

**THE RHODE ISLAND CONVENTION CENTER AUTHORITY 291st  
MEETING OF THE BOARD OF COMMISSIONERS March 30, 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 March 30, 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, Joe Judge, George Nee, Jeff Hirsh, Dale Venturini and Bernie Buonanno.**

**Ms. Massa and Mr. Gavitt were unable to attend**

**Also present were James P. McCarvill, Executive Director, Kerrie Bennett, Ken Mancuso and Betty Sullivan Rhode Island Convention Center Authority; Bruce Leach, Legal Counsel; Normand Benoit, Partridge, Snow & Hahn; Bob Bromley, Senate Fiscal Office; Neil Schriever, PWCVB; Tim Muldoon, John McGinn and Bob McClintock, SMG; Larry Lepore, Eleanor SanAntonio, Cheryl Schadone, Crissy Diluglio and Bob Cappalli, Dunkin' Donuts Center; Larry Bacher, Gilbane; Andrea Stape, Providence Journal; Frank Champi, LGC&D; Steve Maceroni, First SouthWest and Eileen Smith, Recording Secretary. CALL TO ORDER**

**Recognizing a quorum, Chairman Duffy called the meeting to order at**

**9:07 a.m.**

**APPROVAL OF MINUTES** Chairman Duffy entertained a motion to accept the minutes of the 290th meeting, February, 2006. Upon a motion duly made by Mr. MacDonald and seconded by Mr. Buonanno 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.

Chairman Duffy asked Mr. Judge to delay the financial report until after the Dunkin' Donuts Committee presentation.

#### **DUNKIN' DONUTS COMMITTEE**

Mr. Buonanno asked Mr. McCarvill to update the Board on the status of the design. Mr. McCarvill reported that the design development drawings would be available on April 15th. He stated that because of the extraordinary demand for building materials and the price of fuel, costs are rising dramatically. He continued that we are making progress and working constantly on Dunkin' Donuts Center issues.

Mr. Buonanno recognized Kerrie Bennett and asked that she address the Board. Ms. Bennett reported on meetings with the Friars, Bruins and Dunkin' Donuts. She noted that the City of Providence has indicated their interest in the relocation of the war memorial to

**LaSalle Square. Ms. Bennett reported that 1% of hard construction dollars must be designated for public art. She said that Rhode Island State Council for the Arts will manage the process. Mr. MacDonald commended Ms. Bennett for her serious approach to moving the war memorial.**

**Larry Bacher brought to the Board's attention a Project Labor Agreement Study included in the Board package. He explained the purpose of a PLA. Among the goals of an agreement would be flexible scheduling and expedited dispute resolution strategies. Mr. Nee said that he thinks that it is great idea. Mr. Duffy noted that we are currently operating in a union environment. Upon a motion duly made by Mr. Hirsh and seconded by Mr. Nee it was unanimously**

**VOTED: to authorize Gilbane to negotiate a Project Labor Agreement and report back to the Board on the proposed terms.**

**Mr. McCarvill reported on our RFP for an Owner's Representative. He said that he was surprised and disappointed with the responses. Mr. McCarvill noted that perhaps the scope of our RFP was too broad. Mr. McCarvill reported that three of the lowest bidders had been interviewed but at the moment he would suggest that we keep these bids on file. Mr. Nee asked what range we were thinking the bids would come in at. Mr. McCarvill stated that he expected about \$200,000 over the three years. Mr. Duffy said we should redefine the scope. Mr. Buonanno referenced another project that he was**

involved in and the owner's rep proved to be invaluable. He said that we should look at other projects that have used an owner's rep. Mr. Nee asked about the start date of the owner's rep. Mr. McCarvill said that originally we thought they would start immediately. Mr. MacDonald asked if we can reject the bids. Mr. Leach stated that we would be better off redefining the scope and re-bid rather than keep the current bids on file. Mr. Buonanno reiterated his opinion that we look at other projects and investigate our options.

Ms. Sullivan reported that we had received seven responses to our RFP for a Hazardous Materials Survey. Mr. Buonanno reported that the lowest bidder could not meet our insurance requirements, therefore the committee recommended the next lowest bidder, EFI Global. Upon a motion duly made by Mr. Judge and seconded by Mr. Nee it was unanimously

**VOTED:** to award the contract for the Hazardous Materials Survey to EFI Global for an amount not to exceed \$13,700.

Mr. Lepore reported on upcoming events. He noted that the Michael Bublé tickets were selling for \$500.00 apiece on e-bay. He also reported that it appears that the Providence Bruins will make the playoffs. Mr. Duffy asked what that would mean to the construction schedule. Mr. Bacher said that Gilbane will accommodate and adjust as needed.

**Mr. Cappalli noted that a Policy & Procedures manual for the Dunkin' Donuts Center is being developed. He said that combined purchasing in office supplies has saved a considerable amount. Mr. Lepore noted that it is a lot easier to deal with vendors when you can pay them on time. Mr. MacDonald expressed his appreciation to Larry and the Harlem Globetrotters for going to local schools to entertain the kids.**

**Mr. Mancuso reported that the Dunkin' Donuts Center now has a security presence 24-7. He said that he requested an RFP be issued for cameras to be purchased and installed in the arena. Noting the importance of security, Mr. Buonanno made a motion seconded by Mr. MacDonald and unanimously**

**VOTED: to authorize the issuance of an RFP for a video security system to be installed at the Dunkin' Donuts Center.**

**Mr. Mancuso reported that he has had meetings with Providence College and the Bruins and is working on evacuation plans with the Dunkin' Donuts Center staff.**

## **FINANCE REPORT**

**Mr. Judge stated that the February results of operations for the Dunkin' Donuts Center reflected a positive variance to budget of**

approximately \$35,000 which management attributed to the televised Contender event and two additional Providence Bruins Hockey games in the month. Year to Date numbers trailed budget by approximately \$15,000 but reflected a positive variance of approximately \$368,000 in comparison to the prior year's numbers.

Mr. Judge reported that the Convention Center reported a positive variance to budget for February of approximately \$287,000. Year to date variance to budget reflected a slight unfavorable variance to budget of approximately \$22,000. Moving forward, management noted that March should be up in comparison to 2005. April is expected to be lower than the prior year, May on par with 2005 with a strong June to close out the year on a positive note.

Ms. Sullivan noted that the Authority staff has been reviewing contracts and reported that it had been several years since the Authority advertised for an RFP for Trustee Services. Ms. Sullivan informed the Board that the Authority's account supervisor at US Bank was moving to a new financial institution and that since new bonds were about to be issued, the timing was appropriate for the Authority to advertise an RFP for Trustee Services. Ms. Sullivan explained the matrix provided to the Board and recommended Bank of New York. Mr. Maceroni noted the significant savings that could be realized under the terms of the recommended bid over our existing relationship. Mr. Maceroni stated that First Southwest supported the choice of Bank of New York. Mr. Benoit noted that there is no firm

**with their principal office in Rhode Island. Upon a motion duly made by Mr. Judge and seconded by Mr. Nee it was unanimously**

**VOTED: to select Bank of New York to provide Trustee Services**

**Mr. Benoit informed the Board that a resolutions had been prepared by legal and bond counsel. Mr. Benoit read the resolutions.**

**Bank of New York is hereby appointed Successor Trustee under the Authority's General Revenue Bond Resolution (Civic Center) adopted November 22, 2005, and as Paying Agent for the Authority's \$92,500,000 Civic Center Revenue Bonds, 2006 Series A to be issued. Any Authorized Authority Representative, as defined in said General Resolution, may take any and all actions and execute any and all documents necessary or desirable to effect such appointment.**

**Bank of New York is hereby appointed Successor Trustee under the Authority's General Revenue Bond Resolution (Convention Center) adopted November 7, 1991, as amended and readopted on November 20, 1991, and as further amended, and as Paying Agent with respect to any bonds currently outstanding under said General Resolution. And, subject to the approval of the applicable bond guarantors, Sections 709 and 711 of the General Revenue Bond Resolution is amended to eliminate any requirement that the Trustee have its principal office in the State or an office to transact business in the State. Any Authorized Authority Representative, as defined in said**

**General Resolution, may take any and all actions and execute any and all documents necessary or desirable to effect such appointment.**

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

**VOTED: to approve the resolutions as read by Mr. Benoit.**

**Mr. Benoit distributed the Series Resolution authorizing the Rhode Island Convention Center Authority to issue \$92,500,000 Civic Center Revenue Bonds, 2006 Series A. Mr. Benoit explained that this issue would be taxable bonds. Mr. Maceroni explained rates for long term bonds. Mr. McCarvill asked where the provision for Renewal and Replacement is written. Mr. Benoit referred to Section 404 of the Resolution. Mr. McCarvill said that he would like that section to be amended to provide the Renewal and Replacement Funds Requirement for the Civic Center mirror that of the Convention Center requiring an escalating percentage of the entire issue be set aside for renewal and replacement projects annually. The escalating percentage referenced by Mr. McCarvill follows. Upon a motion duly made by Mr. Judge and seconded by Mr. Nee it was unanimously**

**VOTED: to accept the Series Resolution presented by Mr. Benoit, as amended by the request of Mr. McCarvill, for an escalating percentage of the entire issue for the Renewal and Replacement Fund Requirement.**

## **MARKETING COMMITTEE**

**Ms. Venturini reported on the CVB's search for a replacement for Brian Whiting. Mr. MacDonald noted that there are many viable Rhode Island candidates and hopefully the CVB Board is looking locally for a dynamic and creative individual. Mr. Nee said that strong consideration should be given to local talent for the top spot in the CVB. Ms. Venturini noted that the trend toward short term bookings continues. Ms. Venturini was pleased to report that the fall of 2008 the City is full including all new hotel rooms. Mr. Duffy said that that justifies the confidence that hoteliers have in the City. Mr. Duffy asked that the CVB keep pushing the Dunkin' Donuts Center space. Mr. Judge commended Ms. Venturini and the Marketing Committee on their efforts. Mr. MacDonald echoed Mr. Judge's sentiments saying that this is good news and also acknowledged the staff that took the Committee's recommendations and actually implemented them. Ms. Venturini mentioned that perhaps the Authority could investigate sponsoring a water-fire as a deal sweetener for future groups.**

## **CONVENTION CENTER COMMITTEE**

**Mr. Duffy recognized Mr. Muldoon and asked that he report on**

renewal and replacement projects at the Convention Center. Mr. Muldoon stated that a contract for the new Junior Ballroom had been awarded to CRT Corporation. He also noted that the bids for the South Garage lighting are due next week. Mr. Muldoon reported that he is looking into the power requirements in the ballroom for staging and productions. He said that power has to be obtained from other areas of the facility. Mr. McCarvill reported that Mr. Muldoon was working on renovations to the lobby that could be used as temporary office space by the Authority until the Dunkin' Donuts Center is complete. Following the Dunkin' Donuts Center renovations the lobby space would be used as function rooms.

Mr. Duffy thanked everyone for their input.

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

VOTED: to adjourn at 10:40 a.m.