



MINNESOTA
SPORTS FACILITIES
AUTHORITY

MINNESOTA SPORTS FACILITIES AUTHORITY
Meeting Minutes – August 17, 2023, 8:00 A.M.
U.S. Bank Stadium – Mystic Lake’s Club Purple
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 8:00 A.M.

2. ROLL CALL

Commissioners present: Chair Michael Vekich, Bill McCarthy, and Tony Sertich.

Commissioners absent: Angela Burns Finney and Sharon Sayles Belton

3. APPROVAL OF MEETING MINUTES – June 21, 2023

Chair Vekich requested a motion to approve the minutes of the June 21, 2023, meeting. Commissioner McCarthy moved, and Commissioner Sertich seconded the motion. The minutes of the June 21, 2023, board meeting were unanimously approved and adopted as presented.

See, Exhibit A.

4. UPDATE ON THE SECURED PERIMETER PROJECT – PHASE 1

Chair Vekich invited Mr. Brett Dunlap and Mr. Alan L’esperance from JE Dunn, and Mr. Nate Pearson from the Tegra Group to provide an update to the Board on the Secured Perimeter Project – Phase 1.

Mr. Pearson said the JE Dunn contract amendment for the project’s Guaranteed Maximum Price (GMP) is complete and signed, construction documents are complete and received, materials have been ordered, and the project is on budget and on time.

Mr. L’esperance presented JE Dunn’s weekly summary report as of August 18, 2023, and a six-week schedule for their planned construction work. He said the six-week schedule incorporates Vikings’ home games and ASM contracted events. Mr. L’esperance noted the key metrics on the summary report, the May 14, 2024, substantial completion date, and tracking towards their Targeted Business Participation goal of 16%. He added they have not seen any supply chain issues.

Mr. Dunlap said after the contract amendment for the GMP was executed, JE Dunn contracted with their trade partners, and mobilized their equipment and set up temporary safety fencing prior to beginning their work. He noted that he and Mr. L'esperance have scheduled weekly standing meetings to provide project updates to representatives from MSFA, ASM, Aramark, and the Vikings.

Mr. L'esperance said their initial construction work is focused on replacing the cracked concrete on the Southwest corner bike path and sidewalk, as well as installing the Pentair Gate retaining wall.

Commissioner McCarthy asked if JE Dunn will be working through the winter months. Mr. L'esperance responded that JE Dunn plans to install the project's wedge barriers during the winter.

Chair Vekich noted that there are two phases to the Secured Perimeter Project. He said Phase 1 is underway, and the MSFA staff will come back to the Board in the future with plans for Phase 2. Mr. Vekich said there was a change of senior management at Populous to lead Phase 2, but other team members who worked on Phase 1 remain the same.

5. BUSINESS

a. Report Items

i. MSFA – Update on Suites and Guest Experience Equipment Contract

Chair Vekich asked Mr. Ben Jay, Executive Director, to provide an update on the procurement of the Suites and Guest Experience Equipment. Mr. Jay noted the MSFA received one bid for \$345,133.81 from CDW Direct LLC in response to the RFQ. He said a purchase order for the equipment procurement was subsequently executed with CDW, and equipment has been shipped. See, Exhibit B.

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 it was an incredible weekend downtown with the Taylor Swift concerts, Pride Weekend, and the Twins baseball game. He said that Metro Transit ridership was up significantly with many people traveling in to Downtown Minneapolis.

Mr. Drum said that Ed Sheeran was a great concert "In the Round" with a stadium record crowd of over seventy-two thousand people in attendance. He said the ASM staff is converting the field for Vikings football games, the stadium's first college football game, youth football, and other private events. Mr. Drum said the Billy Joel/Stevie Nicks concert will occur in November.

Commissioner McCarthy asked if there was any feedback from either concert promoter? Mr. Drum said they received praise and very high marks from both production companies.

b. Aramark Sports & Entertainment Update

Chair Vekich asked Ms. Jenifer Freeman, General Manager of Aramark, to provide an update for Aramark. Ms. Freeman noted that Taylor Swift and Ed Sheeran concerts were both strong events for sales.

She said they rolled out all 2023 food vendors at the Ed Sheeran concert to prepare for the football season. Ms. Freeman noted they are fully staffed for the season with a waiting list of available nonprofit organizations.

ii. Minnesota Vikings Update

Chair Vekich asked Mr. Lester Bagley, Minnesota Vikings, to provide an update. Mr. Bagley said that the Vikings are in training camp preparing to kick off their eighth season in U.S. Bank Stadium. He said the team was averaging 4,000 fans per practice at TCO. Mr. Bagley noted that they are 97% sold out for the season and they look forward to playing in front of a full house each home game.

6. PUBLIC COMMENTS

There were no public comments.

7. DISCUSSION

There was no discussion.

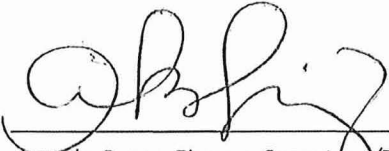
7. ANNOUNCEMENT OF NEXT MEETING

Chair Vekich announced that the next MSFA meeting will be held on Thursday, September 21, 2023, at U.S. Bank Stadium in Mystic Lake's Club Purple.

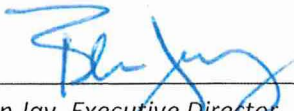
8. ADJOURNMENT

There being no further business to come before the MSFA, the meeting was adjourned at 8:48 a.m.

Approved and adopted the 21st day of September 2023, by the Minnesota Sports Facilities Authority



Angela Burns Finney, Secretary/Treasurer



Ben Jay, Executive Director



MINNESOTA SPORTS FACILITIES AUTHORITY
Meeting Minutes – June 21, 2023, 8:00 A.M.
Dorsey Office Building – 9th Floor, Iron Range Room
50 South Sixth Street, Minneapolis, MN 55402

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, Tony Sertich, and Sharon Sayles Belton.
Commissioners absent: Angela Burns Finney

3. PRESENTATION – DESIGN AND CONSTRUCTION – SECURED PERIMETER PROJECT – PHASE 1

Chair Vekich invited representatives from Populous, Tegra Group, and JE Dunn to make a presentation to the Board for the design and construction plans for the Secured Perimeter Project – Phase 1.

Ms. Brooke Craig introduced herself as the Senior Associate Architect for Populous, the architectural design firm on the Secured Perimeter Project – Phase 1. Ms. Craig presented the Phase 1 site plan and discussed the construction materials that will be used in the project.

Mr. Nate Pearson and Ms. Julie Dotzenrod, the Tegra Group, introduced themselves as the Owner’s Representatives tasked with representing the MSFA’s interests through all project phases – planning, design, construction, project completion and closeout.

Mr. Pearson said they have worked with Populous to coordinate meetings with the Minnesota Vikings and ASM Global. He said that they collaborated with Mr. Chuck Lutz, MSFA consultant, on communications with local neighborhood groups and city planning representatives.

Mr. Pearson said that the Tegra Group worked with Mr. Lutz on the project submittal to the city planning department. City approval is pending following resolution of three city comments. Mr. Pearson said the next steps are to secure the city permit, the MSFA’s Official Notice to Proceed, and then JE

Dunn will begin materials procurement. (JE Dunn is the MFSA's Construction Manager at Risk on the Secured Perimeter Project – Phase 1.) They have set up weekly project meetings with MSFA, Minnesota Vikings, ASM Global, Populous and JE Dunn. JE Dunn shared the construction schedule with the project team to minimize impacts on stadium events and the fan experience.

Mr. Brett Dunlap and Mr. Alan L'esperance, JE Dunn Construction, introduced themselves as the Project Director and Project Manager, respectively, on the Secured Perimeter Project – Phase 1. Mr. Dunlap noted that JE Dunn has been in business in Minneapolis for 75 years, and the company is known for their work with state and local government, the University of Minnesota, and various cultural, sports and recreational projects. Mr. Dunlap said JE Dunn is experienced as a Construction Manager at Risk, and they worked on a similar secured perimeter project for the Minnesota State Capitol.

Mr. L'esperance said construction is ready to begin after Board approval. They would start by setting up the laydown yard on the north side of the stadium, locating utilities, and conducting preplanning meetings. He said the planned construction schedule would extend through the Vikings football season until early 2024. Mr. L'esperance said he is working on a logistics plan with MSFA, ASM, and the Vikings.

Mr. L'esperance discussed JE Dunn's Guaranteed Maximum Price (GMP) for the Secured Perimeter Project - Phase 1 totaling \$12,788,701. He noted their Targeted Group Business (TGB) participation would be 16.9 percent, exceeding their 15 percent goal on the project.

Commissioner Sertich asked about the potential impacts construction would have on the guest experience. Chair Vekich said those have been minimized based on the construction schedule.

Commissioner McCarthy asked if Populous has been in communication with the neighborhood groups. Ms. Craig responded they have been.

Commissioner McCarthy asked about union representation on the project. Mr. L'esperance responded that JE Dunn is a signatory contractor to the PLA, and they have worked closely with the unions.

Commissioner Sayles Belton said she appreciated the TGB participation. Ms. Sayles Belton asked if there would be any issues with material procurement. Mr. L'esperance responded that they have been in communication with their vendors and did not foresee any issues.

4. APPROVAL OF MEETING MINUTES – May 26, 2023

Chair Vekich requested a motion to approve the minutes of the May 26, 2023, meeting. Commissioner Sayles Belton moved, and Commissioner Sertich seconded the motion. The minutes of the May 26, 2023, board meeting were unanimously approved and adopted as presented.

See, Exhibit A.

5. **BUSINESS**

a. **Action Items**

i. **Approve Contract Revision #1 to the Construction Management Agreement with JE Dunn for Secured Perimeter Project – Phase 1**

Chair Vekich asked Mr. Ben Jay, Executive Director, to discuss Contract Revision #1 to the Construction Management Agreement with JE Dunn for the Secured Perimeter Project – Phase 1. Mr. Jay noted that on December 14, 2022, the Minnesota Sports Facilities Authority (MSFA) executed a Construction Management Agreement with JE Dunn Construction to be the “construction manager at risk” for work on the Secured Perimeter Project – Phase 1. Mr. Jay said that JE Dunn worked with Populous to finalize the construction-level designs and to provide the MSFA with a Guaranteed Maximum Price (GMP) for the project. JE Dunn’s Guaranteed Maximum Price of \$12,788,701 includes \$12,440,370 for the Cost of Work, and \$348,331 for the Construction Manager’s Fee for the Work.

Mr. Jay said Contract Revision #1 is to establish scope, a Guaranteed Maximum Price, schedule, and Contract Documents for the Secured Perimeter Project – Phase 1. He added that JE Dunn’s planned Targeted Group Business participation is estimated at \$1,855,206 (16.90%). Mr. Jay said the Construction Start Date will be June 30, 2023, and the Substantial Completion Date is April 30, 2024. *See, Exhibit B.*

Commissioner Sayles Belton moved, and Commissioner McCarthy 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 execute a Contract Revision #1 to the Construction Management Agreement with JE Dunn for the Secured Perimeter Project – Phase 1 for a Guaranteed Maximum Price of \$12,788,701.

ii. **Approve Parking Agreement with Timeshare Systems, Inc.**

Chair Vekich asked Mr. Jay to discuss the Parking Agreement with Timeshare Systems, Inc.

Mr. Jay noted that the Minnesota Sports Facilities Authority is obligated to develop a parking plan that provides the Minnesota Vikings with the use of 2,500 parking spaces on game days for premium seating patrons per the terms of the Stadium Use Agreement. He said the parking plan includes the two parking facilities the Authority owns, the Stadium Parking Ramp and the Downtown East (DTE) Parking Ramp. The plan also includes leased space from Hennepin Healthcare and Hennepin County Medical Center (HCMC), and leased space from Timeshare Systems, Inc. Mr. Jay added that the plan designates 963 spaces at Stadium Parking Ramp, 452 spaces at the DTE Parking Ramp, 150 leased spaces from Hennepin Healthcare and HCMC, and 935 leased spaces from Timeshare Systems, Inc.

Mr. Jay said that Timeshare Systems, Inc. offered to renew the parking agreement with similar terms, except for an increase of \$5 per space for the 511 Surface Lot and the 1010 Ramp. He noted that the agreement is for the period from July 1, 2023, through June 30, 2024, and the rates are \$40-\$50 per space per game for preseason and regular season games, \$50-\$60 per space per game for post season games, and \$25 per space for non-game day event parking. *See, Exhibit C.*

Commissioner Sertich 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 Executive Director to execute the parking agreement with Timeshare Systems, Inc. for the period from July 1, 2023, through June 30, 2024.

iii. Authorize Negotiation and Execution of Contract for Suites and Guest Experience Equipment Project

Chair Vekich asked Mr. Jay to discuss the Request for Quotes (RFQ) for Suites and Guest Experience Equipment. Mr. Jay noted that the current suite and guest experience equipment is end-of-life and the operating system software for the equipment is no longer supported.

Mr. Jay said that the MSFA published a Request for Quotes (RFQ) on June 13, 2023, for the procurement of Suites and Guest Experience Equipment. He said that the new suite equipment would include 200 iPads, 96 wall mount kits, 8 countertop charging stations, 12 wall mount/wireless charging stations, 30 protective cases for the iPads, and the guest experience equipment would include 300 iPhones and 300 protective cases for the phones. Mr. Jay said the RFQ also included the procurement of a mobile device management platform software that would facilitate management, control, and support for this equipment.

Mr. Jay added that quotes are due by July 3, 2023, and the anticipated contractor selection date is July 7, 2023. He noted that the equipment needs to be procured quickly for the equipment to be installed and operational prior to the start of the upcoming Minnesota Vikings NFL football season.

Mr. Jay said that MSFA staff will update the Board at a future meeting following finalization of negotiations with the selected contractor. *See, Exhibit D.*

Commissioner Sayles Belton moved, and Commissioner McCarthy 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 contract for the procurement of the Suites and Guest Experiences Equipment.

iv. Approve Updated MSFA Bylaws

Chair Vekich asked Mr. Jay Lindgren, General Counsel, to discuss the proposed revisions to the MSFA Bylaws.

Mr. Lindgren said the MSFA's Bylaws serve as its primary governing document and include the organization's internal operating rules. He said the Bylaws can be amended by the Board through a simple majority vote. Mr. Lindgren added that the MSFA is also updating a portion of the Policy Manual that will be discussed in a few minutes.

The MSFA Bylaws are proposed to be amended in the following way:

Executive Director

The proposed language clarifies the responsibilities of the Chair and Executive Director with respect to hiring, supervision, and dismissal of all other employees of the Authority.

Mr. Lindgren noted the proposed Bylaws revisions are posted on the Authority's website.

See, Exhibit E.

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

The Minnesota Sports Facilities Authority authorizes the revisions to the Bylaws as presented on June 21, 2023.

v. Approve Updated MSFA's Procurement Policy and MSFA Procedures for Planning and Procurement of Capital Enhancements

Chair Vekich asked Mr. Lindgren and Ms. Fox-Stroman to discuss the proposed MSFA Policy Manual Updates for the Procurement Policy and the Procedures for Planning and Procurement of Capital Enhancements.

Mr. Lindgren said that the MSFA's Policy Manual establishes the basic principles to be followed in the administration and operation of the activities of the organization. He said the Manual provides a uniform approach and tool to be used by management and staff to guide and inform decision-making, and to assist in their responsibilities.

Mr. Lindgren stated the proposed Policy Manual changes include the Procurement Policy, and the Procedures for Planning and Procurement of Capital Enhancements. He noted that many of the revisions are non-substantive to utilize consistent terms throughout the policies. Mr. Lindgren added that the respective roles of the Chair and Executive Director are further clarified to reflect current practices, and these changes would be helpful for the governance of the Authority in the future.

Mr. Lindgren noted the substantive revisions to the Procurement Policy establishes the guidelines for the procurement of goods and services and specifies the manner for competitive purchases. He said that Small Purchases are now defined as procurements valued between \$25,000 and \$175,000 whereas previously the limit for small purchases was \$100,000. In addition, Mr. Lindgren said that Major Purchases are now defined as procurements valued at greater than \$175,000 whereas previously major purchases were greater than \$100,000.

Mr. Lindgren said that the threshold for a competitive process when contracting for professional services was increased from \$100,000 to \$175,000.

Regarding the Procedures for Planning and Procurement of Capital Enhancements, Ms. Fox-Stroman said the procedures were developed to provide for a process for capital planning, budgeting, and the procurement of capital improvements authorized by the approved Capital Budget. She noted that MSFA staff recently reviewed the procedures and found that some of the procedures were outdated, and the forms did not add value for capital procurements that are managed by staff. Ms. Fox-Stroman stated the proposed procedures now provide guidance if an external consultant or other agent is retained to administer the procurement process. She said that the procedures were modified to streamline and update the process. Dates were changed to coincide with the Authority's fiscal year. Budget preparation directions were removed since the Authority staff prepares the annual operating and capital budgets, and outdated language was removed. *See, Exhibit F.*

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

The Minnesota Sports Facilities Authority authorizes the revisions to the Procurement Policy and the Procedures for Planning and Procurement of Capital Enhancements presented on June 21, 2023

vi. Approve 2022-2023 Capital Reserve Budget Amendment #2

Chair Vekich asked Ms. Fox-Stroman to discuss the 2022-2023 Capital Reserve Budget Amendment #2.

Ms. Fox-Stroman said that on June 16, 2022, the Authority adopted the 2022-2023 Capital Reserve budget, and the original budget included Capital Reserve Revenues of \$3,614,181 and Capital Reserve Expenses of \$5,334,952. Ms. Fox-Stroman then noted on January 26, 2023, the Authority approved Budget Amendment #1 which increased the Capital Reserve Expense budget from \$5,334,952 to \$7,946,553, an increase of \$2,611,601 for additional capital projects that were identified by ASM Global.

Ms. Fox-Stroman said that in May 2023 Minnesota Governor Waltz signed the 2023 Tax Bill that

appropriated \$15,700,000 from the State of Minnesota general fund to the Commissioner of Minnesota Management and Budget (MMB) who then allocated the funds to the Minnesota Sports Facilities Authority for the Secured Perimeter Project at U.S. Bank Stadium. She said the funding was needed to construct and install the permanent anti-ram/anti-climb fencing, wedge barriers, and custom bollards on the north, east, and south sides of the stadium.

Ms. Fox-Stroman said the Authority accepts the funding contribution of \$15,700,000 from the State of Minnesota for the Secured Perimeter Project – Phase 1. She added that the payment from MMB is anticipated to be received by June 30, 2023. Ms. Fox-Stroman said the new funding requires an increase of \$15,700,000 in the Authority’s Capital Reserve Revenue budget and the Capital Reserve Expense budget. *See, Exhibit G.*

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

The Minnesota Sports Facilities Authority accepts funding of \$15,700,000 from the State of Minnesota for the Secured Perimeter Project – Phase 1, and the Authority approves an increase of \$15,700,000 to the 2022-2023 Capital Reserve Revenue Budget, and an increase of \$15,700,000 to the Capital Reserve Expense Budget. The total Capital Reserve Revenue Budget will increase to \$19,314,181 and the total Capital Reserve Expense Budget will increase to \$23,646,553.

vii. Approve 2023-2024 Budget

Chair Vekich asked Ms. Fox-Stroman to discuss the 2023-2024 Operating and Capital Budget.

Ms. Fox-Stroman said the 2023-2024 Operating and Capital Budget is for the fiscal period from July 1, 2023 through June 30, 2024, and includes the Operating account, Capital Reserve account, and the Concession Capital Reserve account. Ms. Fox-Stroman discussed the budget narrative that included the budgeted revenues, expenses, and transfers for each account, a capital projects list, and a concession capital projects list. *See, Exhibit H.*

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

The Minnesota Sports Facilities Authority adopts the attached 2023-2024 Operating and Capital Budget for the fiscal period July 1, 2023, through June 30, 2024, for the Operating account, the Capital Reserve account, and the Concession Capital Reserve account. The Authority authorizes the Chair and Executive Director to adjust the detailed revenue and expense budget lines within the Operating account budget and to adjust the project budgets within the Capital Reserve Project budget and Concession Capital Reserve Project budget.

b. Report Items

i. 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 U.S. Bank Stadium hosted the Minnetonka High School graduation, the 3-day IFS Regional event, and many private events over the past four weeks. Mr. Drum said that ASM is preparing for the two upcoming Taylor Swift concerts, the Ed Sheeran concert, two Vikings preseason games in August, the North Dakota State versus Eastern Washington college football game in September, and the Billy Joel/Stevie Nicks concert in November. Mr. Drum then recognized Ms. Jenifer Freeman who was recently honored as Aramark's General Manager of the Year at the Aramark national conference in Philadelphia.

b. Aramark Sports & Entertainment Update

Chair Vekich asked Ms. Jenifer Freeman, General Manager of Aramark, to provide an update for Aramark.

Ms. Freeman noted that Aramark was busy preparing for the Taylor Swift concerts. She noted that they would be fully staffed for both nights. Ms. Freeman said they have hired a new Assistant General Manager to assist her at the stadium.

ii. Minnesota Vikings Update

Chair Vekich asked Mr. Lester Bagley, Minnesota Vikings, to provide an update. Mr. Bagley said that the Vikings have completed organized Team activities and minicamp. He noted that the Vikings training camp will begin soon, and there will be two joint practices with the Tennessee Titans and the Arizona Cardinals.

Mr. Bagley gave a brief legislative update and said the State of Minnesota would defease and pay off the stadium bonds at the end of June and provide \$15.7 million funding to the MSFA for Phase 1 of the Secured Perimeter Project.

6. PUBLIC COMMENTS

There were no public comments.

7. DISCUSSION

There was no discussion.

7. ANNOUNCEMENT OF NEXT MEETING

Chair Vekich announced that the next MSFA meeting will be held on Thursday, July 27, 2023, 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 9:34 a.m.



MEMORANDUM

EXHIBIT B

To: MFSA Commissioners

From: Ben Jay, Executive Director

Date: August 17, 2023

Subject: Update on Suites and Guest Experience Equipment

The Board authorized the Chair and Executive Director to finalize negotiations and execute a contract for the procurement of the Suites and Guest Experience Equipment at its June 21, 2023, meeting. Staff agreed to provide an update to the Board at a future meeting following finalization of negotiations with the selected contractor.

The Minnesota Sports Facilities Authority published a Request for Quotes (RFQ) on June 13, 2023, for the procurement of Suites and Guest Experience Equipment. Only one proposal was received from CDW Direct LLC for \$345,133.81. A purchase order for the procurement of the equipment was subsequently executed with CDW Direct LLC.

The Suites equipment includes 200 iPads, 96 wall mount kits, 8 countertop charging stations, 12 wall mount/wireless charging stations, and 30 protective cases for the iPads. The Guest Experience equipment includes 300 iPhones and 300 protective cases for the phones. Also included is the mobile device management platform software that will facilitate management, control, and support for this equipment.