

Maryland Stadium Authority
333 W. Camden Street, Baltimore, Maryland 21201
BOARD MEETING MINUTES
Tuesday, November 7, 2017

OPEN MEETING

Attendants:

In Person:

Thomas Kelso, Chair
Jodi Staloni
Joseph Bryce
Manervia Riddick*
Leonard Attman

Conference Line:

Manervia Riddick*
Gary Mangum

Absent:

James Smith

*Manervia Riddick joined the meeting by phone at 3:06 p.m. and arrived in person at 3:59 p.m.

MSA Staff:

Michael Frenz	Carmina Perez-Fowler
David Raith	Eric Johnson
Gary McGuigan	Al Tyler
Jeff Provenzano	Christopher Deremeik
Phil Hutson	Rachelina Bonacci
John Samoryk	Linda Pohuski
Daniel Brann	

Counsel:

Cynthia Hahn	Bruce Benshoof	Amy Mataban
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Other:

Ehan Weech	Timothy Barr
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Call to Order

Chairman Kelso called the meeting to order at 3:04 p.m. He acknowledged members who were present in person and by phone.

Mr. Kelso polled the members for a consensus on the 2018 calendar of Board meetings including the date of Thursday, November 8, following the National Election date.

Approvals

Minutes

Chairman Kelso asked for a motion to consider the open and closed minutes of October 3, 2017.

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

No discussion.

Motion to Approve: Mr. Attman
Second: Mr. Bryce
Unanimous

*Ms. Riddick joined the meeting by phone.

Chairman Kelso recapped that during the administrative function session following the Board's meeting on October 3, the Board voted to recommend the Stadium Authority's FY 2019 operating budget requests, previously submitted to the Governor. He then asked for a vote of the Board in open session to ratify the recommendation of the FY 2019 operating budget requests to the Governor. There was no discussion.

Motion to Ratify Approval: Mr. Bryce
Second: Mr. Attman
Unanimous

Contracts

Oriole Park at Camden Yards and M&T Bank Stadium

Presentation by Mr. Hutson
Thermal Energy Service Agreement Extension

Hr. Hutson presented two options for steam energy to the stadiums and the Warehouse. He summarized the terms of each and recommended proceeding with an extension to the current Veolia agreement. The business terms were renegotiated resulting in an estimated savings of \$2.4 million over the ten-year term when compared to the initial proposal.

Motion to Consider: Mr. Attman
Second: Ms. Staloni

Discussion: None

Motion to Approve: Mr. Bryce
Second: Mr. Attman
Unanimous

Baltimore City Public Schools

Presentation by Mr. Raith
Baltimore City Public Schools Construction and Revitalization Program Revenue Bonds Series 2017

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Mr. Raith highlighted the Bond document package that included the MSA Board Resolution, Trust Indenture, Preliminary Official Statement and Bond Purchase Agreement.

Motion to Consider: Mr. Attman
Second: Ms. Staloni

Discussion: Mr. Raith discussed the process and timeline with closing expected December 13, 2017. Presentation to the Board of Public Works will be on November 15. The MSA Board will be updated November 29, 2017.

Motion to Approve: Mr. Attman
Second: Mr. Bryce
Unanimous

Presentation By Mr. Johnson
Arundel Elementary & Middle Year-2 School Project – AV/IT /DAS Package GMP Amendment

Mr. Johnson recommended the amendment to the Construction Management contract with MCN Build/Southway Joint Venture in the amount of \$1,604,389 for a secondary technology package. The package and delivery method responds to the Board's earlier comments and represents an approximate 27% savings with less risk over a previous bid method on a similar project. The current process included a professional consultant to design a standardized package for technology contractors, and assigns the scope packaging and bid process to the Construction Manager in an effort to not only increase bid participation, but to assign submittal, schedule, and installation package control under one contract . This method will be used going forward.

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

Discussion: None

Motion to Approve: Mr. Attman
Second: Ms. Staloni
Unanimous

Presentation by Ms. Perez-Fowler
Architectural/Engineering Services - Lot 3 Feasibility Studies Highlandtown Elementary/Middle School and Commodore John Rodgers Elementary/Middle School

Ms. Perez Fowler recommended the award of the A&E contract to manage and complete feasibility studies for these two schools. The process from RFQ to contract award was outlined for the Board. GWWO, Inc. / Architects (GWWO) had the highest technical score.

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

Discussion: None

Motion to Approve: Mr. Bryce
Second: Mr. Attman
Unanimous

**Presentation by Ms. Perez-Fowler and Mr. Johnson
Code Consulting Services – Year 2**

Ms. Perez- Fowler and Mr. Johnson recommended a professional services contract to Institute of Building Technology and Safety (IBTS) in the amount of \$1,528.504 to review and inspect Year 2 schools for the BCS Construction Program. Third-party review is vital because these projects are not subject to the Baltimore City building permit process.

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

Discussion: The low bid was reviewed and it was determined that the contractor did not have a complete understanding of the scope required, based on the amount of hours submitted for the project in comparison to the established and historical data executed for the same scope during the prior phase of the program. A breakdown of plan review and inspection fees will be provided.

**Motion to Approve: Mr. Bryce
Second: Mr. Attman
Unanimous**

**Presentation by Ms. Perez-Fowler
AV/IT/Telecom/DAS Design Consultants**

Ms. Perez-Fowler recommended indefinite delivery contracts for AV/IT and DAS design for instructional technology for telecommunication services to three firms for three years with two one-year options. The firms are Innovative Systems Design & Training, Inc. d/b/a Educational Systems Planning (ESP), Johnson, Mirmiran, & Thompson, Inc. (JMT), and Mark G. Anderson Consultants, Inc. (MGAC). Services include design review, design, and construction administration. The services are to ensure that IT and telecommunications systems are designed, installed and operating as intended and that the specified IT and telecommunication components and systems have been installed and are properly functioning. These services will be needed for 4 schools in Year 1 and all 17 schools in Year 2. Additional services to be provided under these contracts include review of City Schools' current IT standards and specifications and support to City Schools IT department as needed to meet the Program's needs.

This is a blanket purchase order request in an amount not to exceed \$1,500,000 to fund all of the task orders to be issued for the remaining Year 1 and all Year 2 school projects

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

Discussion: The requested amount is for the specified schools in the form of a blanket purchase. The RFP indicated that more than one vendor would be selected. The selected vendors will work on a rotation basis with designated lump sum or not-to-exceed amounts for specific projects.

**Motion to Approve: Mr. Attman
Second: Mr. Bryce
Unanimous**

*Ms. Riddick joined the meeting in person at his time.

Presentation by Mr. Johnson and Ms. Perez-Fowler
OCIP – Loss Fund / Premium Allowance Modification

Mr. Johnson recommended a contract modification in the amount of \$1,935,000 to the OCIP allowance approved by the Board in December 2016.

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

Discussion: The modification is to correct calculation errors and will increase the former \$11,943,398 contract to the correct amount of approximately \$13.9 million.

Motion to Approve: Mr. Bryce ~ Modify the not-to-exceed contract to \$13.9 million for the express purpose of covering the excess liability premium.
Second: Ms. Riddick
Unanimous

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Presentation by Mr. Raith
Maryland Stadium Authority Budget

Ratified earlier in the meeting.

Presentation by Mr. McGuigan
Fair Hill – Construction Management Contract, MOA, and DNR Letter

Mr. McGuigan recommended a contract in the amount of \$51,580 to provide preconstruction services for the Fair Hill Special Event Zone Improvements project. The contract would go to the BPW for approval in December.

Due to the aggressive/consolidated project schedule associated with completing the improvements required to hold a newly awarded 4*Equestrian Event at Fair Hill in October of 2019, the MSA initiated several steps concurrently including:

1. Developing a Master Plan for the work;
2. Negotiating a Memorandum Of Agreement (MOA) with the Department of Natural Resources (DNR) for the execution of the project; and
3. Procuring Construction Management services.

This recommendation is being issued with the expectation that the MOA between the DNR and MSA will be executed in early November 2017.

Due to the project's compressed timeline, approval of Secretary Belton's letter, dated November 6, was also requested with this vote. DNR is asking MSA to manage the design and construction of the proposed Fair Hill improvements. Copies of the letter were distributed.

Mr. McGuigan informed the Board that MSA anticipates engaging Populous via the expedited procurement method to provide architectural services on the project.

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

Discussion: Chairman Kelso stressed the importance of the specific and structured events occurring in the seasonal timeline and concerns with increased costs due to missed deadlines. He highlighted a meeting with Governor Hogan, Secretary Belton, Cecil County Executive McCarthy, DOC Haddaway-Riccio regarding this timeline. Mr. Hasseltine will continue to coordinate with the Governor's office.

Qualifications and experience of the contractor, funding coordination and fee composition were discussed. MSA has no financial stake or commitment.

Mr. Hasseltine reported that the master plan was recently completed and design progress continues. The overall project is estimated at \$25.5 million with the cost sharing at 50% private, 25% state, and 25% Cecil County.

Motion to Approve: Mr. Bryce
Second: Mr. Attman
Unanimous

Informational

Executive Director's Report

Mr. Frenz reported that the attendance for Ravens' games this season has experienced a slight decline that may be due to the anthem protests, but other factors, such as team performance, may contribute.

A signage agreement is being finalized with the Ravens regarding ribbon boards above the ticket windows announcing games and events. Other advertising would be prohibited.

The Pikesville Armory is being decommissioned and Delegate Shelly Hettleman has asked MSA to create a study for future use. Preceding her request, Governor Hogan formed a commission for the same purpose. MSA's Senior VP, Gary McGuigan has been appointed to the commission.

Following the passage of HB 1619, authorizing MSA to establish non-profit foundations to receive private donations for specific projects, MSA has sent proposed operating policies to the Office of the Attorney General and the Ethics Commission for review and approval. The Ethics Commission will conduct its review of the policies at its next scheduled meeting on December 21, 2017.

M&T Bank Stadium Improvements – Phase 2 Update

Mr. Hutson indicated phase 2 construction has started. Mr. Hutson also shared proprietary renderings from the Ravens on preliminary exterior mesh screening and proposed imagery.

Report of Small Procurements and Change Orders

Mr. Samoryk provided two contract modifications at M&T Bank Stadium on the main concourse audio system and on-site video training for staff. A small procurement for two-way radios and equipment accessories was also reported to the Board.

Baltimore City Public Schools, C.O.R.E. and Change Orders

Mr. McGuigan updated the Board on the progress of four schools with two openings anticipated this winter. The full annual program update will be presented in late January. The update takes about 2 months to compile, post and write.

On C.O.R.E projects Mr. McGuigan reported that 95 projects have been completed, 166 have received a notice to proceed, and 20 are in demolition.

Leasing Report

Mr. Raith reported that all rents were current

Financial Report

Mr. Raith reported on September's revenues and expenses, and provided a YTD update.

Maryland Sports Monthly Update and Media Report

Mr. Hasseltine updated information from the United Bid Committee on the final approval. He and Mr. Frenz will travel with other Maryland representatives to Houston for a November 18, event workshop and conference.

Chairman Kelso and Mr. Hasseltine met with Secretary Schulz, DLLR, Governor's DCOS Haddaway-Riccio, and members of the Maryland Jockey Club for discussion on bringing the 2021 Breeder's Cup to Laurel. Maryland's support is appreciated. The Breeders' Cup Board meets in December and a decision will be made by May 2018.

Security Report

Mr. Conaway reported on two "Stop-the-Bleed" voluntary training classes offered to staff and public recently. An additional opioid overdose prevention training class also occurred recently. This training is recommended in case of catastrophic events at work or elsewhere. Dozens of MSA staff have been trained to date.

Audit Committee Report

Mr. Brann reported on the Audit Committee's October 4, meeting. He summarized two 2016 audit reviews and 3 external reports. Mr. Brann also shared the list of MSA internal audits, their schedule and status.

Chairman Kelso thanked staff for their work and reminded Board members that meeting materials will be transmitted electronically in the near future. Members were asked to sign receipts for their MSA issued iPads so IT could assist with initializing them. iPads will be returned to MSA at the completion of a member's service.

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Mr. Kelso called for a motion to adjourn the meeting at 4:53 p.m.

Motion to adjourn: Mr. Bryce

Second: Mr. Attman

Unanimous