

Maryland Stadium Authority
333 W. Camden St., Baltimore, MD
Board Meeting Agenda
June 4 , 2019
12 noon

OPEN MEETING

Attendance

In Person

Thomas Kelso
Leonard Attman
Joe Bryce
Manervia Riddick
Jim Smith

Conference Line

Gary Mangum
Jodi Stanalonis

MSA

Michael Frenz	Jocelyn Grogan-Jones	Chris Deremeik
David Raith	John Samoryk	Rachelina Bonacci
Gary McGuigan	Jeff Provenzano	Linda Pohuski
Phil Hutson	Eric Johnson	
Vern Conaway	Terry Hasseltine	

Counsel

Cynthia Hahn
Bruce Benshoof

Other

Amanda Yeager, Baltimore Business Journal

Call to Order

Chairman Kelso called the meeting to order at 12:01 pm.

Approvals

Minutes

May 7, 2019 Open and closed Board meeting minutes were introduced. **Chairman Kelso asked if there were additions, changes, or discussion on the May 7 minutes. Have received no comments, he requested a motion.**

Motion to Consider: Mr. Attman

Second: Mr. Smith

MSA, 333 W. Camden St., Baltimore, Board Meeting Agenda, 6/4/19, 12 noon

Discussion – None

Motion to Approve: Mr. Attman

Second: Mr. Smith

Unanimous by voice: Mangum, Stanalonis, Smith, Riddick, Bryce, Attman, Kelso

Contracts

Camden Yards Sports

Central Plant Heating, Cooling Operations and Maintenance

Mr. Samoryk recommended a contract with Veolia Energy Operation Services, LLC for central plant heating and cooling operations and maintenance at the Camden Yards Sports Complex.

Veolia provides remote operation and monitoring 24/7, 365 basis.

If all renewals are exercised, the total contract amount is anticipated to be up to \$1,105,334.28, but is limited to an amount not to exceed \$643,510.00 for the initial three-year term. There are two One-year options.

This was a competitive sealed proposal procurement with the highest technical score and second lowest price. The choice to select the 2nd lowest price was based upon its superior technical evaluation

Motion to Consider: Smith

Second: Riddick

Discussion –

1. There is a 5 year maximum limit to the contract.
2. The firm submitting the lowest cost proposal did not have a dedicated off-site remote monitoring facility nor did it have comparable staffing coverage in downtown Baltimore.

Motion to Approve: Mr. Bryce

Second: Ms. Riddick

Unanimous by voice: Mangum, Stanalonis, Attman, Smith, Bryce, Riddick, Kelso

Security Video Network Services

Presentation by Mr. Samoryk

Mr. Samoryk recommended a three-year contract with Vision Technologies, Inc. for \$367,519.00 to provide security video network services at the Camden Yards Sports Complex.

This contract is for maintenance, repairs and upgrades to the security video network system, including cameras, licenses, management software, device firmware, switches, servers, workstations, storage, cabling and other components integral to ensuring the security video network runs at optimal efficiency. Competition was limited for this contract due to the stringent qualification requirements to maintain and support the highly technical and proprietary security video network system and related hardware components. Vision submitted the lowest responsive bid.

Motion to Consider: Mr. Attman

Second: Mr. Bryce

Discussion –

1. Advertisements were placed in e-Maryland Marketplace and solicitations were sent to vendors with known capabilities.
2. Software is licensed and proprietary. This year is the first time the new system is out of warranty.
3. The new contract is for 3 years with 2 one-year options.
4. There was no MBE requirements or known participation due to the specialized scope of work that is highly technical with stringent certification requirements.

Motion to Approve: Mr. Bryce

Second: Mr. Smith

Unanimous by voice: Attman, Stanalonis, Mangum, Smith, Bryce, Riddick, Kelso

Oriole Park at Camden Yards

Presentation by Mr. Samoryk

Fire Alarm Service Contract

Mr. Samoryk recommended a \$133,650.00 sole source contract with Johnson Controls Fire Protection, LP to provide parts and labor for repairs and maintenance to the proprietary fire alarm systems at Oriole Park at Camden Yards, Camden Station, and the Warehouse. Johnson Controls acquired the original manufacturer of fire alarm systems, Tyco SimplexGrinnell, and is the sole provider of replacement parts and system programming for the fire alarm systems. This will be a continuation of the existing contract that was originally entered into with Tyco SimplexGrinnell, which expires end of June 2019. The three-year contract, with 2 one-year options, would begin July 1, 2019.

Motion to Consider: Mr. Attman

Second: Mr. Smith

Discussion –

1. There was a small contract increase over the previous contract which was anticipated. The new contract includes Warehouse coverage that was not part of the former contract.
2. This is a sole-source negotiated-price contract because the fire alarm system is proprietary to the manufacturer. No other firm is able to provide proprietary components and software

Chairman Kelso expressed appreciation to the Directors and staff for the open and informative discussion on the reasons for this sole source approval request.

Motion to Approve: Mr. Bryce

Second: Mr. Smith

Unanimous by voice: Mangum, Stanalonis, Smith, Riddick, Bryce, Attman, Kelso

MSA, 333 W. Camden St., Baltimore, Board Meeting Agenda, 6/4/19, 12 noon

Presentation by Mr. Hutson and Mr. Samoryk
Expedited Procurement - Heated Return/Supply Vault

Mr. Hutson recommended a contract with J.V. Schafer and Sons, Inc. ("JVS") in an amount not to exceed \$286,700. JVS submitted the lowest responsive bid. This project was expedited in order to complete urgent and unanticipated repairs to underground piping within Eutaw Street at Oriole Park at Camden Yards and minimize disruption of stadium operations and fan convenience during the 2019 baseball season.

MSA directly solicited competitive bids from three general contractors: JVS, Plano-Coudon and Gilbane Building Company. All three firms submitted bids; however, the Plano-Coudon bid was late and not responsive.

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

Discussion –

1. The Board reviewed the rules and regulations for disqualifying late bids. It was reiterated that the same rules apply to all bidders, are clearly spelled out, and subject to law.
2. If an electronic bid process is set up (and it cannot be in all cases), late bids are automatically rejected after the deadline and therefore not known to the board. Further consideration will be given to whether information about late-submitted hand-delivered bids should be included or if only information about responsive bids should be included in the Board's approval package.
3. Funding comes from reallocating unused funds previously budgeted for improvements elsewhere in Oriole Park that have been postponed.

Motion to Approve: Mr. Smith
Second: Ms. Riddick
Unanimous by voice: Mangum, Stanalonis, Attman, Smith, Bryce, Riddick, Kelso

Presentation by Mr. Hutson
Expedited Procurement - Oriole Park - Field Wall Modification

Mr. Hutson recommended a contract for an expedited procurement for an amount not to exceed \$114,351 in order to complete unplanned modifications to the outfield wall at Oriole Park at Camden Yards in preparation for the Billy Joel concert scheduled to occur on July 26, 2019. The recommendation is that MSA enter into a contract with MacKenzie Contracting Company, LLC who submitted the lowest responsive bid.

Mr. Hutson reported the need for this project's expedited procurement and the methodology for seeking competitive bids at the May 7, 2019 BOD meeting.

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

Discussion –

MSA, 333 W. Camden St., Baltimore, Board Meeting Agenda, 6/4/19, 12 noon

1. The modifications are permanent, designed by structural engineers with appropriate openings for egress.
2. MSA's Oriole Park Improvement Fund is the wall funding source.
3. MSA will not receive 50% net revenues from the event and has no fiscal risk in the production of the event. MSA will receive admission taxes related to ticket sales.
4. MSA was not asked to contribute toward event expenses but will encounter typical facility and security expenses.
5. There is a limited opportunity window for future events, due to the number of games and off-season weather, but MSA encourages additional events.

Motion to Approve: Mr. Attman

Second: Ms. Staloni

Abstaining: Mr. Kelso

In Favor: Mangum, Staloni, Attman, Smith, Bryce, Riddick

Presentation by Mr. Hutson

DAS/Wifi Proposal LOI Extension #3

Mr. Hutson recommended approval of the Verizon request for a third extension of the negotiating period until September 5, 2019 in order to finalize remaining details of the agreement.

Motion to Consider: Mr. Bryce

Second: Ms. Riddick

Discussion – None

Motion to Approve: Mr. Smith

Second: Mr. Bryce

Unanimous by voice: Mangum, Staloni, Smith, Riddick, Bryce, Attman, Kelso

M&T Bank Stadium

Presentation by Mr. Hutson and Samoryk

General Contractor for Expansion Joints Restoration Trials

Mr. Samoryk recommended a contract with Contracting Specialists, Inc. to provide expansion joint restoration trials at M&T Bank Stadium for an amount not to exceed \$58,636.00. The intent is to install a specified sample of work utilizing an innovative product solution recommended by MSA's consultant, THP Limited, Inc. in order to assess the potential use of this solution on a more comprehensive project in the future. This is the lowest responsive bid that includes all specified requirements.

Motion to Consider: Mr. Smith

Second: Mr. Bryce

Discussion –

MSA, 333 W. Camden St., Baltimore, Board Meeting Agenda, 6/4/19, 12 noon

1. Mr. Hutson provided a more detailed description of the joint locations, life span, installation method, and testing types.

Motion to Approve: Mr. Attman

Second: Mr. Bryce

Unanimous by voice: Mangum, Staltonis, Smith, Riddick, Bryce, Attman, Kelso

Baltimore City Public Schools

Presentation by Mr. Johnson

Program Manager Contract Extension- City Schools Partners – Johnson

Mr. Johnson recommended exercising MSA's second of two two-year options to extend the term of the contract with Partners for Revitalization of Baltimore City Schools (known as City School Partners, or "CSP") in the amount of \$6,687,999.45 for continuing program and project management services for the Baltimore City Public Schools Construction and Revitalization Act of 2013. The Board approved CSP's contract in May 2014. There is a negotiated savings of \$1,070,238.23 from an initial proposal of \$7,758,237.68.

Motion to Consider: Mr. Smith

Second: Ms. Riddick

Discussion –

1. If additional work is required, it would be under a new phase and the program management services would be bid for that phase with a new contract.

Motion to Approve: Mr. Smith

Second: Ms. Riddick

Unanimous by voice: Mangum, Staltonis, Smith, Riddick, Bryce, Attman, Kelso

Presentation by Mr. Johnson

Pimlico PK-8 Closeout Change Order for Dustin Construction

Lyndhurst PK-8 Closeout Change Order for Turner

Pimlico: Mr. Johnson recommended an amendment to the Dustin Construction GMP contract for a change order credit of \$1,203,696.88. Dustin continues, a contractual obligation to warranty the project for 2 years. To date, Dustin and the trade contractors have been satisfactorily maintaining their warranty obligations.

Lyndhurst: Mr. Johnson recommended an amendment to the Turner/JLN JV GMP contract for a change order of \$1,001,692.00. This change order encompasses extra work performed in addition to the original scope requested by City Schools, the BCPS decision to delay the opening of the school from mid-year to spring break, and unforeseen conditions in the preservation and restoration of the 1926 building.

The final Lyndhurst change order amount represents a negotiated savings in the amount of \$407,218.00 from an initial change order submission of \$1,408,910.00

Turner/JLN continues a contractual obligation to warranty the project for 2 years.

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

Discussion –

Mr. Johnson reiterated several points in the discussion:

1. Pimlico closeout is a credit to MSA. Dustin Construction continues to warranty the project for two years.
2. Lyndhurst closeout change order of \$1,001,692 represents a negotiated savings of \$407,218, and encompasses increased scope arising from City Schools' decisions to request additional work and to delay school opening.
3. Turner is also obligated to a 2 year warranty. Any additional work to the 1926 building would be under a new bid and contract.

Motion to Approve: Ms. Riddick
Second: Mr. Bryce
Unanimous by voice: Mangum, Stanalonis, Attman, Smith, Bryce, Riddick, Kelso

Maryland Stadium Authority

Presentation by Mr. Deremeik

Fair Hill - On Call Construction Management Consulting Services

Mr. Deremeik recommended a contract modification in an amount not to exceed \$275,374.01 for Johnson, Mirmiran and Thompson to provide services on the Fair Hill Natural Resources Management Area Equine Improvements project for services not originally covered under the May 7, 2019 approval.

JMT's services on the project will include general field oversight, quality assurance and quality control performed via an in-house field superintendent. They will be responsible for the management and oversight of all required third party testing and inspection services.

Costs associated with this modification are included within the overall project budget and funded by a third party. They will have no impact on MSA's current year budget.

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

Discussion –

1. The contract adds additional quality assurance and field oversight with checks and balances not accounted for in the initial contract.

Motion to Approve: Mr. Bryce
Second: Mr. Smith
Unanimous by voice: Mangum, Stanalonis, Attman, Smith, Bryce, Riddick, Kelso

Presentation by Mr. Raith

Second Amendment to the License Agreement Baltimore Orioles

MSA, 333 W. Camden St., Baltimore, Board Meeting Agenda, 6/4/19, 12 noon

At the December 2018 Maryland Stadium Authority board meeting, the board authorized an office lease with the Baltimore Orioles Limited Partnership for approximately 10,600 sq.ft. on the first floor of the south warehouse. The Orioles raised issues with parking and additional costs for HVAC after normal business hours that were included in the original draft of the lease. While negotiating the final terms of the lease, MSA has granted the Orioles a license to use the space. The parking issue has been resolved, but the issue regarding HVAC costs is still being negotiated. A second amendment extends the license agreement to July 31, 2019 to work on the remaining issue.

Motion to Consider: Mr. Smith

Second: Mr. Bryce

Discussion – None

Motion to Approve: Mr. Smith

Second: Ms. Riddick

Unanimous by voice: Stalalonis, Mangum, Attman, Smith, Bryce, Riddick, Kelso

Presentation by Mr. Hasseltine

Affiliated Foundation Agreement: SECMD

Mr. Hasseltine requested that the Board approve an affiliation agreement between MSA and Sports and Entertainment Corporation of Maryland (SECMD). SECMD was formed to be a 501(c)(3) corporation that will support the mission of Maryland Sports to bring regional, national, and international sporting events to the State. The affiliation agreement will make SECMD an “affiliated foundation” under MSA’s statute.

Motion to Consider: Mr. Smith

Second: Mr. Bryce

Discussion –

1. For a non-profit entity to become an affiliated foundation, it must be an entity formed to support one or more of the missions of Maryland Sports, agree to an affiliation agreement with MSA, and request that the MSA Board approve the affiliation agreement.

Motion to Approve: Mr. Smith

Second: Mr. Bryce

Unanimous by voice: Riddick, Bryce, Attman, Smith, Mangum, Stalalonis, Kelso

Informational

Executive Director’s Report

Mr. Frenz shared an overview document from AAG, Amy Mataban, on 2019 legislation that may have an impact on MSA. Members on the conference line received the report electronically. Additionally, he shared a flyer inviting the Board to an event (also sent electronically) to the

MSA, 333 W. Camden St., Baltimore, Board Meeting Agenda, 6/4/19, 12 noon

4000th CORE demolition in blighted areas of Baltimore City. Governor Larry Hogan and Mayor Jack Young are expected to attend.

Appreciation was expressed to Gary McGuigan and Terry Hasseltine who attended the Fair Hill groundbreaking ceremony and opening celebration, complete with golden shovels, on May 24.

Mr. Frenz shared a letter of gratitude regarding Security Supervisor, Chris Parr, from an Oriole Park fan who left behind his cell phone after a game. Following Mr. Parr's investigation and thorough review of on-site video cameras, he located the phone after it was removed from the premises, and had it returned. Mr. Frenz took the opportunity to mention this repeat example of good customer service and a positive fan experience from the extraordinary actions of one of Vern Conaway's staff.

Mr. Frenz discussed his recent visits to the Fairmount Harford and Arlington sites, the two schools scheduled to open this summer, and commented on the planned ribbon cuttings scheduled for late August. Mr Frenz also praised the work of CPDG staff and the leadership of Gary McGuigan and Eric Johnson on the Platinum Engineering Excellence Award from the American Council of Engineering Companies for Building/Technology Systems. The award is for Lyndhurst Elementary School, a 21st Century Schools project.

As a result of the report, visits to some of the new schools that opened this past school year will be arranged for the Board this summer.

Security Report

Mr. Conaway reported no credible threats have occurred and the threat level has not changed. MSA continues to work with local law enforcement and other resources to learn, share and incorporate best practices. He reported on risk-based management, deployed before games that can be enhanced during and after games if and as needed.

Report of Small Procurements and Change Orders

Mr. Samoryk reported small procurements and change orders:

- Camden Yards Sports Complex

Master Energy Metering Project - Change Order No. 8

Electrical Automation Services, Inc.

- M&T Bank Stadium

Annual Testing and Inspection of Fuel Dispensing and Tank Monitoring Systems

Maryland Pump, Tank & Electric Co.

- Oriole Park at Camden Yards

Replacement of Roll Up Door Ramp #2

Charles H. Hodges and Son

- Oriole Park and Warehouse

Building Automation System Support

Siemens Building Technology

- Warehouse

General Contractor for Elevator Modernization Project

Quandel/J. Vinton Schafer and Sons, Inc. Change Order Nos. 5, 6 and 7

MSA, 333 W. Camden St., Baltimore, Board Meeting Agenda, 6/4/19, 12 noon

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

Mr. McGuigan elaborated on the upcoming project CORE 4000 event, sharing that the number of units marked an important point of progress to Governor Hogan. The figure represented not only dilapidated row houses, but also a deteriorating warehouse and 2 schools, which opened large land areas.

The following update was provided:

BCPS

9 Open

2 preparing to open this summer (Arlington and Fairmount Harford)

3 will open this winter

4 will open in 2020

7 will open in 2021

3 will open in 2022

CORE

818 Notices to Proceed

27 On hold

275 Complete

190 Down

326 Under Construction in various stages

2 Schools

1 Warehouse

Leasing Report

Mr. Raith reported that MSA received all payments.

- Mr. Raith has worked with an existing tenant on a one-year extension and possible relocation of their north warehouse offices to consolidate with the space they occupy in the south warehouse.
- Clark Construction has finished the work on the Howard Street tunnel and will vacate Camden Station.
- No additional communications with two potential tenants mentioned at previous Board meetings has occurred recently.

Financial Report

Mr. Raith reported the Statement of Revenues and Expenditures (R&E) for the Maryland Stadium Authority Consolidated, Camden Yards, and Baltimore City Public Schools Construction for April 2019. In addition to the OPCY, the report covered R&E from the lottery, admission taxes, commissions, contracts, investments, and others.

Maryland Sports Monthly Update

Mr. Hasseltine updates several items, including:

MSA, 333 W. Camden St., Baltimore, Board Meeting Agenda, 6/4/19, 12 noon

- Sport and Entertainment Corporation of Maryland BOD is being formed after receipt of the State certificate and IRS initial letter with EIN. He outlined the next steps.
- Fair Hill Project and 2020 CCI5* Host Organizing Committee is performing a search for an Executive Director.
- UCI/Medalist Sports Major UCI Cycling Event

Plans for June include:

TEAM Maryland Initiative, Fair Hill Foundation mtg., World Cup Transit Mtg., eSports Summit, UCI & Medalist Sports Cycling Mtg. and UCI calls, Harford County Tourism Annual Mtg., MD Tourism Development BOD mtg.

Ongoing activities include:

Events: FIFA World Cup, CIAA mtgs. With Visit Baltimore, FIL Women's World Cup, USAC Amateur Road Nationals, Fair Hill CCI3*

Call to order: Closed Meeting

Chairman Kelso stated the purpose of the closed meeting under General Provisions Art.§ 3-305(b), sections 7 and 8 was for a litigation status update in a report from AAG Cynthia Hahn:

1. regarding mediation in a case filed by 3 wheelchair users against the Orioles and MSA regarding certain conditions at Oriole Park
2. to provide an update on the suit pending at State Center.

Motion to close the open meeting: Mr. Bryce

Second: Mr. Attman

Voice vote: Bryce, Attman, Riddick, Mangum, Stanalonis, Kelso

Absent: Mr. Smith

Chairman Kelso asked for a motion to open the closed meeting at 1:09 PM.

Motion to open the closed meeting: Mr. Attman

Second: Mr. Bryce

Voice vote: Attman, Stanalonis, Mangum, Bryce, Riddick, Kelso

Absent: Mr. Smith

During the closed meeting the Board received updates and discussed matters of two pending law suits at State Center and an ADA case against the Orioles and MSA. Board members voiced a number of questions to Ms. Hahn, but took no action during the closed meeting.

During the closed meeting: Chairman Kelso left the room at 2:00 PM and returned at 2:12 PM

Mr. Bryce chaired the meeting from 2:00 PM to 2:12 PM

Mr. Smith joined the closed meeting at 2:05 PM

Ms. Riddick left the room at 2:17 PM

Chairman Kelso asked for a motion to close the closed meeting at 2:20 PM

MSA, 333 W. Camden St., Baltimore, Board Meeting Agenda, 6/4/19, 12 noon

Motion to close the closed meeting: Mr. Attman

Second: Mr. Bryce

Yea's and Nay's approval with none opposed.

Present: Attman, Bryce, Staloni, Mangum, Smith, and Kelso

Absent: Riddick

Chairman Kelso asked for a motion to open the open meeting at 2:20 PM:

Motion to close the closed meeting: Mr. Smith

Second: Mr. Bryce

Yea's and Nay's approval with none opposed.

Present: Attman, Bryce, Staloni, Mangum, Smith, and Kelso

Absent: Riddick

Chairman Kelso asked for a motion to close the open meeting and adjourn at 2:20 PM

Motion to close the closed meeting: Mr. Bryce

Second: Mr. Smith

Yea's and Nay's approval with none opposed.

Present: Attman, Bryce, Staloni, Mangum, Smith, and Kelso

Absent: Riddick