

**THE RHODE ISLAND CONVENTION CENTER AUTHORITY 292nd
MEETING OF THE BOARD OF COMMISSIONERS April 27, 2006**

A meeting of the Board of Commissioners of the Rhode Island Convention Center Authority (hereinafter referred to as "Authority", the "CCA" or the "Board") was held on April 27, 2006 at 9:00 a.m. pursuant to notice, at the Rhode Island Convention Center Boardroom, One Sabin Street, Providence, Rhode Island.

Board members present were Chairman, David A. Duffy, Commissioners, Paul MacDonald, Jerry Massa, Dave Gavitt, Joe Judge, George Nee, Jeff Hirsh and Dale Venturini.

Mr. Buonanno was unable to attend

Also present were James P. McCarvill, Executive Director, Rhode Island Convention Center Authority; Bruce Leach, Legal Counsel; Bob Bromley, Senate Fiscal Office; James Pontarelli, House Fiscal Office; Steve Duethman and Julie Hall, Ellerbe Beckett; Neil Schriever, PWCVB; Tim Muldoon, John McGinn and Debbie Tuton, SMG; Larry Lepore, Eleanor SanAntonio, Cheryl Schadone and Bob Cappalli, Dunkin' Donuts Center; Larry Bacher, Gilbane; Andrea Stape, Providence Journal; Kate Moulding, and Greg Nelson, Local 217 and Eileen Smith, Recording Secretary. CALL TO ORDER

Recognizing a quorum, Chairman Duffy called the meeting to order at 9:05 a.m.

APPROVAL OF MINUTES Chairman Duffy entertained a motion to accept the minutes of the 291st meeting, March, 2006. Upon a motion duly made by Mr. MacDonald and seconded by Mr. Judge it was unanimously **VOTED:** to approve the minutes as distributed

Chairman Duffy instructed the Authority office to send the approved minutes to the Secretary of State's Office via electronic mail.

Mr. Duffy took the opportunity to congratulate Mr. Gavitt on his selection to the Basketball Hall of Fame. The Board gave Mr. Gavitt a round of applause.

Mr. Judge reported that an RFP for auditing services would be advertised on Friday. Mr. Judge stated that our contract with LGC&D had expired.

Mr. Judge reported on the consolidated financial statements. Mr. Judge was pleased to note that parking revenues are up for the month of March. Mr. Judge noted that Year to Date revenue for the nine months ended March 2006 exceeded budget with a slight increases over the same period in Fiscal Year 2005. Mr. Judge continued that consolidated Year to Date expenses show an increase in some areas over Fiscal Year 2005. Mr. Judge stated that Mr. Muldoon reported that the month of May looks promising and he expects June to be exceptional.

DUNKIN' DONUTS COMMITTEE

Mr. Duffy acknowledged the wonderful work being done by the staffs of the Dunkin' Donuts Center and the Convention Center for the seamless way the facilities have come together. He said that is our single most important commitment.

Mr. Buonanno recognized Steve Duethman of Ellerbe Beckett. Mr. Duethman reported on the design development. Mr. Duethman noted that the responses to the RFP for the ice chiller were due a week from Friday. Mr. Duffy asked what the process is for bidding. Mr. Bacher explained the process.

Mr. Bacher addressed the Board and stated that over the past month he had met with the building trades to negotiate a Project Labor Agreement. Mr. Bacher explained the reasons for utilizing a PLA and noted the inclusion of a letter prepared by him (letter attached). Following a brief discussion and upon a motion made by Mr. Judge and seconded by Mr. Hirsh it was unanimously

VOTED: to approve the resolution as read by Mr. Judge with a correction changing \$48 million to \$62 million - resolution below;

RESOLUTION OF THE

RHODE ISLAND CONVENTION CENTER AUTHORITY

Whereas, the Rhode Island Convention Center Authority (the “Authority”) recently acquired the Dunkin’ Donuts Center (the “Center”) from the City of Providence, and the Purchase and Sale Agreement for same requires the Authority to renovate the Center as part of the conditions of sale; and

Whereas, the Rhode Island General Assembly authorized the Authority to borrow \$92.5 million for the purchase and renovation of the Center, \$48 million of which is to be used for its renovation; and

Whereas, the Authority intends to make the necessary renovations to the Center without closing the facility, except for the summer months, in order to fulfill its obligations to those with contracts for its use, continue its economic stimulus to the city and enjoyment for its patrons, and provide needed revenue for the Authority, all of which require that the renovations be made over a three year period; and

Whereas, the renovation of the Center is a major undertaking including:

improving the Center’s mechanical, electrical, and HVAC systems that will allow it to function effectively into the future, expansion of the lobby and concourse, addition of skyboxes, compliance with Americans with Disabilities Act requirements, renovation of locker rooms and public spaces, installation of new seats, creation of additional exterior pedestrian walkways, a bridge connecting the

Center to the Convention Center, and exterior plazas to facilitate the efficient flow of spectators and minimize vehicular/pedestrian conflicts; and

Whereas, the Authority has been advised by the Authority's architect and construction manager, as well as those architects and construction companies that it interviewed, that the renovation of the Center has unique constraints, including time and scheduling, which increase its complexity, and that if certain aspects of the renovation are not performed within the time constraints referred to above, significant delays and increased costs for the renovation will occur, which increases if significant, the Authority can only meet by reducing the scope of the renovations; and

Whereas, the Authority has reviewed a Project Labor Agreement Study dated February 22, 2006 (the "Study") containing reviewable criteria which set forth the advantages of a Project Labor Agreement for the Authority's renovation of the Center, as well as its disadvantages, which study was reviewed with the Board by its construction manager; and

Whereas, the Authority's construction manager has advised the Authority of the terms of a proposed Project Labor Agreement by letter dated April 24, 2006, stating therein, "..., we believe the proposed Project Labor Agreement offers significant benefits to the Project and the Authority", and the Authority's Executive Director is

in agreement with same; and

Now therefore, be it resolved that:

1. The Study is found by the Authority to be an objective, reasoned study using reviewable criteria, and that based upon the Study dated February 22, 2006 and the letter of April 24, 2006, and the terms of the proposed Project Labor Agreement, and the recommendation of the Authority's Dunkin' Donuts Center Committee, and the due consideration of the commissioners voting this day, the Authority finds that the size and complexity of the renovation of the Center are such that a Project Labor Agreement will significantly benefit the project and the Authority, and in essence support the goals and objectives of the State Purchasing Act.

2. The Authority authorizes its construction manager, Gilbane Building Company ("Gilbane"), to finalize a Project Labor Agreement for the renovation on substantially the terms set forth in its letter of April 24, 2006, and that those contractors working on the Project pursuant to the Construction Management Contract with Gilbane shall agree to and/or sign the Project Labor Agreement as a condition of being awarded a subcontract on the project.

3. That the Authority's Chairman, David A. Duffy, and its Executive Director, James P. McCarvill, are each authorized, acting and signing singly, to enter into and execute on behalf of the Authority a Project

Labor Agreement for the renovation on substantially the terms set forth in the letter of April 24, 2006, from the Project Executive of Gilbane Building Company, the Authority's construction manager, with such changes as the Chairman or Executive Director deems in the Authority's best interests.

Mr. Bacher reported on this summer's work schedule. Mr. Gavitt noted that the site will be turned over in June. Mr. Bacher stated that there won't be much activity until July.

Mr. McCarvill asked for approval for Chairman Duffy or him to sign the Construction Manager's contract. Upon a motion duly made by Mr. Massa and seconded by Mr. Judge it was unanimously

VOTED: to authorize the Chairman or the Executive Director to sign, finalize negotiations and execute and deliver such contract on behalf of the Authority as read by Mr. Massa. (resolution below)

**RESOLUTION OF
RHODE ISLAND CONVENTION CENTER AUTHORITY
as to Construction Management Contract**

Whereas, the Rhode Island Convention Center Authority (the "Authority") previously authorized its Chairman, in consultation with its Executive Director, to negotiate a contract for Construction

Management Services leading to a Guaranteed Maximum Price with Gilbane Building Company; and

Now therefore, be it resolved that the Authority's Chairman, David A. Duffy, and Executive Director, James P. McCarvill, are each authorized, acting and signing singly, to finalize negotiations, and execute and deliver such contract on behalf of the Authority.

Mr. McCarvill asked for approval for Chairman Duffy or him to sign a contract for Architectural/Engineering Services. Upon a motion duly made by Mr. Massa and seconded by Mr. Gavitt it was unanimously

VOTED: to authorize the Chairman or the Executive Director to sign, finalize negotiations and execute and deliver such contract on behalf of the Authority as read by Mr. Massa. (resolution below)

RESOLUTION OF

RHODE ISLAND CONVENTION CENTER AUTHORITY

as to Architectural/Engineering

Whereas, the Rhode Island Convention Center Authority (the "Authority") previously authorized its Chairman, in consultation with its Executive Director, to negotiate a contract for Architectural/Engineering Services with Ellerbe Becket, Inc.

Now therefore, be it resolved that the Authority's Chairman, David A. Duffy, and Executive Director, James P. McCarvill, are each

authorized, acting and signing singly, to finalize negotiations, and execute and deliver such contract on behalf of the Authority.

Mr. McCarvill reported that a revised, more limited scope RFP would be issued for an Owner's Representative. Mr. McCarvill noted that the original RFP was too broad and therefore the responses were not what we expected.

Mr. Lepore noted that the Dunkin' Donuts Center was winding down prior to renovation. He complemented his staff saying the transition has gone extremely well. Mr. Lepore stated that SMG has taken responsibility for the video scoreboard. Mr. Lepore said that New England Tech and Hope High School have been contacted to see if there is an interest in internships. Mr. Duffy asked if the old scoreboard has any value. Mr. Lepore said that there could be some value. Mr. Lepore noted that Roberts Technicians would be in next week to look at the basketball floor for possible refurbishing. He said that significant savings could be achieved if the floor could be refurbished. Mr. Lepore said that he was looking forward to having an enhanced product for next season.

Mr. Duffy congratulated both facilities for their combined purchasing efforts.

CONVENTION CENTER COMMITTEE

Mr. Massa recapped the financial information stating that the results are good. Mr. Muldoon said that he expects the Convention Center to finish the year on a positive note. He said that the expectations are good for May and a super June. Mr. Massa then asked Mr. Muldoon to report on renewal and replacement projects at the Convention Center. Mr. Muldoon noted that bids had been received for three projects, lighting in the South Garage, ballroom carpet replacement and materials for the power supply to the ballroom. In house labor would be used to install the power supply. Mr. Muldoon provided a matrix for each of the projects. (attached) Upon a motion duly made by Mr. Gavitt and seconded by Mr. Hirsh it was unanimously

VOTED: to select Best Electric to supply the materials for the power supply for the ballroom.

Upon a motion duly made by Mr. Gavitt and seconded by Mr. Hirsh it was unanimously

VOTED: to select the lowest bidder, Best Electric, to replace the lighting fixtures in the South Garage.

Upon a motion duly made by Mr. Gavitt and seconded by Mr. Hirsh it was unanimously

VOTED: to select the lowest bidder, Commercial Carpet Concepts,

to supply and install new carpeting in the ballroom.

Mr. Muldoon reported that all projects are scheduled to be completed by the end of the summer.

Mr. Muldoon noted that a pre-bid meeting would be held on May 1st to discuss the reconfiguration of the lobby. He stated that bids are due on May 15th. Mr. Massa explained the lobby reconfiguration and the Authority's motivation.

MARKETING COMMITTEE

Ms. Venturini noted that the Marketing Committee had met on Thursday, April 20th. She reported that the committee is putting together guidelines on sponsorships to help seal the deal for tentative meetings or conventions. Ms. Venturini said that the CVB would use waterfire or other event as an incentive to book a group. Ms. Venturini said it would give the CVB a new incentive plan for closing short term business.

Mr. Schriver was pleased to report that for the fall of 2008 all hotel rooms including the new ones coming to market are full. He said that some groups would not have looked at us in the past and that the new rooms are working. Mr. Schriever distributed bid books to the Board and explained how the CVB uses the books. Mr. Duffy asked if the CVB was talking to any groups about the Dunkin' Donuts Center.

Mr. Massa asked if people are calling with inquiries. Mr. Schriever said that people are not calling but the CVB is calling potential groups.

Mr. Muldoon presented highlights of groups and events. Ms. Venturini asked if the trend were to more long-term bookings. Mr. Muldoon said that the trend continues for short term windows especially in the corporate market.

Ms. Schadone reported that the Dunkin' Donuts Center is winding down and only three more events before closing for renovations. She said that Champions on Ice had allowed the distribution of 2,000 tickets to charitable organizations. Ms. Venturini congratulated Ms. Schadone for being named Chairman of the Festival of Trees Committee.

Mr. Duffy thanked everyone for their participation.

Upon a motion duly made by Ms. Venturini and seconded by Mr. Nee it was unanimously

VOTED: to adjourn at 10:10 a.m.