

Maryland Stadium Authority
333 W. Camden Street
Baltimore, Maryland 21201

Board Meeting Minutes
Executive Boardroom

July 7, 2020
12:00 PM

OPEN MEETING

Attendance

Board

Thomas Kelso
Leonard Attman
Joe Bryce
Gary Mangum
Carolyn Mozell**
Manervia Riddick*
Jodi Stanalonis*

MSA

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|----------------------|-----------------------|-------------------|
| Michael Frenz | Phil Hutson* | Rachelina Bonacci |
| David Raith | Jocelyn Grogan-Jones* | Joe March |
| Gary McGuigan* | Al Tyler | Jason Saylor |
| John Samoryk | Eric Johnson* | Linda Pohuski |
| Carmina Perez-Fowler | Bart Shifler | |

Counsel

Cynthia Hahn*

*By phone

**Carolyn Mozell joined at 12:15 PM

Call to Order:

Chairman Kelso called the meeting to order at 12:05 PM.

Presentation

Secretary Kelly Schulz, Maryland Department of Commerce
Secretary Schulz updated the MSA Board on the activities of the Commerce
Department, including live streaming, remote working, and navigating challenges.

Maryland was among the first states to dedicate loans and grants to small businesses. \$50 million established for a grant fund and \$75 million for a loan relief fund. Grants were offered to applicants up to \$10 thousand and loans were offered up to \$50 thousand. March 23 and the first days showed very high volume and the Commerce system was unable to accommodate the demand. Immediately, we began recruiting and training 150 state employees who were working remotely from other departments/agencies and completely rebuilt the system within 2 weeks. All of the grant applications are now completed, nearly reaching our grant capacity. 1600 loan applications were approved for funding out of 9,000 applications received. Many lessons have been learned. Several types of challenges existed in communicating

**MSA, Board Meeting Minutes, July 7, 2020, Executive Boardroom,
333 W. Camden Street, Baltimore, Maryland 21201**

with applicants; technological, outreach, responsiveness.

An additional \$5 million was dedicated to manufacturing for companies converting to the production of PPE, ventilator parts and other critical needs. To date \$3.6 million has been allocated to approximately 50 companies.

Governor Hogan has announced an additional \$50 million in CARES Act funding for business relief. \$45 million will go to businesses whose applications are already in the Commerce system. \$5 million will go to a loan fund to MSBDFA for socially and economically disadvantaged Maryland small businesses and entrepreneurs via two outreach programs.

Secretary Schulz outlined the following:

- 11,000 businesses have been reached which will increase to 15,000.
- Federal programs have reached 77,000 businesses with \$10 billion PPP
- 37, 000 businesses have received \$2 ¼ in EIDI funds via SBA
- 81,000 businesses have received \$267 million from Advanced EIDL
- Nearly \$12.5 billion in Federal funds have been allocated
- \$175 million of assistance in State funds allocated with an another \$50 million committed
- Maryland has topped over 200,000 total transactions for businesses
- \$13 million from DHCD's \$50 million allocation will be used to secure non-profit organizations.

Commerce advised the Governor's office in planning the "Roadmap to Recovery" via organizing, coordinating, and overseeing a series of 13 business advisory groups leading to recommendations made for stage one and two recovery guidance.

Guidance information is available on the webpage: open.maryland.gov/backtobusiness

The Secretary expressed appreciation for the tourism and racing industries and the value they add to the state's economy. She thanked Mr. Hasseltine of MSA, Maryland Sports for his work with Commerce, and especially his efforts toward Governor Hogan's recovery plans. She concluded with a summary of other departmental activities, including constant communication with existing and potential businesses.

**Carolyn Mozell joined during this presentation.

Chairman Kelso thanked Secretary Schulz and congratulated her on her team leadership through extraordinary times, her role in informing the Governor and agency guidance, which was echoed by each board member.

Approvals

Minutes

Mr. Kelso introduced the open meeting minutes of June 2, 2020

Motion to Consider: Mr. Attman

Second: Mr. Bryce

Discussion - None

Motion to approve: Mr. Attman
Second: Mr. Mangum
Unanimous by Roll Call

Mr. Kelso introduced the closed meeting minutes June 2, 2020

Motion to Consider: Mr. Bryce
Second: Mr. Attman

Discussion - None

Motion to approve: Ms. Riddick
Second: Mr. Bryce
Unanimous by Roll Call

Contracts

Camden Yards Sports Complex
Landscaping Grant - Veterans Memorial
Presentation by Mr. Raith

In May 2016, the Maryland Stadium Authority, in cooperation with the National Wildlife Federation and the Baltimore Orioles, came up with a greening initiative for the garden areas behind the Veteran Memorial located in Maryland Square just south of Oriole Park at Camden Yards. This initiative included the planting of wildlife habitat that would educate our visitors about the various species of plants and shrubs that attract our state bird. This was also done in conjunction with the annual Maryland State Employee Volunteer Day. Jana Brooks, Event and Tenant Service Manager, has secured a \$5,000 grant from the Chesapeake Bay Trust. This money will be used for 15 community engagement maintenance events and the installation of educational signage.

Motion to Consider: Mr. Mangum
Second: Ms. Riddick

Discussion - None

Motion to approve: Mr. Bryce
Second: Mr. Attman
Unanimous by Roll Call

Sound System Maintenance and Repair Services
Presentation by Mr. Shifler

Mr. Shifler recommended a contract with Corbett Technology Solutions, Inc. (CTSI) to provide sound system maintenance and repair services for the Camden Yards Sports Complex. The proposed term is three years, with two one year renewal options. CTSI submitted the lowest responsive bid of the two that were received.

**MSA, Board Meeting Minutes, July 7, 2020, Executive Boardroom,
333 W. Camden Street, Baltimore, Maryland 21201**

**Motion to Consider: Mr. Attman
Second: Mr. Bryce**

Discussion - None

**Motion to approve: Mr. Attman
Second: Mr. Mangum
Unanimous by Roll Call**

M&T Bank Stadium
Engineering Consulting Services for
HVAC Controls, Lighting Controls and Submetering Systems
Presentation by Mr. Hutson

Mr. Hutson recommended a contract with Burdette, Koehler, Murphy and Associates, Inc. (BKM) to provide engineering consulting services for HVAC controls, lighting controls and submetering systems at M&T Bank Stadium. The total contract amount will be \$219,126, including the base bid and alternate for the chiller plant controls. BKM will provide all design and construction administration services for the duration of the project. Twelve proposals were received in response to the advertised solicitation on May 22, 2020. One could not be considered due to an errant MBE submission. The eleven firms were evaluated for technical merit and price. The technical proposals were evaluated based upon the proposed work plan, experience and qualifications of proposed staff and firm experience and capabilities.

Pricing included lump sum fees for design development, construction documents and construction administration for the base bid and alternate scope of services. Four firms were shortlisted. Following receipt of best and final offers (BAFO) on June 17, two of the four firms were very competitive in both price and technical merit. As a result of a final round of negotiations, each was invited to submit a second BAFO. BKM was ranked second technically and submitted the lowest cost proposal.

Time is of the essence to commence with the design so that the project can be procured and completed in time for the 2021 NFL season. Authorization is requested not to exceed the amount of \$219,126. BKM has committed to a MBE subcontract participation goal of 29%.

**Motion to Consider: Ms. Mozell
Second: Mr. Mangum**

Discussion - None

**Motion to approve: Mr. Attman
Second: Ms. Mozell
Unanimous by Roll Call**

Baltimore City Public Schools
Montebello Elementary/Middle School - Swing Space Renovations
Presentation by Ms. Perez-Fowler

Ms. Perez-Fowler recommended a construction services contract to Tito Contractors, Inc. (Tito) in the amount of \$267,885 to provide swing space renovation services for the

**MSA, Board Meeting Minutes, July 7, 2020, Executive Boardroom,
333 W. Camden Street, Baltimore, Maryland 21201**

Montebello Elementary/Middle School (Project). This amount includes an owner's contingency and a payment and performance bond. Renovations will be performed at the Professional Development Center Building, the swing space facility for the Project.

The procurement was initially advertised as a Request for Qualifications in February 2018. Ten firms were selected to participate in the project pool and thus given the opportunity to receive the project specific Request for Proposals (RFP). The RFP for this Project was issued on May 5, 2020. Two firms submitted technical proposals and the selection committee determined it was in the best interest to short-list both firms and request financial proposals. One firm did not submit a financial proposal and was deemed non-responsive. Tito achieved the highest technical score of the two firms and the firm's financial submission was determined to be fair and reasonable. Tito has also successfully completed multiple swing space renovation projects under the BCPS program.

Motion to Consider: Mr. Mangum
Second: Mr. Bryce

Discussion - Attempts were made to get additional bids. This is a very busy time for subcontractors that specialize in school renovations. Two contractors attended the site visit, but only Tito elected to bid.

Motion to approve: Mr. Attman
Second: Ms. Riddick
Unanimous by Roll Call

Northwood Elementary School - Testing and Inspection Services
Presentation by Ms. Perez-Fowler

Ms. Perez-Fowler recommended a professional services contract to ECS Mid-Atlantic, LLC (ECS) in the amount of \$95,177.00 to provide testing and inspection services for Northwood Elementary School. This amount includes an owner's contingency. The procurement was initially advertised as a Request for Qualifications in April 2018. Six firms were selected to participate in the project pool. Five firms submitted technical proposals. Financial proposals were requested from four short-listed firms. Best and final offers were requested from all four firms. ECS had the highest overall score and offered the lowest fee.

Motion to Consider: Mr. Bryce
Second: Mr. Attman

Discussion - None

Motion to approve: Mr. Mangum
Second: Mr. Bryce
Unanimous by Roll Call

Maryland Stadium Authority
Prince George's County Tennis Complex Study - Memorandum of Understanding
Presentation by Mr. Tyler

**MSA, Board Meeting Minutes, July 7, 2020, Executive Boardroom,
333 W. Camden Street, Baltimore, Maryland 21201**

Mr. Tyler recommended a memorandum of understanding between the Maryland-National Capital Park and Planning Commission (MNCPPC) and the Maryland Stadium Authority (MSA) for MSA to conduct a market and economic study for a proposed tennis complex in Prince George's County, MD. The agreement, which formalizes MSA's relationship and expected role on the project, was negotiated and approved by the MNCPPC Executive Director. The Board provided approval to undertake the study on May 5, 2020. The cost of the study is \$208,920 and will be fully funded by MNCPPC.

Motion to Consider: Mr. Attman
Second: Mr. Mangum

Discussion - Letters from the political subdivision will be provided with the budget committee letters. It was reiterated that MSA will not pay any portion of the study.

Motion to approve: Mr. Bryce
Second: Mr. Mangum
Unanimous by Roll Call

Informational

Executive Director's Report & Maryland Sports Update

Mr. Frenz highlighted MSA steps taken to follow CDC and Maryland COVID-19 protocol, some of which were experienced by board members entering the building for the first time today.

Two research groups who are Warehouse tenants were cited in a BBJ article, ProTeric and Harpoon Medical, supported by UM Ventures, both are doing cardiac device research. These tenant groups are not only a resource to MSA, but also benefit the city and state through economic development.

Spring training at Oriole Park has begun. The regular season opens July 24 Boston, with the home opener on July 29.

The Athletic published an online survey and Oriole Park ranked #5 with high marks for aesthetics and overall quality. Oriole Park is the oldest of the top 5 stadiums, others were built from 2000 to 2007. Once we enter into a new Orioles lease and conclude our anticipated renovations our standing should be higher next year.

NFL has reduced the preseason games from 4 to 2. The NFL players union has asked for no preseason games.

On July 10, Lots G and H will be used for food distribution by Unite Here Local 7, which is a union for hospitality and restaurant workers. The union will distribute food to their members, many of whom were laid off during the pandemic.

Maryland Sports Report

Mr. Frenz reported that Terry Hasseltine is visiting the Maryland World Cup 2026

**MSA, Board Meeting Minutes, July 7, 2020, Executive Boardroom,
333 W. Camden Street, Baltimore, Maryland 21201**

selection committee workshop where the process will be discussed in advance of the individual city visits. Already determined are 3 sites in Canada and 3 sites in Mexico. Under consideration in the US are 17 sites from which 10 will be selected.

Terry was instrumental in his work with the Governor's team on their reopening plans, especially with youth sports, both individual and team sports, and he served on the Governor's tourism committee.

Security Report

Mr. Conaway reported on 24/7 security team efforts to keep the Warehouse tenant and staff safe. In addition to the CDC and state guidelines MSA has implemented a software tracking system, entering all visitors, tenants, and staff that will assist with contact tracing in the event it is required. Mr. Conaway and several security staff have completed the Johns Hopkins University Contact Tracing Program.

Mr. Conaway's team worked closely with the Orioles as spring training began last week to support their enhanced safety protocols. Responding to a board member question, Mr. Conaway shared that we are working closely on plans with teams on various scenarios and their complexities for staff return to work and team return to play.

Report of Small Procurements and Change Orders

Mr. Samoryk reported:

Camden Yards Sports Complex

- On Call A/E - Contract Modification No. 4 - MIMAR Architect & Engineers
- GC for Parking Lot Renovations - Change Order No. 4 - Gilbane Building Co.
- Pedestrian Spine Renovations - Change Order No. 6 - Gilbane Building Company

Oriole Park at Camden Yards

- ADA Consultant Survey Services - United Spinal Association, Accessibility Service Program

M&T Bank Stadium

- Sound System Repair and Game Day Coverage - AVI-SPL

Baltimore City Public Schools and C.O.R.E. Update

Mr. McGuigan updated the board:

Project CORE: 965 notices to proceed, 773 properties demolished, 127 procurement for demolition, 65 in hazmat, and 1 warehouse has been fully demolished and turned back to the city,

BCPS Program: 14 schools are open, 8 are in construction, 3 are in design, and 3 schools are in various phases of GMP negotiations, which will need to be approved in an interim meeting later in July on a date to be determined.

Leasing Report

Mr. Raith reported 3 tenants whose rent was not paid for June. Discussions with each continue. They have applied and are waiting for relief through COVID assistance

**MSA, Board Meeting Minutes, July 7, 2020, Executive Boardroom,
333 W. Camden Street, Baltimore, Maryland 21201**

programs.

One potential tenant expressed interest in a space of 700 to 1000 sq. ft. 7000 sq. ft. is the smallest space we have available. Mr. Raith is consulting with real estate experts to evaluate the current and future direction of office sizing.

Financial Report

Mr. Raith provided an overview of the May finances which was better than expected, partially due to Jeff Provenzano's and the facilities team efforts in cost containment. Also contributing to lower expenses is the reduced utilization due staff and tenants who are teleworking.

Revenue projections normally received from baseball in June will be lowered. Mr. Raith shared the upcoming projections for the third and final bond sale series for Baltimore City Public Schools. Results will be circulated to the board after the sale on July 9. Due to favorable bond sales, discussions are underway for the possibility of building two additional schools.

Chairman Kelso requested a motion to adjourn the open meeting and go into a closed meeting for the purpose of consulting with counsel to obtain legal advice and to consult with staff, consultants or other individuals about pending and potential litigation.

Motion to Close the open meeting and open the closed meeting: Mr. Attman

Second: Mr. Bryce

Roll Call: Attman, Bryce, Mangum, Mozell, Riddick, Kelso

Affirmative voice not heard until after the meeting closed: Stanalonis

**Closed Meeting
Summary Statement**

Attendance: Board - Leonard Attman, Joe Bryce, Gary Mangum, Carolyn Mozell*, Manervia Riddick*, Jodi Stanalonis*, Thomas Kelso

Staff - Michael Frenz, Gary McGuigan*, Linda Pohuski

Counsel - Cynthia Hahn*

*attended by phone

Motion to open the closed meeting: Mr. Attman, seconded by Mr. Bryce, unanimously approved the board.

Chairman Kelso called the meeting to order at 1:16 PM for the purpose of consulting with counsel and MSA staff on the status of pending and potential litigation matters against MSA and to receive legal advice on these matters, in accordance with Sections 3-305(b)(7) and 3-305(b)(8) of the Open Meetings Act.

**MSA, Board Meeting Minutes, July 7, 2020, Executive Boardroom,
333 W. Camden Street, Baltimore, Maryland 21201**

During the closed meeting, AAG Cynthia Hahn briefed the Board on the status of litigation pending in the Circuit Court for Baltimore County and the recent filing of a bid protest following a finding of non-responsibility for award of a contract under a recent MSA procurement. The new bid protest involves a procurement that remained open for award, as of the date of the meeting. The Board did not take any action during the closed meeting with counsel.

Mr. McGuigan and Ms. Hahn reviewed the open procurement matter for which a summary judgement has been requested. Ms. Hahn updated the board on other litigation issues.

Motion to close the closed meeting and adjourn at 1:38 PM made by Mr. Mangum, seconded by Mr. Attman, unanimously approved by the board.