



**MINNESOTA SPORTS FACILITIES AUTHORITY REGULAR MEETING MINUTES**

**Friday, March 27, 2015, 9:00 A.M.**

**1010 Metrodome Square Building, Lower Level Conference Room**

**1010 South 7<sup>th</sup> Street, Minneapolis, MN 55415**

**1. CALL TO ORDER**

Chair Kelm-Helgen called the meeting of the Minnesota Sports Facilities Authority to order at 9:00 AM.

**2. ROLL CALL**

Commissioners Present: Chair Kelm-Helgen, Commissioner McCarthy, Commissioner Benson and Commissioner Griffith.

Commissioners Absent: Commissioner Butts Williams

**3. ADOPTION OF AGENDA**

Chair Kelm-Helgen presented the agenda. Commissioner McCarthy moved approval of the agenda, seconded by Commissioner Benson and approved unanimously – 4 YEAS, 0 NAYS.

**APPROVED**

**4. APPROVAL OF AUTHORITY MEETING MINUTES**

Commissioner Benson moved approval of the February 13, 2015 Regular Meeting Minutes, seconded by Commissioner Griffith and approved unanimously – 4 YEAS, 0 NAYS.

**APPROVED**

**5. CHAIR'S REPORT**

Chair Kelm-Helgen reflected on the 50% completion mark that the construction project would reach at the end of the month. She commented on the number of important decisions the project team has made to keep on track. The first big decision was to hire HKS, Inc as the architect to build a world-class venue. The design includes such iconic features such as a transparent roof and large pivot doors. This design is sure to attract visitors and large events. This leads to the second important decision, which was to hire Mortenson/Thor as the construction manager. Having a Minnesota-based company as a contractor has allowed for many opportunities for smaller Minnesota-based companies. These smaller businesses are growing and thriving because of the work with this project. Chair Kelm-Helgen mentioned that they would be hearing about an



exciting new contract later in the meeting. She would like to invite more Minnesota businesses to come here and talk about their work. Mortenson/Thor has such deep ties in the community. They are also exceeding the workforce and diversity goals. The unions have been stepping up and the EAF has been working hard to assist their efforts.

Ryan Companies will be providing updates at some future board meetings. Economic impact is clearly shown with this \$400 million development with 5000 jobs coming to the Wells Fargo buildings.

Chair Kelm-Helgen then highlighted the partnership with the MN Vikings. Another budget increase is coming from the Vikings with over \$19 million in additional improvements. This is a result of over 6 months of work. Mr. Mondale and Chair Kelm-Helgen have been spending a lot of time negotiating these improvements. The Team has stepped up time and again to keep the iconic features in the building.

Chair Kelm-Helgen reported on the status of the work with the State Audubon Society and 3M regarding potential glass treatments. 3M is in the product development phase and is looking at potential test protocols. Further developments and announcements would not occur until summer. The skyway glass is actually mandated to be clear by a city ordinance.

Chair Kelm-Helgen also relayed that a commemorative brick program was recently announced. This is a way for people to be connected to the stadium. Proceeds will go towards stadium plaza improvements.

## **6. BUSINESS**

### **a. Action Items**

#### **i. Approve Proposal & Award Contract – Internal LED Boards**

The Minnesota Sports Facilities Authority (“MSFA”) in collaboration with the Minnesota Vikings (“Team”) issued a request to submit a proposal of qualifications in December 2014 for the design, manufacture, and installation and servicing of the (a) large format video, fascia and scoring systems, (b) exterior creative display systems, and (c) video production control system for the new Minnesota Multi-Purpose Stadium. Several responses were received and two were deemed qualified and invited to submit proposals.

The MSFA and Team held multiple interviews with each of the proposers. Based on the Best Value criteria in the RFP that were each equally weighted by the Authority, and the evaluation of the submittals and subsequent interviews in accordance with those criteria, the MSFA and Team representatives recommend the selection of Daktronics, Inc. (“Daktronics”).



Daktronics, founded in 1968 in Brookings, South Dakota, is the world's largest supplier of large screen video displays, electronic scoreboard, LED text and graphics displays, and related control systems, services and products. Daktronics has installed products in sports facilities and destination sites in over 100 counties throughout the world, including Target Field, Xcel Energy Center, TCF Bank Stadium and numerous NFL venues.

**Recommendation: The MSFA authorizes the Chair and the CEO/Executive Director to finalize and execute the Trade Contract Agreement with Daktronics. Commissioner Griffith moved to approve the recommendation. Commissioner Benson seconded the motion.**

**APPROVED**

At this time, the MSFA Board invited Jay Parker, Vice President of Live Events for Daktronics, to come and address the board. A live video conference was established with Daktronics' manufacturing plant in Redwood Falls, MN. Daktronics employees witnessed the award of the contract. Mr. Parker thanked the MSFA for awarding the contract and described the impact it would have for the company. Daktronics will be expanding their manufacturing plant in Redwood Falls and will hire over 200 additional employees.

#### **ii. Approve Amendments to New Stadium Development & Use Agreements**

The Minnesota Sports Facilities Authority ("MSFA") previously approved the execution of the Second Amended and Restated Development Agreement on August 22, 2014 (the "Second Amended and Restated Development Agreement"), the Amended and Restated Stadium Use Agreement on November 22, 2013 (the "Amended and Restated Use Agreement"), and the First Amendment and Second Amendment to the Amended and Restated Use Agreement on February 10, 2014 and August 22, 2014, respectively.

The MSFA in collaboration with the Minnesota Vikings, and related entities, has prepared a First Amendment to the Second Amended and Restated Development Agreement in order to supplement the Amended and Restated Development Agreement and further describe in detail how the parties will work together to build the new Minnesota Multi-Purpose Stadium.

The First Amendment to the Second Amended and Restated Development Agreement further details:

- How the stadium will be financed
- Additional elements to be included in the design of the new stadium
- The management and design of the stadium plaza

The MSFA in collaboration with the Minnesota Vikings, and related entities, have also prepared a Third Amendment to the Amended and Restated Use Agreement in order to further supplement the Amended and Restated Use Agreement and describe in detail how the Minnesota Vikings, and related entities, will use the new stadium for the next 30 years, with terms of extension.



The Third Amendment to the Amended and Restated Use Agreement further details:

- The management, budget and expenses of the new stadium
- The revenue streams for the Minnesota Vikings and MSFA
- The relationship of the parties to the agreement and procurement of services for the new stadium
- Acknowledgement of certain design concepts for the new stadium

**Recommendation: The Authority authorizes the Chair and the CEO/Executive Director to finalize and execute the First Amendment to the Second Amended and Restated Development Agreement and Third Amendment to the Amended and Restated Use Agreement. Commissioner Griffith moved to approve the recommendation. Commissioner McCarthy seconded the motion.**

**APPROVED**

### **iii. Approve Amendments to Construction Funds Trust Agreement**

The Authority has previously entered into the Amended and Restated Construction Funds Trust Agreement to accept, hold, and disburse funds for the development and construction of the Stadium (the "CFTA").

As originally drafted, the CFTA provided for disbursements for Project Costs on one hand, and Privately Financed Enhancements by the Team on the other. The costs of developing and equipping the Stadium will involve procurement of Privately Financed Enhancements which are within the Budget, and therefore, will require additional flexibility in the categorization of Privately Financed Enhancements.

Accordingly, certain technical amendments are required to provide for the disbursement of funds for Privately Financed Enhancements which are (1) requested by the Team or by other parties; or (2) do or do not constitute Project Costs.

**Recommendation: The Authority authorizes the Chair and the CEO/Executive Director to finalize and execute amendments to the CFTA. Commissioner Griffith moved to approve the recommendation. Commissioner McCarthy seconded the motion.**

**APPROVED**

### **iv. Approve Project Budget Amendments**

The items identified that require adjustments to the Master Project Budget are summarized below:

- A) Team to Fund Plaza Enhancements
- B) Team to Fund Additional Food Service Equipment
- C) Team to Fund East Event Build-out
- D) Team to Fund Other Project Costs



- E) HKS Design Services Agreement, ASR 42
- F) Ryan Stadium Skyway Contract Revision 6, North Portal Construction Costs
- G) Mortenson Issue 1716, Counter Materials
- H) Mortenson Issue 1927, Nomex For Induction Units
- I) Mortenson Issue 1967, Front of House Counter Material
- J) HKS Design Services Agreement, Future Contract Revision
- K) Team to fund Additional Mobile Concession Equipment Related to Add Alternate 09

Additional detail on the above adjustments is outlined below along with corresponding recommendations.

#### **A) Team to Fund Plaza Enhancements**

The Team has submitted a request for additional work as Plaza Enhancements for \$3,000,000 and the Team has agreed to fund these Plaza Enhancements. This requires an increase in the Stadium Capital Budget to account for the Additional Team Funding source of funds and the anticipated Use. Vendors for this work are to be determined in the future.

**Recommendation: The MSFA approves an increase of \$3,000,000 to the Additional Team Contribution Source of Funding within the Stadium Capital Budget. The Site Acquisition and Improvements line item within the Uses section of the Stadium Master Project Budget would be increased by the same amount. This increase is the Team's agreed upon contribution for Plaza Enhancements. Commissioner McCarthy moved to approve the recommendation. Commissioner Benson seconded the motion.**

**APPROVED**

#### **B) Team to Fund Additional Food Service Equipment**

The Team has submitted a request to include additional FF&E Food Service Equipment for \$2,600,000 and the Team has agreed to fund these additional FF&E Food Service Equipment costs. At the February 13, 2015 MSFA Board Meeting, the MSFA accepted a \$2,000,000 contribution from the Team for this budget increase. The remaining contribution of \$600,000 requires an increase in the Stadium Capital Budget to account for the Additional Team Funding source of funds and the anticipated use. Vendors for this work are to be determined and finalized in the future.

**Recommendation: The MSFA approves an increase of \$600,000 to the Additional Team Contribution Source of Funding within the Stadium Capital Budget. The FF&E Food Service Equipment line item within the Uses section of the Stadium Master Project Budget would be increased by the same amount. This increase finalizes the Team's agreed upon contribution for Food Service Equipment. Commissioner McCarthy moved to approve the recommendation. Commissioner Benson seconded the motion.**

**APPROVED**



### **C) Team to Fund East Event Build-out**

The Team has submitted a request for additional work defined as East Event Build-out for \$2,000,000 and the Team has agreed to fund this East Event Build-out. This requires an increase in the Stadium Capital Budget to account for the Additional Team Funding source of funds and the anticipated use. Vendors for this work are to be determined and finalized in the future.

**Recommendation: The MSFA approves an increase of \$2,000,000 to the Additional Team Contribution Source of Funding within the Stadium Capital Budget. These funds will be budgeted within Other Project Costs as the exact costs and contractors have not yet been determined. This increase is the Team's agreed upon contribution for East Event Build-out. Commissioner McCarthy moved to approve the recommendation. Commissioner Benson seconded the motion.**

**APPROVED**

### **D) Team to Fund Other Project Costs**

The Team has submitted a request for additional work defined as Other Project Costs for \$11,900,000 and the Team has agreed to fund these Other Project Costs. These Other Project Costs include various mutually agreed to cost issues as well as funding for the SDC Group Contingency. This requires an increase in the Stadium Capital Budget to account for the Additional Team Funding source of funds and the anticipated use. Vendors for this work are to be determined and finalized in the future.

**Recommendation: The MSFA approves an increase of \$11,900,000 to the Additional Team Contribution Source of Funding within the Stadium Capital Budget. These funds will be budgeted within Other Project Costs as the exact costs and contractors have not yet been determined. This increase is the Team's agreed upon contribution for Other Project Costs. Commissioner McCarthy moved to approve the recommendation. Commissioner Benson seconded the motion.**

**APPROVED**

### **E) HKS Design Services Agreement, ASR 42**

HKS submitted an Additional Service Requests ("ASR") to perform design services that result in a change to the Construction Documents. The following ASR is funded as noted below by the Team and requires an increase to the Stadium Capital Budget to account for additional Team Funding.

ASR No. 42 provides for the redesign of the Main Concourse Suites #24, #25, and #26 located in the southeast quadrant of the stadium; these suites are being combined into a single suite and shelled for a future build-out. The Total Cost for this ASR is \$49,395.00. The Team agreed to fund the added design costs and therefore, the Master Project Budget is to increase by \$49,395.00.



**Recommendation: The MSFA approves an increase of \$49,395.00 to the Team Contribution Source of Funding within the Stadium Capital Budget. The Additional AE Services line item within the Uses section of the Stadium Master Project Budget would be increased by the same amount. This increase is the Team's agreed upon contribution for ASR 42. The MSFA authorizes the Chair and CEO/Executive Director to execute DSA Revision No. 15, which will include ASR 42. Commissioner McCarthy moved to approve the recommendation. Commissioner Benson seconded the motion.**

**APPROVED**

#### **F) Ryan Contract Revision 6, Design Completion Stadium Skyway North Portal**

As part of the Downtown East Development project, the MSFA entered in a Design Build Agreement with Ryan Companies to construct a 1,610 stall parking garage bounded by 3<sup>rd</sup> Street, 4<sup>th</sup> Street, Chicago Avenue and Park Avenue. This parcel is defined as Block 1 within the Development Agreement.

Ryan Companies submitted a revision request to perform additional construction work as a result of requested changes to the Stadium Skyway to accommodate a potential future north parcel connection design. The Team has elected to proceed with the requested changes to the connection design, also known as Revision 6. The Team has agreed to fund the entire Total Cost for this revision, which is \$159,470.00. This will also require an increase to the Stadium Capital Budget.

**Recommendation: The MSFA approves an increase of \$159,470.00 to the Additional Team Contribution Source of Funding within the Stadium Capital Budget. The Construction Contract within the Uses section of the Stadium Master Project Budget would be increased by the same amount. This increase is the Team's agreed upon contribution for Ryan Companies Revision 6. The MSFA authorizes the Chair and CEO/Executive Director to execute this Contract Revision. Commissioner McCarthy moved to approve the recommendation. Commissioner Benson seconded the motion.**

**APPROVED**

#### **G) Mortenson Issue 1716, Countertop Materials**

Mortenson Construction has submitted a Cost Issue to perform additional work as a result of requested changes to the Construction Documents. The following Issue is funded as noted below by the Team and requires an increase to the Stadium Capital Budget to account for the additional Team Funding.

The Team has elected to proceed with certain counter materials, also known as Issue 1716. The Team has agreed to fund the entire Total Cost for this Issue, which is \$56,737.00 and will be included in CSA Revision No. 29. This will also require an increase in the Stadium Capital Budget.



**Recommendation: The MSFA approves an increase of \$56,737.00 to the Additional Team Contribution Source of Funding within the Stadium Capital Budget. The Construction Contract within the Uses section of the Stadium Master Project Budget would be increased by the same amount. This increase is the Team's agreed upon contribution for Mortenson Issue 1716. The MSFA authorizes the Chair and CEO/Executive Director to execute CSA Revision No. 29, inclusive of the aforementioned Issue. Commissioner McCarthy moved to approve the recommendation. Commissioner Benson seconded the motion.**

**APPROVED**

**H) Mortenson Issue 1927, Nomex For Induction Units**

Mortenson Construction has submitted a Cost Issue to perform additional work as a result of requested changes to the Construction Documents. The following Issue is funded as noted below by the Team and requires an increase to the Stadium Capital Budget to account for the additional Team Funding.

The Team has elected to include nomex insulating material around the induction units within the suites, also known as Issue 1927. The Team has agreed to fund the entire Total Cost for this Issue, which is \$55,680.00 and will be included in CSA Revision No. 29. This will also require an increase in the Stadium Capital Budget.

**Recommendation: The MSFA approves an increase of \$55,680.00 to the Additional Team Contribution Source of Funding within the Stadium Capital Budget. The Construction Contract within the Uses section of the Stadium Master Project Budget would be increased by the same amount. This increase is the Team's agreed upon contribution for Mortenson Issue 1927. The MSFA authorizes the Chair and CEO/Executive Director to execute CSA Revision No. 29, inclusive of the aforementioned Issue. Commissioner McCarthy moved to approve the recommendation. Commissioner Benson seconded the motion.**

**APPROVED**

**I) Mortenson Issue 1967, Front of House Countertops**

Mortenson Construction has submitted a Cost Issue to perform additional work as a result of requested changes to the Construction Documents. The following Issue is funded as noted below by the Team and requires an increase to the Stadium Capital Budget to account for the additional Team Funding.

The Team has elected to proceed with certain counter materials within front of house areas, also known as Issue 1967. The Team has agreed to fund the entire Total Cost for this Issue, which is \$117,029.00 and will be included in CSA Revision No. 29. This will also require an increase in the Stadium Capital Budget.





**Recommendation: The MSFA approves an increase of \$117,029.00 to the Additional Team Contribution Source of Funding within the Stadium Capital Budget. The Construction Contract within the Uses section of the Stadium Master Project Budget would be increased by the same amount. This increase is the Team's agreed upon contribution for Mortenson Issue 1927. The MSFA authorizes the Chair and CEO/Executive Director to execute CSA Revision No. 29, inclusive of the aforementioned Issue. Commissioner McCarthy moved to approve the recommendation. Commissioner Benson seconded the motion.**

**APPROVED**

**J) HKS Design Services Agreement, Future Contract Revision**

The Team desires to retain HKS to perform additional services related to conceptual signage, theming and branding services. HKS has submitted a proposal to perform additional conceptual design services that may result in a change to the Construction Documents. The following scope is funded as noted below by the Team and requires an increase to the Stadium Capital Budget to account for additional Team Funding.

A future HKS Contract Revision will provide for additional services related to conceptual signage, theming and branding services located throughout the stadium. The MSFA, Team and HKS have yet to agree on exact scope and contractual terms regarding these services. The Total Cost for this Contract Revision will be \$750,000.00. The Team has agreed to fund the added design costs and therefore, the Master Project Budget is to be increased by \$750,000.00.

**Recommendation: The MSFA approves an increase of \$750,000.00 to the Team Contribution Source of Funding within the Stadium Capital Budget. The Additional AE Services line item within the Uses section of the Stadium Master Project Budget would be increased by the same amount. This increase is the Team's agreed upon contribution for Contract Revision 16. The MSFA authorizes the Chair and CEO/Executive Director to negotiate, finalize and execute a future DSA Revision for this work to be funded entirely by the Team. Commissioner McCarthy moved to approve the recommendation. Commissioner Benson seconded the motion.**

**APPROVED**

**K) Team to Fund Mobile Concession Equipment Related to Add Alternate 09.**

The Team has agreed to purchase additional mobile concession equipment that was included within Mortenson Contract Revision 26 and the Team has previously funded these costs from Team line items within the Master Project Budget. The Team wishes to instead fund these costs with additional funding which will require an increase in the Stadium Capital Budget to account for the additional Team Funding.



**Recommendation: The MSFA approves an increase of \$833,017.00 to the Additional Team Contribution Source of Funding within the Stadium Capital Budget. The Other Project Costs – TCF Stadium Improvement line item within the Stadium Master Project Budget would be increased by the same amount because that line item was initially used the fund these costs when Mortenson CR 26 was authorized and executed. This increase is the Team’s agreed upon contribution for Food Service Equipment component of Alternate 09. Commissioner McCarthy moved to approve the recommendation. Commissioner Benson seconded the motion.**

**APPROVED**



**Summary:**

The proposed budget adjustments outlined in this memorandum would modify the Stadium Master Project Budget as outlined in Table 1 - Stadium Master Project Budget.

**Master Project Budget Summary – Table 1**

Division	Description	Master Project Budget as of 3/26/15	3/27/15 Adjustments	Adjusted Budget
<b>SOURCES OF FUNDS</b>				
00-25-005	Team Contribution	\$377,000,000.00		\$377,000,000.00
00-25-010	Private Contribution	\$100,000,000.00		\$100,000,000.00
00-26-015	Additional Team Contribution	\$54,357,321.50	\$19,521,328.00	\$73,878,649.50
00-30-005	State of Minnesota Contribution	\$498,000,000.00		\$498,000,000.00
00-90-005	Aramark Capital Investment	\$10,000,000.00		\$10,000,000.00
00-90-010	SMG Capital Investment	\$2,000,000.00		\$2,000,000.00
	<b>Total Sources of Funds</b>	<b>\$1,041,357,321.50</b>	<b>\$19,521,328.00</b>	<b>\$1,060,878,649.50</b>
<b>USES OF FUNDS</b>				
10-00-000	Site Acquisition & Improvements	\$53,082,497.10	\$3,159,470.00	\$56,241,967.10
20-00-000	Construction Costs	\$827,880,096.93	\$229,446.00	\$828,109,542.93
30-00-000	FF&E (includes Food Service Equip)	\$46,764,717.00	\$600,000.00	\$47,364,717.00
40-00-000	Development Costs	\$86,631,388.85	\$799,395.00	\$87,430,783.85
50-00-000	Financing Costs	\$0.00	\$0.00	\$0.00
60-00-000	Other Project Costs			
	TCF Stadium Improvements	\$7,623,135.07	\$833,017.00	\$8,456,152.07
	SDC Group Contingency	\$0.00	\$8,000,000.00	\$8,000,000.00
	East Event Buildout	\$0.00	\$2,000,000.00	\$2,000,000.00
	Other Mutually Agreed Cost Issues	\$0.00	\$3,900,000.00	\$3,900,000.00 (1)
90-00-000	Project Contingency	\$19,375,486.55	\$0.00	\$19,375,486.55
	<b>Total Uses of Funds</b>	<b>\$1,041,357,321.50</b>	<b>\$19,521,328.00</b>	<b>\$1,060,878,649.50</b>

**NOTES:**

1. Other Mutually Agreed Cost Issues will total \$3.9 Million. This includes budget values for the following issues:

a. Water Pumps	0.8
b. Sink and Electrical Panel	0.1
c. Glass at Broadcast Booth	0.1
d. Roof Deck	1.0
e. Retractable Seating Hold	1.0
f. Laundry Equipment	0.1
g. High Roof Wash	0.6
h. Completion Allowance for Above	0.2
<b>Total</b>	<u>\$3.9</u>



## **v. Authorize 4<sup>th</sup> St/5<sup>th</sup> St Purchase & related Agreement with City of Minneapolis**

### **City of Minneapolis MOU**

The Authority under the Development Agreement with the Team is required to acquire portions of 4<sup>th</sup> Street and 5<sup>th</sup> Street from the City of Minneapolis to assemble the site necessary for the stadium. Staff has negotiated this purchase of properties from the City. That purchase is detailed in the draft Memorandum of Understanding (MOU) between the City and Authority. Key aspects of this agreement are:

- The MSFA purchases vacated portions of 4<sup>th</sup> & 5<sup>th</sup> Streets adjacent to the new stadium site. The 5<sup>th</sup> Street portion is generally defined as that portion of 5<sup>th</sup> street extending from Chicago Avenue to 11<sup>th</sup> Avenue.
- The City intends to grant the Authority at some later date subject to approval of plans an encroachment permit for that portion of 5<sup>th</sup> Street extending from Park Avenue to Chicago Avenue.
- The City of Minneapolis acquires easements for a recreational trail easement “aka bicycle trail” (SW corner of stadium site), a temporary transportation easement (traffic easement in case work for 5<sup>th</sup>/6<sup>th</sup> Streets does not occur in a timely manner), access easement (for sanitary sewer maintenance access on the NW corner of the stadium site), and sanitary sewer easement (sewer line that routes around the SW corner of the site).
- The financial closing will require payment of \$1,572,000 to the City of Minneapolis and \$1,000 in recording fees for a payment of \$1,573,000. The City of Minneapolis has approved this matter and the financial closing is planned for April 27, 2015.
- The Authority and City have agreed to certain traffic signage, signal lighting costs, materials testing costs, and other engineering costs of which some are direct to the Authority and some are shared costs. These estimated costs are shown in Appendix A of the MOU and will be performed by City of Minneapolis staff and billed at a later date to the Authority. Certain costs are related to 5<sup>th</sup> & 6<sup>th</sup> Street work, certain costs to 5<sup>th</sup> Street between Park & Chicago Avenues (anticipated future project prior to stadium Substantial Completion), and certain costs are related to Mortenson’s current scope of work (direct payment by Mortenson). The Authority costs will be billed on a cost basis and are expected to be about \$861,379 and are in addition to the \$1.573M payment at closing.

Financially, these matters are project related costs.



**Recommendation: The Authority approves the MOU for purchase of portions of 4<sup>th</sup> Street and 5<sup>th</sup> Street and for payment for the other related costs as outlined above. Furthermore, authorize the Chair and CEO/Executive Director to enter into Agreement with the City of Minneapolis regarding this MOU subject to finalization of language. Commissioner Griffith moved to approve the recommendation. Commissioner McCarthy seconded the motion.**

**APPROVED**

### **Mortenson Contract Revision 30**

Draft Contract Revision 30 has been prepared and is currently being reviewed by the MSFA and Team. This Contract Revision relates to Mortenson's performance of work related to 5<sup>th</sup> and 6<sup>th</sup> Street modifications. That work had been detailed in HKS's CCD 144 and priced under Mortenson's PCO #02236. Mortenson proposed change order amount for this work scope is \$1,358,652. Included in this pricing is a City of Minneapolis Street Use Permit Allowance of \$396,525. That allowance is based on a city formula for the impacted street square footage by amount of time taken out of use. That allowance will be trued up following completion of the work. The total value of the Contract Revision exceeds the staff approval level and therefore requires approval from the MSFA Board to execute.

**Recommendation: The MSFA approves an increase of \$1,358,652.00 to the Construction Services Agreement. The MSFA authorizes the Chair and CEO/Executive Director to execute CSA Revision No. 30. Commissioner Griffith moved to table this agenda item for further discussion and review. Commissioner Benson seconded the motion.**

**APPROVED**

### **vi. Approve C.H. Skiem Consulting Contract**

On December 13, 2013, the Authority entered into a contract with C.H. Skiem Consulting LLC for financial advisory services specific to professional sports stadia through December 31, 2014. In order to continue with the services provided by CH Skiem Consulting, the Authority plans to enter into a consulting agreement for services with CH Skiem Consulting LLC through December 31, 2016 in an amount not to exceed \$240,000 per year.

C.H. Skiem Consulting provides advisory services in the following areas:

- \* Project budget and construction review
- \* Development agreement and use agreement amendment and issue resolution
- \* 3rd Party Operator contract implementation and oversight
- \* Development of requests for proposals
- \* Downtown East and Urban Park issue resolution
- \* Development of Authority's pre-opening budget and initial operating budget
- \* Development of Authority's capital planning budget



**Recommendation: The Authority authorizes the Chair and CEO/Executive Director to negotiate and execute a contract with C.H. Skiem Consulting LLC in an amount not to exceed \$240,000 per year for the period of January 1, 2015 through December 31, 2016. Commissioner Griffith moved to approve the recommendation. Commissioner Benson seconded the motion.**

**APPROVED**

**vii. Approve Pay Equity Report**

The Local Government Pay Equity Act requires the Minnesota Sports Facilities Authority to submit a pay equity report to the State of Minnesota every three years. The attached report reflects the data in place as of December 31, 2014. The last report submitted and approved was the 2012 Pay Equity Compliance Report.

The rules promulgated by Minnesota Management & Budget require that the governing body of the jurisdiction approve this report. Upon approval, the report will be submitted to Minnesota Management & Budget.

At this time, discussion ensued on the merits of passing the pay equity report as several commissioners have concerns about the information it represents and the roles of executive leadership. Commissioners agreed that there needed to be further discussion on the roles and responsibilities of executive leadership and the overall governing structure in relation to the board.

**Recommendation: That the Authority approve the 2015 pay equity implementation and compliance report. Commissioner McCarthy moved to approve the recommendation. Commissioner Griffith and Commissioner Benson opposed the motion.**

**MOTION FAILED TO PASS**

**b. Report Items**

**i. Façade Access Systems Report**

The Board at its February 13, 2015 meeting authorized the Chair and CEO/Executive Director to enter into contract with the successful firm for the above proposal. The RFP provided for a lifeline system to be installed at the new stadium roof ridge as well as at the edges of the roof perimeter snow gutter. In addition, the proposal provides for access sleeves to be installed at certain points along the roof edge for maintenance purposes.

Staff following an extension of proposal time received two proposals on March 10, 2015 at 1pm for this matter. The proposers and proposal amounts are listed below.

Firm: **Infinity Access**  
2395 Capp Road  
Suite A

**Evan Corporation**  
3125 Industrial Drive  
Sanford, NC 27332



St. Paul, MN 55114

Base Amount: **\$328,807.36**

**\$364,444.00**

Staff reviewed the proposals and recommended the contract award in the base amount to Infinity Access. Infinity Access is a Minnesota based Veteran Owned, Small Business entity. This proposal is a project-funded matter.

**Recommendation: No action is required at this time. This is a report to the Board following receipt of proposals. The Board at its February 13, 2015 meeting had given prior authorization to enter into Contract upon receipt of proposals.**

#### **ii. MSFA Communications Plan Report**

MSFA Communications Director, Jenn Hathaway, presented the MSFA's communications plan. Kathy Tunheim with Tunheim Partners also contributed to the presentation. The plan was a culmination of input from the MSFA Board and Vikings and the stadium project team. The plan highlighted the MSFA's key messages and priorities for engaging the public and stakeholders and keeping everyone informed of project developments.

**Recommendation: None. This report is for informational purposes only.**

#### **iii. 2014 Annual Equity Program Report**

Mr. Tittle presented the 2014 Annual Equity Program report. This report can be found at the MSFA's website at [www.msfa.com](http://www.msfa.com).

**Recommendation: None. This report is for informational purposes only.**

#### **iv. Construction Project Update**

Eric Grenz, Ashley Krueger and Brendan Moore gave a construction update on behalf of Mortenson/Thor. They highlighted progress and key milestones as the project reaches the 50% completion point.

**Recommendation: None. This report is for informational purposes only.**

### **8. PUBLIC COMMENT**

Ten individuals came forward to address the MSFA Board.

1. Lisa Venable, MN Citizens Concerned for the Protection of Migratory Birds: Ms. Venable questioned the accountability of the MSFA board to public concerns as they relate to bird-safe glass.



2. Wayne Swanson, MN Citizens Concerned for the Protection of Migratory Birds: Mr. Swanson highlighted examples of bird-safe glass use in other buildings and the importance of ensuring that skyways use bird-safe glass.
  
3. Ann Laughlin, MN Citizens Concerned for the Protection of Migratory Birds: Ms. Laughlin raised concerns that the 3M film would not be ready when the first glass panels are installed and that there would be a period with no protection.
  
4. Elise Morton, Audubon Chapter of Minneapolis: Ms. Morton commented on the need for skyways to have bird-safe glass and that city ordinances should be changed.
  
5. Becky Hanson, Audubon Chapter of Minneapolis: Ms. Hanson played bird sounds and read a story from MPR about birds.
  
6. AmyLeo Barankovich: Ms. Barankovich appealed to the board’s conscience and asked them to consider what’s right in relation to protecting the birds.
  
7. Howard Miller: Mr. Miller said that one could see that the first glass panels that are being installed are highly reflective.
  
8. Kate Hunt: Ms. Hunt described an article from South Side Pride painting the stadium in an unflattering light due to the lack of bird-safe glass.
  
9. Robert Woods: Mr. Woods applauded the stadium project team’s work in setting and maintaining targeted business goals. He hopes this model can be expanded to other projects.
  
10. Jerry Kyser: Mr. Kyser thanked the project team for their efforts in relation to veterans and described further work that needs to happen with veterans.

8. **DISCUSSION**

No discussion occurred at this time.

9. **ANNOUNCE FUTURE MEETINGS**

Friday, April 17, 2015 at 9:00 A.M MSFA Board Meeting, 1010 Metrodome Square Building

There being no further business to come before the Authority, Commissioner Benson moved to adjourn the meeting, seconded by Chair Kelm-Helgen and approved unanimously – 2 YEAS, 0 NAYS.

**APPROVED**





The meeting was adjourned at 12:00 pm.

ADOPTED this 17<sup>th</sup> day of April 2015 by the Minnesota Sports Facilities Authority

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Duane Benson, Secretary

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Ted Mondale, CEO/Executive Director