

MINUTES OF THE MEETING
OF THE BOARD OF THE
SPORTS & EXHIBITION AUTHORITY OF PITTSBURGH
AND ALLEGHENY COUNTY
HELD THURSDAY, MARCH 14, 2019
AT THE DAVID L. LAWRENCE CONVENTION CENTER
PITTSBURGH, PENNSYLVANIA
COMMENCING AT 10:44 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 the DLCC Executive Board Room in Pittsburgh, PA 15222, on Thursday, March 14, 2019 commencing at 10:44 A.M. E.S.T.

Members of the Authority

Present: Sen. Wayne Fontana, Chairman
Councilman Anthony Coghill, Member
Michael Dunleavy, Member
Councilman Nicholas Futules, Member (via phone)

Also Present: Mary Conturo, Doug Straley, Rosanne Casciato, Bill Williams, Rhea Thomas, Rifat Qureshi, Sharon Mink, Simona Loberant, Rachel Cohen and Maggie Pike of the Authority; Morgan Hanson, Solicitor; Tom Ryser of TPR; Clarence Curry of CF3 Management; Tim Muldoon, Ryan Buries, Conor McGarvey, Kevin Fonner, Jeff Stirling, Hiedi Strothers and Kevin Mielcarek of SMG; Brian Delaney of Heinz Field; Mark Belko of the Pittsburgh Post-Gazette; and Frederick Winkler, architect.

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 confirmed that Councilman Nicholas Futules was attending via telephone, and that he could hear the other Board Members and the Board Members could hear him. Mr. Hanson advised that a quorum was present.

Beginning with public participation, Senator Fontana asked if any members of the audience would like to address the Board. Seeing none, he moved to the next item on the agenda,

approval of the minutes from the meeting of February 14, 2019. A motion was made, seconded and unanimously approved.

Senator Fontana continued on to the next item on the agenda under David L. Lawrence Convention Center (DLCC), authorization to issue a change order with Eastern Sign Tech, LLC in a lump sum amount of \$35,652 for services related to the digital and static wayfinding signage installation project.

Mr. Conor McGarvey explained that in October 2018 the SEA Board approved a contract in the amount of \$1,361,319 for the demolition of existing signs, and the fabrication and installation of new static and digital signage with Eastern Sign Tech, LLC. Phase 1 of the project is complete. The final phase includes installation of LED video boards above DLCC exhibit halls, restroom signage, and emergency exit signage. Substantial completion of the final phase is expected on or before April 1, 2019.

The following is a summary of the change orders requested.

The original bid specification included the fabrication of illuminated signs. Eastern Sign Tech has provided a deduct change order in the amount of \$1,250 to remove the illuminated portion of these signs. The signs are being kept but the illuminated portion is being removed.

Also included in the contract was use of DLCC aerial lifts, if available. It was necessary to rent one additional scissor lift for a total of five weeks to ensure that phase 1 of the project was completed in a timely manner. There were two different instances that an aerial lift had to be rented for a cost of \$901 and \$405, respectively.

Upon installation of the electrical circuits for the LED boards, there were two instances of unforeseen circumstances related to the installation of the LED boards. First, there were not a sufficient number of circuits to service all four LED boards. An additional 10 circuits needed to

be installed to supply power to the LED boards. The total cost for this portion of the change order is \$12,498.

Second, upon installation of the circuits for the LED board above the entrance to Hall B, it was discovered that in order to supply sufficient power to the LED board and run temporary power for DLCC events held in the concourse areas, the existing transformer needed to be upgraded. A 75kVA transformer needed to be installed to replace the existing 45kVA transformer. The total cost for this portion of the change order is \$15,681.

The last portion relates to two locations in the DLCC where emergency notification strobe lights needed to be relocated to allow for installation of digital monitors. The strobes were relocated to walls adjacent from their original locations and the locations adhere to NFPA and local ordinances for alarm notification. The total cost for this portion of the change order was \$7,415.

All change order requests were reviewed and signed off on by the DLCC project manager and KMA, the designer and construction administrator for the project. This change order includes 86.8% MBE participation as \$30,952 of it is work performed by ImbuTec Electrical.

Senator Fontana asked if there were any 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. 5595

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to issue a change order with Eastern Sign Tech, LLC in a lump sum amount of \$35,652 for services related to the digital and static wayfinding signage installation 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 introduced the next item, authorization to enter into an agreement with HC Global in a not-to-exceed amount of \$63,410 for the purchase of 150 portable two-way radios and accessories, installation and three-year service agreement.

Mr. McGarvey explained that the DLCC uses two-way radios for communication related to security and public safety, general building maintenance, and to service events. The DLCC has operated on an analog radio system for the past 11 years and needs to switch to a digital system. Digital radio communication allows for more secure communication and is more reliable than analog. Analog two-way radio systems will be obsolete in the near future. Currently the DLCC is leasing 110 analog radios, and owns two analog repeaters and an antenna.

On February 14, 2019, the DLCC issued a request for proposals (RFP) for a comprehensive replacement of the current system. The scope of the RFP included purchase of 150 digital two-way radios, pricing for 2-4 digital repeaters, 250 ear pieces, and installation of hardware, programming and a three-year warranty. The RFP was published on the SEA website and in the Pittsburgh Post-Gazette and New Pittsburgh Courier. It was sent to five companies. A pre-proposal meeting was held and five companies attended. When proposals were due, four proposals were received from the following companies: Bear Communications, Inc., A.V. Luttamus Communications, Inc., HC Global, and Cleveland Communications Inc.

A review team consisting of DLCC staff reviewed proposals, short listed three companies, conducted interviews and asked for final proposals. After final proposals were submitted and reviewed, HC Global was the low proposer and is recommended for the project. HC Global is locally based in Irwin, PA and they will be able to service the account quickly. HC Global's references had positive comments about the hardware and their service. HC Global's

service rates and costs for commonly replaced accessories were also lower than the other proposers.

The DLCC also asked proposers to submit pricing for a lease-to-own agreement. Only BearCom and HC Global submitted those proposals. That pricing did not include repeaters, installation and ear pieces.

HC Global will renew DLCC FCC licenses and upgrade the licenses to digital. A service contract with time and material rates held for three years is part of the contract.

After three years, the DLCC will either renegotiate service pricing or will issue a RFP for services. The DLCC will utilize existing antenna and wiring. Final integration of the new system will be less than one day and will not interrupt DLCC operations. All hardware and installation includes a three-year warranty.

Senator Fontana asked if there were any questions from the Board.

Councilman Futules asked which facilities will the radios service.

Mr. McGarvey explained that the radios are just for the DLCC.

Senator Fontana asked which staff members will have a radio.

Mr. McGarvey explained that management staff, full-time labor and trades, full-time security and public safety will have radios. Additionally, temporary staff that is brought in to service events will have a sufficient number of radios to use for those events.

Senator Fontana asked about the range that the radios can reach.

Mr. McGarvey explained that the radios cover the building perimeter and beyond the building to a certain distance.

Senator Fontana asked if there were any further 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. 5596

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 HC Global in a not-to-exceed amount of \$63,410 for the purchase of 150 portable two-way radios and accessories, installation and three-year service agreement; 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 amend the construction management contract with Mascaro Construction Company, LP to provide for a guaranteed maximum price of \$4,797,877 for the construction of the 4th Floor Terrace – Phase 1.

Mr. Tom Ryser explained that in February 2016 the Board approved entering into an agreement with Indovina Associates Architects, LLC (Indovina) for design services for the 4th Floor Terrace.

In September 2018 the Board approved entering into a contract with Mascaro Construction Company for the construction management at-risk services for the 4th Floor Terrace – Phase 1. The 4th Floor Terrace – Phase 1 project is the replacement of the city side of the 4th floor concrete terrace with a green roof that includes seating areas and pavers for walking and areas for events. As part of the Phase 1 project, the 3rd floor exterior escalators and stairs will be removed.

The overall cost for the construction manager at-risk is determined through two steps.

First, at the September 2018 Board meeting, pursuant to a RFP process, Mascaro was selected as the construction manager at-risk and payment of preconstruction services in an

amount up to \$40,000 was authorized. The preconstruction services allow the construction manager to work with the architect as the project is being designed, to review the design, materials and products, and create estimates.

Second, is determining the overall cost for the construction manager at-risk as it relates to the actual costs of constructing the 4th Floor Terrace -- Phase 1. The contract provides that a guaranteed maximum price or GMP for the project will be established as an amendment to the existing contract. A GMP sets, for the Authority, the cost to build the project. The construction manager at-risk is responsible for building the project for that amount and is responsible for cost overruns, unless the GMP is increased as a result of additional scope of work requested by the owner, not price overruns, errors, or omissions by the contractors and/or construction manager.

The GMP amount will include the \$40,000 for preconstruction services described earlier, as well as the construction manager's fee, staffing costs, permitting and insurance expenses, and a 7.5% construction contingency. If the construction contingency is unspent, 25%, up to \$100,000, is paid to Mascaro, and the remainder belongs to the Authority.

Following agreement on the GMP, the construction or building trade contracts will be publicly bid. The construction contracts will be bid in the name of the Authority, authorized by the Board, and then immediately assigned to Mascaro as construction manager for administration. It is expected that there will be five construction contracts, including General Trades, Roofing/Waterproofing, Landscaping, Plumbing and Electrical.

The Authority staff is recommending the GMP be set at \$4,797,877.

A plan for MBE/WBE participation related to the construction project will be provided when the trade contracts are presented to the Board for approval. Mascaro has an outreach plan for both MBE/WBE participation and workforce diversity to maximize the Authority's goals.

Mascaro will be conducting a MBE/WBE workshop on March 19, 2019. Mascaro will also conduct a workforce outreach prior to the work starting.

The estimated construction start is early spring 2019 with completion date in late fall 2019.

Senator Fontana asked if there were any questions from the Board.

Councilman Anthony Coghill asked if the roofing would be replaced first before the terrace and walking paths.

Mr. Ryser explained that the work is most likely going to be performed in small sections in order to ensure that the entire roof is not exposed. They will replace roofing in a specific section, and once that section is roofed, they will start on the next section of roofing, and the work on the finishes on the first section will begin simultaneously.

Councilman Coghill asked what type of roofing the contractors are using.

Mr. Ryser explained that it is a modified two-ply.

Councilman Coghill asked if the terrace itself is for the public or if it is going to be private.

Mr. Ryser explained that it is public. Any guest in the DLCC can utilize the terrace.

Senator Fontana asked if there were any further 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. 5597

RESOLVED by the Board of the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to amend, in form acceptable to the solicitor, the construction management contract with Mascaro Construction Company, LP in order to provide for a guaranteed maximum price of \$4,797,877 for construction of the 4th Floor Terrace – Phase 1;

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 related and proper to effectuate the terms of this Resolution.

Senator Fontana introduced the next item under I-579 Urban Open Space Cap Project, authorization to enter into an agreement with McKay Lodge Fine Arts Conservation Laboratory in a not-to-exceed amount of \$46,372 for artwork and ancillary item removal from pedestrian tunnel.

Mr. Ryser explained that as part of the construction of the I-579 Urban Open Space Cap, the Mosaic Tunnel artwork by Virgil Cantini will need to be removed.

McKay Lodge previously conducted a test removal of one of the 28 panels of the Mosaic Tunnel. The purpose of the test removal was to determine the feasibility and possibility of removal. The test removal was successful which allowed the project to move forward with seeking proposals to remove the remaining 27 panels.

On January 4, 2019, the Authority issued a RFP to seek the services for the artwork and ancillary item removal. The Authority posted a notice on the Authority's website, contacted conservators, and advertised in the Pittsburgh Post-Gazette and the New Pittsburgh Courier. Six firms requested copies of the RFP. Proposals were due on February 7, 2019, and three proposals were received.

Review of the proposals was conducted by the SEA, the City of Pittsburgh Public Art and Civic Design Manager, and Director of City Planning. The SEA and City believe McKay Lodge has a good understanding of the tasks required and are recommending entering into an agreement.

Notice to proceed for the project will be given in March with expected completion by June 2019. It is anticipated that the physical work will begin in mid-April.

Senator Fontana asked if there were any questions from the Board.

Senator Fontana inquired about what happens to the artwork after removal.

Mr. Ryser explained that the City will store the artwork, and as part of a Programmatic Agreement, the City will have five years to find relocation for the artwork.

Senator Fontana asked if there were any further 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. 5598

RESOLVED by the Board of 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 McKay Lodge Fine Arts Conservation Laboratory in a not-to-exceed amount of \$46,372 for artwork and ancillary item removal from pedestrian tunnel; 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 related and proper to effectuate the terms of this Resolution.

Senator Fontana introduced the next item under North Shore Riverfront Park, authorization to reimburse Mascaro Construction Company, LP up to \$9,472 for the replacement/repair of pavers at the WWII Memorial, to be paid from the Authority's WWII Memorial maintenance fund.

Mr. Doug Straley explained that in December 2013, the WWII Memorial was dedicated at the North Shore Riverfront Park. In July 2015, the Memorial was transferred to the Authority, including a maintenance fund of approximately \$315,000 as part of the transfer agreement.

The Memorial includes approximately 1,800 pavers and it was determined last year that approximately 50 of them are showing cracking and spalling. SEA staff met with Mascaro Construction, the original contractor for the project, as well as the quarry that provided the stone, Harris Masonry, onsite to inspect the pavers. The initial plan was to replace all of the stones that

had cracked, but it was decided to test the stones to see if they could be flipped over and reused if the other side of the stone did not have any spalling. The Authority was able to reduce the initial cost by proceeding with a plan to flip the stones as well as buy 25 new stones because there are some that have an irregular shape and cannot be turned over and reused, and to have some attic stock if need arises in the future. This request, if approved, would pay for the labor to flip the stones as well as the purchase of 25 additional pavers. The project will be paid for from the WWII Memorial Maintenance Fund.

Senator Fontana asked if there were any 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. 5599

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to reimburse Mascaro Construction Company, LP up to \$9,472 for the replacement/repair of pavers at the WWII Memorial, to be paid from the Authority's WWII Memorial maintenance fund; 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 amend agreements with respect to the outdoor seating area at Peoples Center (formerly Del Monte Buildings).

Mr. Rifat Qureshi explained that in March 2004, pursuant to the North Shore Option Agreement, the Stadium Authority approved the sale of two development parcels to the Optionee, North Shore Developers, L.P., a joint venture of the Steelers and Pirates. The Optionee's developer, Continental / North Shore II L.P. ("Continental II"), constructed two office buildings that are separated by a public passageway. The building was originally called the Del Monte Buildings, and now is called Peoples Center. Pursuant to an easement agreement with

the SEA, Continental II connected the two buildings with a pedestrian bridge built above the public passageway and provided for improvements to the public passageway such as benches, light poles, planters, a water fountain, and other improvements.

The public passageway is owned by the SEA and is part of the North Shore Riverfront Park. It allows pedestrians to move to and from the North Shore development area, the park, and to the Riverwalk.

North Shore Riverfront Park was constructed by the SEA as part of the overall North Shore infrastructure development to provide for a high-quality green open space for the public. It also includes an Esplanade, which is a broad, pedestrian walkway that runs along the Peoples Center on the river side.

Pursuant to a June 2004 letter agreement between the SEA and Continental II, the SEA permits the first-floor retail tenants of Peoples Center to utilize a portion of the Esplanade and the public passageway for outdoor seating. The Authority supports outdoor seating as a means of enlivening and activating the outdoor spaces as envisioned in the North Shore Master Plan.

The building owner enters into a license agreement with the Authority and it provides the details for the type of retail use, the outdoor furniture and fixtures, and other improvements.

The current retail tenants at the Peoples Center are Bettis Grille and The Foundry, which both have outdoor seating areas along the Esplanade. Two other restaurants, Tilted Kilt and Rivertowne, had outdoor seating along the Esplanade and into the public passageway, but both closed in 2018. The building owner and its new retail tenant have proposed to the Authority and the City of Pittsburgh Planning Department a plan for an expanded outdoor seating area for the former Tilted Kilt space. The proposed new tenant is Shorty's Pins x Pints ("Shorty's") which provides for family entertainment with food and beverage. The outdoor use would include game

activities such as a setup for duck pin bowling, a shipping container for food service, seating areas with a fire pit, festival lighting, a new sidewalk patio and other aesthetic improvements that will enliven the outdoor experience. The plan is to also provide for a new sidewalk patio on the sidewalk along North Shore Drive.

The outdoor seating area within the public passageway would be expanded for Shorty's use from the current 9.5 ft. to approximately 18ft. – 19.5ft. In order for the public passageway to be symmetrical, the outdoor seating on the other side of the passageway would also be expanded. The public passageway width would then be reduced from approximately 35 ft. to 15 ft. – 18ft.

Steve Quick of Civic Design and Planning is providing assistance to the Authority staff in the review of the proposal and will continue to do so through final plans.

The City Planning Department is also reviewing the proposal, and the Authority's final approval would be conditioned upon receipt of final approval from the City.

Peoples Center, through an existing contribution agreement with the Stadium Authority, provides for maintenance support for the Park. In connection with this license agreement for the Shorty's project, the amount of the contribution will increase.

Senator Fontana asked if there were any 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. 5600

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to amend agreements with respect to the outdoor seating area and the contribution agreement with respect to Peoples Center (formerly Del Monte Buildings); 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 under Heinz Field, authorization to reimburse PSSI Stadium Corporation in a not-to-exceed amount of \$502,201 from the Heinz Field Capital Reserve Account/or the Multi-Facility Fund for fire protection piping repairs, and fire alarm strobes and corresponding transponders replacement.

Mr. Bill Williams explained that in 2014 and 2018 the Steelers replaced sections of the fire protection piping that were original to construction due to pinholes in the piping walls. This request is to replace the remaining 4,100 lineal feet of the original dry sprinkler system, which also has pinholes.

The replacement piping is Schedule 40 galvanized piping, which has a thicker wall than the original Schedule 10 piping.

Four quotes were obtained. The low bidder, Johnson Controls, has been selected at a total cost of \$249,481.

CannonDesign, the engineering firm that performs the annual inspection on behalf of the Authority, and SEA staff reviewed the request. The warranty for the project is one year for labor and material. There is 7.2% MBE and 2.4% WBE participation on the fire protection piping repair portion of this authorization.

The Steelers have also requested that the fire alarm strobes and corresponding transponders be replaced throughout the facility. The current City fire code requires that strobes be synchronized throughout the building. This requirement was not in place at the time of construction of Heinz Field in 2001. Due to alterations in the building since then, the building is no longer grandfathered in and this requirement now applies. Thus the transponders and the strobes will be replaced.

The transponders are a proprietary portion of the original system installer, Johnson Controls. The strobes will also be procured by Johnson Controls and installed by Heinz Field personnel. Johnson Controls holds the service agreement for the fire alarm system. They will warrant the system and assume the system liability.

The warranty for the project is one year for labor and material and the cost is \$252,720.

The Steelers advise that the fire alarm system has been and will be fully functional throughout the building at all times.

Both projects are expected to be completed by August 1, 2019. This reimbursement will be funded by the Heinz Field Capital Reserve Account or the Multi-Facility Fund.

Senator Fontana asked if there were any questions from the Board.

Councilman Coghill asked if the old piping is copper.

Mr. Williams explained that it is not copper, but it is Schedule 10 piping, so it is thin.

Senator Fontana asked if there were any further 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. 5601

RESOLVED by the Board of the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to reimburse PSSI Stadium Corporation in a not-to-exceed amount of \$502,201 from the Heinz Field Capital Reserve Account/or the Multi-Facility Fund for fire protection piping repairs, and fire alarm strobes and corresponding transponders replacement; 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 under PNC Park, authorization to reimburse Pittsburgh Associates in the amount of \$22,500 from the PNC Park Capital Reserve Account for the replacement of seat components.

Mr. Williams explained that the Pirates are seeking reimbursement for 1,000 stadium seats for a total of \$22,500.

Over the past years, the Pirates have depleted their attic stock of replacement seat bottoms by replacing broken or damaged seats. Due to the proprietary nature of the seats, the new seat components need to be purchased from Hussey Seating, the original seating manufacturer. The Pirates have negotiated a price with Hussey at \$22.50 per seat regardless of size for a total cost including tax, shipping and custom color of \$22,500. This price is reasonable as it is generally comparable with what was paid in the 2013 PNC Park seating project. The Pirates remove the original seat bottoms and install the new seating components with no reimbursement from the capital repair fund.


The warranty on these seat bottoms is five years. It is recommended the Board approve this reimbursement.

Senator Fontana asked if there were any 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. 5602

RESOLVED by the Board of the Sports and Exhibition Authority of the City of Pittsburgh that its Executive Director and other proper officers are authorized to reimburse Pittsburgh Associates in the amount of \$22,500 from the PNC Park Capital Reserve Account for the replacement of seat components; 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 related 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. 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 11:12 A.M.


Mary Conturo
Assistant Secretary

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