporation's behalf, any necessary papers and do all things required to have the application granted; and**

VOTE: **To authorize and ratify David Gibbons, Executive Director and Dennis C. Callahan, General Counsel, Assistant-Secretary and Michele Consalvo, Secretary to sign on behalf of the Massachusetts Convention Center Authority any application, reapplication or renewal of the license to be exercised at the Hynes Convention Center, 900 Boylston Summer Street, and the Boston Convention & Exhibition Center, 415 Summer Street, and further authorize execution on said Authority's behalf any and all papers, and to do all things necessary and convenient, relative to the granting and renewing of such licenses.**

VOTE: **To appoint Cynthia Thibault of Levy Premium Foodservice Limited Partnership as its manager or principal representative, and hereby grant her with full authority and control of the premises described in the license and authority and control of the conduct of all business therein as the licensee itself could in any way have and exercise if it were a natural person residing in the Commonwealth of Massachusetts; and**

VOTE: **That a copy of this vote duly certified by the Clerk of the Corporation and delivered to the manager appointed, or principal representative, shall constitute the written authority required by G.L. c. 138, §26.**

3. Harassment Training. The Chair asked for an update on Authority's Harassment Training. Mr. Callahan reported that the Authority has a Harassment and Sexual Harassment policy and that as on an annual basis the Authority provides mandatory Harassment training and mandatory Sexual Harassment Prevention training for all employees, managers and supervisors. The Authority also requires our vendors to comply with these policies.

4. SIRA Training. David Gibbons also stated that the Authority also provides Suspicious Indicator Recognition and Assessment (SIRA) mandatory training classes for all staff and contract partners. These trainings are designed to provide basic skills to help identify suspicious behavior.

IX. ADJOURNMENT

Upon a motion duly made and seconded the meeting was adjourned at 11:35 a.m.

ATTEST:



Dennis Callahan
General Counsel

Date: 1/19/2018