

MINUTES OF THE MEETING
OF THE BOARD OF THE
SPORTS & EXHIBITION AUTHORITY OF PITTSBURGH
AND ALLEGHENY COUNTY
HELD THURSDAY, OCTOBER 13, 2016
AT THE DAVID L. LAWRENCE CONVENTION CENTER
PITTSBURGH, PENNSYLVANIA
COMMENCING AT 10:38 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 at the David L. Lawrence Convention Center in Pittsburgh, PA 15222, on Thursday, October 13, 2016 commencing at 10:38 A.M. E.S.T.

Members of the Authority

Present: Michael Dunleavy, Vice-Chairman
Sala Udin, Secretary
Councilman James Ellenbogen, Member
Jill Weimer, Member
Reverend John Welch, Member

Absent: Sen. Wayne Fontana, Chairman
Councilman Daniel Gilman, Treasurer

Also Present: Mary Conturo, Doug Straley, Rosanne Casciato, Rosemary Carroll, Theresa Bissell, Rifat Qureshi, Tom Ryser, Clarence Curry, Marie Fechik-Kirk, Sara Payne and Caitlin Fadgen of the Authority; Morgan Hanson, Solicitor; Bob McClintock, Tim Muldoon, Linda Mihalic, Ryan Buries, Kevin Fonner and Hiedi Strothers of SMG; John J. Fratto of CPS Construction Group; Tim Pratt of Pittsburgh Associates; Mark Stout of Hill International; Kim Amey of Carnegie Science Center; Mark Belko of the Pittsburgh Post-Gazette; and Frederick Winkler, architect.

Mr. Mike Dunleavy 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 James Ellenbogen was attending via telephone and he could hear the Board

Members and the Board Members could hear him. Mr. Hanson advised that a quorum was present.

Beginning with public participation, Mr. Dunleavy asked if any members of the audience would like to address the Board. With none, he moved on to the next item on the agenda, approval of the minutes from the meeting of September 8, 2016. A motion was made, seconded, and unanimously approved.

Mr. Dunleavy continued on to the next item on the agenda under David L. Lawrence Convention Center, authorization to approve a purchase order with Fluid Tech, Inc. in a lump sum amount of \$35,916 for purchase of hand rail, ladder and air intake louvers, and authorization to enter into a contract with SSM Industries, Inc. in a lump sum amount of \$16,574, for installation of hand rail, ladder and air intake louvers on the east cooling tower at the David L. Lawrence Convention Center.

Ms. Linda Mihalic explained that the chilled water plant at the David L. Lawrence Convention Center utilizes two cooling towers located on the fifth floor east and west rooftops. The cooling towers are original to building construction and are in need of upgrades and maintenance. Only one cooling tower is needed to be in operation at a time. The west cooling tower is currently in service, and the east cooling tower is not in operation for maintenance.

Veolia Water North America, the operator of the chilled water plant, has recommended improvements for each of the cooling towers. This project includes adding a ladder and a hand railing and the other improvement is the replacement of intake louvers. These improvements were made to the west cooling tower in 2015.

The DLCC cooling towers are manufactured by Baltimore Aircoil Company (BAC). BAC engineers design and manufacture after-market railings and louvers to fit its cooling

towers. There are no other manufacturers that provide such parts to fit BAC cooling towers. Fluid Tech has exclusive rights to distribute BAC products in this area. BAC is not registered on the PA COSTARS website. However, the cost of the materials is comparable to what was paid in 2015. The louvers, ladder and hand rail materials will be purchased directly from Fluid Tech by the SEA. The materials are expected to be delivered four weeks after Board approval. BAC provides a one-year warranty.

Veolia contacted eight mechanical contractors to request quotes for installation, including two WBE firms. Six quotes were received. SSM provided the low quote for installation.

The work is anticipated to be completed in November 2016.

Mr. Dunleavy 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. 5426

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to approve a purchase order with Fluid Tech, Inc. in a lump sum amount of \$35,916 for purchase of hand rail, ladder and air intake louvers, and authorization to enter into a contract with SSM Industries, Inc. in a lump sum amount of \$16,574, for installation of hand rail, ladder and air intake louvers on the east cooling tower at the David L. Lawrence Convention Center.; and further that the proper officers and agents of the Authority are authorized to take all action and execute such documents as are necessary and proper to effectuate the terms of this Resolution.

Mr. Dunleavy introduced the next item, authorization to enter into a lump sum contract with East West Manufacturing & Supply Company, Inc. in the amount of \$17,238 for repairs of the east cooling tower at the David L. Lawrence Convention Center.

Ms. Mihalic explained that each cooling tower uses aquifer water and a heat exchanger to eliminate heat that is produced as a result of chiller operations. Inlet water is pumped from the

chiller plant and enters the clean and balance chamber, where it is strained and distributed over the heat exchange medium. The water is then collected at the base of the cooling tower and pumped back to the chiller plant to complete the chilled water loop. The project consists of replacing the piping and fittings that make up the clean and balance chamber of the east cooling tower. The original galvanized steel material is corroded and at the end of its useful life. The new parts will be fabricated out of PVC material.

Additionally, two supply line isolation valve actuators will be replaced. The original actuators are no longer functional and will be replaced in kind. Similar repairs will be completed on the west cooling tower in 2017.

Veolia contacted eight mechanical contractors to request quotes for this work, including two WBE firms. Six quotes were received. East West provided the low quote in the amount of \$17,238.

Mr. Dunleavy 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. 5427

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 lump sum contract with East West Manufacturing & Supply Company, Inc. in the amount of \$17,238 for repairs of the east cooling tower at the David L. Lawrence Convention Center; and further that the proper officers and agents of the Authority are authorized to take all action and execute such documents as are necessary and proper to effectuate the terms of this Resolution.

Mr. Dunleavy introduced the next item, authorization to enter into a contract with Pennsylvania Roofing Systems for a lump sum amount of \$523,854 for isolated repairs of the Convention Center roof.

Mr. Tom Ryser explained that in February 2016, the Board approved entering into an agreement with Indovina Associates Architects for design services for the fourth floor terrace and isolated roof repairs. Also in February 2016, the Board approved entering into an agreement with Wiss, Janey, Elstner Associates (WJE) for building enclosure commissioning, which included peer review of Indovina's design related to the fourth floor terrace and isolated roof repairs.

Indovina prepared the isolated roof repair design bid package, and this bid package was peer reviewed by WJE. This bid package consists of roof repairs at three separate locations. The notice to bidders was advertised in the Pittsburgh Tribune-Review, the Pittsburgh Courier and on the SEA website. The notice to bidders was also sent directly to eight firms capable of performing this work. A pre-bid meeting was held on August 23, 2016, and bids were due on October 3, 2016.

Pennsylvania Roofing systems submitted a base bid of \$478,700 for the three locations. In addition to the base bid, several alternates were taken as part of the bid process, and at this time Alternate No. 1 for added flashing detail for an add of \$45,154 is being accepted.

A scope review was conducted on October 6, 2016 with the SEA, Indovina, WJE, and Pennsylvania Roofing Systems. Based on the scope review, the SEA, Indovina, and WJE concurred that Pennsylvania Roofing Systems has a good understanding of the tasks required as part of the roofing repairs and are recommending entering into a contract.

Pennsylvania Roofing Systems' MBE/WBE plan shows 10% MBE participation and 5% WBE participation.

Notice to proceed for the project will be given in October with expected completion in May 2017.

Mr. Dunleavy asked if there were any questions from the Board. Mr. Sala Udin asked Mr. Clarence Curry, SEA's senior diversity coordinator, to explain the MBE/WBE participation activity for this contract.

Mr. Curry explained that the participation would consist of supply contracts from Cooper Trading and Interstate Contractors.

Mr. Udin expressed concern whether WBE contractors participating on SEA contracts are meeting all criteria according to intent of the federal government criteria as he believes current certification systems are problematic. He also noted that MBE firms are often employed as suppliers of materials, but not installers, which does not give the companies experience in installing the materials.

Mr. Curry responded that there have been several discussions about the balance between supply firms and on-site work. This has been addressed by discounting supply contracts to encourage firms to use contractors that will be responsible for hands-on work. The second issue is the question of certification of WBE companies. Such certification is made by agencies qualified for the task. Most of the certifications are reviewed by Ruth Byrd-Smith, the director of the County MBE program. She ensures that local MBE and WBE certifications meet federal DOT standards.

Mr. Udin said that he believes local offices are understaffed and ill-equipped to be able to do a thorough investigation of companies applying for MBE/WBE certifications.

Mr. Dunleavy asked if there were any other questions. 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. 5428

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 Pennsylvania Roofing Systems for a lump sum amount of \$523,854 for isolated repairs of the Convention Center roof; and further that the other proper officers and agents of the Authority are authorized to take all action and execute such documents as are necessary and proper to effectuate the terms of this Resolution.

Mr. Dunleavy introduced the next item under North Shore Riverfront Park, authorization to enter into a three-year agreement with Whitey's Mobile Wash to be billed based on actual unit pricing for snow removal services provided.

Mr. Taylor Blice explained that one of the SEA's responsibilities at the North Shore Riverfront Park is snow and ice removal. As such, the SEA enters into an agreement with a contractor to provide these services. The SEA notified 11 companies of the RFP, of which seven were MBE/WBE contractors. The SEA received two proposals. Whitey's Mobile Wash provided the lowest per occurrence price for snow removal and the application of ice melt.

The RFP/contract limits the ice melt products that can be used to those that are acceptable to Tree Vitalize (magnesium chloride, potassium chloride and calcium magnesium acetate).

SEA staff recommends that Whitey's Mobile Wash be awarded the three-year agreement budgeted at \$18,000 per year in the amount up to \$54,000 total for three years.

Mr. Dunleavy 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. 5429

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 three-year agreement with Whitey's Mobile Wash to be billed based on actual unit pricing for snow removal services provided; and further that the other proper officers and agents of the Authority are authorized to take all action and execute such documents as are necessary and proper to effectuate the terms of this Resolution.

Mr. Dunleavy introduced the next item, authorization to amend a Development and Maintenance Agreement with Carnegie Science Center to facilitate its expansion project.

Mr. Doug Straley explained that the Carnegie Science Center (CSC) has planned a building expansion project of approximately 48,240 square feet on the southeast side of the existing building. Part of the property along the river, including the riverwalk, is owned by the Authority. This amendment will authorize the CSC to make these improvements. It will amend the 2014 Development and Maintenance Agreement between the Authority and the CSC, which provided for the first phase of improvements.

CSC will be re-grading the area between their property and the Ohio River in order to provide ADA access for the expanded building. To accomplish this task, they will remove and replace both Authority-owned concrete pedestrian pathways. The upper pathway will be expanded from 6' to 10'. They are also adding two light poles to the upper path, which is currently unlit, and adding landscaping. There is no cost to the Authority for any of the permanent or temporary improvements.

The Authority is not charging the Carnegie Science Center a fee for using its property during construction of its project because CSC currently maintains the Authority-owned property along the river from the casino to the brick plaza where the Langley Clock artwork is located. This includes snow removal, litter, cutting grass and other maintenance tasks.

Mr. Dunleavy asked if there were any questions from the Board. Rev. John Welch asked how liability will be handled.

Mr. Straley responded that during construction, the CSC will accept all liability until the land is turned back over in finished condition.

Mr. Dunleavy asked if there were any other questions. 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. 5430

RESOLVED by the Sports & Exhibition Authority of Pittsburgh and Allegheny County that its Executive Director and other proper officers are authorized to amend a Development and Maintenance Agreement with Carnegie Science Center to facilitate its expansion project; and further that the other proper officers and agents of the Authority are authorized to take all action and execute such documents as are necessary and proper to effectuate the terms of this Resolution.

Mr. Dunleavy introduced the next item under PNC Park, authorization to reimburse Pittsburgh Associates in an amount not-to-exceed \$1,615,910 for Phase III waterproofing, sealing and concrete repairs of the main level areas, and replacement of sanitary lines from the PNC Park Capital Reserve Account.

Mr. Blice explained that in 2011, Martin/Martin, Inc. performed a structural assessment and noted expansion joint covers, concrete and caulking which have deteriorated and are a source of leakage throughout the ballpark.

On October 13, 2013, the Board approved reimbursing Pittsburgh Associates (PA) an amount of \$36,500 to Wiss, Janney, Elstner Associates (WJE) for the preparation of construction documents and a waterproofing project manual.

In February 2014, WJE issued a Request for Qualifications (RFQ) for contractors to perform the proposed waterproofing and repair scope of work in three phases over three years with CPS Construction Group, Inc. (CPS) being the lowest responsible bidder for the project.

On October 9, 2014, Phase I of the waterproofing project was approved, which included the club and upper level.

On November 12, 2015, Phase II of the waterproofing project was approved, which included the replacement of sealant at exterior slabs-on-grade at service level and precast joints at suites level and necessary associated concrete repairs, application of clear penetrating sealer to all exterior concrete at service and suite levels, replacement of expansion joint seals at riverwalk and suite level, rehabilitation of the existing urethane traffic-bearing membrane at the Riverwalk, and the flashing repairs at Rivertowne Brewing south parapet wall. This phase began in April 2016 and is scheduled to be completed in 2017.

This authorization is for approval of Phase III of the waterproofing project with CPS. The CPS proposal for Phase III work is \$1,300,910. The scope of Phase III is as follows:

- Replacement of exterior sealant at precast, slab-on-grade, and topping slab concrete throughout the Main Level
- Application of clear penetrating sealer to all exterior precast, slab-on-grade, and topping slab concrete throughout the Main Level
- Replacement of exterior expansion joint seals and cover plates in the Main Level seating bowl and concourse
- Repoint the stone masonry wall in front of the Home Plate Club seating

There are no existing warranties that apply to the existing conditions. The following warranties will apply to the repair work:

- 10-year material and 2-year labor warranty on the hot-applied waterproofing (split slab)
- 10-year material and 2-year labor warranty on the expansion joint seals and covers
- 5-year material and labor warranty on the joint sealants

This authorization includes approval of reimbursement for WJE to perform the construction management and inspection services for Phase III of the waterproofing project in an amount not-to-exceed \$140,000 based on their unit rates. For Phase III of the waterproofing project, the WBE percentage is 1% and the MBE percentage is 5%. The percentages are similar to the other two phases.

The SEA staff has reviewed and considers the work necessary and prudent and recommends that the Board approve reimbursing the Pittsburgh Associates in an amount not-to-exceed \$1,440,910 based on actual invoices.

The existing sanitary lines have backed up into the River Rescue facility and other spaces within PNC Park. Attempts to televise the line to determine the problem have not been successful. The Pirates have increased their maintenance of the line by jetting the line three times per year and chemical treating the line six times per year. These efforts have not stopped the backups from occurring. In 2013, the Pirates dug up the line at their expense, but were unable to determine the problem in the short timeframe that was available.

The current combined lines will be separated and a dedicated service will be run to the River Rescue space. The \$221,000 estimate is broken down as follows: \$15,500 for ME Engineers engineering services, \$191,000 to McElwain and Runkey Mechanical Solutions, LLC to design

and build the project, and there is also an estimated \$15,000 for removal of warning track material not otherwise necessary with the field renovation.

McElwain and Runkey (\$191,000 of total estimated project cost of \$221,000) is a 100% WBE firm. They are subcontracting the excavation to another WBE firm (AMB Excavating). If approved, the Pirates will start the repairs on October 16, 2016 and complete the project by November 30, 2016. No existing warranties apply to this project. There will be a one-year warranty on this work.

Mr. Dunleavy asked if there were any questions from the Board. Mr. Udin asked for clarification on the MBE/WBE participation.

Mr. Curry explained that there are two separate projects. CPS Construction Group will have 1% WBE and 5% MBE participation on the waterproofing project. The second project is for the sanitary lines, which will have 100% WBE participation. Two WBEs will be doing on-site work, and the MBE company is a supplier.

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

RESOLUTION NO. 5431

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 in an amount not-to-exceed \$1,615,910 for Phase III waterproofing, sealing and concrete repairs of the main level areas, and replacement of sanitary lines from the PNC Park Capital Reserve Account; and further that the other proper officers and agents of the Authority are authorized to take all action and execute such documents as are necessary and proper to effectuate the terms of this Resolution.

Mr. Dunleavy continued on to the next item on the agenda under SEA Operating, authorization to enter into a not-to-exceed agreement with CannonDesign for annual inspections of Heinz Field (\$65,570 total for three years), PNC Park (\$64,147 total for three years), and CONSOL Energy Center (\$61,429 total for three years), including an owner option to extend for two additional years and supporting services as needed.

Mr. Blice explained that the lease agreements with the teams include a requirement for an inspection on an annual basis to determine the conditions of the premises, ensure compliance with applicable laws and determine whether there is any deferred maintenance required. The inspections have been done each year since 2006.

The Authority issued a Request for Proposals (RFP) for annual inspections of Heinz Field, PNC Park, and CONSOL Energy Center from 2017-2020, with an SEA option to extend for two additional years (2021-2022) for each facility. It was advertised in the Pittsburgh Tribune-Review, Pittsburgh Courier and on the Authority's website. Eleven companies attended the non-mandatory pre-proposal meeting held on August 30, 2016. Six proposals were received on September 15, 2016. The Authority staff reviewed the proposals and interviewed two companies: CannonDesign and Bureau Veritas North America, Inc.

It is recommended that the contract be awarded to CannonDesign due to proposal price, expertise in facility management, personnel assigned to this project, knowledge of the facilities, sports industry expertise, facility condition assessment software, and MBE/WBE participation. The annual amounts for each facility inspection are lump sum amounts.

The Authority added an alternate scope item to maintain a long-term capital expenditure plan for each facility. CannonDesign's price for the alternate is a not-to-exceed \$9,500.

CannonDesign has proposed hourly rates, which would be used for any out of scope work that is requested.

CannonDesign has committed to 25% MBE and 10% WBE participation.

Mr. Dunleavy asked if there were any questions from the Board. Mr. Udin asked when the Authority should start referring to CONSOL Energy Center as PPG Paints Arena. Ms. Conturo agreed that our references should change.

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

RESOLUTION NO. 5432

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 not-to-exceed agreement with CannonDesign for annual inspections of Heinz Field (\$65,570 total for three years), PNC Park (\$64,147 total for three years), and CONSOL Energy Center (\$61,429 total for three years), including an owner option to extend for two additional years and supporting services as needed; and further that the other proper officers and agents of the Authority are authorized to take all action and execute such documents as are necessary and proper to effectuate the terms of this Resolution.

Mr. Dunleavy asked if any additional members of the audience would like to address the Board or if there were comments from the Board Members. Rev. Welch said that he would like to further the conversation to see what can be done to make sure the integrity of the MBE/WBE process is maintained.

Mr. Udin said he would like to explore how the SEA can work with other local authorities to act in unison in helping MBE and WBE companies to develop opportunities for their employees.

Mr. Curry responded that the SEA does a comprehensive report on MBE/WBE activity that is shared with the County. He said he is part of two groups that discuss the issues raised, and the SEA is generally viewed as a leader in the field that is moving things forward.

There being no additional 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 11:09 A.M.


Mary Conturo
Assistant Secretary