

CAPITAL IMPROVEMENT BOARD OF MANAGERS
OF MARION COUNTY, INDIANA
Minutes of Meeting
Friday, February 7, 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 February 7, 2020 in the Indiana Convention Center’s Boardroom. Board Members present included Melina Kennedy, David E. Corbitt, Michael C. Terrell, Jim Dora Jr., Maggie A. Lewis, Earl Goode, Sarah Fisher, as well as Ex-Officio Leonard Hoops. Board Members David Ruhmkorff and Brenda Myers were absent. Others in attendance included Andy Mallon, Executive Director, Mary Solada, General Counsel, Dentons Bingham Greenebaum LLP (“DBG”), 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”), Daren Kingi, VI, Kevin Bower, Pacers Sports and Entertainment, John Griffin, CINBTC, David Sease, SGA, Lisa Viele, Well-Done Marketing, and members of the media. (A copy of the list of those who signed in upon arrival is attached hereto.)

Ms. Kennedy introduced the **Approval of Minutes** for the Friday, January 17, 2020 meeting. Upon a motion by Mr. Goode and seconded by Mr. Terrell, the Minutes were unanimously approved as presented.

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.

Mr. Kuehr directed the Board to the **Field House Management Report**, an additional report in the packet, attached to and made a part of these Minutes, which includes financial information from Fieldhouse Management, LLC as required, pursuant to Section 6(b) of the CIB Agreement with the Pacers. He explained that this is the Statement of Revenue and Expenses for the quarter and 12 month period ending December 31, 2019. Mr. Kuehr informed the Board this information has been certified by Pacers Entertainment Fieldhouse Management and introduced Controller and Vice President of Finance, Kevin Bower who was present to answer any questions. There were no questions at this time. Ms. Kennedy expressed her appreciation to Mr. Bower for attending the meeting and making himself available to the Board.

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, highlighting recent significant Sales Bookings and Sales Events and comparing this years' 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 thanked Sarah Fisher for her leadership and participation in a recent meeting for network planners for all the airports in the country and for enlisting her racing associates Alexander Rossi and Connor Daly in the activities. Ms. Kennedy complimented Mr. Hoops and VI on an outstanding annual meeting and praised Chris Gahl of VI for his interview with David Letterman, who was this year's recipient of the Bill McGowan Award. 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 JAMfest Super Nationals with approximately 30,000 attendees, the Archery Trade Association Annual Trade Show ("ATA"), Economic Club of Indiana which is a monthly repeat event and closing the month out with the Circle of Stars Gymnastics Invitational. Ms. Hennessey informed the Board that in the upcoming months she and her staff along with the HR department will begin planning for staffing the 2021 NBA All-Star Game being held in Indianapolis at BLF. She explained they will be working on a job fair and online job site focusing on the events and available positions leading up to the All-Star game to ensure that all the facilities are fully staffed and trained when the event occurs. She also informed the Board of significant shows and groups in the building in the upcoming month including The NTEA Work Truck Show 2020, Do-It-Best Spring Market and Water & Wastewater Equipment, Treatment & Transport Show ("WWETT"). 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 corporate events for Mattress Firm and BCMS as well as the Central Zone Invitational Volleyball Amateur Competition with approximately 20,000 attendees and the L & L Home and Garden show with approximately 22,000 attendees. He explained the Stadium was currently getting filled with dirt for the two Monster Jam events scheduled for this weekend. He explained this is one of the most important annual repeat events that takes place at LOS and noted the anticipated attendance was

approximately 50,000. He also informed the Board of significant shows and groups scheduled to be in the stadium in the upcoming month including the WWETT show, the return of the NFL Combine bringing a lot of attention to the City and the Indiana State Robotics Championship. Mr. Mallon informed the Board that this event has grown tremendously and explained that Indiana currently has the largest Robotics program in the country and added the CIB was extremely proud to be a part of the event. Mr. Neuberger informed the Board that details were finalized for the Stadium to host a Guns and Roses concert in August of this year and noting this would be another large event for LOS and the City. Mr. Neuberger told the Board that there was a lot of meetings and activity in preparation for the upcoming NCAA Men's Basketball Regionals coming up later in March and noted that this was the first time the Stadium would be hosting NCAA Men's Basketball since 2015. After further inquiries and discussion by the Board and Mr. Neuberger regarding LOS's current status, Ms. Kennedy thanked him for his report and asked if there were any further questions for Mr. Neuberger and there were none at this time.

Ms. Kennedy introduced Mr. Mallon to present the items included in the **Bankers Life Fieldhouse Expansion**, which are attached to and made a part of these Minutes. Mr. Mallon explained that there were nine bid projects to be awarded in the next Phase of the BLF Expansion and noted he would be going through each one separately creating a record in the Minutes. He 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 Flooring-Resinous** agenda item as attached hereto and made a part of these Minutes. Mr. Mallon explained the project involves supply and install, per plan and specification, of flooring for kitchens, pantries, walk-in coolers and food service storage areas for the BLF Expansion Project. Consistent with Indiana's Public Procurement Laws, the CIB published Invitations to Bid. The low Bid was submitted by Blakley Corporation in the amount of \$155,500.00. Mr. Mallon explained that staff and counsel have reviewed all the documents and recommend awarding the contract to Blakley Corporation in the amount of \$155,500.00. 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 Blakley Corporation for the BLF Flooring-Resinous was approved as presented on a vote of 6-1 with Ms. Lewis voting no.

Mr. Mallon presented the **BLF Flooring-Ceramic Tile, Event Level & Main Concourse** agenda item as attached hereto and made a part of these Minutes. Mr. Mallon explained the project involves supply and install, per plan and specification, of ceramic tile for event level and main concourse to include locker rooms, clubs and VIP suites for the BLF Expansion project. Consistent with Indiana's Public Procurement Laws, the CIB published Invitations to Bid. The low Bid was submitted by Blakley Corporation in the amount of \$2,166,170.00. Mr. Mallon explained that staff and counsel have reviewed all the documents and recommend awarding the contract to Blakley Corporation in the amount of \$2,166,170.00, 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 Blakley Corporation for the BLF Flooring-Ceramic Tile, Event Level & Main Concourse was approved as presented on a vote of 6-1 with Ms. Lewis voting no.

As stated at the previous meeting, Ms. Lewis indicated that her “no” votes were not a reflection of the capabilities of Mr. Mallon and his team or any of the companies involved but simply a vote on principle due to the failure of these Bid awards to meet the Board XBE participation goals.

Mr. Mallon presented the **BLF Flooring-Ceramic Tile, Lower Suite Level** agenda item as attached hereto and made a part of these Minutes. Mr. Mallon explained the project involves supply and install, per plan and specification of the ceramic tile for lower suite level including all suites and the new loge box area for the BLF Expansion project. Consistent with Indiana’s Public Procurement Laws, the CIB published Invitations to Bid. The low bid was submitted EF Marburger in the amount of \$773,871.00. Mr. Mallon explained that staff and counsel have reviewed all the documents and recommend awarding the contract to EF Marburger in the amount of \$773,871.00 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 Ms. Lewis, as seconded by Mr. Corbitt, a contract with EF Marburger for the BLF Flooring-Ceramic Tile, Lower Suite Level was unanimously approved as presented.

Mr. Mallon presented the **BLF Flooring-Resilient/Carpet/Athletic** agenda item as attached hereto and made a part of these Minutes. Mr. Mallon explained the project involves supplying and installing various floor products per plan and specification to include event level, lower suite level and main concourse. Consistent with Indiana’s Public Procurement Laws, the CIB published Invitations to Bid. The low Bid was submitted by EF Marburger in the amount of \$332,068.00. Mr. Mallon explained that staff and counsel have reviewed all the documents and recommend awarding the contract to EF Marburger in the amount of \$332,068.00 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 Ms. Lewis, a contract with EF Marburger for BLF Flooring-Resilient/Carpet/Athletic was unanimously approved as presented.

Mr. Mallon presented the **BLF Flooring-Terrazzo** agenda item as attached hereto and made a part of these Minutes. Mr. Mallon explained the project involves supply and installation, per plan and specifications, of terrazzo flooring on the main concourse for the BLF Expansion Project. Consistent with Indiana’s Public Procurement Laws, the CIB published Invitations to Bid. There were two bids received for terrazzo flooring. The low bid was submitted by Victory Surfaces, however they could not provide a certificate showing on-site labor force participation in an approved training program. The second low bid was submitted by Blakley Corporation in the amount of \$90,800. Mr. Mallon explained that staff and counsel have reviewed all the documents and recommend awarding the contract to Blakley Corporation in the amount of \$90,800.00 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 Blakley Corporation for BLF Flooring-Terrazzo was approved as presented on a vote of 6-1 with Ms. Lewis voting no for the reason noted above.

Mr. Mallon next presented the **BLF-Technology** agenda item as attached hereto and made a part of these Minutes. He explained the project involves supply and installation of the technology systems including software, hardware and cabling to include IPTV, access control, audio visual, LED TV, security cameras and IT infrastructure 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, Inc., in the amount of \$13,140,000.00. Mr. Mallon explained that staff and counsel have reviewed all the documents and recommend awarding the contract to ERMCO, Inc., in the amount of \$13,140,000.00 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. Corbett, as seconded by Ms. Fisher, a contract with ERMCO, Inc., for BLF-Technology was unanimously approved as presented.

Mr. Mallon presented the **BLF Plumbing-Areas: A, B & C** agenda item as attached hereto and made a part of these Minutes. Mr. Mallon explained the project involves complete plumbing, per plans and specifications, for areas A, B & C, which include event level, lower suite level and main concourse for the BLF Expansion Project. Consistent with Indiana's Public Procurement Laws, the CIB published Invitations to Bid. The low bid was submitted by General Piping, Inc., in the amount of \$10,819,018.00. Mr. Mallon explained that staff and counsel have reviewed all the documents and recommend awarding the contract to General Piping, Inc., in the amount of \$10,819,018.00 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 General Piping, Inc., in the amount of \$10,819,018.00 for the BLF Plumbing-Areas: A, B & C was unanimously approved as presented.

Mr. Mallon presented **BLF Plumbing-Area D** agenda item as attached hereto and made a part of these Minutes. Mr. Mallon explained the project involves complete plumbing, per plans and specification, for area D only, to include event level, lower suite level and main concourse as part of the BLF Expansion Project. Consistent with Indiana's Public Procurement Laws, the CIB published Invitations to Bid. The low bid was submitted by Deem, LLC, in the amount of \$2,490,068.00. Mr. Mallon explained that staff and counsel have reviewed all the documents and recommend awarding the contract Deem, LLC, in the amount of \$2,490,068.00 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 Ms. Fisher, a contract with Deem, LLC, for BLF Plumbing-Area D was unanimously approved as presented.

Mr. Mallon presented **BLF Wayfinding/Signage** agenda item as attached hereto and made a part of these Minutes. Mr. Mallon explained the project involves fabrication and installation, per plans and specifications, for wayfinding as well as code requirement signage and wall graphics to include event level, lower suite level and main concourse

for the BLF Expansion Project. Consistent with Indiana's Public Procurement Laws, the CIB published Invitations to Bid There were 5 bids submitted for the wayfinding/signage package. The low bid was submitted by Universal Sign, Co., however it could not provide the required certificate showing that the company was in good standing with the Indiana Secretary of State and therefore, the bid was found to be non-responsive. The second low bid was submitted by ASI, Inc., however it did not meet the XBE participation goals and therefore, based on the information provided on the submitted application, ASI, Inc.'s application for XBE waiver was rejected. The third low bid was submitted by Forty-Nine Degrees, however it also did not meet the XBE participation goals and therefore, based on the information provided on the submitted application, and the application for XBE waiver for Forty-Nine Degrees was rejected. The fourth low bid was submitted by ISF Sign Specialist in the amount of \$473,670.00. Mr. Mallon explained that staff and counsel have reviewed all the documents and recommend awarding the contract to ISF Sign Specialist in the amount of \$473,670.00 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 Mr. Corbitt, a contract with ISF Sign Specialist for the BLF Wayfinding/Signage was unanimously approved as presented.

Mr. Hoops praised Mr. Boyle and his staff for continually working hard to find the best vendors to bid on these projects and doing such a diligent job trying to improve the XBE participation and being cognizant of ways to increase the opportunities for these companies.

Ms. Lewis also thanked him and Mr. Mallon for their strong continued efforts in this cause and for taking the time to walk through the numbers on each bid with the Board to explain the process to them and also for the efforts to make things easier for XBE companies to participate by dividing the large jobs such as the flooring into several smaller jobs and giving smaller companies the opportunity if they meet the requirements.

Ms. Kennedy introduced the next agenda item **Disposal of Obsolete Equipment** as attached hereto and made a part of these Minutes and presented by Andy Mallon. Mr. Mallon noted the list of equipment has been reviewed by Staff and found to have no book value. Pursuant to a motion by Mr. Goode and seconded by Ms. Fisher the Disposal of Obsolete Equipment was unanimously approved by the Board.

Ms. Kennedy introduced the **Claims** as attached hereto and made a part of these Minutes and presented by Andy Mallon. There were no questions from the Board and upon a motion by Mr. Goode and seconded by Ms. Lewis, Claims 8181G, and 8248C were unanimously approved as presented. Mr. Mallon explained that when BLF vouchers are presented to the Board, there are two types, one is for operating expense (which are paid with CIB budgeted and appropriated funds) and the second type is for project construction vouchers (which are funded from a trustee held account of the Marion County Convention and Recreational Facility ("Authority") that is comprised of bond monies borrowed for these specific construction projects and for which the CIB acts as the Authority's agent when reviewing and making those payments). There were no additional questions from

the Board and upon a motion by Ms. Lewis and seconded by Mr. Corbitt, the BLF Confirming Construction Claims B201 were unanimously approved as presented.

In Other Business, Mr. Mallon informed the Board that he was excited about LOS hosting the Guns and Roses concert later in the year. He explained that the opportunity to host a concert of this magnitude and be able to fit it in the schedule on a day that the Stadium is vacant is extremely rare and there are many factors involved for it to actually come to fruition. He complimented Mr. Neuburger for his efforts to make this a reality adding this is additional revenue for the CIB as well as a great opportunity for those people who might not ever attend a Colts game or a Sporting event at LOS to be able to attend a different kind of event and enjoy the facility.

Mr. Mallon also informed the Board that Tom Boyle, the Facility's Director of Operations recently celebrated his 25 year anniversary with the CIB. He thanked him for his years of service and the Board members and those in attendance all gave him a round of applause on this achievement.

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
THE CAPITAL IMPROVEMENT BOARD
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