

CAPITAL IMPROVEMENT BOARD OF MANAGERS
OF MARION COUNTY, INDIANA
Minutes of Meeting
Friday, January 17, 2020-8:30 am
Indiana Convention Center Boardroom

A Meeting of the Capital Improvement Board of Managers of Marion County, Indiana ("Board") was held on January 17, 2020 in the Indiana Convention Center's Boardroom. Board Members present included Melina Kennedy, David E. Corbitt, Michael C. Terrell, David Ruhmkorff, Jim Dora Jr., Maggie A. Lewis, Earl Goode, Brenda Myers, as well as Ex-Officio Leonard Hoops. Board Member Sarah Fisher was absent. Others in attendance included Andy Mallon, Executive Director, Mary Solada, General Counsel, Bingham Greenebaum Doll LLP ("BGD"), Yulonda Winfield, City County Council, ("CCC"), Tom Boyle, Director of Operations, Kobi Wright, Business Operations Director and Senior Staff Counsel, Eric Neuburger, Stadium Director, Debbie Hennessey, Convention Center Director, Tim Kuehr, Chief Financial Officer, James Wallis, Visit Indy ("VI"), Chris Gahl, VI, Daren Kingi, VI, Chris McColly, SBS, and members of the media. (A copy of the list of those who signed in upon arrival is attached hereto.)

Administration of Oath of Office to Re-Appointed Members

Ms. Kennedy introduced Yulonda Winfield, Assistant Clerk of the City County Council and Notary Republic, to swear in the Mayoral and CCC re-appointed members of the Board. Ms. Kennedy, Mr. Corbitt, Mr. Terrell, Mr. Ruhmkorff, Mr. Dora, and Ms. Lewis took their oaths of office and were sworn in by Ms. Winfield.

Ms. Kennedy introduced the **Approval of Minutes** for the Friday, December 13, 2019 meeting. Upon a motion by Mr. Ruhmkorff and seconded by Ms. Lewis, the Minutes were unanimously approved as presented.

Election of Officers

State statute requires an annual Election of Officers after January 15th each year and Mary Solada, General Counsel for the CIB, presented the **Election of Officers** Agenda item to the Board at this time. Upon a motion by Ms. Lewis to which motion was seconded by Mr. Goode and on a vote of 8 to 0 in favor of that motion, the following individuals were elected to serve as Officers:

Melina Kennedy, **President**
David E. Corbitt, **Vice President**
Mick Terrell, **Treasurer**
David Ruhmkorff, **Secretary**

Mr. Kuehr presented the **Financial Update** to the Board as per the supporting documentation, which is attached hereto and made a part of these minutes. Mr. Kuehr

reviewed the financial statements for the month and year to date with the Board members explaining variances from budget and answering questions as necessary. Ms. Kennedy asked if there were any additional questions for Mr. Kuehr regarding the Financial Update and there were none at this time.

Ms. Kennedy introduced the next agenda item **VI Updates** as attached hereto and made a part of these Minutes and presented by Leonard Hoops. Mr. Hoops updated the Board on the Hotel Market Share Performance for the previous month and explained the VI Room-Night Production by Year, Venue and Market Segment as of December 31, 2019, highlighting recent significant Sales Bookings and Sales Events and comparing this year's results to past years results using data and graphs. He also informed the Board about Major Groups coming to the facility in the upcoming months. Mr. Hoops made the Board aware of potential bookings that his staff is currently working on and explained the process involved during these interactions with potential clients. Mr. Hoops reminded the Board that VI would be hosting its State of Tourism meeting on January 28th at the newly renovated Madame Walker Theatre. He noted that this year it would be very special because former Indianapolis native and talk show host, David Letterman, was going to be in attendance to receive the Bill McGowan Award, the City's highest tourism award. He advised the Board members to RSVP early to ensure they would have a seat as this event was sure to be very popular and seating was only available for approximately 900 people. After further inquiries and discussion by the Board and Mr. Hoops regarding VI's current status, Ms. Kennedy thanked him for his report and asked if there were any further questions for Mr. Hoops and there were none at this time.

Ms. Kennedy introduced the next agenda item **ICCLoS Sales Report** as attached hereto and made a part of these Minutes and presented by Debbie Hennessey and Eric Neuburger. Ms. Hennessey shared information from the current Sales Activity Report highlighting total attendance and occupancy figures as well as the breakdown of attendees for various exhibit halls and ballrooms located in the Building. She also presented the Monthly Activity report illustrating the variance from month to month and year to year with regard to occupancy and attendance totals. Ms. Hennessey highlighted noteworthy events occurring in the previous month including Performance Racing Industry Show ("PRI") and Big Ten Football Championship FANFEST, as well as the Indianapolis Auto Show which took place at the end of December into January. She also informed the Board of significant shows and groups in the building for January including the Archery Trade Association Annual Trade Show ("ATA"), Circle of Stars Gymnastics Invitational and JAMfest Super Nationals. After further inquiries and discussion by the Board and Ms. Hennessey regarding her presentation, Ms. Kennedy thanked her for her report and asked if there were any further questions for Ms. Hennessey and there were none at this time.

Ms. Kennedy introduced Mr. Neuburger to present the Lucas Oil Stadium ("LOS") portion of the report. Mr. Neuburger highlighted noteworthy events occurring at LOS in the previous month including the final Colts game of the season, PRI and several holiday parties. He also informed the Board of significant shows and groups scheduled to be in the stadium in the upcoming month including an Indy Eleven Select a Seat event, the

Indiana Home and Garden Show and the return of Monster Jam. He explained that in preparation for Monster Jam staff would be covering the field with Visqueen, layers of plywood and then hundreds of truckloads of dirt and invited the Board members to come out to the stadium to witness the process first hand if they would like. After further inquiries and discussion by the Board and Mr. Neuburger regarding LOS's current status, Ms. Kennedy thanked him for his report and asked if there were any further questions for Mr. Neuburger and there were none at this time.

Ms. Kennedy introduced Mr. Mallon to present the items included in the **Bankers Life Fieldhouse Expansion Phase 1- Bid Set 1 Packages**, which are attached to and made a part of these Minutes. Mr. Mallon explained that these projects were part of the First Phase of the Expansion at BLF and introduced Tom Boyle, Director of Operations for the CIB to the Board and informing them that he would be able to answer any questions they may have regarding the Bid Projects.

Mr. Mallon presented the **BLF Framing-Drywall** agenda item as attached hereto and made a part of these Minutes. Mr. Mallon explained the project involves providing framing, drywall, acoustics, painting and wallcovering in the event level, lower suite level and main concourse level for the BLF Expansion Project. Consistent with Indiana's Public Procurement Laws, the CIB published Invitations to Bid. The low Bid was submitted by Interior Specialties in the amount of \$7,484,000.00. Mr. Mallon explained that staff and counsel have reviewed all the documents and recommend awarding the contract to Interior Specialties in the amount of \$7,484,000.00 as their bid is both responsive and responsible. After further inquiries, questions and discussion by the Board and the presenters, and after a motion by Ms. Lewis, as seconded by Mr. Terrell, a contract with Interior Specialties for the BLF Framing-Drywall was unanimously approved as presented.

Mr. Mallon presented the **BLF General Trades** agenda item as attached hereto and made a part of these Minutes. Mr. Mallon explained the project involves providing general trade work for the event level, lower suite level, main concourse level and lower seating bowl modifications for the BLF Expansion project. Consistent with Indiana's Public Procurement Laws, the CIB published Invitations to Bid. The low Bid was submitted by J.C. Ripberger Construction, Corp., in the amount of \$17,744,000.00. Mr. Mallon explained that staff and counsel have reviewed all the documents and recommend awarding the contract to J.C. Ripberger Construction, Corp., in the amount of \$17,744,000.00, as its bid is both responsive and responsible. After further inquiries, questions and discussion by the Board and the presenters, and after a motion by Mr. Goode as seconded by Mr. Dora, a contract with J.C. Ripberger Construction, Corp., for the BLF General Trades was unanimously approved as presented.

Mr. Mallon presented the **BLF Millwork** agenda item as attached hereto and made a part of these Minutes. Mr. Mallon explained the project involves the framing, drywall, acoustics and hanging of wall coverings for the BLF Expansion project. Consistent with Indiana's Public Procurement Laws, the CIB published Invitations to Bid. The low bid was submitted by On-Site Wood Work Corp., in the amount of \$8,943,120.00. Mr. Mallon explained that

staff and counsel have reviewed all the documents and recommend to the Board that it award the contract to On-Site Wood Work Corp., in the amount of \$8,943,120.00 as its bid is both responsive and responsible. After further inquiries, questions and discussion by the Board and the presenters, and after a motion by Mr. Dora, as seconded by Ms. Lewis, a contract with On-Site Wood Work Corp., Inc., for the BLF Millwork was unanimously approved as presented.

Mr. Mallon presented the **BLF Food Service Equipment** Supply Contract agenda item as attached hereto and made a part of these Minutes. Mr. Mallon explained the project involves providing Food Service Equipment (“Supplies”) during Phase 2 of the Expansion Project and approves the purchase of certain or all Supplies for Phase 2. Consistent with Indiana’s Public Procurement Laws, the CIB published Invitations to Bid. The low Bid was submitted by Stafford-Smith, Inc. in the amount of \$2,578,936.00. Mr. Mallon explained that staff and counsel have reviewed all the documents and recommend awarding the contract to Stafford-Smith, Inc. in the amount of \$2,578,936.00 as its bid is both responsive and responsible. After further inquiries, questions and discussion by the Board and the presenters, and after a motion by Mr. Terrell, as seconded by Mr. Ruhmkorff, a supply contract with Stafford-Smith, Inc. for BLF Food Service Equipment was unanimously approved as presented.

Mr. Mallon presented the **BLF Fire Protection** agenda item as attached hereto and made a part of these Minutes. Mr. Mallon explained the project involves providing Fire Protection for the BLF Expansion Project. Consistent with Indiana’s Public Procurement Laws, the CIB published Invitations to Bid. The low Bid was submitted by Dalmation Fire, in the amount of \$521,900.00. Mr. Mallon explained that staff and counsel have reviewed all the documents and recommend to the Board that it award the contract to Dalmation Fire in the amount of \$521,900.00 as its bid is both responsive and responsible. After further inquiries, questions and discussion by the Board and the presenters, and after a motion by Mr. Goode, as seconded by Mr. Ruhmkorff, a contract with Dalmation Fire for **BLF Fire Protection** was unanimously approved as presented.

Mr. Mallon next presented the **BLF HVAC** agenda item as attached hereto and made a part of these Minutes. He explained the project involves providing HVAC and mechanical services for the BLF Expansion Project. Consistent with Indiana’s Public Procurement Laws, the CIB published Invitations to Bid. The low Bid was submitted by North Mechanical Contracting, Inc., in the amount of \$14,471,000.00. Mr. Mallon explained that staff and counsel have reviewed all the documents and recommend awarding the contract to North Mechanical Contracting, Inc., in the amount of \$14,471,000.00 as its bid is both responsive and responsible. After further inquiries, questions and discussion by the Board and the presenters, and after a motion by Mr. Ruhmkorff, as seconded by Mr. Dora, a contract with North Mechanical Contracting, Inc., for BLF HVAC was approved as presented on a vote of 7-1 with Ms. Lewis voting no.

Mr. Mallon presented the **BLF Electrical** agenda item as attached hereto and made a part of these Minutes. He explained that there was a withdrawal of a bid on this project and read the following into the Minutes for the record:

- At Bid opening 4 Bids were received for the Electrical Package
- Low Bid – Industrial Electric which was approximately 20% below C/M's estimate for this Bid Package and approximately 30% below second Bidder
- After Bid Opening Industrial Electric contacted C/M advising there was an error in its Bid
- Day after Bid Opening Industrial Electric delivered a letter to CIB which indicated an error in its Bid and requested to withdraw its Bid from consideration
- CIB conferred with Industrial Electric who identified and explained the Bid as submitted failed to include all required labor cost

Based on the demonstrated error and after consulting with legal counsel, CIB staff recommends

1. Industrial Electric's withdraw of its Bid is proper
2. Contract should be awarded to the second Bidder – Electric Plus

Mr. Mallon explained the project involves providing electrical for the BLF Expansion Project. Consistent with Indiana's Public Procurement Laws, the CIB published Invitations to Bid. The low Bid was submitted by Electric Plus, Inc., in the amount of \$9,333,000.00. Mr. Mallon explained that staff and counsel have reviewed all the documents and recommend awarding the contract to Electric Plus, Inc., in the amount of \$9,333,000.00 as its bid is both responsive and responsible. After further inquiries, questions and discussion by the Board and the presenters, and after a motion by Mr. Ruhmkorff, as seconded by Mr. Terrell, a contract with Electric Plus, Inc., for the BLF Electrical was unanimously approved as presented.

At this time Mr. Terrell left the meeting as he had a previous commitment in court scheduled for 9:15 am.

Mr. Mallon presented the **BLF Communications** agenda item as attached hereto and made a part of these Minutes. Mr. Mallon explained the project involves providing building controls for the BLF Expansion Project. Consistent with Indiana's Public Procurement Laws, the CIB published Invitations to Bid. The low Bid was submitted by Ermco Services Automated Controls, in the amount of \$532,925.00. Mr. Mallon explained that staff and counsel have reviewed all the documents and recommend awarding the contract to Ermco Services Automated Controls in the amount of \$532,925.00 as their bid is both responsive and responsible. After further inquiries, questions and discussion by the Board and the presenters, and after a motion by Mr. Dora, as seconded by Mr. Ruhmkorff, a contract with Ermco Services Automated Controls for the BLF Communications was approved as presented on a vote of 6-1 with Ms. Lewis voting no.

Mr. Mallon presented **BLF Seating Platform** Supply Contract agenda item as attached hereto and made a part of these Minutes. Mr. Mallon explained the project involves providing portable platforms (supplies) to be procured and delivered as part of the

Expansion Project. Consistent with Indiana's Public Procurement Laws, the CIB published Invitations to Bid. The low Bid was submitted by StageRight in the amount of \$299,715.00. Mr. Mallon explained that staff and counsel have reviewed all the documents and recommend awarding the contract to StageRight in the amount of \$299,715.00 as its bid is both responsive and responsible. After further inquiries, questions and discussion by the Board and the presenters, and after a motion by Mr. Ruhmkorff, as seconded by Mr. Dora, a supply contract with StageRight for BLF Seating Platform was approved as presented on a vote of 6-1 with Ms. Lewis voting no.

Ms. Lewis addressed the Board and indicated that she is voting "no" on these three projects (BLF HVAC, BLF Communications and BLF Seating Platform) on principle due to the failure of these Bid awards to meet the Board XBE participation goals. She pointed out that she otherwise has no comment regarding the capabilities of Mr. Mallon and his team or any of the companies involved.

Ms. Kennedy introduced the next agenda item **2019 Bad Debt Write-Off** as attached hereto and made a part of these Minutes and presented by Andy Mallon. Mr. Mallon asked the Board to write off the bad debt amount of \$834.53 for the year, explaining this was an extremely low amount considering the large amount of revenue received by the CIB. Mr. Mallon commended Tim Kuehr and the entire Accounting Department on a job well done adding that the CIB consistently has a low dollar amount to write off if any at all. Mr. Dora also commented this was amazing work done by the Accounting team. Upon a motion by Mr. Goode and seconded by Ms. Lewis the 2019 Bad Debt Write-Off was unanimously approved as presented.

Ms. Kennedy introduced the **Claims** as attached hereto and made a part of these Minutes and presented by Andy Mallon. Ms. Kennedy recused herself from line item 33 on Voucher 8134C regarding Indianapolis Power and Light. There were no questions from the Board and upon a motion by Mr. Dora and seconded by Mr. Ruhmkorff, Claims 8096G, and 8134C were unanimously approved by the Board taking into account the aforementioned recusal.

There being no **Other Business** to address and no **Public Comment**, the meeting was adjourned.

Melina Kennedy, President
THE CAPITAL IMPROVEMENT BOARD
OF MANAGERS
OF MARION COUNTY, INDIANA

David Ruhmkorff, Secretary
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