



MINNESOTA
SPORTS FACILITIES
AUTHORITY

MINNESOTA SPORTS FACILITIES AUTHORITY
Meeting Minutes – December 14, 2022, 8:00 A.M.
U.S. Bank Stadium
401 Chicago Avenue, Minneapolis, MN 55415

1. CALL TO ORDER

Chair Vekich called the meeting of the Minnesota Sports Facilities Authority (“MSFA” or “Authority”) to order at 8:04 A.M.

2. ROLL CALL

Commissioners present: Chair Michael Vekich, Bill McCarthy, Angela Burns Finney, and Sharon Sayles Belton. Commissioners absent: Tony Sertich

3. APPROVAL OF MEETING MINUTES – October 26, 2022

Chair Vekich requested a motion to approve the minutes of the October 26, 2022, meeting. Commissioner McCarthy moved, and Commissioner Sayles Belton seconded the motion. The minutes of the October 26, 2022, board meeting were unanimously approved and adopted as presented. See Exhibit A.

4. BUSINESS

a. Action Items

i. Approve 2023 Board Meeting Dates

Chair Vekich asked Ms. Mary Fox-Stroman, Director of Finance, to introduce the schedule for the proposed 2023 MSFA Board meeting dates. Ms. Fox- Stroman presented the recommended 2023 Board Meeting Dates. The scheduled meeting time will be 8:00 a.m. in the U.S. Bank Stadium - Mystic Lake’s Club Purple. See Exhibit B.

Commissioner Sayles Belton moved, and Commissioner Burns Finney seconded the motion to approve the following recommended motion, which was unanimously adopted:

The Minnesota Sports Facilities Authority adopted the 2023 Board Meeting Calendar. .

ii. Approve Operations and Capital Improvements Equity Plan

Chair Vekich asked Ms. Fox-Stroman to present the action item for Revisions to the Authority's Operations and Capital Improvements Equity Plan.

Ms. Fox-Stroman noted the MFSA has a Policy to encourage the maximum participation of minorities and women in the improvement and operation of the Stadium. The Policy establishes goals for both work force participation and involvement of women-owned (WBE) and minority-owned (MBE) businesses. The Policy is required, in part, under the Stadium Act (Minnesota Statutes, Section 473J.12) which requires the MFSA to establish workforce and WBE/MBE goals "at least equal" to corresponding City of Minneapolis goals.

As of November 2022, the City's workforce goals are 32 percent people of color and 20 percent women. The revised Equity Plan adopts those goals, and states that when the goals are revised, the MFSA Policy automatically is revised. Under the Minneapolis policy, WBE/MBE goals are established on a project-by-project basis reflecting current companies that are available in the community and the efforts of particular contractors that are involved. This methodology is currently the industry standard for determining WBE/MBE goals so that they are not found to be arbitrary under current legal standards. The revised Equity Policy adopts this methodology. The revised Equity Plan also has several non-substantive changes to reflect the differences between the original large Stadium construction project and the smaller maintenance and improvement projects that are required today.

Commissioner McCarthy inquired which organizations or groups does the MFSA work with to achieve these goals? Ms. Fox-Stroman responded that the MSFA works with Ms. Wanda Kirkpatrick as our equity consultant and we are progressing with the UpNet software implementation to assist with our efforts. Ms. Fox-Stroman noted that the MSFA has reached out to different WBE/MBE contractors from the past. McCarthy suggested connecting with the Association of Women Contractors as well. *See Exhibit C.*

Commissioner Sales Belton moved, and Commissioner Burns Finney seconded the motion to approve the following recommended motion, which was unanimously adopted:

The Minnesota Sports Facilities Authority approved the revised Operations and Capital Improvements Equity Plan.

iii. Authorize Negotiation and Execution of Construction Management Agreement for the Secure Perimeter, Multipurpose Room Addition, and Club Renovation Projects

Chair Vekich asked Mr. Ben Jay, Executive Director, to introduce the proposed Construction Management Agreement for the Secure Perimeter, Multipurpose Room Addition, and Club Renovation Projects.

Mr. Jay noted that, at the September meeting, the Board authorized finalization of contracts with Populous for Design Services Agreements regarding the Secured Perimeter, Multipurpose Room Addition, and Club Renovation Projects for the FMP Club, Little Six's Club Gold, and the Truss Bar. Those agreements had been finalized and Populous is presently engaged in the design process. On November 16th, the MSFA took the next step in these projects by posting a Request for Proposals (RFP) for a "construction manager at risk."

Proposals were received on December 5, 2022, from four construction management firms. An internal committee comprised of Ms. Fox-Stroman, Mr. Ed Kroics, and myself evaluated the proposals.

Chair Vekich asked Mr. Nate Pearson, The Tegra Group, to brief the commissioners on the overview of the process for the "construction manager at risk." Mr. Pearson stated that the proposals were received on December 5th and interviews were conducted on December 8th with three firms that were qualified and short-listed. Based on the proposals and the interviews, the committee felt JE Dunn provided the best value for the construction management services. They had relevant experience working on similar Minnesota projects. Their fees were very competitive, and they had proposed very little contract changes. Though JE Dunn is based in Kansas City, their Minnesota office has done work in Minneapolis for years.

Mr. Pearson noted that Populous was retained for design work for the FMP Club, Little Six's Club Gold, and the Truss Bar projects, and they will provide the first round of schematic drawings on Friday. Mr. Pearson added we will ask JE Dunn to provide cost model estimates for Populous' designs. JE Dunn will work with Populous, The Tegra Group, and MSFA to finalize construction-level designs. Mr. Pearson added that the group is targeting early to mid-February for the final drawings. JE Dunn will provide the MSFA with a guaranteed maximum price (GMP) for each project phase by March or April of 2023. The Board will then be presented with the option to proceed or not on each phase, at the Authority's discretion.

Commissioner McCarthy asked if JE Dunn has any problem signing on to the on-going Project Labor Agreement (PLA). Mr. Jay Lindgren, legal counsel, noted that JE Dunn did not object to the PLA language included in the proposed contract. *See Exhibit D.*

Commissioner McCarthy moved, and Commissioner Burns Finney seconded the motion to approve the following recommended motion, which was unanimously adopted:

The Minnesota Sports Facilities Authority authorized the Chair and Executive Director to execute a Construction Management Agreement with JE Dunn for the Secure Perimeter, Multipurpose Room Addition, and Club Renovation Projects.

iv. Authorize Negotiation and Execution of Trade Contract Agreement for the 2022 Portable Loudspeaker System Project

Chair Vekich asked Ms. Fox-Stroman to discuss the 2022 Portable Loudspeaker System Project.

Ms. Fox-Stroman said, on November 3, 2022, the Authority published a Request for Proposals (RFP) for the 2022 Portable Loudspeaker System project. The project's scope of services required the proposer to provide a turnkey delivery of a "touring class" portable speaker system and audio control equipment to support event set-ups on the floor of U.S. Bank Stadium. The equipment and cabling configurations were based on two event set-ups, (1) side stage set-up, and (2) endzone stage set-up.

Two proposals were received on Monday, November 21, 2022. The proposals will be reviewed by a committee comprised of Mr. Kroics, Ms. Fox-Stroman, and myself. Additional time was needed to clarify the scope of services and to finalize negotiations with the proposers.

Staff will update the Board at a future meeting following finalization of negotiations and pricing with the selected proposer.

Mr. John Drum, General Manager of U.S. Bank Stadium, noted that the portable loudspeaker system would assist ASM Global with graduation and other major events on the stadium floor. The building's speakers currently installed focus on the seating bowl and provide no direct coverage on the stadium floor.

Mr. Drum added that when ASM Global hosted galas, high school and college graduations, and other events, ASM Global had to rent loudspeaker equipment and there is a substantial cost involved. The portable loudspeaker system would expand the capabilities of the stadium for in-house special and private events. See Exhibit E.

Commissioner Sayles Belton moved and Commissioner Burns Finney seconded the motion to approve the following recommended motion, which was unanimously adopted:

The Minnesota Sports Facilities Authority authorizes the Chair and Executive Director to finalize negotiations and execute a trade contract agreement for the 2022 Portable Loudspeaker System project.

v. Approve Professional Services Agreement with ASM Global for Communication Services

Chair Vekich asked Ms. Fox-Stroman to discuss the proposed Professional Services Agreement with ASM Global for Communication Services.

Ms. Fox-Stroman stated for the past few years ASM Global has provided communication services for the Authority. The Authority has an on-going need for their services in the following areas: communication strategy, media relations/inquiries, crisis communications, and marketing and branding.

Ms. Fox-Stroman noted that ASM Global will continue to develop a communications plan for the facility, served as the in-house communications lead, review Freedom of Information Act requests and respond as needed, act as media relations representative for monthly board meetings, and support communication efforts during crisis situations.

Staff recommended that a professional services agreement be executed with ASM Global for communication services for the period from July 1, 2022 through June 30, 2023 for a monthly fee of \$8,500.00.

Chair Vekich noted that this professional services agreement would extend our current communication services provided by ASM Global. *See Exhibit F.*

Commissioner Burns Finney moved, and Commissioner Sayles Belton seconded the motion to approve the following recommended motion, which was unanimously adopted:

The Minnesota Sports Facilities Authority authorized the Chair and Executive Director to execute a professional services agreement with ASM Global for \$8,500.00 per month for a total contract maximum of \$102,000.00, for the period from July 1, 2022 through June 30, 2023.

vi. Election of Officers

Chair Vekich nominated incumbent Commissioner McCarthy to remain in his position as Vice Chair, and nominated the incumbent Commissioner Burns Finney to remain as the Secretary/Treasurer. All Commissioners supported the nominations, and the motion was unanimously adopted.

b. Report Items

i. MSFA Annual Comprehensive Financial Report – June 30, 2022

Chair Vekich invited Mr. Chris Knopik, CliftonLarsonAllen LLP, to join Ms. Fox-Stroman for the presentation of the MSFA Annual Comprehensive Financial Report for the year ending June 30, 2022.

Ms. Fox-Stroman presented highlights of the Annual Comprehensive Financial Report, including the (1) statement of net position, (2) statement of revenues, expenses, and changes in net position, (3) statement of cash flows and the (4) notes to the financial statements. It was noted that

CliftonLarsonAllen LLP issued an unmodified opinion on the basic financial statements.

Ms. Fox-Stroman also noted that the Government Finance Officers Association of the United States and Canada (GFOA) awarded the Authority with the Certificate of Achievement in Excellence in Financial Reporting for its annual report for fiscal year 2021, the ninth year that the Authority has received this prestigious award.

Mr. Knopik reviewed the audit approach and risk assessment taken by his firm. He reviewed the financial statement audit, noting as a whole, the financial statements were free from material misstatements and no financial report deficiencies were detected. To the best of his knowledge, he noted that management had been diligent in adhering to internal control guidelines to ensure the highest degree of accuracy in the data presented.

Commissioner Sayles Belton inquired about the Authority's recent audit opinion. Ms. Fox-Stroman noted that the Commission and Authority have received an unmodified opinion every year since 2002.

ii. U.S. Bank Stadium Updates

a. ASM Global Update

Chair Vekich asked Mr. John Drum, General Manager of U.S. Bank Stadium, to comment on events.

Mr. Drum noted that Ms. Jenifer Freeman, Aramark General Manager, was not available so he would be making a report on behalf of ASM Global and Aramark.

Mr. Drum gave an update on stadium events since the last Authority meeting. He said that November was the month of high school soccer and football championships. The soccer championships occurred over three days during the first week of November while the football semi-finals and finals occurred over five dates. They also hosted two Minnesota Vikings games for a total of 24 football games in 18 days.

Mr. Drum noted, that the Wednesday before Thanksgiving, they conducted another Ultimate Touchdown Tour, an enhanced stadium tour. This is the behind-the-scenes look at stadium operations, set-up of the Vikings locker room and the broadcast media set-up. They have also started their Annual Winter Warm-up that provides roller blading and running inside the stadium from November through the end of January on Tuesdays and Thursdays. Mr. Drum also noted that the Vikings will play their last two home games with the Indianapolis Colts, and on Christmas Eve with the New York Giants.

Mr. Drum said a lot of different events have been announced. Monster Jam is returning with two dates in February, a Saturday evening and a Sunday matinee. The concert calendar for 2023 is filling with the Red Hot Chili Peppers on April 8th, Luke Combs on May 13th, two dates for Taylor Swift on June 23rd and 24th, Ed Sheeran on August 12, 2023, and Metallica is scheduled for two dates in 2024.

Private events have been our focus the past month and it has kept us busy with holiday parties and other private events.

Mr. Drum said we hosted our Skol Service Breakfast for our arriving staff before the New York Jets game, and we will recognize department MVP honorees with an on-field presentation at the December 24th Vikings game. Three of our stadium staff were also recognized in the Pioneer Press on December 3rd for their community service.

b. Aramark Sports & Entertainment Update

Chair Vekich asked Mr. Drum to provide an update for Aramark.

Mr. Drum opined that Aramark has been an incredible partner and the reason why the stadium shines so much is because of Jenifer Freeman, Aramark General Manager, and her staff feed the masses, whether at a Vikings game or with the catering requirements for our private events.

Staffing has been one of the things that Aramark is most proud making sure they have the 1,000+ workers they need to staff the concession stands, serving in the suites, and in the kitchens.

Catering has been a big success at the stadium, whether it's for Viking games, private events, a high-end holiday party, or an event that is more cost conscious, Aramark has been great in designing a great experience for all of our clients. Aramark is looking forward to more games and events in January.

Mr. Drum said Aramark is actively looking to fill some open positions: executive chef, sous chef, and banquet manager. Aramark is also very proud of the work that they are doing with their portable food carts providing opportunities for local businesses.

c. Minnesota Vikings Update

Chair Vekich asked Mr. Lester Bagley, Minnesota Vikings, to provide an update.

Mr. Bagley echoed Mr. Drum in thanking everyone on the team for all the splendid work that is done for Viking home games. He was very appreciative of the partners' work with the high school association to host the Prep Bowl, partners of the Vikings and a great showcase for the high schools.

Mr. Bagley said the Football Showcase was the 49th annual high school all-star game sponsored by the Vikings on December 4th and it was a wonderful evening. On Sunday, we hosted the Indigenous Bowl, something that the NFL asked us to host. This was the second year where we had Native American athletes from all across the country. This was a great community outreach program and a great experience for the Native American athletes.

Mr. Bagley said the Vikings are excited to be 10-3 with four games left. There will be two games at U.S. Bank Stadium and two games on the road to finish the regular season. If the Vikings win one game, they will clinch the NFC North title and they will host a playoff home game.

Mr. Bagley said for Sunday's Vikings game versus the Indianapolis Colts, it is the NFL's Inspire Change game that recognizes the players' work around social justice. The team will recognize the all-state football team during pregame, and at halftime, the mascots versus youth football game. The team will also recognize Adam Thielen as the Vikings nominee for the Walter Payton Man of the Year as selected by our players.

Mr. Bagley gave a brief update on the Legislative Session, and he noted that there is a new lineup at the Legislature.

Mr. Bagley said that from the Vikings' point of view we have the best stadium in the NFL and U.S. Bank Stadium is an amazing success story. It is a great asset of the state and community.

5. PUBLIC COMMENTS

There were no public comments.

6. DISCUSSION

Commissioner Sayles Belton said that in the future she would like to discuss the Board's legislative agenda for the coming year. Chair Vekich noted that it would be discussed at the January meeting.

7. CLOSED SESSION

a. Action Items

i. EVS, Inc. Settlement

Chair Vekich motioned for the Board to move into closed session, pursuant to Minnesota Statutes, Section 13D.05, subd. 3(b), to discuss attorney-client privileged matters regarding the settlement of claims made against EVS, Inc. regarding the plaza concrete.

Commissioner Sayles Belton moved, and Commissioner Burns Finney seconded the motion for the Board to close the meeting. The motion was unanimously approved at 9:03 a.m.

The Board returned from the closed meeting, and Commissioner Sayles Belton moved and Commissioner McCarthy seconded the motion to reopen the meeting. The motion was unanimously approved, and the Board meeting resumed at 9:35 a.m.

Commissioner Sayles Belton moved and Commissioner McCarthy seconded to approve the following recommended motion, which was unanimously adopted:

The Chair and Executive Director are authorized to take all actions and sign all documents needed to settle the EVS matter under the terms discussed during the closed session.

8. ANNOUNCEMENT OF NEXT MEETING

Chair Vekich announced that the next MSFA meeting will be held on Thursday, January 19, 2023, at U.S. Bank Stadium in Mystic Lake's Club Purple.

9. ADJOURNMENT

There being no further business to come before the MSFA, the meeting was adjourned at 9:36 a.m.

Approved and adopted the 26th day of January 2023, by the Minnesota Sports Facilities Authority



Angela Burns Finney, Secretary/Treasurer



Ben Jay, Executive Director



MINNESOTA
SPORTS FACILITIES
AUTHORITY

EXHIBIT A

MINNESOTA SPORTS FACILITIES AUTHORITY
Meeting Minutes – October 26, 2022, 8:00 A.M.
U.S. Bank Stadium
401 Chicago Avenue, Minneapolis, MN 55415

1. **CALL TO ORDER**

Chair Vekich called the meeting of the Minnesota Sports Facilities Authority (“MSFA” or “Authority”) to order at 8:01 A.M.

2. **ROLL CALL**

Commissioners present: Chair Michael Vekich, Bill McCarthy, Angela Burns Finney, and Sharon Sayles Belton. Commissioner Tony Sertich participated remotely via video conference.

3. **APPROVAL OF MEETING MINUTES – September 22, 2022**

Chair Vekich asked for a motion to approve the minutes of the September 22, 2022, meeting. Commissioner McCarthy moved, and Commissioner Sayles Belton seconded the motion. The minutes of the September 22, 2022, board meeting were unanimously approved and adopted as presented. *See, Exhibit A.*

4. **BUSINESS**

a. **Action Items**

i. **Approve Trade Contract Agreement with Horwitz for the 2022 Operable Doors Project**

Chair Vekich asked Ms. Mary Fox-Stroman to discuss the 2022 Operable Doors project. Ms. Fox-Stroman stated U.S. Bank Stadium has five large operable doors at the Legacy Gate entrance that are opened for certain major events. Each door has six hydraulic cylinders and there are two spare cylinders in storage for a total of 32 hydraulic cylinders. Ms. Fox-Stroman mentioned the fluid has

been leaking from the cylinder's shaft seals and accumulating on the carpet, therefore the cylinders need to be repaired. On September 13, 2022, the Authority published a Request for Proposals (RFP) to repair the operable doors. Horwitz was the only proposer who responded to the RFP, and they proposed to repair the cylinders and complete the project by March 30, 2023, for a cost of \$298,000.00. See, Exhibit B.

Commissioner Burns Finney moved, and Commissioner Sayles Belton seconded the motion to approve the following recommended motion, which was unanimously adopted:

The Minnesota Sports Facilities Authority authorizes the Chair and Interim Executive Director to finalize and execute a trade contract agreement with Horwitz for \$298,000.00 for the 2022 Operable Doors project.

ii. Nomination of Executive Director

Chair Vekich stated the Executive Director position has been vacant since early 2022. We are grateful for the work of Mary Fox-Stroman as Interim Executive Director. State law and the MSFA bylaws provide that the Board may appoint an Executive Director, a finalist is to be nominated by the Chair, and approved by a four-fifths vote of the board.

Chair Vekich said there was an extensive hiring process facilitated by Minnesota Management and Budget, the position was posted from June 6 through August 20, 2022, and there were 35 applicants. Chair Vekich said he conducted interviews of five candidates and concluded the best candidate is Mr. Ben Jay who he nominated for the position. Chair Vekich then said Mr. Jay has 25 years of business and operations experience and his skills include overseeing internal operations, budget and finance, construction management, contract administration, event management, facility operations, human resources, strategic planning, and technology. See, Exhibit C.

Commissioner Burns Finney moved, and Commissioner McCarthy seconded the motion to approve the following recommended motion, which was unanimously adopted:

The Minnesota Sports Facilities Authority approves the appointment of Ben Jay as Executive Director, effective December 5, 2022, at an annual salary of \$192,144, plus benefits.

Chair Vekich then asked Mr. Jay to say a few words. Mr. Jay thanked the commissioners for the appointment. Mr. Jay said he appreciates their support and he looks forward to working with the Authority.

b. Report Items

i. Stadium Updates

a. ASM Global Update

Chair Vekich asked Mr. John Drum, General Manager of U.S. Bank Stadium, to comment on events.

Mr. Drum gave an update on stadium events since the last Authority meeting. He said they hosted two Minnesota Vikings games on September 25th and October 9th, a World EXPO lunch, Youth-in-Music high school band competition, Team Smile which was a Minnesota Vikings event that provided free dental care for children, and several youth football games.

Mr. Drum then discussed future events and said the stadium will host the Minnesota Vikings vs. Arizona Cardinals game this Sunday, Minnesota State High School League (MSHSL) boys and girls soccer championships will be hosted on November 1st, 2nd, and 4th, MSHSL football semi-finals will be hosted on November 17th to 19th, and there will be two Minnesota Vikings games within a five day period with a game on November 20th and another game on November 24th.

Mr. Drum said three events are on sale now: Monster Jam events will be here on February 18th and 19th, Luke Combs concert is scheduled for May 13th, 2023, and Ed Sheeran concert is scheduled for

August 12, 2023. Mr. Drum said private events continue to fill the event calendar. He then said the stadium had a SKOL Service Movie night on the field which was a big success.

b. Aramark Sports & Entertainment Update

Chair Vekich asked Ms. Jenifer Freeman, Aramark General Manager, to provide an update. Ms. Freeman said Aramark rolled out a new program this past summer called "Chefs on the Road". The program started originally with their baseball accounts and it was so successful that they added their football accounts to the program. Chef Halimi went to Philadelphia last month for the Vikings vs. Eagles game and he created a Cheese Curd Hot Dish and a signature cocktail to represent Minnesota, U. S. Bank Stadium, and the Vikings.

Ms. Freeman said locally the Aramark team hit their 2022 targets. In honor of this being the first year they accomplished their goals, Aramark took advantage of the slow week last week and staff went to Top Golf and had lunch at a local minority owned restaurant called StepChld. The restaurant owners are also the co-owners of Nashville Coop.

Ms. Freeman said that she was asked to assist with a compostable program that Aramark is rolling out to other sites. This would be a program where an operator who is currently executing a compostable food and beverage program would advise other Aramark accounts that are looking to develop a compostable program.

Ms. Freeman added that she will join John Fitzgibbon, JP Paul, Minnesota Vikings, and John Sergi, food and beverage consultant, for a meeting in Philadelphia at Aramark's Headquarters in December 2022 for a white board session to talk about the 2023 NFL football season and how they can continue to drive the program

Lastly, Ms. Freeman said that they are the number one consideration to be featured on a series called "Delish". The creator of Delish partnered with Aramark to do a series called "Delish Eats" at various venues across the country. She said that she asked if U.S. Bank Stadium could be the feature for this NFL football season.

c. Minnesota Vikings Update

Chair Vekich asked Mr. Lester Bagley, Minnesota Vikings, to comment. Mr. Bagley said the Team hosted the “NFL Ownership Groups” at U.S. Bank Stadium, and John Drum and Chair Vekich arranged tours to show the many features of the stadium. After the tours the group had a luncheon at the stadium with Minnesota fare.

Mr. Bagley said the Team had a successful trip to London and they hosted groups of sponsors and community leaders. Mr. Bagley also said the Vikings have a great record as they have 5 wins and 1 loss. He concluded by saying U.S. Bank Stadium is an exciting venue for players and fans.

5. PUBLIC COMMENTS

Mr. Jerry Balz, Group of Bird Conservation Organizations, commented on bird migration and bird safe glass treatments.

Mr. Alan Roebke, Alexandria, Minnesota with Inform TV, commented on transparency for all Minnesotans and stadium financing and reporting.

6. DISCUSSION

There was no discussion.

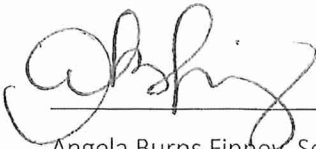
7. ANNOUNCEMENT OF NEXT MEETING

Chair Vekich announced that the next MSFA meeting will be held on Thursday, November 17, 2022, at U.S. Bank Stadium in Mystic Lake’s Club Purple.

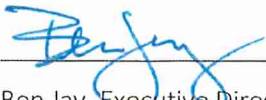
8. ADJOURNMENT

There being no further business to come before the MSFA, the meeting was adjourned at 8:45 A.M.

Approved and adopted the 14th day of December 2022, by the Minnesota Sports Facilities Authority.



Angela Burns Finney, Secretary/Treasurer



Ben Jay, Executive Director

EXHIBIT B

MEMORANDUM

TO: MSFA Commissioners
FROM: Mary Fox-Stroman
DATE: December 14, 2022
SUBJECT: 2023 Board Meeting Dates

The MSFA Chair and Executive Director recommend the following dates for the 2023 monthly board meetings:

Thursday, January 19, 2023
Thursday, February 23, 2023
Thursday, March 16, 2023
Thursday, April 27, 2023
Thursday, May 18, 2023
Thursday, June 15, 2023
Thursday, July 27, 2023
Thursday, August 17, 2023
Thursday, September 21, 2023
Thursday, October 19, 2023
Thursday, November 22, 2023
Thursday, December 21, 2023

Recommended Motion:

The Minnesota Sports Facilities Authority adopts the above 2023 board meeting calendar.

EXHIBIT C

MEMORANDUM

TO: MSFA Commissioners

FROM: Mary Fox-Stroman

DATE: December 14, 2022

SUBJECT: Revisions to Operations and Capital Improvements Equity Plan

The MSFA has a Policy to encourage the maximum participation of minorities and women in the improvement and operation of the Stadium. The Policy establishes goals for both work force participation and involvement of women-owned (WBE) and minority-owned (MBE) businesses. The Policy is required, in part, under the Stadium Act (Minnesota Statutes, Section 473J.12) which requires the MSFA to establish workforce and WBE/MBE goals “at least equal” to corresponding City of Minneapolis goals.

As of November 2022, the City’s workforce goals are 32 percent people of color and 20 percent women. The revised Equity Plan adopts those goals, and also states that when the goals are revised, the MSFA Policy automatically is revised. Under the Minneapolis policy, WBE/MBE goals are established on a project-by-project basis reflecting current companies that are available in the community and the efforts of particular contractors that are involved. This methodology is currently the industry standard for determining WBE/MBE goals so that they are not found to be arbitrary under current legal standards. The revised Equity Policy adopts this methodology. The revised Equity Plan also has several non-substantive changes to reflect the differences between the original large Stadium construction project and the smaller maintenance and improvement projects that are required today.

Recommended Motion:

The Minnesota Sports Facilities Authority approves the revised Operations and Capital Improvements Equity Plan.

Section 2 – Operations and
Capital Improvements
Equity Plan



U.S. BANK STADIUM OPERATIONS AND CAPITAL IMPROVEMENTS EQUITY PLAN

Section 1. Purpose / Outline – Overall

- 11 Introduction. The State of Minnesota created the Minnesota Sports Facilities Authority (“Authority”) to build a state-of-the-art multipurpose facility known as the U.S. Bank Stadium (“Stadium”). The Authority is required by law to promote the involvement of women and members of minority communities in the operation and management of the Stadium, as more completely described in Minn. Stat. § 473J.12. The Authority hereby adopts this Equity Plan for on-going Stadium operations and capital improvement. The purpose of this Equity Plan is to formalize the Authority’s efforts to implement the statutory mandate and be recognized as a community leader in providing equitable opportunities and creating a diverse workforce with inclusive environments.
- 12 Definitions. For purposes of this Equity Plan, the following definitions apply:
 - a) “Equity” means everyone has access to the same opportunities. Equity recognizes that advantages and barriers exist and that not everyone starts from the same place. Equity begins by acknowledging this unequal starting place and continues to correct and address the imbalance of opportunities. Equity is not an outcome.
 - b) “Diversity” means the presence of different races, genders, ethnicities, religions, nationalities, and sexual orientation in the stadium. Diversity exists in groups and in relationships with others. Diversity is an outcome.
 - c) “Inclusion” means people with different identities feel valued and welcomed within the Stadium workplace. Inclusion is an outcome.



- d) "Stadium Concessionaire" means any and all entities retained directly or indirectly by the Authority to manage food and beverage operations at the Stadium.
- e) "Stadium Operator" means the entity retained by the Authority to market and operate the Stadium.
- f) "Trade Contractor" means the contractor hired by the Authority to perform construction of capital repairs, improvements or replacements.
- g) "Employment Data" means information including the name of each employer and employee and the name, ethnicity, gender, veteran status, zipcode, and total hours worked and pay of each employee.
- h) "Procurement Data" means information regarding goods or services procured by the Authority for the operation of the Stadium, including the business name on the contract, purchase order, or other agreement; date of procurement; total purchase amount; type of business, and MBE/WBE/VBE status or certification.
- i) "Targeted Business Program" means the Authority commits to maximizing contracting opportunities with veteran-owned, women-owned or minority-owned small businesses.
- j) "Workforce Program" means the Authority commits to maximizing employment opportunities of veterans, women and members of minority communities.

13 Commitment to Leadership Equity, Inclusion and Diversity.

Equity is core to the Authority's Purpose, Mission and Vision.

The Authority is committed to ensure the workforce is representative of the people it serves. The Authority believes diversity drives engagement, innovation and profitability. The Authority values equity, dignity and inclusion for all stakeholders. The Authority is proactive in our outreach to diverse communities and targeted businesses to promote employment and economic opportunities.



The Authority demonstrates leadership through its commitment to workforce diversity and targeted business partnerships.

- 14 Targeted Business and Workforce Programs. The Authority is committed to maximizing employment opportunities for veterans, women and members of minority communities and procurement opportunities with veteran-owned, women-owned or minority- owned small businesses.
- 15 Workforce. ~~The Authority adopted a workforce goal of 32% minority and 6% women.~~The Authority adopts the same workforce participation goals as those used by the City of Minneapolis for its construction contracting as percentages of the construction project’s total labor hours. As of November 2022, those goals are 32% people of color and Indigenous people and 20% women. Should the City of Minneapolis revise its workforce participation goals in line with the Minnesota Department of Human Rights, the Authority’s shall also be revised automatically.
- 16 MBE. Means a Minnesota—based business that meets one or more of the following criteria. ~~Nine percent of work~~MBE goals shall be set on ~~capital improvement—projects~~a project-by-project basis based on the project scope, subcontracting opportunities, and procurement should be with minority owned firms.the availability of qualified and ready MBEs able to perform the work.
 - a) Certified by Minnesota Uniform Certification Program (“MNUCP”)



<https://mnucp.metc.state.mn.us/https://mnucp.metc.state.mn.us/>.

- b) Certified by the Minnesota Department of Administration and classified as a Targeted Group Business (TGB) that can be found:
<http://www.mmd.admin.state.mn.us/process/search/>.
<http://www.mmd.admin.state.mn.us/process/search/>. The business must also have one or more of the following designations: (A), (B), (H), (I) or (E).
 - c) Certified by the Central Certification Program (CERT) as an MBE.
- 17 WBE. Means a Minnesota—based business that meets one or more of the following criteria. ~~Eleven percent~~WBE goals shall be set on a project-by-project basis based on the project scope, subcontracting opportunities, and the availability of capital improvement or procurement should be with women owned firms.qualified and ready WBEs able to perform the work.
- a) Certified by Minnesota Uniform Certification Program (“MNUCP”).
 - b) Certified by the Minnesota Department of Administration and as classified as a Targeted Group (TG) business in the directory.
<http://www.mmd.admin.state.mn.us/process/search/>.
<http://www.mmd.admin.state.mn.us/process/search/>. The business also must have the (W) designation.
 - c) Certified by the Central Certification Program (CERT) as an ~~MBE~~a WBE.
- 18 VBE. Means Minnesota based business that meets one or more of the following



criteria:

- a) A VBE firm is a firm certified as a Service-Disabled Veteran Small Business (SDVOSB) or a Veteran Owned Small Business (VOSB) by the United States Department of Veterans Affairs.
- 19 Collection of Data. The Authority will collect Employment and Procurement Data from contractors providing capital improvements, the Stadium Operator and Stadium Concessionaire; and other vendors to the stadium.
- 1.10 Equity Advisor. The Authority will coordinate the data gathering and reporting processes and may retain an outside advisor to assist in the identification and outreach to key community stakeholders.
- 1.11 Reporting. The Authority shall make equity reports available via its website (www.MSFA.com) and the Authority may hold quarterly meetings regarding implementation of this Equity Plan.
- 1.12 Subcontractor. Subcontractor means any entity the Trade Contractor contracts with for any part of a Capital Improvement Project.
- 1.13 Subcontract. Subcontract means any contract entered into by the Trade Contractor or subcontractor for any part of Capital Improvement Contracts.
- 1.14 Good Faith Efforts. Good Faith Efforts means the Trade Contractor's good faith effort documentation and efforts to include women and minority owned companies in Capital Improvement Projects.



Section 2. Current Workforce and Procurement Efforts

- 2.1 The Authority recognizes the legislature’s mandate that the Authority shall make every effort to employ veterans, women and members of minority communities in the operations, management and capital improvements of the Stadium, as more completely described in Minn. Stat. § 473J.12. The legislature instructs that capital improvements and operations workforce establish workforce utilization participation and MBE/WBE goals at least equal to current cityCity of Minneapolis goals. The Authority’s current efforts toward meeting the mandate include:

~~)—The Authority has a contract with Summit Academy OIC. Summit Academy has created an employment assistance program to recruit, hire, and retain minorities, women and veterans for employment at the Stadium and maintains a schedule of regularly occurring job fairs.~~



- ~~e)a)~~ The Authority, Stadium Operator and Stadium Concessionaire will demonstrate leadership in their commitment to workforce diversity by holding job fairs, advertising employment opportunities, and other community outreach efforts.
- ~~f)b)~~ As a leader, the Authority intends to be proactive in its outreach to African American, Native American, Latino, Asian, and other diverse groups to recruit candidates for employment opportunities.
- ~~g)c)~~ The Authority also intends to reach out to community groups, and business associations including: minority, women and veteran entrepreneurs; ~~Metropolitan Economic Development Association (MEDA), veteran organizations, Hmong American Partnership, American Indian OIC, North Central Minority Supplier Development Council (NCMSDC), Minneapolis Urban League,~~ and others to create economic opportunities.
- ~~h)d)~~ The Authority will maintain a vendor portal for veteran-owned, women-owned, and minority-owned small businesses to maximize and simplify procurement contracting opportunities at the Stadium.
- ~~i)e)~~ The Authority recognizes the legislature did not establish specific goals for contracting with targeted businesses, but instructs the Authority to follow a ~~percentage at least equal to the minimum workforce participation and MBE/WBE goals~~ used for ~~city~~City of Minneapolis development projects.



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MBE/WBE goals shall be set on a project-by-project basis based on the project scope, subcontracting opportunities, and the availability of qualified and ready MBEs/WBEs able to perform the work.

The Authority will pursue the highest level of inclusion by broadly advertising Requests for Quotes and Proposals on its website and by advertising certain procurement opportunities in the Minnesota State Register.

ff The Authority intends to gather data as outlined above, report summaries of that data on a quarterlyperiodic basis, and regularly assess what additional efforts the Authority can take to achieve its goals.

kg The Authority will host periodic public ~~quarterly~~ meetings where the Stadium Manager, the Stadium Concessionaire, and a select group of their subcontractors will provide an update on their targeted business procurement commitments and workforce employment status.

EXHIBIT D

MEMORANDUM

TO: MSFA Commissioners

FROM: Ben Jay, Executive Director

DATE: December 14, 2022

SUBJECT: Construction Management Agreement for Secure Perimeter, Multipurpose Room Addition, and Club Renovations Projects

At the September Board meeting, you authorized finalization of contracts with Populous for Design Services Agreements regarding Secure Perimeter, Multipurpose Room Addition, and Club Renovations Projects. Those agreements have been finalized and Populous is engaged in the design process. On November 16, the MSFA took the next step in these projects by posting a Request for Proposals (RFP) for a “construction manager at risk.”

Proposals were received on December 5, 2022, from four construction management firms. An internal scoring team comprised of Mary Fox-Stroman, Ed Kroics, and me scored the proposals in the manner authorized by the RFP, MSFA policies and State law. Based on this scoring JE Dunn is the proposed contractor. The contract is written to allow JE Dunn to earn a fee of \$30,000 to work with Populous to finalize the construction-level designs and for JE Dunn to provide the MSFA with a guaranteed maximum price (GMP) for each project phase by March or April of 2023. The Board will then be presented with the option to proceed or not on each phase, at the Authority’s discretion.

Recommended Motion:

The Minnesota Sports Facilities Authority authorizes the Chair and Executive Director to negotiate, finalize and execute a Construction Management Agreement with JE Dunn for the Secure Perimeter, Multipurpose Room Addition, and Club Renovations Projects.



EXHIBIT E

MEMORANDUM

TO: MSFA Commissioners

FROM: Mary Fox-Stroman

DATE: December 14, 2022

SUBJECT: Authorize Negotiation and Execution of Trade Contract Agreement for the 2022 Portable Loudspeaker System Project

On November 3, 2022, the Authority published a Request for Proposals (RFP) for the 2022 Portable Loudspeaker System project. The project's scope of services requires the proposer to provide a turnkey delivery of a "touring class" portable speaker system and audio control equipment to support event setups on the floor of U.S. Bank Stadium. The equipment and cabling configurations in the RFP were based on two event setups, (1) side stage setup, and (2) endzone stage setup.

Two proposals were received on Monday, November 21, 2022. Proposals are being reviewed by a committee comprised of Ben Jay, Ed Kroics (ASM Global), and myself. Additional time is needed to clarify the scope of services and to finalize negotiations with the proposers.

Staff will update the board at a future meeting following finalization of negotiations and pricing with the selected proposer.

Recommended Motion:

The Minnesota Sports Facilities Authority authorizes the Chair and Interim Executive Director to finalize negotiations and execute a trade contract agreement for the 2022 Portable Loudspeaker System project.



EXHIBIT F

MEMORANDUM

TO: MSFA Commissioners

FROM: Mary Fox-Stroman

DATE: December 14, 2022

SUBJECT: Professional Services Agreement with ASM Global for Communication Services

For the past few years ASM Global has provided communication services for the Authority. The Authority has an on-going need for their services in the following areas: communication strategy, media relations/inquiries, crisis communications, and marketing and branding.

ASM Global will continue to develop a communications plan for the facility, serve as the in-house communications lead, review Freedom of Information Act requests and respond as needed, act as media relations representative for monthly board meetings, and support communication efforts during crisis situations.

Staff recommends that a professional services agreement be executed with ASM Global for communications services for the period from July 1, 2022 through June 30, 2023 for a monthly fee of \$8,500.00.

Recommended Motion:

The Minnesota Sports Facilities Authority authorizes the Chair and Executive Director to execute a professional services agreement with ASM Global for \$8,500.00 per month for a total contract maximum of \$102,000.00, for the period from July 1, 2022 through June 30, 2023.