

MINUTES OF THE MEETING
OF THE BOARD OF THE
SPORTS & EXHIBITION AUTHORITY OF PITTSBURGH
AND ALLEGHENY COUNTY
HELD THURSDAY, FEBRUARY 3, 2011
AT THE DAVID L. LAWRENCE CONVENTION CENTER,
PITTSBURGH, PENNSYLVANIA
COMMENCING AT 10:37 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 in Room 333 of the David L. Lawrence Convention Center in Pittsburgh, PA 15222, on Thursday, February 3, 2011 commencing at 10:37 A.M. E.S.T.

Members of the Authority

Present: Senator Fontana, Chairman
Reverend Dr. William H. Curtis, Vice Chairman
Anthony Ross, Member
Dr. Edie Shapira, Secretary
Sean Logan, Member
Michael Dunleavy, Member
Councilwoman Darlene Harris, Member

Absent: None

Also Present: Mary Conturo, Doug Straley, Mark Johnson, Rifat Qureshi, Angelica Ciranni, Jason Kobeda, Rosanne Casciato, Rosemary Carroll and Caitlin Brogan of the SEA; Mike Barnard of Oxford Development Company; Clarence Curry of CFC-3 Management Services; Tom Ryser of TPR, LLC; Bernie Watson of SMG; Chris Hunter of Pittsburgh Associates; Bill Vidonic of the Pittsburgh Tribune Review and Fred Winkler; Architect.

Senator Fontana called the meeting to order with the Pledge of Allegiance, followed by a roll call of the Board Members.

Beginning with public participation, Senator Fontana asked if any members of the audience would like to comment on the agenda. Hearing none, the meeting continued with the

approval of minutes from the meeting on December 16, 2010. A motion was made, seconded, and unanimously approved.

Senator Fontana began addressing new business with the first item on the agenda, ratification of a \$5,200 change order to CJL Engineering for the chiller plant audit.

Mr. Watson stated that upon transfer of the chiller plant from Noresco to the SEA, it was determined that an audit of the condition of the equipment, as well as a plant assessment, inventory and examination of records, was prudent. CJL was the low responsible respondent to the RFP issued in December. The evaluation concluded that the plant was in good condition, and transfer of ownership to SEA was made at the end of 2010.

After asking for questions and hearing none, Senator Fontana asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 4926

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers hereby ratify a \$5,200 change order to CJL Engineering for the chiller plant audit; 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 introduced the next item, an authorization to issue a \$7,941 deduct change order to Conomos for mast painting close out.

Mr. Watson explained this request was to reconcile the open contract issues with Conomos. The work was completed in the October/November time frame. There were five remaining items, a deduction of galvanizing touch up, and addition of scaffolding towers, which ended with a net credit of \$7,941.

After asking for questions and hearing none, Senator Fontana asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 4927

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to issue a \$7,941 deduct change order to Conomos for mast painting close out; 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 introduced the next item, authorization to issue a \$16,669 change order to KTA Tator for mast painting inspection close out.

Mr. Watson stated the mass painting extended beyond the original eight week schedule. There were issues that required repair at the saddles. \$16,669 was the final closeout cost.

After asking for questions and hearing none, Senator Fontana asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 4928

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to issue a \$16,669 change order to KTA Tator for mast painting inspection close out; and further that the proper officers and agents of the Authority are authorized and directed to take all action and execute such documents as are necessary and proper to effectuate the terms of this resolution.

Senator Fontana introduced the next item, a request for authorization to issue a \$7,050 change order to StructureTec for changes to bid documents for the rebid of the loading dock roof replacement and associated repairs.

Mr. Watson stated that the bid for loading dock roof replacement came in well over budget. Based on meetings with other contractors, SMG decided to repackage the bid. The bid will be in 4 separate packages; demolition, roofing, mechanical equipment repairs, and one for loading dock coating repairs, and some other minor changes to the repairs. With the repackaging of the bid, significant savings should be generated.

After asking for questions and hearing none, Senator Fontana asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 4929

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to issue a \$7,050 change order to StructureTec for changes to bid documents for the rebid of the loading dock roof replacement and associated repairs; 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 introduced the next item as a request for authorization to issue an \$11,711 change order to PJ Dick Incorporated for the permanent curtain wall access at column line X15.

Mr. Ryser explained the change order was related to a shop drawing review for the steel placement. There was a conflict between the existing splice place in the trusses and where the catwalk was being installed, thus, the design engineer had to revise the detail. These costs were related to the change.

After asking for questions and hearing none, Senator Fontana asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 4930

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to issue a \$11,711 change order to PJ Dick Incorporated for the permanent curtain wall access at column line X15; 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 introduced the next item, an authorization to issue a \$256,552 change order to Oxford Development/Chester Engineers for additional owner representative services.

Mr. Straley explained in 2007 the Board approved a contract with Oxford, who helped with the arena and garage construction. Authority staff is about three months away from closing all the contracts for that budget. In 2009, the Board approved utilizing Oxford for services related to the redevelopment process on the Civic Arena. To date, City Planning has approved the demolition permit. An RFP process was utilized to hire the demolition designer Langan Engineering, who is almost complete with the design documents. Phase 1 interior abatement, by Canfield development, has been completed. The Civic Arena asset sale is partially completed – there have been 10 auctions, with approximately 6 left. Oxford and the SEA have been working through the historic nomination process. The change order, which is billed on an hourly basis, involved three different staff members from Oxford and one from Chronicle Consulting which is a WBE, making WBE participation 29%. Oxford is a joint partner with Chester Engineers which

is an MBE firm as well., Oxford's proposal will continue through the end of the year and complete such tasks as: asset sale completion, the historic nomination process thru various agencies, Civic Arena mitigation, abatement and, if approved, the demolition prequalification and public bid process. Oxford will also oversee demolition and site preparation as well as project schedule and staff as it pertains to master plan coordination. Staff recommends approval.

After asking for questions and hearing none, Senator Fontana asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 4931

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to issue a \$256,552 change order to Oxford Development/Chester Engineers for additional owner representative services; 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 introduced the next item, a request for authorization to issue a \$22,370 change order to PSI for concrete sampling and analysis.

Mr. Barnard explained that concrete sampling at the Civic Arena will allow concrete to be used as clean fill on the site after the demolition and restoration, if certified.

After asking for questions and hearing none, Senator Fontana asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 4932

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and

other proper officers are authorized to issue change order to PSI in the amount of \$22,370 for concrete sampling and analysis; 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 introduced the next item, a request authorizing the issue of a \$7,000 change order to Langan Engineering and Environmental Services for closed circuit televised video of existing sewers.

Mr. Barnard stated, two weeks ago PWSA recommended confirmation of existing taps on sewers serving the Civic Arena Site. Inspection would allow confirmation of the design documents, and the distribution of the bid for facility's demolition.

After asking for questions and hearing none, Senator Fontana asked for a motion to approve. On a motion duly made, seconded, and carried with Mr. Logan abstaining from the vote, the following resolution was approved:

RESOLUTION NO. 4933

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to issue a \$7,000 change order to Langan Engineering and Environmental Services for closed circuit televised video of existing sewers; 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 introduced the next item, a request to authorize reimbursement to Pittsburgh Associates of up to \$204,642 from the Capital Reserve Fund for carpet and painting projects.

Mr. Johnson explained, every year the Pirates request that funds from the Capital Reserve be utilized for projects at PNC Park. The Pirates were requesting the funds for painting and carpeting of the third floor of the administration building, the building is 4 floors. The Pirates

plan to complete a different phase every year. The paint being used is low-VOC, environmentally friendly, and the carpet is removed and recycled. Chronicle Consulting, who conducts the annual inspection of the facility, views this repair as prudent. Chronicle consulting and SEA staff recommend approval.

After asking for questions and hearing none, Senator Fontana asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 4934

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to reimburse Pittsburgh Associates up to \$204,642 from the Capital Reserve Fund for carpet and painting projects; 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 introduced the next item, a request to authorize reimbursement to PSSI Stadium LLC up to \$1,049,656 from the Capital Reserve Fund for structural painting and ramp repair.

Mr. Straley explained that the structural steel painting and ramp maintenance and repair projects were brought before the board in 2010. The projects were divided into a three phase bid process, and this item was Phase II for both projects. Work was deemed eligible and recommended by Chronicle Consulting. There would be steel painting of the east and west upper deck, the ramp repair on the northeast, northwest and southwest ramps. The low bidder was Avalotis who had ten percent of this contract awarded to a certified MBE supplier. For ramp maintenance, CPS Construction was the low bidder, with 6.9% MBE and 1.4 %WBE. Once these painting and repair projects are complete, only the southeast ramp will need to be done.

After asking for questions and hearing none, Senator Fontana asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 4935

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 LLC up to \$1,049,656 from the Capital Reserve Fund for structural painting and ramp repair in accordance with terms of the Lease; 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 introduced the next item, a request for authorization to reimburse Franco for façade maintenance in an amount up to \$11,242.

Mr. Straley explained that this as the final change order for maintenance work the Authority requested during brick maintenance on the building related to joint sealant, failed sealant, mortar head joints, and replacement of the precast belt. These repairs were conducted on a unit price basis which was reviewed by the consulting engineer Wiss Janney Elstner Associates.

After asking for questions and hearing none, Senator Fontana asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 4936

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to reimburse Franco for façade maintenance in an amount up to \$11,242; 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 introduced the next item, a request for Authorization to issue a not to exceed \$91,500 change order with TPR, LLC (payable at an hourly rate of \$74/hr) for construction oversight and management of operating issues primarily related to Convention Center Riverfront Plaza, North Shore Riverfront Park, and Civic Arena infrastructure.

Mr. Straley explained that TPR, LLC is Tom Ryser, who has worked with Stadium Authority as well as SEA since 2006. Mr. Ryser's rate of \$74/hr has not changed since his original contract. In 2011, Mr. Ryser would help conclude the Convention Center Riverfront Plaza, Convention Center permanent rigging system, WWII memorial in the North Shore Riverfront Park, and Civic Arena Infrastructure. Mr. Ryser has expertise working with PennDot, PWSA and other utilities as well.

After asking for questions and hearing none, Senator Fontana asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 4937

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to issue a not to exceed \$91,500 change order with TPR, LLC (payable at an hourly rate of \$74/hr) for construction oversight and management of operating issues primarily related to Convention Center Riverfront Plaza, North Shore Riverfront Park, and Civic Arena infrastructure; 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 introduced the next item, a request for authorization to issue a not to exceed \$36,200 change order to CFC-3 Management Services, Clarence Curry, for additional MBE/WBE oversight.

Mr. Straley stated that Mr. Curry has worked with the SEA since 2007, and is needed to assist with closing out arena activity, and work with Lower Hill Redevelopment, in regards to the MBE/WBE activities related to each project. Mr. Curry also conducts diversity coordination services for contracting and maintenance work at all SEA facilities. This is a monthly lump sum invoice of \$3,200 plus \$1,000 overall in expenses if required.

After asking for questions and hearing none, Senator Fontana asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 4938

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to issue a not to exceed \$36,200 change order to CFC-3 Management Services, Clarence Curry, for additional MBE/WBE oversight; 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 introduced the next item, a request for authorization to issue a \$100,000 change order to Buchanan Ingersoll Rooney P.C. for legal services.

Ms. Casciato explained that Buchanan Ingersoll has been developing and reviewing contracts and agreements, as well as other legal documents for operating and construction related to the following projects: Convention Center, North Shore, and the Civic Arena. Ms. Casciato added that Mr. Hornak has extensive experience with the Authority, which allows him to provide efficient and timely legal assistance.

After asking for questions and hearing none, Senator Fontana asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 4939

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to expend up to \$100,000 for legal services from Buchanan Ingersoll Rooney P.C. for legal services; 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 introduced the next item, a request for authorization to enter into a contract with The PFM Group in the amount of \$3,500 to provide GASB 53 review as needed for the audit.

GASB is the Government Accounting Standards Board which establishes standards of financial accounting for government and authorities. GASB statement 53 is a mandatory statement requiring financial statement disclosure of derivative instruments entered into by state and local governments. This disclosure requires technical calculations to be performed on the Commonwealth Lease Revenue Bonds of 2007. Four companies were approached based on their abilities to perform calculations, and two proposals were received. The SEA recommends entering into a contract with The PFM Group.

After asking for questions and hearing none, Senator Fontana asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 4940

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to enter into a contract with The PFM Group in the amount of \$3,500 to provide GASB 53 review as needed for the audit; 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 introduced the next item, Authorization to enter into an 18 month agreement with Tucker, Johnson and Smelzer, Inc. for Risk Management Services at a cost of (a) \$10,000 for services related to the selection of brokers and binding of SEA/SA insurance and (b) \$137.50 hourly rate not to exceed \$20,000 for other risk management services as needed.

Ms. Casciato stated that a consultant is needed to assist in generating an RFP or RFPs for selection of insurance brokers as well as ongoing risk management services. An RFP was distributed to 15 risk management firms, advertised in 2 local papers, and on the SEA website. Four proposals were received, and two proposers were interviewed. TJ&S proposed the lowest price. The SEA recommends entering into the 18 month contract to issue insurance broker RFPs, and to provide other risk management services.

After asking for questions and hearing none, Senator Fontana asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 4941

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 18 month agreement with Tucker, Johnson and Smelzer, Inc. for Risk Management Services at a cost of (a) \$10,000 for services related to the selection of brokers and binding of SEA/SA insurance and (b) \$137.50 hourly rate not to exceed \$20,000 for other risk

management services as needed; 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 asked if any members of the audience would like to address the Board or comment on the agenda. Hearing none, he asked for comments from the Board Members.

There being no further 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 10:55 A.M.



Mark R. Hornak
Assistant Secretary