

LUZERNE COUNTY CONVENTION CENTER AUTHORITY
SPECIAL MEETING
DECEMBER 1, 2020

A Special Meeting of the Board of Directors of the Luzerne County Convention Center Authority was called to order by Chairman Gary Zingaretti on December 1, 2020.

The Pledge of Allegiance, led by Chairman Zingaretti, was said by all in attendance.

ROLL CALL- PRESENT: Carmen Ambrosino, Donna Cupinski,(via telephone), John Pickering, Eugene Rafalli (via telephone), Michelle Reilly(via telephone), John Ruckno, Tom Woods, and Gary Zingaretti. Also present were members of ASM Global Administration – General Manager Will Beekman, Assistant General Manager/Director of Finance Carrie Grantuskas, and Director of Operations Michael Wilczynski. Mary Jo Kishel of Rosenn, Jenkins & Greenwald was also in attendance, along with Sam Scarantino from Quad 3 via telephone.

Chairman Zingaretti welcomed everyone to this Special Meeting and stated that the purpose of this meeting is primarily to go over the COSTARS bid or proposal that we have to do the bathroom renovations.

CORRESPONDENCE: There is no correspondence.

PUBLIC COMMENTS: There is no one here from the public or from the press.

Carrie Grantuskas stated that Sam Scarantino from Quad 3 is joining us to answer any questions that you may have.

Chairman Zingaretti stated that Sam had prepared a Request for Proposal. Carrie and Will have done yeoman's work working with Sam through the Costars Program to identify the preferred vendor here to run the project. The information that was provided was put together for the proposal and the bid from Miller Flooring Company. Carrie and Will were impressed by references provided by Miller Flooring Company. We wanted to make sure that we had an architect representing the Authority who would call the shots. The Capital Improvements Committee recommended Quad 3, and they were subsequently retained by the Board. Sam Scarantino (Quad 3) prepared a project manual outlining the contract requirements including prevailing wage rates, bonds, insurance and project specifications and drawings. Miller Flooring met with Sam and our staff and did a walk through to ask questions. They provided COSTARS contract pricing for the project and submitted all of the information that was required including the bid bond. The proposal that you have is more concise for the Board to review. If this company is chosen, Quad 3 will prepare a standard AIA Contract commonly used for

construction. What we are hoping to do today is have the Authority authorize the Capital Improvements Committee to approve the final contract that will be prepared by Quad 3 and reviewed by Rosenn, Jenkins & Greenwald prior to finalizing.

The Miller Flooring COSTARS proposal (attached) and alternates were discussed. The original specifications required pitching the floors to the drain but the contractor did not include that in their bid because they feel that some of the issues with the pitch might be due to the installation of the original tile. Miller Flooring is recommending that we assess each room as they go and if we feel that some work is needed to improve the pitch they will provide a price and it can be added as a change order upon approval. We also asked for deduct alternates to use SMG staff for removing and reinstalling toilets and for painting. Based on our limited staff and potential issues pointed out by Sam, we are recommending not taking advantage of those deductions. It would be best if the contractor was responsible for everything that is installed on the floor in case anything is damaged. Our staff will be able to focus on the removal and installation of the touchless faucets and flushers and building maintenance to prepare for reopening. The recommended alternates including moisture mitigation were discussed and summarized by Carrie. On the last page of the proposal, Miller Flooring provided us with the square footage of each room. If we do not need moisture mitigation in a specific room we will receive a credit of \$3.20/SF for that room per Alternate #7.

The Miller Flooring base bid was \$391,425.00 however, they were able to get us a \$12,500 Epoxy Manufacturers' Discount to bring the price down to \$378,925.00. If we take the Manufacturer's discount and the other 2 credits for Alternate #5 and #6, the contract total would be \$367,325.00. The Authority should also consider adding a contingency for potential change orders. Following a discussion on the contingency, \$57,675 was agreed upon to bring the total project budget to \$425,000. Sam stated that Carrie covered this very well. Carrie asked if anyone had any specific questions or comments. John Ruckno added that she did a very good job in preparing this information and Tom Woods agreed. Carrie stated that we are doing these projects primarily to address the pandemic and cleaning and disinfecting the arena, but they will have long term advantages. Will stated that we would never have the opportunity to do a project such as this when we are open with events on our calendar. So now is the time to do it.

Michelle Reilly asked about the restrooms on the Suite Level that would not be included up front. Will responded that there are 6 restrooms, 3 Women's and 3 Men's on Suite Level. Carrie stated that our hope is that when we start working with the company and we are comfortable with them, we will see if we can add the suite level at a lower price if Wolf (Michael Wilczynski) and his crew handle the demolition work. Today we were hoping the Board could give the Capital Improvements Committee authorization to finalize the contract following the review by Rosenn, Jenkins & Greenwald. Miller Flooring is able to start as soon as the contract is finalized. They can mobilize within 72 hours so if we get the contract out this week they will likely start on Monday. That is why we decided to have a Special Meeting. The sooner the better. If there is a hockey season in February, we want to make sure that we get it done. Michelle Reilly also asked if there were temperature checks for those that will be working in the building and that COVID precautions are being followed. Sam added that there is specific

criteria in the project manual that was prepared, that any contractors or anyone else that comes into the building are required to show us their COVID Plan for their workers on site and are required to comply with any Arena COVID Plan, and any costs that are associated with compliance will be the contractor's responsibility. We put the onus on them that they must comply with whatever we require of them. Mary Jo Kishel stated that she would prepare a resolution (attached) based on the information provided by Carrie. Chairman Zingaretti discussed a not-to-exceed dollar amount in the event that we can complete the project on Suite Level. A discussion continued on this issue. Everything that has to be done is specifically addressed in the contract. The slope of the floors is the only thing that may have to be addressed on its own.

Chairman Zingaretti asked for a motion to authorize the Capital Improvements Committee or a representative to move forward with the execution for the restroom epoxy flooring project consistent with the proposal received from Miller Flooring Company through the COSTARS Procurement Process at a cost not to exceed \$425,000.00.

Motion was made by Donna Cupinski and seconded by Tom Woods. Chairman Zingaretti asked if there were any questions or discussion.

ON THE QUESTION: All those in favor of the motion to accept the motion signified by saying "AYE". **OPPOSED:** No one opposed the motion. **ABSTAIN:** No one abstained. The motion carries.

Chairman Zingaretti stated that Carrie will work with Quad 3 and Rosenn, Jenkins & Greenwald to let the vendor know that he can start ramping up. Carrie stated that Sam will prepare the AIA Contract and the Authority will want Rosenn, Jenkins & Greenwald to review it with the Performance and Payment Bond. We can ask him to start gathering that information but he may need the contract in his hand before he actually sends it to us.

Chairman Zingaretti asked if this will be paid for with the CARES money. Carrie responded that it will depend on when we receive the money and when we get the bills for this project, the best option would be to use the CARES money, but we also have the money from the SMG capital contribution. Chairman Zingaretti asked Mary Jo Kishel to prepare a formal resolution to do what we talked about. At some point, if we use CARES money, we may be audited. Mary Jo will prepare and email that. Donna Cupinski asked if the CARES money has to be spent by the end of the year. Will responded that we are still receiving clarification on that. There were 2 ways to apply for this grant: one would be for projects related to COVID and a safe reopening and the other would be for lost revenue. We have applied for the lost revenue which, as it was explained to us, would come with fewer strings attached in terms of timelines. Will is hoping to have clarification on that today. He is been in talks with the County this morning about that.

EXECUTIVE SESSION:

Chairman Zingaretti stated that there is no need for an Executive Session.

Chairman Zingaretti asked for a motion to adjourn the meeting. The motion was made by Gene Rafalli and seconded by Michelle Reilly.

ON THE QUESTION: All those in favor of the motion signify by saying "AYE". **OPPOSED:** No one opposed. **ABSTAIN:** No one abstained. The motion carries.

Chairman Zingaretti thanked the Capital Improvements Committee and also the Policy & Procedures Committee.

APPROVED:

A handwritten signature in cursive script, appearing to read "Thomas Woods", written over a horizontal line.

Mr. Tom Woods, Secretary

LUZERNE COUNTY CONVENTION CENTER AUTHORITY

The following resolution was adopted at a duly convened meeting of the Board of Directors of the Luzerne County Convention Center Authority, a Pennsylvania municipal authority (the "Authority") on December 1, 2020, at which a quorum was present and voting throughout:

WHEREAS, following a detailed discussion of a bid proposal submitted to the Authority by Miller Flooring Company pursuant to the COSTARS Program of the Pennsylvania Department of General Services (the "COSTARS Program") for the purchase and installation of epoxy flooring for certain of its restrooms, the following resolutions were adopted by the Board:

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Capital Improvements Committee of the Authority is hereby authorized and directed, in conjunction with the advice of the Authority's solicitor, Rosenn, Jenkins, & Greenwald, L.L.P., and its architect, Quad Three Group, Inc., to negotiate an agreement for the purchase and installation of epoxy flooring for certain restrooms located at Mohegan Sun Arena at Casey Plaza in accordance with that certain bid proposal submitted pursuant to the COSTARS Program by Miller Flooring Company, dated November 20, 2020 as revised November 27, 2020, a copy of which is annexed hereto, for an aggregate cost of \$367,325.00 (the "Flooring Agreement"); and further

RESOLVED, that the Committee is hereby authorized and directed to negotiate any and all change orders in connection with the Flooring Agreement if and to the extent deemed necessary by the Committee, in furtherance of the Project, at an additional cost to the Authority not to exceed \$57,675.00 in the aggregate (collectively, "Change Orders"); and further

RESOLVED, that the appropriate officers of the Authority are hereby authorized and directed to execute and deliver the Flooring Agreement and any and all Change Orders on behalf of the Authority, in accordance with the foregoing resolutions.


Thomas Woods, Secretary