

**MINUTES OF THE MEETING  
of the  
MASSACHUSETTS CONVENTION CENTER AUTHORITY**

June 10, 2010

A meeting of the Massachusetts Convention Center Authority was held on June 10, 2010 in Room 201 at the Boston Convention & Exhibition Center, 415 Summer Street, Boston, Massachusetts 02210. Members in attendance were: Chair Gloria Larson, Dean Stratouly, Peter Bassett, Rosabeth Moss Kanter, Lisa Calise Signori, Scott Jordan (designee of the Secretary of Administration and Finance), Barbara Capuano, Darryl Settles and Carol Fulp. Also present were incoming members Michelle Shell, Mark Erlich, David Giblin, Vanessa Otero and Paul Sacco. Staff members in attendance were: James E. Rooney, Kenneth A. Sinkiewicz, Fred Peterson, Jack Haley, Steve Snyder, Shu Hsia, Lily Daly, Mac Daniel, Johanna Storella, Michelle Ho, Milton Herbert, Maureen Baker, Coleen Richards Powell, Katie Tumiel, Todd Mattuchio, Joann Washington, Dennis Callahan and William Smith.

Chair Larson began the meeting with opening remarks thanking departing Board members Stratouly, Bassett and Kanter for their long and exceptionally valuable and loyal service to the Massachusetts Convention Center Authority. She emphasized the determination, strong leadership and guidance of Messrs. Stratouly and Bassett in the development, design and construction of the Boston Convention & Exhibition Center facility, and the priceless contribution of Rosabeth Moss Kanter in lending assistance and guidance in formulating the successful strategy that resulted in the Authority achieving the leadership position in the industry that it occupies today. Chair Larson also welcomed the incoming members, Chair Shell, members Erlich, Giblin, Otero and Sacco and encouraged them to begin the next chapter of the Authority's success and take the next steps to continue and enhance its achievements in the future.

I. ROLL CALL

Chair Larson called the meeting to order at 12:30 p.m., and a quorum was established by a call of the roll.

II. MINUTES

Upon a motion duly made and seconded, the minutes of the May 21, 2010 meeting were approved.

III. EXECUTIVE DIRECTOR'S REPORT

1. Mr. Rooney welcomed the new Board members and indicated that they were joining the Board at a great time. The Authority has been extremely successful, but we are launching new initiatives which will make for a very exciting and important time. Mr. Rooney indicated that the departing Board members were wonderful to work with and they have left their mark on all our successes.

2. Mr. Rooney indicated that today's meeting agenda was robust as it is the last scheduled meeting before the summer months. He indicated that it was possible that he would seek a special meeting in late July or early August to handle some business that would be require Board votes before the next scheduled meeting in September.

3. Mr. Rooney indicated that Levy is out of the gate, and delivering in a spectacular way in the last few weeks and issued kudos to Maureen Baker and Sisco Spence.

4. Mr. Rooney reported that the next Convention Partnership meeting is being held on June 28, 2010, and it is being moderated by David Luberoff. Other panelists will include Michael Widmer, Sam Tyler, Lisa Petraglia and Charles Chieppo. The agenda for the meeting is designed to foster discussion of some of the hard questions concerning BCEC and Hotel expansion including market demand and financial issues.

#### IV. REPORT OF THE ADMINISTRATION, FINANCE & PERSONNEL COMMITTEE

##### 1. Board Vote- Fiscal Year 11 Budget

Chair Signori reviewed for the Board that the Administration, Finance and Personnel Committee has been working with Authority's Staff since February to develop the Fiscal 2011 Authority Budget. As is the Authority's practice, the proposed Budget was originally discussed at the May 21, 2010 meeting in detail and as a result of discussions and comments certain additional matter were incorporated into to the analysis all of which will be presented today. Ms. Signori then introduced Johanna Storella who made a detailed presentation of the Fiscal 2011 Budget. A copy of Ms. Storella's presentation is filed with these Minutes.

At the conclusion of Ms. Storella's presentation, upon a motion was duly made and seconded, the Board voted unanimously as follows:

**VOTED -- The Massachusetts Convention Center Authority hereby adopts and approves the operating budget for Fiscal Year 2011 considered this day, providing for operating expenses in the amount of \$66,756,255, and anticipating income of \$43,772,469, and authorizes the expenditure of operating revenues in addition to said amount as received against operating expenses as they become due, so long as said revenues remain in excess of said expenditures, and the transfer of amounts among accounts established thereunder.**

**VOTED: The Massachusetts Convention Center Authority hereby adopts and approves the capital budget for Fiscal Year 2011 considered this day, providing for capital expenses in the amount of \$44,827,881, and authorizes the transfer of amounts among accounts within the category of Annual Capital Projects established thereunder.**

## 2. Board Vote-MassMutual Center Management Services Agreement

On March 1, 2010 the Massachusetts Convention Center Authority (the "Authority") issued a Request for Proposal to secure the services of an experienced professional management firm to manage and operate the MassMutual Center.

A selection committee (the "selection committee") was formed comprised of Authority staff as follows: Kenneth Sinkiewicz, Johanna Storella, Dennis Callahan, William Smith, Todd Mattuchio, Jack Haley and the Executive Director of the Greater Springfield Convention and Visitors Bureau, Mary Kay Wydra.. A pre-bid conference and tour of the MassMutual Center was conducted on March 9, 2010. On April 2, 2010, two firms, Global Spectrum (hereinafter "Global") and SMG submitted timely proposals. Based on a review of the Qualification Statements, the selection committee invited both firms to appear before the selection committee for interviews.

On April 8, 2010, extensive interviews were conducted by the selection committee with each of the firms. Subsequently, a diligent review and analysis of the firms was conducted by the selection committee with the assistance of Authority staff. The review included, among other things; reference checks with public authorities and destinations and convention and visitor bureaus located where the firms have conducted business, extensive interviews with the general manager candidates, extensive analysis of reference and background checks, including site visits of firm's representative arena and convention center facilities, focusing on the published criteria and many aspects of each company's performance.

On May 25, 2010, in response to a request by the Authority delineating areas in which it desired additional information, senior and regional managers of both companies submitted such additional materials and information, and the selection committee members discussed these materials and other topics with these representatives.

The published selection criteria are organized around several key industry categories and drivers, including but not limited to, the following: Management Experience and Key Personnel, Marketing and Sales Strategy, (including forecast of and involvement in arena and convention events), Customer Service Plan, as well as Fixed Management and Incentive Fees. For each criterion, firms were assigned ratings of Highly Advantageous, Advantageous, Not Advantageous or Unacceptable.

Management Experience: With respect to Management Experience, the selection committee found that both SMG and Global offer significant public assembly facility management experience. The Authority's experience in the industry since the initial procurement indicate that both firms bring a high degree of professionalism to their facilities under contract. Global has a relatively large share of its experience in smaller and mid-sized markets, and has actively and explicitly identified this market as the targeted area of their business.

Accordingly, the selection committee rated both Global and SMG as Highly Advantageous.

Key Personnel: As with all its service contracts, the Authority puts substantial weight on the capability of the local management staff, and in the case of the management of the Authority's facilities which are an integral part of a local community this is of particular importance. The existing manager at the MassMutual Center, Matthew Hollander is proposed by Global be retained. Mr. Hollander has performed in a manner which the Authority deems to be exemplary and at a very high professional level. Mr. Hollander's has rallied his management team to undertake the tasks required, and Global, through Mr. Hollander's efforts, internally, has formed effective and strong working relationships with both basketball and hockey tenant organizations, and externally, with the Convention and Visitors Bureau and municipal

government officials.

SMG offered two candidates, the first who is currently the Assistant General Manager at a New York facility. Although that candidate seemed particularly well suited by experience for his current position, he did not appear to be at the same professional level as Mr. Hollander. Subsequently and at the direction of the selection committee, SMG was asked to submit additional General Manager candidates. SMG submitted three additional candidates. The selection committee asked to interview one particular candidate located at a New England facility. On June 2, 2010, members of the selection committee had extensive interviews with this candidate. While the selection committee was highly impressed, the selection committee felt strongly that the Global General Manager was the more experienced and skilled candidate.

Accordingly, the selection committee determined that Global General Manager candidate should be ranked Highly Advantageous and that the SMG General Manager candidate shall be ranked Advantageous.

Marketing and Sales: With respect to Marketing criteria, SMG emphasized the support of SMG's Live Entertainment Division to book events in the arena, and indicated that the MassMutual Center would be especially appropriate for events in social, military, educational, religious and fraternal fields to generate hotel room nights. SMG highlighted its national proprietary web based booking software, and described national sales efforts in the convention area in particular those efforts which tie together SMG managed facilities to increase visibilities, with national trade advertising.

Global's convention efforts include public relations led by its corporate marketing and corporate office support. The Global proposal provided a comprehensive marketing and public relations plan, including direct sales, trade show presence, website marketing, direct mail, print advertising and direct community outreach.

With respect to marketing and arena sales, SMG proposed to promote three (3) at risk arena events per year over the term of the contract. Global proposed guaranteeing six (6) arena events per year over the term of the contract, and agreed to reduce its fee if it fails to do so. Additionally, Global has proposed one additional promoted concert per year for the term of the contract.

Both SMG and Global submitted acceptable marketing plans. Both firms appear to have significant entertainment and industry contracts needed to generate concert and touring shows.

The selection committee rated both Global and SMG as Highly Advantageous.

Customer Service Plans: With respect to Customer Service Plans to track, measure and foster improvement of customer service and survey systems and employee training and/or incentive programs, both firms submitted proprietary plans. The Global Customer service plan is defined as "How you doin'?" The selection committee was, naturally, familiar with the program and believes it has served Global and the MassMutual Center well over the preceding term. Additionally, Global has an employee recognition program in which employees are recognized by clients, customers and managers and entered into a monthly drawing. Global also proposed a periodic surprise audit/reviews of the facility by corporate personnel. Additionally, Global stated that all MassMutual clients will be surveyed following each event.

SMG's proprietary customer service program is called "k'nect". While the selection committee was impressed with the k'nect program, members felt that it was a fairly new initiative and not as tested as the Global program and that the program was directed more for sales associates rather than all MassMutual Center employees. SMG also proposed an annual mystery shopper program that is benchmarked against

various industries.

The selection committee determined that Global is rated as Highly Advantageous and SMG as Advantageous with respect to Customer Service Plans.

Fee Structure: With respect to Fee Structure, Global proposes a potential base fee of \$120,000.00 of which \$30,000 is earned based upon achievement of a set revenue benchmark and \$60,000 is subject to forfeiture if six (6) guaranteed profitable concerts are not held. The quantitative incentive fee is 65% of the actualized base fee and the qualitative incentive fee is 35% of the actualized base fee for a total potential incentive fee of \$120,000. This totals \$240,000 annually, increasing annually at the CPI.

SMG proposes a base management fee of \$100,000, plus a financial incentive fee of \$65,000 and a qualitative incentive fee of \$35,000. This totals \$200,000 annually, likewise increasing annually at the CPI.

While a \$40,000 potential difference exists in the fee structure, Global's proposal is more advantageous for the MCCA, as it implies greater revenues, increased economic impact and a lower net funding requirement to the Authority.

Accordingly, the selection panel determined that Global is rated as Highly Advantageous, SMG is rated as Advantageous.

M/WBE Requirements: Affirmative Action Program-Executive Order 478, establishes a policy of promoting the award of state contracts in a manner that develops and strengthens Minority and Women Business Enterprises. Both Global and SMG submitted goals and objectives to meet or exceed these policies.

Accordingly, the selection panel rated both firms Highly Advantageous.

At a meeting of the Administration, Finance and Personnel Committee the Committee voted to adopt the recommendation of the selection committee and recommend to the Board that it award a contract for Convention Center and Arena Management Services for the MassMutual Center to Global Spectrum.

Upon a motion duly made and seconded, the Board voted unanimously as follows:

**VOTE: The Massachusetts Convention Center Authority hereby authorizes the Executive Director to enter into a Contract for Convention Center and Arena Management Services with Global Spectrum, Inc. consistent with the terms and conditions of the Request for Proposals dated March 1, 2010, and to execute any and all necessary documents to effectuate said Contract. The term of such Contract shall not exceed five years. The amount to be paid as a fee for such contract shall not exceed the amount set forth in Global Spectrum's Response to Request for Proposals. The budget approved for the services performed under said contract inclusive of the fee, shall not exceed the amount included in the Authority's budget as approved at its June 2010 Board Meeting for such services associated with the period of the contract.**

3. Board Vote-Greater Boston Convention and Visitors Bureau Marketing Services Agreement

The Authority is desirous of contracting for the services of the Greater Boston Convention and Visitors Bureau (GBCVB) to assist in the marketing and selling space in Boston Convention and Exhibition Center and the Hynes Convention Center through the Boston Convention Marketing Center (BCMC). The Authority also wishes the GBCVB to provide a Convention Services Program and a Destination Marketing Program. Under this contract, the Bureau's Boston Convention Marketing Center's marketing efforts will be measured against certain agreed upon performance goals relating to the booking of bulls eye and non-bulls eye events and the achievement of certain hotel room night levels. Under the Convention Services component, the Bureau will provide services to the Authority's customers to facilitate successful well-planned events and to ensure a first rate customer experience. In the Destination Marketing area, the GBCVB will contribute to the effort to market Boston as an outstanding destination for tourists so that convention and show attendees will stay longer in the area. The contract will be in effect for fiscal year 2011, contains a thirty-day cancellation provision, and is for an amount not to exceed \$4,856,500.

Upon a motion was duly made and seconded, the Board voted unanimously as follows:

**VOTED: The Massachusetts Convention Center Authority authorizes the Executive Director to execute an Agreement with the Greater Boston Convention and Visitors Bureau for Marketing Services for fiscal year 2011, in an amount not to exceed \$4,856,500.**

4. Board Vote-Greater Springfield Convention and Visitors Bureau Marketing Services Agreement

The Authority is desirous of contracting for the services of the Greater Springfield Convention and Visitors Bureau (GSCVB) to provide a Convention Services Program and a Destination Marketing Program. Under the Convention Services component, the Bureau will provide services to the Authority's customers to facilitate successful well-planned events and to ensure a first rate customer experience. In the Destination Marketing area, the GSCVB will contribute to the effort to market Springfield as an outstanding destination for tourists so that convention and show attendees will stay longer in the area. The contract will be in effect for fiscal year 2011, contains a thirty-day cancellation provision, and is for an amount not to exceed \$125,000.

Upon a motion was duly made and seconded, the Board voted unanimously as follows:

**VOTED: The Massachusetts Convention Center Authority authorizes the Executive Director to execute an Agreement with the Greater Springfield Convention and Visitors Bureau for Marketing Services for fiscal year 2011, in an amount not to exceed \$125,000.**

5. Board Vote-Showbiz Release 3.0

On June 29, 2007 the Authority issued a Request for Proposals (“RFP”) for a Custom Enterprise Event System: Solution Definition and Architectural Blueprint. This initial RFP also asked for documentation to procure subsequent phases if that were found desirable, though not required. Responses to the Request for Proposals were received and the Selection Committee, after deliberation concluded that the proposal submitted by Optaros, Inc. provided the best plan for setting out an approach to providing the solution, exhibited the most relevant experience, and proposed reasonable costs.

Subsequent approval was given for work to be performed on Releases 1 and 2 of the application. Optaros continued to work collaboratively with Authority staff to design, build and deliver Releases 1 and 2 of the proposed solution on a Fixed Time, Fixed Price contract. Release 1 was delivered in December 2008 and Release 2 was completed in December 2009. From January 2010 through June 2010, Optaros has developed administrative tools to better handle additional workflows and user types.

As a result of the Optaros performance during the previous phases of the agreement they were requested to submit a proposal for a Release 3 during which Optaros would continue to work collaboratively with Authority staff to design, build and deliver Release 3 of the solution on a Fixed Time, Fixed Price contract. It is anticipated that the final version of Release 3 will be completed by June 2011, with the following areas of focus:

Interface to External & Building Systems  
Customer Outreach & Sustainability

July 2010 – January 2011  
February 2011 – June 2011

It is anticipated that at the conclusion of Release 3, a Release 4 will likely be desirable to provide further service delivery, post event and system administration functionality

The proposal was reviewed by the Board’s Technology Steering Committee, and the Administration, Finance and Personnel Committee, which voted to recommend that the Board approve the selection.

Upon a motion was duly made and seconded, the Board voted unanimously as follows: reimbursable expenses would take the following form:

**Voted: that the Massachusetts Convention Center Authority hereby authorizes the Executive Director to negotiate and enter into a an amendment to the contract for consultant services in connection with the development of a Custom Enterprise Event System on behalf of the Authority with Optaros, Inc, in an amount not to exceed \$1,400,000 plus approved reimbursable expenses.**

V. REPORT OF THE DEVELOPMENT COMMITTEE

Mr. Stratouly Introduced Howard Davis and Michelle Ho who made presentations as follows:

1. Board Vote: Design Services for Convention Partnership

Background. In 2008 and 2009, the Authority, with the assistance of a consulting team, undertook a comprehensive master planning effort related to the Boston Convention & Exhibition Center (BCEC). The consulting team emphasized the importance of additional hotel inventory proximate to the BCEC, to accommodate demand from the BCEC and from any potential expansion. The consulting team also recommended that expansion of the BCEC be considered. Specific expansion elements recommended for further consideration included an additional ballroom, expanded exhibit hall and meeting room space, and other, more specialized expansion possibilities.

In late 2009, the MCCA announced the “Top 5” initiative, with the objective of making Boston a “top five” North American destination for meetings and conventions. A 27-member working group, the Convention Partnership, was established to guide efforts to achieve this goal and to issue a report with its findings by the end of 2010. The Convention Partnership is co-chaired by MCCA Executive Director James Rooney and Paul Guzzi, President and Chief Executive Officer of the Greater Boston Chamber of Commerce.

The MCCA issued a Request for Proposals for design services to support the Convention Partnership in April of this year. The RFP requested proposals from architecture firms or teams of firms with relevant convention center and convention center hotel experience. The architect selected through this RFP Process will add subconsultants to the architect’s team as requested by the Authority at a later date.

Designer Selection Panel. Eight proposals were received in response to the RFP. These proposals were thoroughly evaluated at a meeting of the Authority’s Designer Selection Panel on May 10, 2010. The Panel decided to invite four of the proposers to be interviewed at a later meeting. The Panel’s meeting at which these interviews took occurred on May 26, 2010.

The Authority’s Designer Selection Panel has selected and ranked three firms for award of the contract for design services for the Convention Partnership. The Panel’s report, in accordance with the Authority’s Designer Selection Procedures, is attached hereto. The firms were ranked by the Panel as follows:

1. ADD /TVS Design
2. RMJM,
3. Arrowstreet/LMN

The rules further provide that the Authority shall award the contract after negotiation of a satisfactory fee, such negotiation to be carried out by the executive director, who shall negotiate with the first-ranked finalist and with other finalists in the order of rank only if a satisfactory fee cannot be negotiated with a higher-ranked finalist. The initial contract amount is established at



\$250,000 but is expected to increase in the future as the architect adds subconsultants to its team at the request of the Partnership and the Authority.

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Upon a motion duly made and seconded the Board voted unanimously as follows:

**VOTE -- The Massachusetts Convention Center Authority hereby authorizes the executive director to negotiate a fee and execute a contract with ADD/TVS Design for design services relating to the Convention Partnership, in an amount not to exceed \$250,000, in accordance the Request for Proposals dated April 12, 2010.**

2. Board Vote: LED Vendor and General Contractor for BCEC Marquee and Video Wall

In January of 2010, presentations were made to the Board of Directors regarding two significant electronic video display projects at the BCEC, a “marquee” to be located on the plaza adjacent to Summer Street, and a “video wall” in the main lobby. Both projects had been considered during the original construction of the BCEC, but were not undertaken at the time for a number of reasons, including budget and schedule constraints and a concern that the electronic display technology was rapidly evolving, so that timing might not have been optimal.

The Board presentation described these two projects as re-conceived and updated. This presentation also placed the projects in the context of an electronic display master plan for the BCEC and the Hynes Convention Center. Budgets for the projects as well as digital renderings and scale models were also presented to the Board. The Board approved funding for the design and engineering of the marquee and video wall at the January meeting.

To complete the BCEC marquee and video wall projects, two contracts must be awarded. The first will be a contract with an LED video display vendor, responsible for fabricating and installing the electronic displays. The second will be a contract with a general contractor, responsible for construction of the marquee structure, a plinth at the base of the marquee, demolition and reconstruction of sections of a wall in the main lobby of the BCEC where the video display will be installed, and electrical and other work related to the marquee and video wall.

A pre-qualification process for the LED video display vendors has been completed. The two pre-qualified vendors are Sansi and Daktronics. Upon completion of design documents, proposals will be solicited from these two pre-qualified vendors. The design documents are expected to be completed in mid-June, and proposals received in late June/early July. Award of the LED video display contract is expected to occur in late July.

A pre-qualification process is in process for general contractors eligible to bid on the marquee and video wall construction. Statements of qualification have been received and the pre-qualification process is expected to be complete by mid-June. Upon completion of the design documents, bids will be solicited from the pre-qualified contractors. This process is expected to be completed in July.

To ensure that award of the contracts for the marquee and video wall projects can proceed without interruption in July, when the Board is not scheduled to meet, authorization is requested for the Executive Director to enter into these contracts.

The budgets presented to the Board in January indicated a combined value for these two scopes of work of \$6,231,000. Specific authorization is now requested to award the LED video display vendor contract in an amount not to exceed \$4,300,000 and to award the construction contract in the amount of \$1,900,000 for a combined total of \$6,200,000, consistent with the January budget.

Upon a motion duly made and seconded the Board voted unanimously as follows:

**VOTED: That the Executive Director is hereby authorized to enter into a contract with an LED video display vendor for the BCEC marquee and video wall projects in an amount not to exceed \$4,300,000, and a contract with a general contractor for the BCEC marquee and video wall projects in an amount not to exceed \$1,900,000.**

Mr. Stratouly introduced Mr. Smith to present the following votes:

3. Board Vote: Contract for BCEC Waterproofing, Drainage and Lighting Improvements, Level One Stair Towers

This project consists of providing all labor, materials and equipment for performing waterproofing, drainage and lighting improvements at the level one stair towers at the BCEC. These repairs include installing new trench drains, plumbing, waterproofing and sidewalk restoration around all the emergency stairwells at the Boston Convention and Exhibition Center.

This project is subject to bidding in accordance with the State's construction bid law, M.G.L. c.149. The invitation for bids was advertised on May 12, 2010. The filed sub-bids were opened on May 27, 2010 and the General bids were opened on June 8, 2010. The following general bids were received from contractors prequalified by DCAM:

Contractor	Contract Price
National Restoration Systems, Inc.	\$1,442,046
Contracting Specialists, Inc.	\$2,397,000

The law requires award of the contract to the lowest responsible and eligible bidder, which in this case is National Restoration Systems, Inc.

Upon a motion duly made and seconded the Board voted unanimously as follows:

**VOTE: The Massachusetts Convention Center Authority hereby authorizes the executive director to award to National Restoration Systems, Inc. a contract for the Boston Convention & Exhibition Center Waterproofing, Drainage and Lighting Improvements,**

**Level One Stair Towers in the amount of \$1,442,046, in accordance with the bidding documents May 12, 2010.**

4. Board Vote: Contract for Hynes Convention Center Fire Alarm Replacement

In 2008 the MCCA initiated a design project to replace the existing twenty year old fire alarm system. During the early design effort meetings with the Boston Fire Department, it was determined a new fire alarm system would be required to meet the latest NFPA requirements.

This project is subject to bidding in accordance with the State’s construction bid law, M.G.L. c.149. The Authority elected to prequalify the General Contractors prior to issuing plans and specifications for bidding. On April 9, 2010 the Authority received nine qualifications statements from Prime Alarm Contractors prequalified by DCAM. The selection committee prequalified seven of the contractors.

The invitation for bids was advertised on May 19, 2010 and the bids were opened on June 8, 2010. The following general bids were received from contractors prequalified by the Authority:

Contractor	Contract Price
LeVangie Electric Co.	\$2,320,000
Ostrow Electrical	\$2,417,926.95
Wayne J. Griffin Electric, Inc.	\$2,957,108
Lynnwell Associates, Inc.	\$3,217,000

The law requires award of the contract to the lowest responsible and eligible bidder, which in this case is.

Upon a motion duly made and seconded the Board voted unanimously as follows:

**VOTE: The Massachusetts Convention Center Authority hereby authorizes the executive director to award to LeVangie Electric Co. a contract for the Hynes Convention Center Fire Alarm Replacement in the amount of \$2,320,000, in accordance with the bidding documents May 19, 2010.**

5. Board Vote: Contract for Boston Common Garage Driveway Ramp Repairs

This project is for repairs to the entrance and exit ramps at the Boston Common Garage. The work includes all labor, materials and equipment for removal of the existing ramp system down to the structural slabs, patching of the existing structural slabs, re-installation of gravel bases and wearing slabs, construction of new concrete curbs and repair of existing curbs, installation of snow melt systems, installation of trench drains and piping, replacement of existing lighting, painting of existing railings and selective masonry repairs.

This project is subject to bidding in accordance with the State's construction bid law, M.G.L. c.149. The invitation for bids was advertised on May 5, 2010. The filed sub-bids were opened on May 24, 2010 and the General bids were opened on June 7, 2010. The following general bids were received from contractors prequalified by DCAM:

Contractor	Contract Price
National Restorations Systems, Inc.	\$ 743,115
P.J. Spillane Company	\$ 974,717
Acme Waterproofing Co., Inc.	\$1,309,451
Contracting Specialists, Inc.	\$1,895,000

The law requires award of the contract to the lowest responsible and eligible bidder, which in this case is National Restorations Systems, Inc.

Upon a motion duly made and seconded the Board voted unanimously as follows:

**VOTE: The Massachusetts Convention Center Authority hereby authorizes the executive director to award to National Restorations Systems, Inc. a contract for the Boston Common Garage Driveway Ramp Repairs in the amount of \$743,115, in accordance with the bidding documents dated May 5, 2010.**

6. Board Vote: Contract for MassMutual Center Arena Roof System

This project is for installing a new roofing system to the MassMutual Center Arena. The work includes all labor, materials and equipment for a new roofing membrane, demolition, metal flashing, perimeter rail, and roof drains at the MassMutual Center.

This project is subject to bidding in accordance with the State's construction bid law, M.G.L. c.149. The invitation for bids was advertised on May 19, 2010. The following general bids were received from contractors prequalified by DCAM:

Contractor	Contract Price
Titan Roofing, Co.	\$1,099,878
Silktown Roofing, Inc.	\$1,110,240
J.D. Rivet & Co., Inc.	\$1,114,000
Capeway Roofing Systems, Inc.	\$1,165,000
Reliable Roofing & Sheet Metal, LLC.	\$1,178,150
Allied Restoration Corp.	\$1,227,391
Eagle Rivet Roof Services	\$1,232,675
Newton Roofing Company	\$1,245,000
Greenwood Industries, Inc.	\$1,247,000
Marshall Roofing & Sheet Metal, Co., Inc.	\$1,372,492
Rockwell Roofing, Inc.	\$1,532,350

The law requires award of the contract to the lowest responsible and eligible bidder, which in this case is Titan Roofing Inc.

Upon a motion duly made and seconded the Board voted unanimously as follows:

**VOTE: The Massachusetts Convention Center Authority hereby authorizes the executive director to award to Titan Roofing, Co. a contract for the MassMutual Center Arena Roof System in the amount of \$1,099,878, in accordance with the bidding documents dated May 19, 2010.**

7. Board Vote: Agreements with Boston Properties

In connection with the construction of the Hynes Convention Center and the redevelopment of the Prudential Center, the Authority and Boston Properties entered into a series of agreements including but not limited to the Agreement; the Easement Agreement, and the Non-Exclusive License Agreement that provided for the sale and exchange of interests in property, established easements benefiting the parties, and set out various restrictions on the use that the parties could make of portions of their property (“Agreements and Easements”). At various times, easements and restrictions were created and adjusted that regulated building in particular plaza areas and at specified height in the area where the Hynes and Boston Properties property met, and regulated future construction work requiring that such work would not damage the Hynes facility, or limit access during construction. The last time such interests were adjusted was in 2007, in contemplation of, among other things, Boston Properties developing the parcel adjacent to the east of the Hynes as 888 Boylston Street. Since that time, the plans for such development have evolved and at the same time, the Authority has embarked on plans to add commercial uses complementary to its mission to the Hynes, the first phase of which will result in the opening of Towne Restaurant in the corner of the Hynes closest to the Boston Properties’ property. In this regard, in order to enhance the desirability and operations of the demised restaurant, the parties have agreed to permit the restaurant to conduct certain outdoor seating operations on land owned by Boston Properties in both the pre-construction and post-construction condition of any building construction at 888 Boylston Street. With respect to operations, the parties have agreed to construct back of the house access from the Hynes restaurant space to loading dock and trash removal areas. The Authority for its part has agreed to certain small incursions in the rear of the plaza space and to screen certain roof top structures and limit construction of certain areas above the Hynes roof. In order to accomplish this, the Agreements and Easements had to be reviewed and revised, with a goal of facilitating permitted proposed development while maintaining and coordinating future development at both properties.

The parties have met on numerous occasions and have reached agreement on how to modify the Agreement and Easements in order to accomplish these goals. The Development Committee at a recent meeting reviewed the Agreements and Easements and associated documents and recommended that the Board authorize the Executive Director to execute the same. Upon a motion duly made and seconded the Board voted unanimously as follows:

**VOTED: The Executive Director is hereby authorized to execute and deliver, on behalf of the Authority, (i) the Agreement; (ii) the Easement Agreement, (iii) the Amendment to**

**Agreement, and (vi) any certificates or instruments, and to take any other actions deemed necessary or desirable to effectuate above described transactions. Such documents shall contain such other terms and conditions as the Executive Director may determine are necessary or desirable to effectuate the transaction.**

VI. OLD BUSINESS

There was no old business.

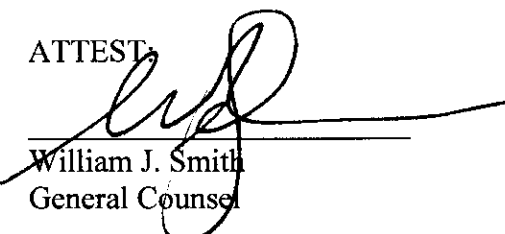
VII. NEW BUSINESS

There was no new business

VIII. ADJORNMENT

Upon a motion duly made and seconded, the Board voted unanimously to adjourn at 2:30 pm.

ATTEST:



\_\_\_\_\_  
William J. Smith  
General Counsel