

MINUTES OF THE MEETING
of the
MASSACHUSETTS CONVENTION CENTER AUTHORITY

November 18, 2010

A meeting of the Massachusetts Convention Center Authority was held on November 18, 2010 in Room 200 at the Boston Convention & Exhibition Center, 415 Summer Street, Boston, Massachusetts 02210. Members in attendance were: Chair Michelle Shell, David Giblin, Mark Erlich, Ann Conlon Roosevelt, Paul Sacco, Ronald Rakow (designee of the Acting Collector-Treasurer of the City of Boston), Barbara Capuano, Michelle Consalvo, Darryl Settles, and Scott Jordan (designee of the Secretary of Administration and Finance). Staff members in attendance were: James E. Rooney, Kenneth A. Sinkiewicz, Fred Peterson, Jack Haley, Steve Snyder, Shu Hsia, Johanna Storella, Michelle Ho, Milton Herbert, Maureen Baker, Colleen Richards Powell, Todd Mattuchio, Joann Washington, Howard Davis, Robert Noonan, Diane Carey, Mac Daniel, Katie Hauser, Dennis Callahan, and William Smith.

I. ROLL CALL

Chair Shell called the meeting to order at 8:40 a.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 October 14, 2010 meeting were approved.

III. EXECUTIVE DIRECTOR'S REPORT

1. Mr. Rooney indicated that there was a new feature in the Monthly Management Report entitled "Hot Leads". It appears this month on page 19, and it consists of highlights of events we are pursuing. If anyone has some insights with respect to courting these events, please don't hesitate to contact Milt Herbert.

2. Mr. Rooney indicated that the third session of the Customer Advisory Group was recently held on its semiannual schedule and he described an interesting exercise recalling how "Meetings Twenty Years ago" were conducted and looking at the challenge to forecast what would be necessary twenty years from now.

3. Mr. Rooney also highlighted the discussion concerning the demand for technology and the need for flexible technology in particular. The Authority was the first to develop iPhone applications and we're leaders in developing applications for Androids and other devices so as to enable the use of all social networking tools and other emerging uses.

4. Mr. Rooney reported on some activities in the near future: the New England International Auto Show, December 1st- 5th; and, the Tip off Classic at the MassMutual Center over this coming weekend with some great college basketball anticipated.

5. Mr. Rooney reported that the work on the Marquee and Video Wall has begun. Both of these projects represent important technological and marketing investments that will be discussed in more detail as the projects progress.

6. Mr. Rooney indicated that a Board meeting calendar for 2011 would be developed over the next month with a goal of scheduling 10 monthly meetings. Although meetings have been held on the day and week schedule adopted last year, board members should express their preferences if the current times are not workable for some reason.

7. Mr. Rooney indicated that although the Board has regular interaction with the senior staff, from time to time he likes to bring to the Board's attention the actions or achievements of other Authority employees which have reflected well on the employees and the Authority. Mr. Rooney introduced Rob Frazier whose 24 year career in the Air Force National Guard is exemplary and whose recent active duty deployment in the Middle East made him part of a self contained construction group that spent time in eight countries constructing facilities crucial to the military's efforts in that area. Mr. Fraser described his valuable work and presented a flag flown over Afghanistan to the Authority to express his gratitude and that of his company for support shown to him (eleven very welcome "Care" packages) that the staff sent over during his tour.

Mr. Rooney next described the courageous conduct of Joe Crean, a Public Safety manager, in pulling over to a gas station fire on the way home from work and assisting in insuring that passengers in a threatened vehicle exited the vehicle and made their way to safety. Mr. Crean acknowledged the gratitude of those at the scene and indicated that it was nothing anyone wouldn't do faced with the same circumstances. Chair Shell thanked both men for the courage and heroism.

IV. REPORT OF THE DEVELOPMENT AND CONSTRUCTION COMMITTEE

Mr. Erlich introduced Mr. Haley to make presentations concerning the following two votes:

1. Board Vote- Amendment to the Simpson Gumpertz & Heger Consulting Engineer Contract

On November 2, 2010, The Designer Selection Panel convened to review the design proposals for the following projects submitted by Simpson Gumpertz & Heger, the Authority's Consulting Engineer or House Doctor at the request of the Engineering and Maintenance Department. The Designer Selection Panel upon review of presentations with respect to each proposal made the following recommendations:

1. BCEC Main Kitchen Floor Trough Drain Replacement and Waterproofing Improvements – Design and construction administration services in connection with a filed sub-bid Chapter 149 construction project involving the replacement of approximately 90 linear feet of existing floor trough drains which were appropriately installed and have been a source of leakage over the North Lobby area. Proposal recommended to be approved at a not to exceed amount of \$220,000.00 plus allowed expenses.

2. BCEC North Ramp CMU Wall investigation and Weatherproofing Improvements – Conduct an initial investigation of CMU wall waterproofing issues to determine full extent of design scope needed. Prepare design documents and provide construction administration services in connection with a filed sub-bid Chapter 149 construction project. Project recommended to be approved at a not to exceed amount of \$212,500.00 plus allowed expenses

3. BCEC Food Court Renovations – Develop new food service concepts for the Food Court and adjacent Concession areas. Prepare design documents and provide construction administration services in connection with filed sub-bid Chapter 149 construction project. Project recommended to be approved at a not to exceed amount of \$137,400.00 plus allowed expenses

4. Hynes Mechanical System Replacements - Design and construction administration services in connection with a filed sub-bid Chapter 149 construction project involving the replacement of the four main condenser water cooling towers and associated piping, the three domestic city water booster pumps, and one electric drive fire protection pumping system and associated electrical switchgear. Project recommended to be approved at a not to exceed amount of \$131,800.00 plus allowed expenses.

5. BCEC Air Handler Weatherproofing Improvements - Design and construction administration services in connection with a filed sub-bid Chapter 149 construction project involving the encapsulation of five exterior air handlers (nos. 6, 8, 11, 16, and 19) with a new permanent, weather tight membrane waterproofing system in order to address chronic leakage issues. This is a phased program focused on the highest priority units. Not to exceed with upset limit totaling \$107,320.00 plus allowed expenses.

Within each not to exceed amount there are subcategories of allowances with upset limits that permit negotiation down based on actual conditions. The total of the amendment proposed to the Simpson Gumpertz contract is \$821,520.

At a recent meeting of the Development and Construction Committee a presentation was made describing each project and the contents of the proposals approved by the Designer Selection Panel and the Committee voted to

recommend approval of an amendment to the Simpson Gumpertz & Heger Consulting Engineering contract in the amount of \$821,520.

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

VOTED: That the Executive Director is hereby authorized the enter into an amendment to the Consulting Engineer Contract with Simpson Gumpertz & Hager, Inc. in an amount not to exceed \$821,520 to perform design services in connection with the BCEC Main Kitchen Floor Trough Drain Replacement and Waterproofing Improvements; the BCEC North Ramp CMU Wall investigation and Waterproofing Improvements; the BCEC Food Court Renovations; the Hynes Mechanical System Replacements; and, the BCEC Air Handler Waterproofing Improvements

2. Board Vote – Contract with Haley and Aldrich

In connection with the design of the Boston Convention and Exhibition Center, the Authority utilized Haley and Aldrich to perform environmental consulting services and Haley & Aldrich was also the Project's Licensed Site Professional (LS P).

Haley and Aldrich provided oversight of all aspects of the project's initial remediation work, (Phase 1) which was performed pursuant to regulation of the Massachusetts Department of Environmental Protection (DEP) and the United States Environmental Protection Agency (EPA). Haley and Aldrich also performed consulting services for the Authority and other plaintiffs in connection with the Commonwealth's and the Authority's lawsuit against Boston Edison concerning remediation to be required as Phase 2, which was successfully settled resulting in Boston Edison contributing over \$8 million to the cost of such Phase 2 remediation.

The work associated with Phase 1 remediation was completed contemporaneously with project construction.

Because Haley and Aldrich was intimately familiar with the site, the Authority determined it should utilize Haley and Aldrich to continue to assist in the development of an interim site containment program and a longer term risk based closure plan that integrates remediation with the future development of the Phase 2 site. All such plans must be presented to and approved by the appropriate state and federal regulatory agencies. This initial Phase 2 expansion area project undertaken by Haley & Aldrich was intended to divide the site into two separate and distinct areas from a regulatory standpoint in order that the non-PCB contaminated portions could be placed on a regulatory closeout path immediately leaving only the area under and directly adjacent to the EM-1 capped area remaining. This portion of the project was accomplished in the fall of 2009.

A request for a proposal was directed to Haley and Aldrich in late 2009 seeking their services in connection with securing an extension of the Short-Term Risk Based Approval granted by EPA for the EM-1 Cap which was to expire on May 11, 2010, file a Phase II/III Report with MassDEP, and support the Authority's case seeking regulators' permission to integrate the Site contamination remediation with the planned BCEC Phase 2 expansion activities. The Authority came to agreement upon the required scope of services needed for this effort, a lump sum cost, and a budget estimate for the required geotechnical services for which H&A would contract and bill on a reimbursable basis which was approved by the Authority Board at its January 2010 meeting in an amount not to exceed \$973,600. In the prosecution of the work under this contract Haley & Aldrich undertook a soils exploration and sampling program consisting of 125 borings within the EM-1 capped area in the summer of 2010. This initial exploration program was authorized by the MCCA in the amount of \$972,995. It is estimated the final cost of that program will be \$813,000.00.

Upon examination of the soil sampling data obtained from the initial program, Haley & Aldrich identified the need for an additional (supplemental) boring and sampling program consisting of another 63 borings within margins of identified contamination in order to have sufficient data to complete a Phase II/II Report due in June 2011. That supplemental program will be undertaken using the same three subcontractors relying upon previously proposed unit cost values and at a cost of \$611,764 including contingency amounts. Taking into account the savings of approximately \$160,000.00 from the first soils program, the contract amount needs to be increased by an additional authorization totaling \$452,000.00.

At a recent meeting of the Development Committee, the Committee reviewed Haley and Aldrich's proposal, and voted to recommend that the Board approve the increased authorization.

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

Voted: the Executive Director is authorized to enter into an amendment to the contract with Haley and Aldrich to perform additional boring services in an amount not to exceed \$452,000.

V. REPORT OF THE ADMINISTRATION FINANCE & PERSONNEL COMMITTEE

Mr. Jordan introduced Ms. Storella to make a presentation concerning the following vote:

Board Vote: Contract for Cleaning and Ancillary Services

On July 6, 2010, the Massachusetts Convention Center Authority (MCCA) issued a Request for Qualifications for Cleaning and Ancillary Services for the Boston Convention & Exhibition Center and the John B. Hynes Veterans Memorial Convention Center. On July 28, 2010, eleven firms submitted Qualifications

Statements: ABM Janitorial Services, American Maintenance, Cleanco, Harvard Maintenance, Janitronics, M&M Cleaning Inc., P.E.A.C.E., Servus, S.J. Services, UGL UNICCO, and United Service Companies. All eleven firms were evaluated pursuant to the published qualifications standards and determined to be qualified.

On September 16, 2010, all pre-qualified firms were issued Requests for Proposals (RFP). Seven of the eleven firms submitted proposals by the October 14, 2010 deadline: ABM Janitorial Services, American Maintenance, Harvard Maintenance, M&M Cleaning Inc., P.E.A.C.E., UGL UNICCO, and United Service Companies. All seven firms were evaluated pursuant to the published qualifications standards and five firms were determined to be in the "competitive group" and invited to be interviewed by the MCCA's selection committee on November 1, 2010. Following interviews the selection committee rated each of the firms on the published criteria contained in the RFP.

The chart below compares the proposals received from each of the five competitive group respondents. The Authority estimated, and provided in the proposal form, the anticipated quantities for all units of work covered by the contract (including billable hours for particular categories of employee and number of occasions for particular categories of work). The actual costs will depend on the actual hours/units of service utilized during the contract term. The contract calls for a CPI annual increase in the billing rates. The contract is for a term of three years (cancelable by the Authority with or without cause); it can be renewed, at the sole election of the Authority, for two additional one-year terms. The same CPI increase in billing rates would apply to the renewal term, as well.

Firm	Price	Meets Specs	Management Plan	Work Plan	Transition Plan	M/WBE	Composite Rating
ABM	\$4,270,619	Advantageous	Highly Advantageous	Highly Advantageous	Highly Advantageous	Highly Advantageous	Highly Advantageous
UNICCO	\$4,550,727	Advantageous	Highly Advantageous	Highly Advantageous	Highly Advantageous	Advantageous	Advantageous
Harvard	\$4,350,340	Advantageous	Advantageous	Advantageous	Advantageous	Advantageous	Advantageous
Peace Plus	\$4,912,856	Advantageous	Advantageous	Advantageous	Advantageous	Advantageous	Advantageous
United Service	\$5,059,803	Advantageous	Advantageous	Advantageous	Advantageous	Advantageous	Advantageous

The RFP provided that the principal criterion for selection will be the lowest price proposal, and that the contract would be awarded based on the Authority's determination of the most advantageous proposal from a responsible and responsive respondent, taking into consideration price and other evaluation criteria set forth in the RFP. The other criteria included the submission of a management plan, work plan, transition plan, addressing specified requirements to ensure an orderly transition to the new contract and

a minority/women owned business enterprise plan. The published rules permit conditioning the award of the contract on the selected respondent's agreement to revisions in the proposed plans.

Under the published rules, if the lowest priced proposal received a composite rating of "Highly Advantageous", the contract should be awarded to the lowest price proposal.

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

VOTE: That the Massachusetts Convention Center Authority hereby authorizes the Executive Director to enter into a Contract with ABM Janitorial Services to provide Cleaning and Ancillary Services for the Boston Convention & Exhibition Center and the John B. Hynes Veterans Memorial Convention Center in accordance with the terms of the Request for Proposals dated September 16, 2010, for the annual charges and billing rates set forth in the proposal submitted by said firm, for a term of three years ending unless sooner canceled by the Authority, and subject to a right, at the sole discretion of the Authority, to renew said contract for two additional one-year terms.

Mr. Jordan introduced Mr. Snyder to make a presentation concerning the following vote:

Board Vote--Telephone Switch Replacement

Present telephone switch is an Avaya S8700 Communication Manager Release 3.1. The switch and systems are approximately seven years old at the BCEC and more than ten years old at Hynes. Both are no longer offered for sale or support and support for maintenance ceased as of June 30, 2010.

The existing system while adequately addressing both internal and external customers needs for basic telephone services does so at a premium because of its age and level of technology. The cost to maintain numerous analog and digital circuit cards, as well as the associated T1 networks for the Hynes and the BCEC is outdated, inefficient and not cost effective.

Proposed system will be new Session Initiated Protocol (SIP) that will address a number of business issues by reducing recurring monthly recurring operating expenses, reducing points of failure, standardizing telephone set types at both facilities, reducing power consumption and associated pace requirements. The proposed system will also provide enhanced communication capacity

The new switch will be procured by purchasing it from State Contract ITT29, Converged Telephony Systems and Services. Quotes have been requested from both ITT29 contract suppliers as well as two additional providers not on state contract to ensure best pricing polices are proposed.

The following proposals were reviewed:

Carousel Industries price: \$349,929.

Altura (not on state contract): \$425,972

AT&T (not on state contract): \$492,550

Presidio – Proposed a total new Cisco System: \$573,081 (did not propose SIP)

After extensive review of the qualified applicants' proposals, Carousel Industries was selected for the best overall design based on the requirements that were provided to all vendors. Additionally, Carousel is an approved vendor on State Contract ITT29 and offered a significantly reduced priced proposal than the other respondents.

This project was originally budgeted as \$300,000 expense to upgrade software only for fiscal year 2011 only traditional telephony services. After considerable research and analysis of the market place and available technology, it was determined that rather than investing in old technology, it was more prudent to replace the existing aging system with a complete SIP design to address a number of strategic business and budgetary concerns.

Financing over a three year term would allow the elimination of \$300,000 capital budget expense to move to a monthly operating expense to provide the additional funds to complete project in a December 2010 timeframe. The financial effect of this would be to add only \$50,000 to the previously budgeted amount and purchase of a completely new up-to-date system, rather than update a system at the end of its useful life.

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

VOTED: The Executive Director is hereby authorized on behalf of the Massachusetts Convention Center Authority to enter into a contract with Carousel Industries of North America, Inc., to provide for the installation and migration of an Avaya Aura S8800MBT Server CM6, upon such terms and conditions applicable to transactions undertaken under State Contract ITT 29 for an amount not to exceed \$380,484 payable in installments over a three years from the date of execution of such contract.

VI. TOP FIVE PRESENTATION

Mr. Rooney and Mr. Davis gave a presentation on the Top Five efforts undertaken by the Authority over the past year.

VII. OLD BUSINESS

There was no old business.

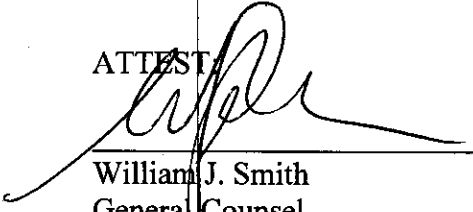
VIII. NEW BUSINESS

There was no new business.

IX. ADJORNMENT

Upon a motion duly made and seconded, the Board voted unanimously to adjourn at 11:05 AM.

ATTEST



William J. Smith
General Counsel