

MINUTES OF THE MEETING
OF THE BOARD OF THE
SPORTS & EXHIBITION AUTHORITY OF PITTSBURGH
AND ALLEGHENY COUNTY
HELD THURSDAY, MAY 9, 2013
AT THE DAVID L. LAWRENCE CONVENTION CENTER
PITTSBURGH, PENNSYLVANIA
COMMENCING AT 10:43 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 305 of the David L. Lawrence Convention Center in Pittsburgh, PA 15222, on Thursday, May 9, 2013, commencing at 10:43 A.M. E.S.T.

Members of the Authority

Present: Senator Fontana, Chairman
Michael Dunleavy, Vice-Chairman
Anthony Ross, Treasurer (via telephone)
Councilwoman Darlene Harris, Member
Sala Udin, Member
Paul McKrell, Member
James Ellenbogen, Member

Absent: N/A

Also Present: Mary Conturo, Rosanne Casciato, Rosemary Carroll, Taylor Blice, Theresa Bissell, Rifat Qureshi, Angelica Ciranni, and Michelle Masters of the Authority; Ryan Buries, Conor McGarvey, Kevin Fonner, Mark Leahy and Linda Mihalic of SMG; Tom Ryser of TPR, LLC; Clarence Curry of CFC-3; Jason Kobeda and Chris Hunter of Pittsburgh Associates; Scott Wivell of Hill International; Frederick Winkler, architect; Frederick Douglas of Cosmos Technologies, Inc; and Mike Wereschagin of Pittsburgh Tribune-Review

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

Beginning with public participation, Mr. Dunleavy asked if any members of the audience would like to address the Board. Hearing none, the meeting continued with the approval of

minutes from the meeting of March 14, 2013. A motion was made, seconded, and unanimously approved.

Mr. Dunleavy then opened the floor for nominations for the office of chairman. He nominated Senator Wayne Fontana. The nomination was seconded, and unanimously approved. He then motioned to waive the five-day waiting period for entering a name in a nomination for the office of secretary. The motion was made, seconded, and unanimously approved. Mr. Dunleavy opened nomination for Secretary and placed in the name of Councilwoman Darlene Harris. The nomination seconded, and unanimously approved.

Mr. Dunleavy began addressing new business with the first item on the agenda, a request for authorization to enter into a \$5,989 contract with Automated Entrance Systems Co., Inc., and to reimburse SMG labor costs to install a handicapped access system for the garage vestibule doors.

Mr. McGarvey explained that while the Convention Center parking garage entrances and exits are currently ADA compliant, persons with physical disabilities park in the garage on a daily basis for easier access to the garage vestibule. If persons with physical disabilities need access to the second level of the garage, the Authority offices, the Convention Center ballroom, or the Westin Hotel, the easiest and fastest route is via the elevators inside the Convention Center garage vestibule. The two sets of doors in the vestibule do not currently have a mechanism that automatically opens to allow for handicapped use. Three quotes were solicited to supply and install two heavy duty door openers, four wireless push buttons, with push to open and handicap logos, and one bollard for the exterior push button on the 10th Street side of the vestibule. Automated Entrance Systems, A.G. Mauro Company, and Aardvark Adaptive Modifications all submitted quotes. Automated Entrance Systems quoted the lowest price and included additional

safety sensors mounted to the push side of each door, and was therefore selected to do the work. Installing the power for the door operators will take two Convention Center electricians approximately two days to complete. Once the power has been installed, Automated Entrance Systems can complete the job in approximately one day.

Mr. Udin asked if the contract included signage to highlight ADA access. Mr. McGarvey stated that the access points would be near the handicap spaces. Mr. Udin suggested the installation of signage so that the access points could be seen from more distant places in the garage. Mr. McGarvey agreed to look into it.

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

RESOLUTION NO. 5140

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to enter into \$5,989 contract with Automated Entrance Systems Co., Inc., and to reimburse SMG labor costs to install a handicapped access system for the garage vestibule doors; 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.

Mr. Dunleavy introduced the next item, which was a request for authorization to issue a \$7,800 change order to Mann Construction, Inc. for the installation of a safety catwalk over the lower pit in the water feature mechanical room.

Mr. Buries explained that the Convention Center water feature's mechanical room is located beneath the sidewalk, on the east side of 10th Street. The pit contains a pump, filters,

electrical panels and controls for the operation of the water feature. During the course of operation, tradesmen are required to work on both sides of the drainage pit, which is approximately 12' deep. The installation of a safety walkway will facilitate easy passage from one side of the pit to the other. Thornton Tomasetti previously prepared the specifications for this project and, based on their budget projection of \$8,000, three quotes were solicited from H. E. Neumann Company, Mann Construction, and Mendel Steel and Ornamental Iron Company. Mann Construction submitted the lowest price at \$7,800 and is the recommended contractor for the project. This is a change order to an existing contract and the project will commence upon approval. It is expected to take two to three weeks to complete.

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

RESOLUTION NO. 5141

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to issue a \$7,800 change order to Mann Construction, Inc. for the installation of a safety catwalk over the lower pit in the water feature mechanical room; 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.

Mr. Dunleavy introduced the next item, a request for authorization to enter into a \$14,825 contract with Carl Walker Construction, Inc. to repair the expansion joint membrane along the X9 line.

Mr. Buries stated that there were investigations of a water leak on the third floor of the Convention Center, near Room 309. It was determined that the expansion joint membrane

around the column of the X9 mast failed and caused the leak. The leak caused surface damage to the column and adjacent ceiling tile. To date, the damage is aesthetic and no structural issues are impacted at this time. Thornton Tomasetti designed the repair specifications. Based on their budget projection of \$10,000, three quotes were solicited from Carl Walker Construction, CPS Construction Group and Nathan Contracting. Carl Walker submitted the lowest prices at \$2,775 for the base bid and \$6,600 for the alternate, which is repairing 74 feet of joint membrane adjacent to the column. Also, included is a \$4,500 allowance for a potential 50 feet of additional joint seal repair which is based on the discovery of currently unknown conditions that may require remediation. Unit pricing for this repair is \$90 per lineal foot. Additionally, Carl Walker recently completed a small investigative opening at the X9 expansion joint on the third floor for \$950, which is included in the total price of this authorization. The project will commence upon approval and is expected to take four to six weeks to complete.

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

RESOLUTION NO. 5142

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 \$14,825 contract with Carl Walker Construction, Inc. to repair the expansion joint membrane along the X9 line; 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.

Mr. Dunleavy introduced the next item, a request for authorization to enter into a \$17,498 contract with Fountain Technologies to replace the protocol logic controller and interface screen for the water feature.

Ms. Mihalic stated that the water feature at the Convention Center is a unique component of the building, providing a first impression to visitors upon arriving at the facility, as well as pedestrians accessing the riverfront plaza. The existing control system is original to building construction. Several components have been replaced in recent years due to equipment failures related to the age of the control system. Due to the unavailability of original replacement parts, the newer components are not efficiently integrated with the existing system, resulting in increased trouble shooting, operating costs and reduced reliability. The control upgrades will be developed on an open platform, which will allow for future upgrades without requiring software replacement. The contract includes a 12 month warranty on parts and labor.

Fountain Technologies developed and installed the original water feature control system. The control software is proprietary, therefore a single source quote was solicited based on Fountain Technologies' expertise with the original system, which reflects minimal programming time. Based on discussions regarding this upgrade, SMG feels the proposal reflects a fair price. The water feature controls replacement project will commence upon approval and is expected to take six weeks to complete.

Mr. Udin expressed his concern that 12 months is a short warranty period. Ms. Mihalic explained that 12 months is typical for equipment and software upgrades. She stated that after the initial warranty period, there would be an option to enter a service contract with the service provider. Mr. Udin thanked her.

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

RESOLUTION NO. 5143

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 \$17,498 contract with Fountain Technologies, Ltd. to replace the protocol logic controller and interface screen for the water feature; 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.

Mr. Dunleavy introduced the next item, which was a request for authorization enter into a license agreement with The Andy Warhol Museum for the temporary installation of *Cow Wallpaper* per the recommendation of the SEA Art Committee with all costs related to the installation being covered by the Warhol Museum.

Ms. Ciranni stated that the Andy Warhol originally published *Cow Wallpaper* in 1966 and the Andy Warhol Museum has been re-fabricating it for locations worldwide since 1994. In accordance with the Authority's policy for accepting gifts of artworks and memorials, the Warhol approached the Authority with a conceptual application for approval in June of 2012. The Authority's art committee consists of Morton Brown, Sallyann Kluz, Thaddeus Mosley, Mary Navarro, Jeanne Pearlman, Cecile Shellman, and Eric Shiner. The committee granted conceptual approval, and the Warhol Museum returned in August of 2012 for final approval, which was also granted. The Warhol will be responsible for all costs related to installation, and also for returning the location back to its original condition after the license agreement has

ended. The proposed location is on the second floor concourse, near the elevators. It will also act as a directional signage.

Mr. Ellenbogen asked about insurance in the event that something happened to the art after its installation. Ms. Ciranni explained that the Authority holds a fine arts policy that covers the entire collection. *Cow Wallpaper* would be added to that policy.

He then asked if there were any further questions and hearing none, Mr. Dunleavy asked for a motion to approve. On a motion duly made, seconded, and unanimously carried, the following resolution was approved:

RESOLUTION NO. 5144

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 license agreement with The Andy Warhol Museum for the temporary installation of *Cow Wallpaper* per the recommendation of the SEA Art Committee, with all costs related to the installation being covered by the Warhol Museum; 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.

Mr. Dunleavy introduced the next item, which was a request for authorization to acquire a collection of photographic prints from the *Downtown Now* photography collection per the recommendation of the SEA Art Committee, with all costs related to the acquisition, installation and maintenance of the artwork being covered by The Heinz Endowments.

Ms. Ciranni stated that the *Downtown Now* photographic collection was a process that was started by the Heinz Endowments. Between the years of 2007 and 2011, there were nine photographers around the downtown area taking photos to record a history of the happenings in downtown during that period. The photographers commissioned for the work were Melissa

Farlow, Jim Judkis, Richard Kelly, Kenneth Neely, Annie O'Neill, Mark Perrott, Martha Rial, Renee Rosensteel, and Dylan Vitone. Thousands of photographs were submitted, 400 are now part of a permanent archive, and 86 of them were exhibited at the Carnegie Museum of Art. Those 86 prints will be donated by Heinz Endowments to the Authority. In October of last year, the Heinz Endowments received conceptual approval from the SEA art committee, and then received final approval in April of this year. All costs associated with the artwork, including the installation and maintenance fund, will be covered by the Heinz Endowments, as well as a maintenance fund which will help the Authority cover ongoing maintenance, including conservator services and insurance premiums. All of the prints are framed in a UV glazing to help deal with light damage issues. The artwork will be located in the corridor connecting the Convention Center to the Westin Hotel. The title of the artworks will be transferred upon a satisfactory condition assessment performed by a conservator. With the acceptance of both this artwork and the previously accepted one, there will be a total of 26 artworks in the collection in the Convention Center's overall art program.

Councilwoman Harris stated that the executive summary read, "underpasses between the North Side and the North Shore" but that the North Shore is one of the neighborhoods of the North Side. She was concerned about incorrect wording. Ms. Ciranni stated that she would make sure the wording would be correct on the signage for the art. She explained that the executive summary was the language from the Carnegie Museum of Art exhibit.

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

RESOLUTION NO. 5145

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to acquire a collection of photographic prints from the *Downtown Now* photography collection per the recommendation of the SEA Art Committee, with all costs related to the acquisition, installation and maintenance of the artwork being covered by The Heinz Endowments; 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.

Mr. Dunleavy introduced the next item, which was a request for authorization to accept a \$750,000 grant from the Authority for Improvements in Municipalities to pay for project costs.

Mr. Qureshi explained that the grant was awarded for the Lower Hill development project. The Authority for Improvements in Municipalities approved the one-time payment from its special economic development program. The fund is administered to assist large-scale economic development projects in Allegheny County. The grant will be used to pay for project costs in the Lower Hill.

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

RESOLUTION NO. 5146

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to accept a \$750,000 grant from the Authority for Improvements in Municipalities to pay for project costs; 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.

Mr. Dunleavy introduced the next item, which was a request for authorization (1) to submit to the U.S. Department of Transportation (DOT), on behalf of the City of Pittsburgh and the County of Allegheny, an FY 2013 TIGER Discretionary Grant application in the maximum amount of \$20,000,000 for infrastructure for the Lower Hill redevelopment project, and (2) to enter into a cooperation agreement with the City of Pittsburgh and the County of Allegheny designating the Authority as the City's and the County's agent for the administration of the grant.

Mr. Qureshi explained that TIGER stands for Transportation Investment Generating Economic Recovery. The new funding round was announced April 22nd. The Authority is managing the design and construction of the Lower Hill infrastructure, which includes the roads, sidewalks, utilities, and other features. The City of Pittsburgh and Allegheny County desire to jointly pursue a TIGER V Grant for the Lower Hill and to have the Authority act as their agent in the application process. The Authority is to administer the grant through a cooperation agreement with the City and County, and to carry out the project. The amount requested is the maximum amount of \$20 million.

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

RESOLUTION NO. 5147

1. RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to file an application for federal assistance with the U.S. Department of Transportation for an FY 2013 TIGER Discretionary Grant in an amount up to \$20,000,000 for the Lower Hill redevelopment project on behalf of the City of Pittsburgh and the County of Allegheny; and further that the proper officers and agents of the Authority are authorized

to take all actions and execute such documents as are necessary and proper to effectuate the terms of this resolution.

2. RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that the Executive Director and other proper officers are authorized to enter into Cooperation Agreements with the City of Pittsburgh and the County of Allegheny whereby the SEA is designated the City and the County's agent for administration of an FY 2013 TIGER Discretionary Grant in the maximum amount of \$20,000,000 from the U.S. Department of Transportation (DOT) for the Lower Hill redevelopment project; and further that the proper officers and agents of the Authority are authorized to take all actions and execute such documents as are necessary and proper to effectuate the terms of this resolution.

Mr. Dunleavy introduced the next item, which was a request for authorization to enter into a consultant agreement with Roy Kienitz, LLC to provide assistance in the preparation of an application for a FY 2013 TIGER Discretionary Grant from the U.S. Department of Transportation for the Lower Hill redevelopment project, for a fee of \$20,000, half of which will be funded by the Penguins.

Mr. Qureshi stated that for the TIGER V grant, the Authority seeks a consultant to assist in the preparation of the application due to its complexity and tight time frame for submission. Roy Kienitz is an experienced consultant for preparing a TIGER grant. Mr. Kienitz was formerly the U.S. Department of Transportation Under Secretary for Policy. The deadline for submitting the TIGER application is June 3, 2013. Mr. Kienitz's fee will be fixed at \$20,000, half will be paid by the Authority and the other half will be paid by the Penguins.

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

RESOLUTION NO. 5148

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 consultant agreement with Roy Kienitz, LLC to provide assistance in the preparation of an application for a FY 2013 Discretionary Grant from the U.S. Department of Transportation for the Lower Hill redevelopment project, for a fee of \$20,000, plus approved expenses, half of which will be funded by the Penguins; 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.

Mr. Dunleavy introduced the next item, which was a request for authorization to issue a not-to-exceed \$143,658 change order to Michael Baker Jr., Inc. for preliminary and final design of a new storm line in Centre Avenue.

Mr. Ryser explained that as part of the Lower Hill development infrastructure design, the Authority was approached by Pittsburgh Water and Sewer Authority to investigate the possibility of separating the existing PWSA combined sewer line located at Centre Avenue between Crawford and Washington Place. The Board previously approved an investigation which was performed by Cosmos Technologies and Baker. As a result of the investigation, PWSA would like the Authority to proceed with the design to install a dedicated storm line in Centre Avenue. The storm line would benefit the Authority infrastructure work within the development site by providing more flexibility in the phasing with the storm and sanitary installation and roadway construction. The DBE participation related to this change order will include Cosmos Technologies providing \$53,000 of the \$143,658 and KGE, a WBE firm providing \$5,000 of the \$143,658.

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

RESOLUTION NO. 5149

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 \$143,658 change order to Michael Baker Jr., Inc. for preliminary and final design of a new storm line in Centre Avenue; 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.

Mr. Dunleavy introduced the next item, authorization to amend the development agreement with Federal Street Hospitality Associates, LP to extend the construction start date to no later than August 23, 2013 for the planned Holiday Inn Express & Suites Hotel.

Mr. Qureshi stated that the hotel is to be constructed at the corner of Federal Street and Cajou Way, adjacent to the North Shore Garage. The developer of Federal Street Hospitality Associates is a related entity to Kratsa Properties. They purchased the parcel from the Authority and entered into a development agreement in 2009. They also purchased an adjoining parcel from a third party and consolidated both to be the footprint of the hotel. The developer received approval for the project development plan from the City of Pittsburgh Planning Commission and the Authority's consultant WTW Architects also reviewed the project and recommended it to the Authority as acceptable. Further to the development agreement as amended, the developer was required to start construction by May 1, 2013. The developer has been working diligently to complete construction drawings to secure all the permits and approvals and bids.

The developer requests an extension to start construction to no later than August 23, 2013, in order to complete the final items prior to construction, including finalizing construction with the general contractor, present the project to the Equal Opportunity Review Commission, close on its lender financing, and coordinate with the Authority on the staging and lay down needs to minimize the traffic and parking impacts. In consideration for the extension, the developer has agreed to contribute \$3,500 per year from 2014 to 2016 for a total of \$10,500 in support of maintenance for the North Shore Riverfront Park. The lot will continue to be utilized by the Authority for parking until construction starts. Alco Parking, the Authority's operator, estimates that during this extension period the lot will generate approximately \$10,900 in gross revenues. The developer has also paid approximately \$10,839 in real estate taxes since 2009 when the developer took the title from the Authority. Staff recommends extending this in order for the developer to complete the final tasks prior to construction start.

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

RESOLUTION NO. 5150

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to amend the development agreement with Federal Street Hospitality Associates, LP to extend the construction start date to no later than August 23, 2013 for the planned Holiday Inn Express & Suites hotel in consideration for additional annual contributions to support maintenance at the North Shore Riverfront Park (\$3,500 per year for 2014 through and including 2016); 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.

Mr. Dunleavy introduced the next item, which was a request for ratification of an \$11,250 contract with WG Tomko, Inc. to install a meter and associated piping in the water pit.

Mr. Blice stated that PWSA performed an inspection of the water vault that houses the water supply lines in the North Shore Riverfront Park. The line supplies the water steps feature, hose bibs, and fire hydrants. PWSA discovered a three inch water meter on the lines, which is undersized for the current four inch system. It would restrict the water flow in the event the fire hydrants are needed. They requested that the three inch meter be replaced with a four inch meter that is fire-system rated and does not restrict the flow. PWSA also requested that a bypass water line be removed for metering purposes.

Authority staff solicited and received quotes from WG Tomko, Ruthrauff Sauer, Definish and HE Heumann. WG Tomko had the lowest quote. Authority staff reviewed the proposals and the contract went to WG Tomko. Since PWSA requested the meter to be changed in a timely manner in order to prevent the restriction of water flow, this work was completed on April 26, 2013.

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

RESOLUTION NO. 5151

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to ratify an \$11,250 contract with WG Tomko, Inc. to install a meter and associated piping in the water pit; 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.

Mr. Dunleavy introduced the next item, which was a request for authorization to enter into a contract with Franco Associates, LP for concrete repairs.

Every five years, the Authority solicits proposals to conduct a physical inspection of the North Shore Riverfront Park esplanade pedestrian bridge, reflecting pool aluminum pedestrian bridge, Market Street Pier, and the sheet pile wall along the riverwalk. In October 2012, CDM Smith Inc. performed this inspection and submitted a report outlining their findings. Among other things, they recommended work to remediate concrete spalling along the sheet pile wall, stone discoloration, and vegetation and debris buildup.

The Authority advertised this work in the Pittsburgh Courier, the Pittsburgh Tribune Review, and on the Authority website. A pre-bid meeting was held on April 19, and bids were due on April 29. Four bids were received from Graciano Corporation, John Zottola Landscaping, Inc., Pugliano Construction Co., Inc., and Franco Associates, LP. Franco Associates had the lowest bid. Authority staff performed a scope review with Franco and feels comfortable with the pricing.

The total cost to perform the repairs is \$45,400. Work will begin upon approval and is anticipated to finish around August 1, 2013. Franco is a certified WBE company and will be self-performing the work. The project will be funded from the North Shore Riverfront Park Operating Budget.

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

RESOLUTION NO. 5152

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 \$47,400 agreement with Franco Associates, LP for concrete 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.

Mr. Dunleavy introduced the next item, which was a request for authorization to reimburse Pittsburgh Associates, LP up to \$41,678.64 for the replacement of seat components.

Mr. Blice stated that, per the terms of the lease agreement with Pittsburgh Associates, the team pays for routine operations and maintenance costs while eligible capital expenses are funded from the PNC Capital Reserve Fund. For the past few years, the Pirates used their initial quantity of replacement seat bottoms in the ballpark. Prior to this season, the Pirates conducted a complete survey of the plastic seat bottoms and found that there are approximately 2,180 seat bottoms in various sections throughout the ballpark that are cracked and need to be replaced. Authority staff walked with the Pirates staff to view the condition of the seats and concur with the recommendation to replace only the seat bottoms at this time.

The original seats had a five year warranty that expired in 2006 and the new components will have an additional five year warranty. Due to the proprietary nature of the seats and their components, the new seat bottoms need to be purchased from Hussey Seating, who was the original seating manufacturer. Hussey will guarantee the compatibility with the original specifications and prove the additional five year warranty. The Pirates have negotiated a price with Hussey of \$16.40 per seat regardless of size for a total cost including tax, shipping, and custom color of \$41,678.64. The Pirates have agreed to provide the labor to remove the original seat bottoms and replace with the new seating components with no reimbursement from the Capital Reserve Fund.

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

RESOLUTION NO. 5153

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, LP up to \$41,678.64 for the replacement of seat components; 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.

Mr. Dunleavy introduced the next item, which was a request for authorization to issue a \$3,750 change order to Civil & Environmental Consultants to prepare an updated ALTA/ACSM Land Title Survey.

Mr. Straley stated that as part of the CONSOL Energy Center close out, the Authority required that a survey be performed. Civil & Environmental Consultants did the original survey over a year ago. However, with the service yard changes, they needed to go back and update the survey in order to make it final and complete. This change order covers that work.

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

RESOLUTION NO. 5154

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to issue a \$3,750 change order to Civil & Environmental Consultants to prepare an updated ALTA/ACSM Land Title Survey; 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.

Mr. Dunleavy introduced the next item, which was a request for authorization to enter into a one-year agreement, with an option to extend for two six-month periods at Authority's discretion, with CBRE, Inc. for brokerage services for the retail spaces in the David L Lawrence Convention Center and North Shore Garage.

Mr. Qureshi stated that the Authority issued an RFP for real estate brokerage services for retail spaces located at the Convention Center and the North Shore Garage. Retail space at the Stadium Authority's West General Robinson Street Garage was also included for Stadium Authority approval.

The Convention Center retail space consists of two larger spaces and two offices totaling approximately 4,600 square feet. These spaces are available for lease. The North Shore Garage first floor consists of three restaurant spaces with a shared kitchen and is in a turnkey condition for lease. The first floor is approximately 15,000 square feet. The second floor consists of existing office space which is currently occupied, and raw space. The approximate size of the second floor is 10,000 square feet, and is available for lease.

The Authority distributed RFPs to five locally-based, national real-estate firms: CBRE, Jones Lang LaSalle, Newmark Grubb Knight Frank, Cushman Wakefield Grant Street Associates, Inc. and Langholz Wilson Ellis. The Authority also advertised on the Authority's website, as well as the Pittsburgh Tribune Review and the Pittsburgh Courier. There were two respondents, CBRE and Cushman Wakefield Grant Street Associates. The review committee consisted of Authority staff members Mr. Straley, Ms. Casciato, Ms. Ciranni and Mr. Qureshi; along with Authority Board member Mr. Tony Ross and Stadium Authority Board member Mr. Jim Malanos. Interviews were on April 30. The committee recommends CBRE because of its

depth of company resources, a large prospect base, expertise, and a good reputation in leasing properties in Downtown and North Shore. CBRE also indicated that they intend to market spaces emphasizing green strategies as a key factor in tenant build out and operations. They will solicit MBE/WBE firms for any third party procurement during the course of listings and convey the Authority's MBE/WBE participation goals to prospects. They'll assign two brokers, one for retail and another for office prospects. Mr. Herky Pollock will oversee all leasing efforts. The term of the agreement is one year of exclusive representation with an option to extend in two six-month periods at Authority's discretion, commission at 5% of the total base rental at the term of the lease, and if there is a cooperating broker, 6.25% of the total base rental to be split between CBRE and the broker.

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

RESOLUTION NO. 5155

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 CBRE, Inc. for brokerage services for the retail spaces in the David L. Lawrence Convention Center and North Shore Garage, and are authorized to exercise one or both of the options to extend the term pursuant to the two six-month option periods; 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.

Mr. Dunleavy introduced the next item, which was a request for acceptance of the Sports & Exhibition Authority audit as of December 31, 2012.

Ms. Bissell stated that the Authority audit was completed by MaherDuessel. MaherDuessel issued an unqualified opinion, which means that the Financial Statements present fairly, in all material respects, the financial position of the Authority. There were no significant deficiencies, findings or questioned costs relating to the audit and therefore no management letter was issued. Ms. Bissell referred the Board to the section called "Management's Discussion and Analysis," which provides a narrative overview of the Authority's financial picture.

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

RESOLUTION NO. 5156

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that the Auditor's Report for the years ending December 31, 2012 and December 31, 2011 prepared by MaherDuessel is hereby accepted; 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.

Finishing new business, Mr. Dunleavy asked if any members of the audience would like to address the Board or comment on the agenda. Hearing none, Mr. Dunleavy asked if there were comments from Board Members.

There being no comments or business, Mr. Dunleavy asked for a motion to adjourn. Upon a motion duly made, seconded and unanimously carried, the meeting was adjourned at 10:58 A.M.


Mary Conturo
Assistant Secretary