

MINUTES OF THE MEETING
OF THE BOARD OF THE
SPORTS & EXHIBITION AUTHORITY OF PITTSBURGH
AND ALLEGHENY COUNTY
HELD THURSDAY, AUGUST 11, 2022
PITTSBURGH, PENNSYLVANIA
COMMENCING AT 10:35 A.M. E.S.T.

A meeting of the Board of Directors of the Sports & Exhibition Authority of Pittsburgh and Allegheny County (the "Authority") was held upon proper notice on Thursday, August 11, 2022, commencing at 10:35 A.M. E.S.T. Due to the COVID-19 pandemic and guidance from public health experts, the meeting was conducted remotely via the online conferencing platform Zoom.

Members of the Authority

Present: Sen. Wayne Fontana, Chairman
Michael Dunleavy, Vice-Chairman
Councilman Anthony Coghill, Treasurer
Sala Udin, Secretary
Councilman Nicholas Futules, Member
Rev. Glenn Grayson, Member
Michael Quatrini, Member

Also Present: Mary Conturo, Doug Straley, Rosanne Casciato, Rhea L. Thomas, Bill Williams, Jhason Dixon, Desmond Bentley, Theresa King, Randall Porch, Steve Morrison, and Paul McDonald Jr. of the Authority; Morgan Hanson, Solicitor; Clarence Curry, CFC-3 Management Services; Tom Ryser, TPR, LLC; Ryan Buries, Natasha Ley, and Spencer Girman, of SMG; Matthew Wilson; Chade Stewart, Cosmos Technology; Username: Rad I Pad.

Senator Wayne Fontana called the meeting to order with the Pledge of Allegiance. Mr. Morgan Hanson followed with a roll call of the board members. Mr. Hanson advised that a quorum was present.

Beginning with public participation, Senator Fontana asked if any members of the public would like to address the board. Members of the public were offered participation by email,

telephone or the Zoom chat function. Mr. Paul McDonald Jr. stated that the Authority had not received any comments via email, no one registered to speak via telephone, and no comments were submitted via the Zoom chat function thus far. Seeing no request from the public to address the board, Senator Fontana moved to the next item on the agenda, approval of the minutes from the meeting on July 14, 2022. A motion was made, seconded and unanimously approved.

Senator Fontana continued on to the next item on the agenda under the David L. Lawrence Convention Center (“DLCC”), authorization to ratify a lump sum change order with Dagostino Electronic Services, Inc. in the amount of \$19,789.24 for unforeseen wiring repair, hardware replacement, and camera replacements at the DLCC, the acceptance of alternates from the initial proposal for an archiver server purchase in the amount of \$20,261.57, and for 5-year software licensing to be paid annually in the amount of \$8,706 per year.

Mr. Steve Morrison stated the DLCC old access control system was upgraded over the last six months pursuant to the Access Control Upgrade Project (“ACUP”) approved by the board in November 2021. During the ACUP, it was discovered that some of the original access control wiring and hardware had failed, and replacement was necessary.

The original ACUP was procured through a public Request for Proposal (“RFP”), and after board approval, the Authority will enter into an agreement with Dagostino Electric Services, Inc. in the amount of \$117,779. This change order would bring the total project cost to \$157,829.81, with an additional \$8,706 per year over five years to be paid out of DLCC operating funds (totaling \$43,530). This work includes a 3-year hardware/labor warranty on the access control equipment and wiring that was repaired.

Senator Fontana asked if there were any other questions from the board. Hearing none, he asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 5840

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to ratify a lump sum change order with Dagostino Electronic Services, Inc. in the amount of \$19,789.24 for unforeseen wiring repair, hardware replacement and camera replacements, the acceptance of alternates from the initial proposal for an archiver server purchase in the amount of \$20,261.57 and for 5-year software licensing (to be paid annually in the amount of \$8,706 per year); and further that the other proper officers and agents of the Authority are authorized to take all action and execute such documents as are necessary and proper to effectuate the terms of this Resolution.

Mr. Hanson stated, for the record, Councilman Anthony Coghill and Mr. Sala Udin joined the meeting.

Senator Fontana continued on to the next item on the agenda, authorization to enter into an agreement with Industrial Pump and Motor Repair in a lump sum amount of \$16,003 for the replacement of a plate-and-frame heat exchanger in the steam room of the DLCC.

Mr. Spencer Girman stated the DLCC heating system is comprised of forty-seven total air handling units ("AHU") that deliver conditioned air throughout the building by way of hot/cold water or steam supply. During the heating season, steam is supplied to the building's steam room by Pittsburgh Allegheny County Thermal ("PACT"), currently. The steam is then used to heat the water supplied to the AHUs and subsequently heat the building.

A recent review of the plant conducted by CJL Engineering in 2021, as well as a building-wide energy audit conducted by HEAPY in April 2022, provided recommendations for energy

conservation measures (“ECM”) throughout the DLCC. One of the recommended ECMs was to replace the plate-and-frame heat exchanger. The heat exchanger consists of several plates packaged together with openings in between them to allow for the flow of liquids. The heat exchanger is used to derive heat from one source and transfer it to another.

Mr. Girman continued that the plate-and-frame heat exchanger extracts the remaining heat from condensate before it is pumped back to PACT. The extracted heat is then transferred to the DLCC hot water return line, thus reducing the consumption of steam which would be used for the same purpose. The plate-and-frame heat exchanger, and the insulation surrounding its supply and return lines, has exceeded its useful life and needs to be replaced.

Mr. Girman further stated on June 10, 2022, a bid notice was advertised in the Post-Gazette, New Pittsburgh Courier, with the Pittsburgh Builders Exchange, Urban Redevelopment Authority (“URA”), and on the Authority’s website. The notice was then sent to thirty-six contractors, including four MBE and two WBE contractors. Two contractors, Industrial Pump and Motor Repair (“IPMR”) and Sentry Mechanical attended a non-mandatory pre-bid meeting on June 22, 2022. Three bids from SSM Industries, Inc., Sentry Mechanical, and IPMR were received on July 6, 2022+. It is recommended to award this contract to IPMR as it was the lowest responsible bid.

Senator Fontana asked if there were any other questions from the board. Hearing none, he asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 5841

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to enter into an agreement with Industrial Pump and Motor Repair in a lump sum amount of \$16,003 for the replacement of a plate-and-frame heat exchanger in the steam room of the David L. Lawrence Convention Center; and

further that the proper officers and agents of the Authority are authorized to take all action and execute such documents as are necessary and proper to effectuate the terms of this Resolution.

Senator Fontana continued on to the next item on the agenda, authorization to enter into an agreement with TriMark Marlin in a lump sum amount of \$107,107.55 for the purchase of various kitchen and banquet equipment.

Mr. Ryan Buries stated Levy Restaurants (“Levy”), the contracted food and beverage vendor at DLCC, is requesting the replacement and purchase of certain kitchen and banquet equipment.

The current combi oven, one of the four original to DLCC, is the only workable smoker, and is the final oven to be replaced. The new combi oven is a combination of a steamer and convection oven. Increasing to four properly working combi ovens will increase cooking efficiencies and food quality for events as well as cut down cook times.

Mr. Buries further stated the current (38) mobile hot boxes are all original to the building and are reaching the end of their useful lives. The hot boxes are used to transport food to various event locations in the building and are critical to keeping food at its proper temperature until served. Levy’s goal is to start replacing four hot boxes per year.

Mr. Buries stated the fryer located in Concession Stand E is broken and replacing it will increase frying capacity in and the quality and timing on large events.

Levy is requesting to purchase four mobile heated cabinets. These single-door upright heated cabinets will be used for smaller events and are easier to move throughout DLCC. Levy has seen an increase of smaller spin-off events in conjunction with larger events making the addition of the mobile cabinets crucial.

Mr. Buries further stated that Levy is requesting to purchase 325 bowls and covers and two dollies for transport. Currently, all plated meals are served on 11-inch flat plates and the addition of these 11-inch bowls will enhance the presentation of certain dishes and give them a more modern look. The dollies will be used for the storage and transport of the dishes.

In July 2022, the Kitchen & Banquet Equipment bid package was advertised on the Authority's website, in the Post-Gazette, New Pittsburgh Courier, with the Pennsylvania Builders Exchange, African American Chamber of Commerce, URA, First Source Center and Riverside Innovation Center. Fifteen companies were notified of the bid package and five bids were received on July 28, 2022, from the following companies: TriMark Marlin, Grady's R&S Supply, Ford, HMAK, and Superior Restaurant Equipment. TriMark Marlin was the lowest-priced bidder at \$107,107.55 for all five items listed in the bid package.

Mr. Buries stated the equipment meets the LEED sustainability criteria, and all come with the stated factory warranties, except the combi oven which has an additional one year above the one-year factory warranty.

Mr. Hanson stated that he wanted the record to reflect Rev. Grayson joined the meeting.

Senator Fontana asked if there were any other questions from the board. Hearing none, he asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 5842

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to enter into an agreement with TriMark Marlin in a lump sum amount of \$107,107.55 for the purchase of various kitchen and banquet equipment; and further that the proper officers and agents of the Authority are authorized to take all action and execute such documents as are necessary and proper to effectuate the terms of this Resolution.

Senator Fontana continued on to the next item on the agenda, authorization to issue an amendment to the Modjeski and Masters, Inc. existing contract, authorizing payment in an amount up to \$100,440, to be billed at hourly rates based on actual hours spent including expenses, for construction inspection services on the structural steel painting and repairs to the roof cable system.

Mr. Tom Ryser stated the General Structure Maintenance Manual for the DLCC, prepared by Dewhurst MacFarlane and Partners PC, calls for an inspection of the cable system at three-year intervals.

For the 2020 inspection, a public RFP process was conducted, and Modjeski and Masters, Inc. ("M&M") was selected to perform the 2020 routine inspection of the roof cable system and the board approved entering into the agreement with M&M in July 2020. M&M completed the inspection in August/September 2020 and concluded the roof cable system is in overall good condition with most of the deficiencies being minor. The RFP requested hourly rates and stated future work may be authorized based on the outcome of the inspection.

Mr. Ryser continued, in December 2020, the board approved issuing an amendment to M&M to provide the plans and specifications for the water infiltration remediation and miscellaneous repair items identified in the routine inspection of the roof cables system and to inspect the repairs once the contractor completed the work. During the design, it was decided to change to full painting of various structural steel members, steel masts and structural steel associated with the fabric roof, in lieu of the anticipated spot painting since the same difficult access could be used. The steel masts were last recoated in 2010 and the structural steel associated with the fabric roof is original to construction with some minor spots painted in 2010.

Mr. Ryser further stated in April 2022, the board approved entering into an agreement with Freyssinet for the roof cable system repairs which included the full painting of the various structural steel members. The full painting in lieu of spot painting will require additional site visits, additional responses to requests for information, submittal reviews, and as-built submission reviews. These additional construction inspection services work will be billed at hourly rates based on actual hours spent including expenses up to \$100,440.

This request is attributed to the need for a coatings inspector to be onsite throughout the duration of the painting operations to ensure the proper paint systems are being applied correctly. For this amendment, M&M has committed to 11.4% MBE participation by using Cosmos Technologies, Inc. for inspection.

Senator Fontana asked if there were any questions.

Mr. Sala Udin asked if there was any other work that could be done on the roof under the same or an amendment contract to use the roof access provided here.

Mr. Ryser stated there is other work that was added to this contract. Mr. Ryser further stated the Authority is working on the lightning protection of the flagpoles and looking at repairs on the flagpole hardware on the roof.

Senator Fontana asked if there were any other questions from the board. Hearing none, he asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 5843

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to issue an amendment to the Modjeski and Masters, Inc. existing contract, authorizing payment

in an amount up to \$100,440, to be billed at hourly rates based on actual hours spent including expenses, for construction inspection services on the structural steel painting and repair of miscellaneous items identified in the routine inspection of the roof cable system; and further that the proper officers and agents of the Authority are authorized to take all action and execute such documents as are necessary and proper to effectuate the terms of this Resolution.

Senator Fontana continued on to the next item on the agenda, authorization to reimburse PSSI Stadium Corporation in an amount not-to-exceed \$93,850 for Phase IV of the concrete and sealant repair project.

Mr. Bill Williams stated in 2019, PSSI began a multi-year phased concrete and sealant repair project. Phase I of the project was approved by the board in May 2019, with CPS Construction (“CPS”) as the contractor. The Phase II work was approved in April 2020 and Phase III work was approved in October 2021.

The current Phase IV work includes crack routing and sealing, spalled concrete repairs, and stair repairs. These items were recommended in the 2021 Structural Facility Assessment and the annual Facility Condition Assessment report and reviewed by the Authority’s facility director. The total amount of identified repairs for Phase IV is \$93,850.

Mr. Williams further stated that during these repairs, if any additional items are identified, the facilities director will review and approve these additional items, and a future change order will be submitted. There is no MBE or WBE participation as CPS is self-performing this phase of the work. CPS did engage MBE participation in previous phases, but this phase did not provide the opportunities of previous phases. Authority staff recommends that the board authorize reimbursements totaling a not-to-exceed amount of \$93,850.

Senator Fontana asked if there were any questions.

Mr. Udin asked if there is any update on the discussions and negotiations with PSSI and the Authority.

Mr. Hanson stated that would be a question directed to him and there can be an executive session to discuss the pending litigation between PSSI and the Authority regarding the south end zone scoreboard that was reported in the Pittsburgh Post-Gazette.

Mr. Michael Quatrini asked how many more phases were left.

Mr. Williams stated there is one more.

Senator Fontana asked if there were any other questions from the board. Hearing none, he asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 5844

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to reimburse PSSI Stadium in an amount not-to-exceed \$93,850 for Phase IV of the concrete and sealant repair project; and further that the proper officers and agents of the Authority are authorized to take all action and execute such documents as are necessary and proper to effectuate the terms of this Resolution.

Senator Fontana continued on to the next item on the agenda, authorization to use 2022 Hotel Room Excise Tax bond refinancing proceeds to provide funding for the David L. Lawrence Convention Center – 4th Floor Terrace Phase II (ME300-2251) project.

Mr. Doug Straley stated the Authority submitted a Redevelopment Assistance Capital Program (“RACP”) grant request through the Commonwealth’s Office of Budget for capital repairs at DLCC. The RACP grant will be used to defray the costs of the 4th Floor Terrace Roof Phase II. On December 23, 2020, the Authority was notified of a grant award in the amount of

\$2,000,000. The RACP provides the grant award on a reimbursement basis and requires the Authority to provide a match of at least \$4,807,900.

The RACP grant award covers costs of Albert M. Higley Company, including the work of two of its subcontractors: Phoenix Roofing and Volpatt Construction (General Trades contractor). Construction began in March 2021 and was completed in June 2022.

Mr. Straley further stated the Authority has been working with the Commonwealth's consultant, CDR Maquire, in providing the necessary documentation. The Authority was requested to adopt a resolution specifically addressing the source(s) of the Authority's funds being the proceeds of the 2022 Hotel Room Excise Tax bond, the US Bank Project Fund Account #7002, and PNC Pro Checking Account #6077. This evidences the Authority's method for providing the required match and providing funding which will later be reimbursed by RACP.

Once the grant agreement is signed by the Commonwealth, the Authority will submit one pay application for the full amount of the grant. The Commonwealth will pay all but 5% of the total invoiced amount which is held until the Commonwealth's audit is complete.

Senator Fontana asked if there were any other questions from the board. Hearing none, he asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 5845

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to use up to \$8,000,000 (\$6M in permanent payments and \$2M in interim financing) from the 2022 Hotel Room Excise Tax bond refinancing proceeds to cover the payments for Albert M. Higley Company agreement, including work performed by Volpatt Construction and Phoenix Roofing subcontracts, from *US Bank Project Fund Account #7002* and *PNC*

Pro Checking Account #6077 for their work on David L. Lawrence Convention Center - 4th Floor Terrace Phase II (ME300-2251) and any prior such actions are hereby ratified; and further that the proper officers and agents of the Authority are authorized to take all action and execute such documents as are necessary and proper to effectuate the terms of this Resolution.

The next item was public participation, and Senator Fontana asked if anyone in the audience desired to address the board.

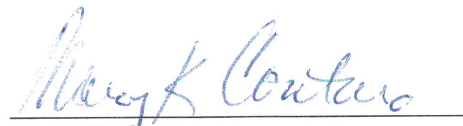
Mr. McDonald Jr. stated that the Authority provided the public with three options for public participation: email, telephone, or the Zoom chat function. No public comments were submitted via email and there were no registrations to submit a public comment via telephone or the Zoom chat function.

Senator Fontana asked if there were any comments from the board.

Mr. Hanson stated in compliance with the Pennsylvania Sunshine Act, the Authority is obligated to disclose at a public meeting that it has met in executive session to discuss the hiring of a new Executive Director for the Authority.

Senator Fontana asked if there were any comments from the board.

There being no additional comments or business, Senator Fontana asked for a motion to adjourn. Upon a motion duly made, seconded, and unanimously carried, the meeting was adjourned at 11:20 A.M.



Mary K. Conturo
Assistant Secretary