



MASSACHUSETTS GAMING COMMISSION
PUBLIC MEETING #205

December 1, 2016
1:00 p.m.
MassMutual Center
1277 Main Street – Meeting Room 5
Springfield, MA



Massachusetts Gaming Commission



NOTICE OF MEETING and AGENDA

December 1, 2016

Pursuant to the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25, notice is hereby given of a meeting of the Massachusetts Gaming Commission. The meeting will take place:

Thursday, December 1, 2016

1:00 p.m.

MassMutual Center

1277 Main Street – Meeting Room 5

Springfield, MA

PUBLIC MEETING - #205

1. Call to order
2. Administrative Update – Ed Bedrosian, Executive Director
 - a. General Update
3. Ombudsman Report – John Ziemba
 - a. MGM Quarterly Report – Mike Mathis, President – MGM Springfield, . . .
 - b. Final 2017 Community Mitigation Fund Guidelines – VOTE
4. Investigations and Enforcement Division – Karen Wells, Director
 - a. Gaming Vendor Primary Suitability Determination – VOTE
5. Commissioner's Updates
 - a. Online Gaming Discussion – S. Crosby, Chairman
6. Other business – reserved for matters the Chair did not reasonably anticipate at the time of posting.

I certify that on this date, this Notice was posted as “Massachusetts Gaming Commission Meeting” at www.massgaming.com and emailed to: regs@sec.state.ma.us, melissa.andrade@state.ma.us.

11/29/16
DATE


Lloyd Macdonald, Commissioner

Date Posted to Website: November 29, 2016 at 1:00 p.m.



Massachusetts Gaming Commission

No Documents

**Massachusetts Gaming Commission
Quarterly Report Presentation:
3rd Quarter 2016**

December 1, 2016



Mike Mathis

President & COO - MGM Springfield





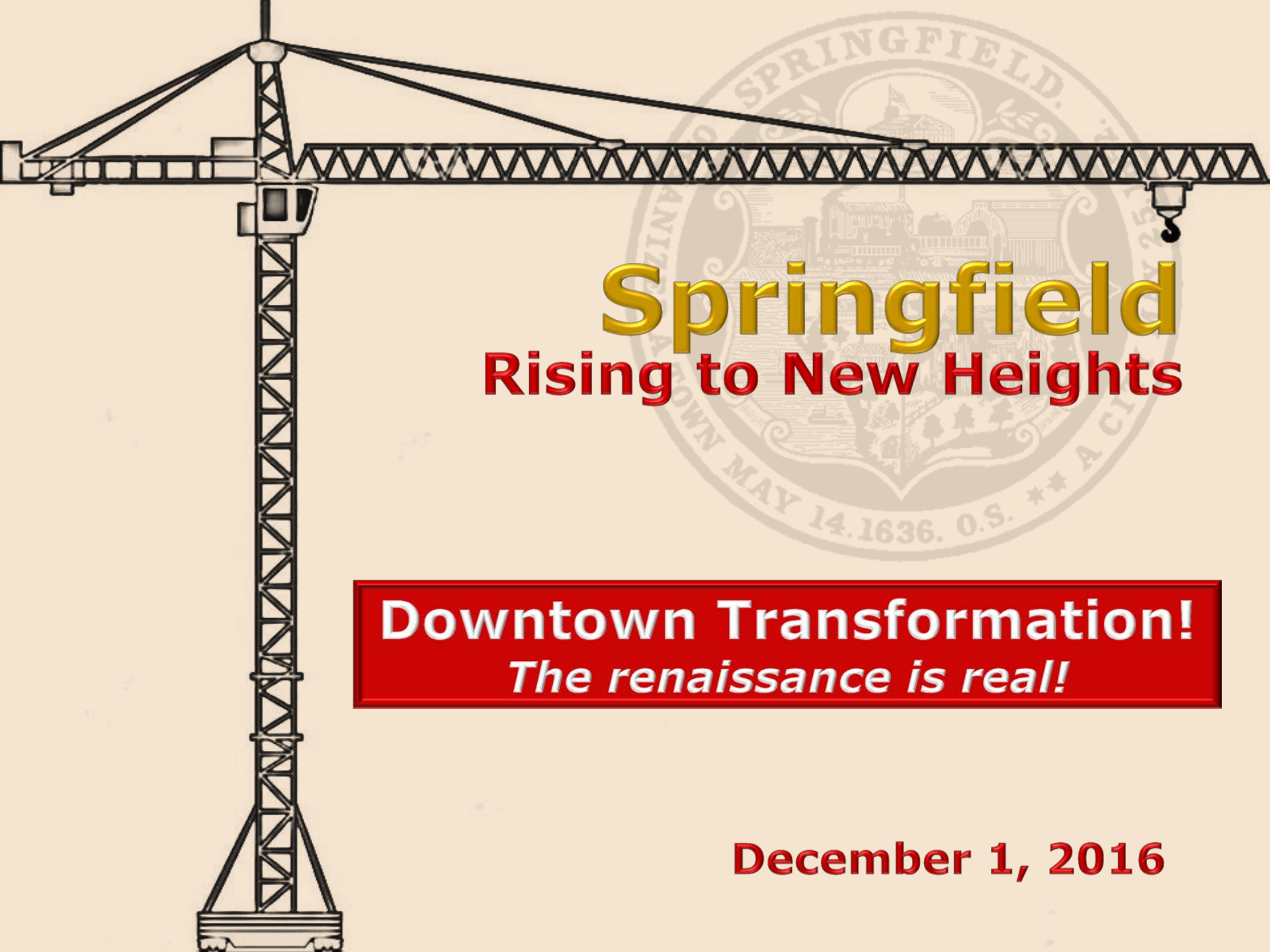
Springfield

Rising to New Heights

Kevin Kennedy
Chief Development Officer

December 1, 2016





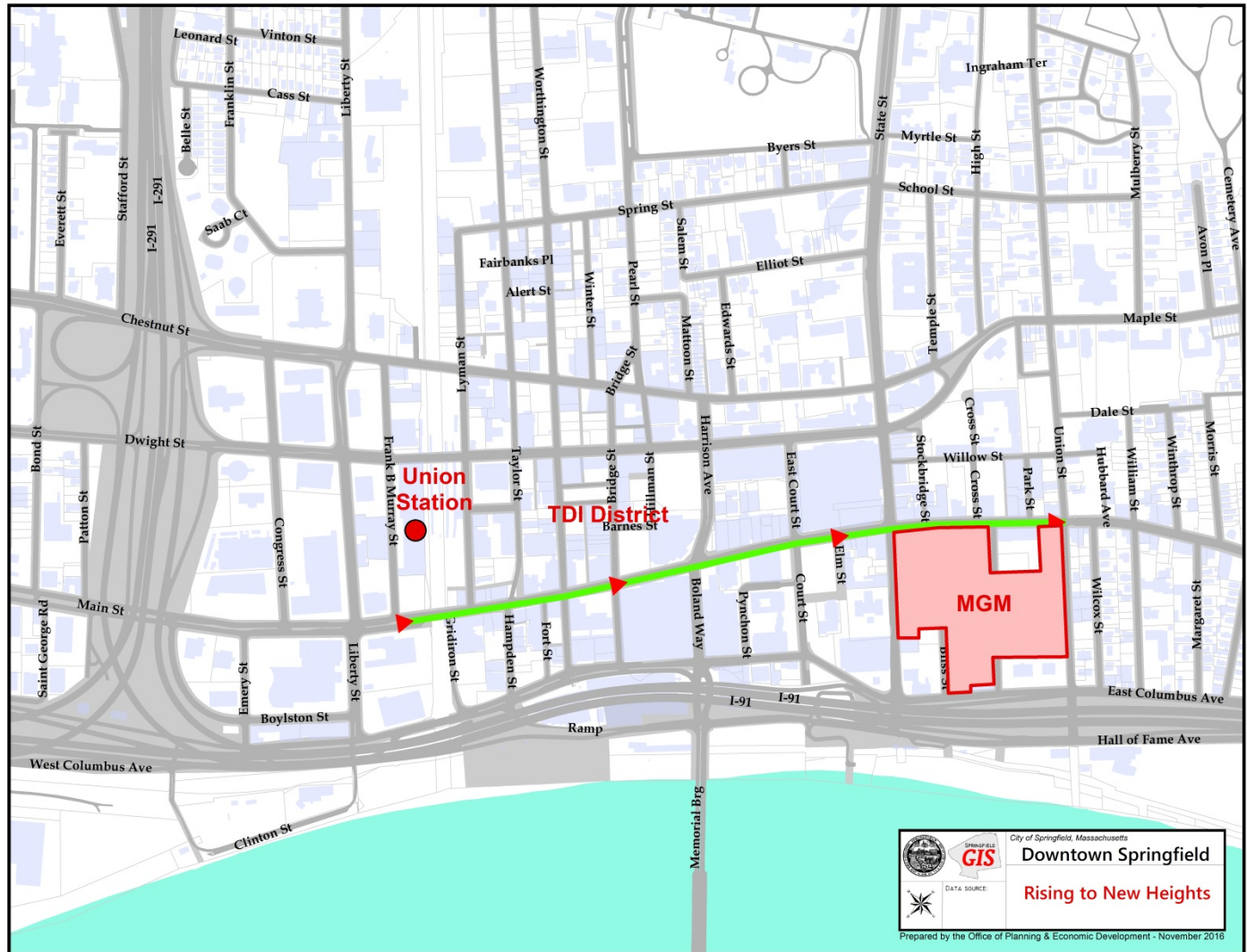
Springfield

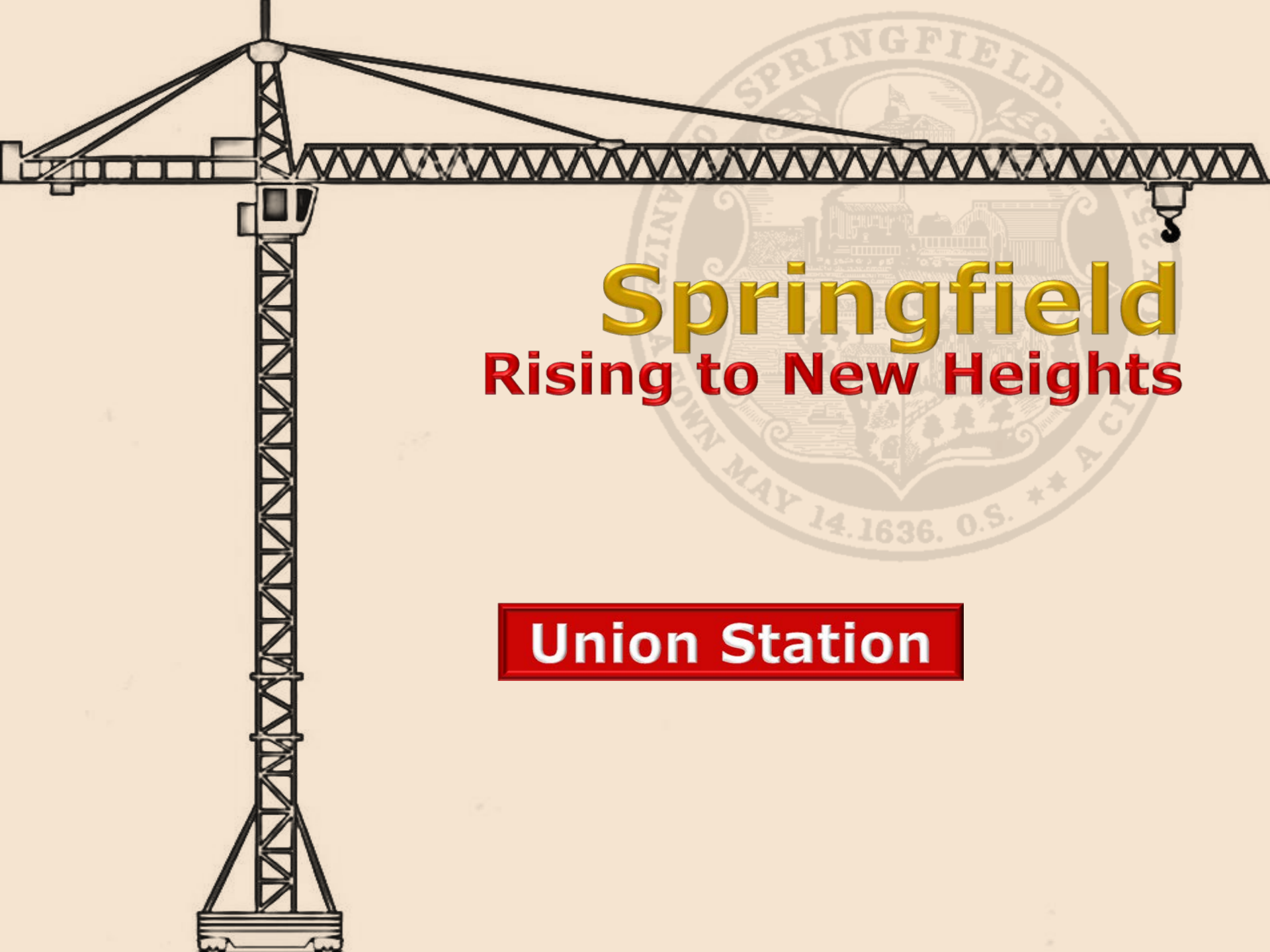
Rising to New Heights

Downtown Transformation!
The renaissance is real!

December 1, 2016

Strategies...





Springfield
Rising to New Heights

Union Station



Program Specifics:

- **\$93 million renovation of Union Station to be complete at end of this year**
- **New 377-space parking garage structure has been erected, 27 bus berths nearing completion**
- **Existing Amtrak service continues, seeking additional service north**
- **Commuter rail will start in January, 2018 with 17 daily round-trips between New Haven and Hartford, and 12 daily round-trips continuing north to Springfield.**



Union Station



Union Station



Strategies...

INNOVATION CENTER

- **Project cost: \$6M**
- **Opening February 2017**
- **Home to Valley Venture Mentors**
- **Partnership between MassDevelopment and DevelopSpringfield**
- **MassMutual a major contributor**



Springfield Innovation Center
Historic Restoration of the Trinity Block - Bridge Street, Springfield, MA
studio one inc | architects-planners



Strategies...

CULTURAL DISTRICT

- **53 Member organization/41 in downtown**
- **District engages more than 2.7M visitors downtown annually**
- **Members contribute total annual revenues in excess of \$37M within the District**
- **Represents more than 340 board members**
- **Sponsored local artist to paint 23 utility boxes in downtown**
- **Springfield is one of only 3 pilot cities in the US working with FutureCity of London, England on the creation of an arts and economic development strategy for downtown**



Strategies...

BIKE-SHARE

- **Regional bike share program to be called Valley Bike**
- **Partners include: Springfield, Holyoke, Northampton, Amherst and South Hadley**
- **Proposed to have 8 stations with 72 bicycles in Springfield**
- **“Smartbike” technology allows for easy installation – currently looking for station sponsors**
- **Target Date: July 2017**



Help Us Bring ValleyBike Share To the Pioneer Valley

Costs for Bike Share Station Sponsorship
Annual Station Sponsorship: \$12,000 per station, per year (based on 3-year contract)

We are open to suggestions for alternative payment sponsorship ideas



CONTACT:
Pioneer Valley Planning Commission
413.781.5045
www.pvpc.org/regionalbikeshare



ValleyBike Share Steering Committee
Holyoke, Springfield, Amherst, South Hadley, Northampton, & UMass Amherst



www.pvpc.org

Sponsorship Opportunities for ValleyBike Share

What is ValleyBike Share?

- Bike sharing is an alternative mode of transportation that stands readily available at central locations and can be used for a fee, free from the worries of ownership of the bicycles. Bike sharing is ideal for short distance point-to-point trips providing users the ability to pick up a bicycle at any self-serve bike-station and return it to any other bike station located within the system's service area.

Benefits of Bike Share

- Promotes healthy, active living
- Supports downtown revitalization and economic development (i.e. green jobs, improved access to businesses, helping to "brand" the region).
- Reduces traffic and vehicle and greenhouse gas emissions
- Builds support for biking and contributes to the "safety-in-numbers" effect
- Fills in the "last-mile" between transit or rail service and work/home

Who Uses Bike Share? Everyone!

Typical user profiles:

- Local residents
- Business district commuters
- People who do not own a car or bicycle
- College students and staff
- Visitors and tourists

The Bike Share Revolution: Locations across the U.S.



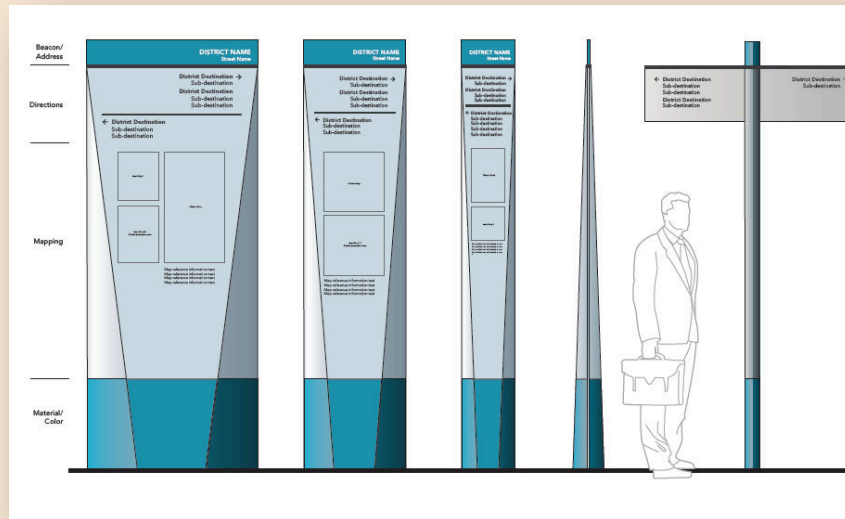
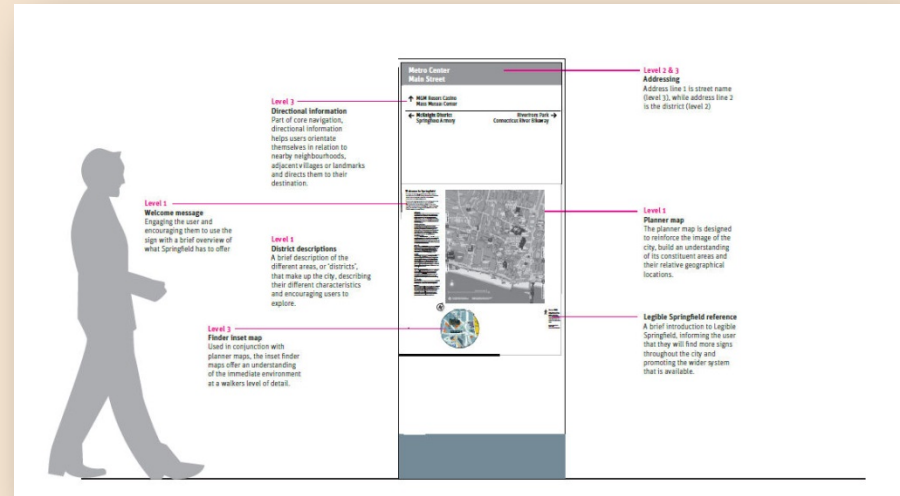
Bike Share Success: In Cities Large and Small

- **HikWay**, Greater Boston: Population 900,000
 - 2011 Launch: 610 (peak use: 1,500 trips/day)
 - 2015: 1,500 bikes (peak use: 3,000 trips/day)
 - 2011-2015: 4 million trips
- **GREENbike**, Salt Lake City: Population 190,000
 - 2013 Launch: 100 bikes (25,400 trips/day)
 - 2014: 113 bikes (46,300 trips/day)
 - 2015: 150 bikes (>85,000 trips/day)

Strategies...

WAY-FINDING SIGNAGE

- Temporary system currently in place in the Metro Center
- Permanent system currently under design by Applied Wayfinding
- Projected installation - Fall 2017



Strategies...



Strategies...





Total Development Investments

VISION 2017 INVESTMENT:

(PRESENTATION MADE DECEMBER 2014)

- **\$2.766B**

NEW INVESTMENT SINCE VISION 2017 PRESENTATION:

- Public Investments:

- **\$82.32M**

- Private Investments

- **\$459.16M**

- Total New Investments:

- **\$541.48M**

TOTAL DEVELOPMENT
INVESTMENT:

\$3.307B

(INCREASE OF 16.4% SINCE DECEMBER 2014)

Brian Packer

Vice President - Construction/Development



Construction Update



OVERALL SITE PROGRESS



Overall Site Activity - June 28, 2016

Notes:

(1) Reference Quarter 3 2016 Status Report Section 5a and 5b.

OVERALL SITE PROGRESS



Overall Site Activity - September 26, 2016

Notes:

(1) Reference Quarter 3 2016 Status Report Section 5a and 5b.

OVERALL SITE PROGRESS



Aerial View - June 27, 2016



Aerial View - September 20, 2016

Notes:

(1) Reference Quarter 3 2016 Status Report Section 5a and 5b.

GARAGE CONSTRUCTION



Site View - August 24, 2016

Notes:

(1) Reference Quarter 3 2016 Status Report Section 5a and 5b.



Garage Construction - September 22, 2016

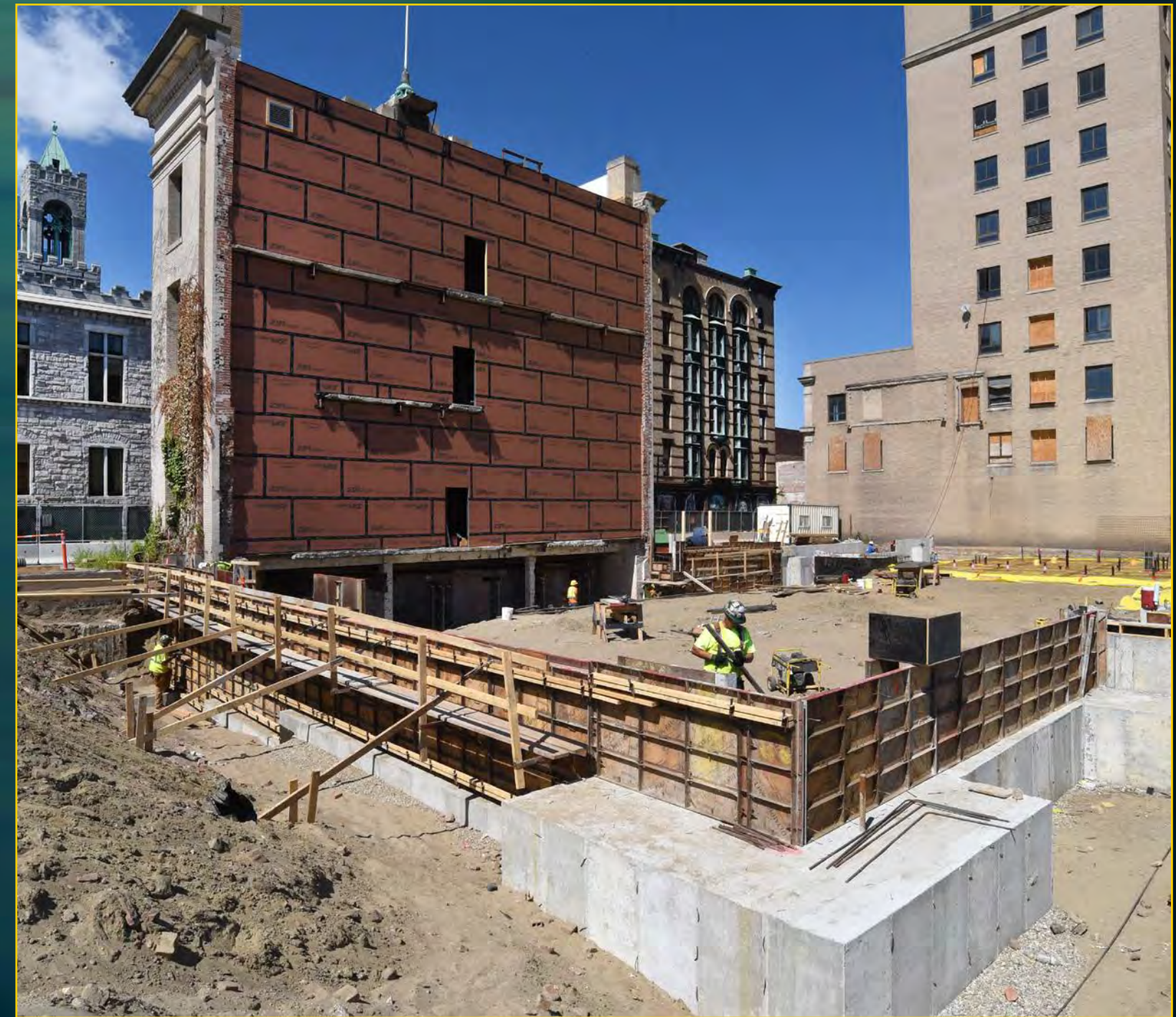


Garage Construction - September 22, 2016

DEMOLITION



73 State Street Completed Facade Demo - July 19, 2016



73 State Street Enclosed - August 29, 2016

Notes:

(1) Reference Quarter 3 2016 Status Report Section 5a and 5b.

UNION CHANDLER/ ARMORY



Armory Abatement - September 12, 2016



Union Chandler - September 12, 2016



Union Chandler - September 13, 2016

Notes:

- (1) Reference Quarter 3 2016 Status Report Section 5a and 5b.

DEMOLITION



Union Chandler - September 14, 2016

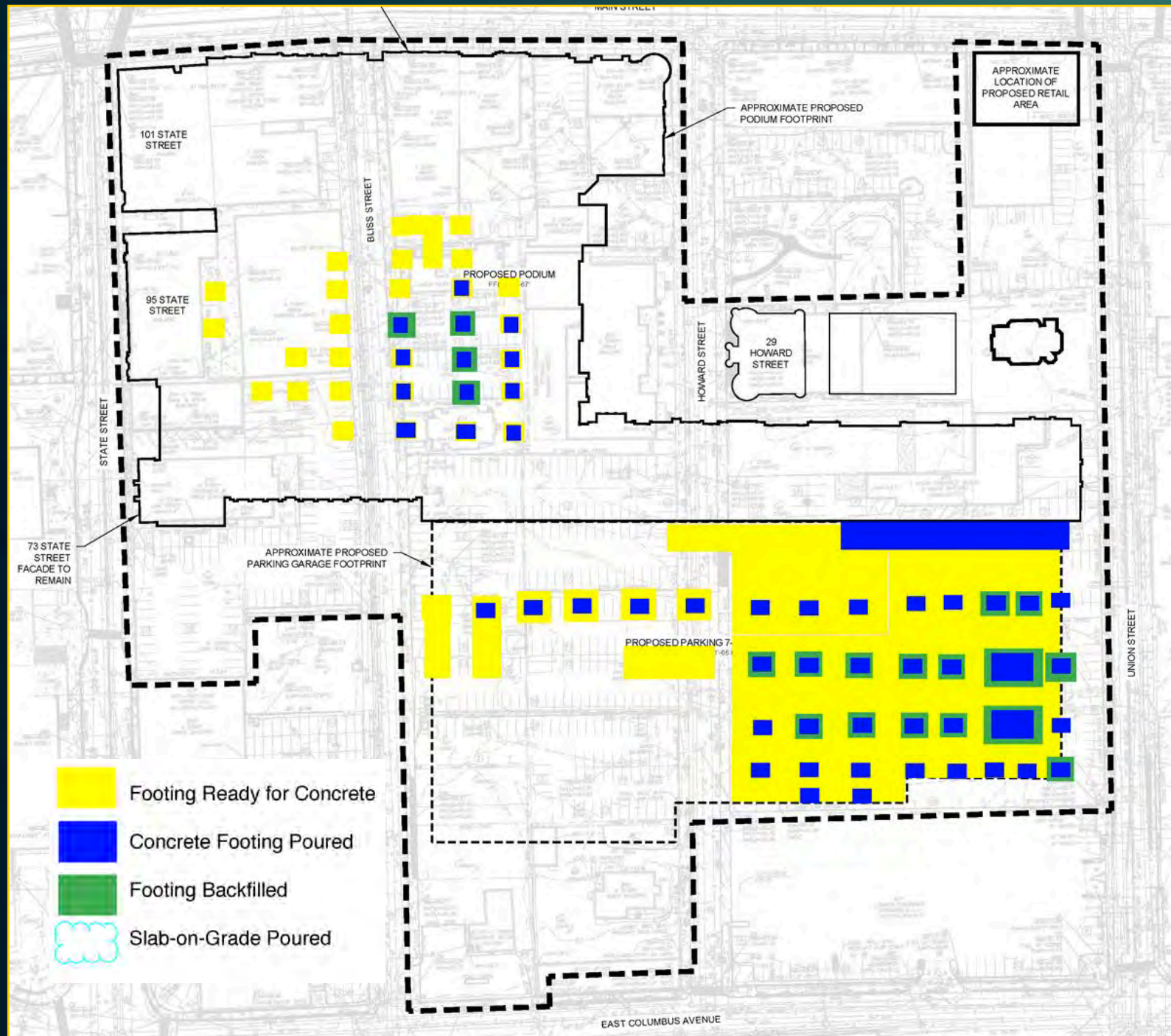


Union Chandler - September 21, 2016

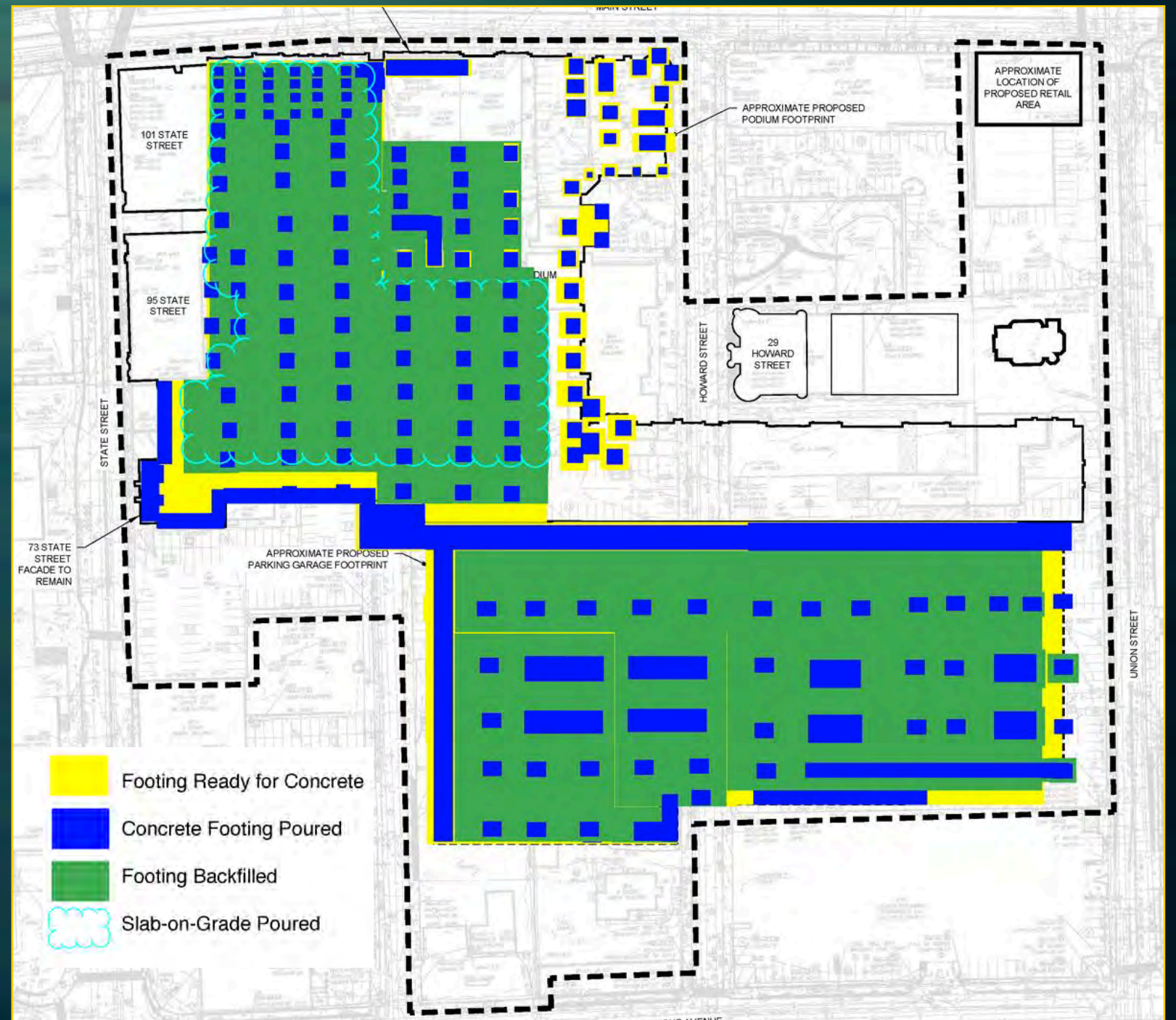
Notes:

(1) Reference Quarter 3 2016 Status Report Section 5a and 5b.

FOUNDATION PROGRESS



Foundation Diagram - June 30, 2016



Foundation Diagram - September 22, 2016

Notes:

(1) Reference Quarter 3 2016 Status Report Section 5a and 5b.

PODIUM CONSTRUCTION PROGRESS



Podium Construction - September 1, 2016



Stormwater Retention - September 2, 2016

Notes:

- (1) Reference Quarter 3 2016 Status Report Section 5a and 5b.

CONSTRUCTION CRANE ERECTION



Crane Erection - September 26, 2016



Crane Erection - September 28, 2016

Notes:

- (1) Reference Quarter 3 2016 Status Report Section 5a and 5b.



Crane Erection - September 29, 2016

DESIGN UPDATE

- Construction Documents through Addendum 4 were issued for Parking Garage.
- Podium Core and Shell Deltas 2 and 3 were issued for Permit.
- Drawings for the 95 State Street Bid Package was prepared and issued to bidders.
- 95 State Winterization Package was issued.
- Hotel Model Room construction drawings and specifications were issued for construction.



Notes:

(1) Reference Quarter 3 2016 Status Report Section 5a.

SCHEDULE

- Final project schedule was submitted to MGC on November 6, 2015.
- Monthly updates were provided on:
 - August 3, 2016
 - August 31, 2016
 - September 30, 2016

Notes:

(1) Reference Quarter 3 2016 Status Report Section 1a and Appendix A.

Seth Stratton

*Vice President & General Counsel
- MGM Springfield*



Q3 2016 COST ESTIMATE (\$mm)

Ref	Description	Incurred To Date	Remaining	Total Estimate
1	Construction / Design	\$102	\$394.7	\$496.7
2	FF&E	\$0	\$75.0	\$75.0
3	OSE	\$0	\$43.7	\$43.7
	Subtotal of Eligible Cap. Costs	\$102	\$513.4	\$615.4
4	Land	\$49.5	\$1.8	\$51.3
5	Off-site Parcel Improvements	\$11.4	\$0	\$11.4
6	License/ Application Fees	\$85.0	\$0	\$85.0
7	Pre-opening Exp. / Host Comm. Costs	\$39.4	\$83.1	\$122.5
8	Fin. Costs / Capitalized Int.	\$10.7	\$57.8	\$68.5
9	Project Contingency	\$0	\$35.0 - \$41.8	\$35.0 - \$41.8
	Subtotal of Ineligible Costs	\$196	\$177.7 – \$184.5	\$373.7 - \$380.5
	Total	\$298	\$691.1 - \$697.9	\$989.1 - \$995.9

Notes:

1. Total estimate before Contingency is \$954.1mm. If spent, Contingency is more likely to be spent on and reclassified as Eligible Capital Costs.
2. The figures above are approximations to the nearest hundred thousand, which in some instances results in minor discrepancies (\$100k or less) in sums.

Brian Packer

Vice President - Construction/Development



Diversity Update



DESIGN & CONSTRUCTION COMMITMENTS

THROUGH SEPTEMBER 27, 2016

Group	Project Goals	Commitments	Variance	Company Count	Value
WBE	10.0%	13.4%	3.4%	49	\$27.88M
MBE	5.0%	6.2%	1.2%	29	\$13.02M
VBE	2.0%	6.4%	4.4%	12	\$13.34M

Notes:

- (1) Total Commitments through September 27, 2016 are \$208.3M.
 - (2) Includes companies that are certified with the following agencies:
 - MBE - Massachusetts Supplier Diversity Office or Greater New England Minority Supplier Development Council.
 - WBE - Massachusetts Supplier Diversity Office or Women's Business Enterprise National Council.
 - VBE - United States Department of Veteran Affairs or Massachusetts Gaming Commission.
 - (3) Reference Quarter 3 Status Report Section 2b and Appendix B.
- WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.

DESIGN & CONSULTING COMMITMENTS

THROUGH SEPTEMBER 27, 2016

Group	Project Goals	Commitments	Company Count	Value
WBE	10.0%	12.2%	15	\$4.44M
MBE	5.0%	11.6%	15	\$4.22M
VBE ⁽³⁾	2.0%	4.6%	2	\$1.67M

Notes:

- (1) Total Commitments through September 27, 2016 are \$36.4M.
 - (2) Includes companies that are certified with the following agencies:
 - MBE - Massachusetts Supplier Diversity Office or Greater New England Minority Supplier Development Council.
 - WBE - Massachusetts Supplier Diversity Office or Women's Business Enterprise National Council.
 - VBE - United States Department of Veteran Affairs or Massachusetts Gaming Commission.
 - (3) Value for VBE (Stevens & Associates) is included in the Construction Commitments because they are being billed through Tishman.
 - (4) Reference Quarter 3 Status Report Section 2b and Appendix B.
- WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.



DESIGN & CONSULTING COMMITMENTS

THROUGH SEPTEMBER 27, 2016

Ref	Company	Scope	Location	Diversity Status
1	A I Engineers, Inc.	Construction Engineering and Inspection	Middletown, CT	MBE
2	AAC Investments, LLC	Interior Design	Los Angeles, CA	WBE
3	AFO Project Consulting, LLC	Construction Consulting	Las Vegas, NV	VBE
4	Akal Engineering, Inc.	MEP Consulting Engineering Services	Berlin, MA	MBE
5	Andelman & Lelek Engineering, Inc.	Energy Modeling	Norwood, MA	WBE
6	Black Hawk Group	Consulting Engineer Services	Philadelphia, PA	MBE
7	C&C Consulting Engineers, LLC	Structural Peer Review	Allston, MA	MBE
8	Calvin Consulting Services, LLC	Construction Consulting	Las Vegas, NV	WBE
9	Communications for Design LLC	Design and Project Management Support Services	Northfield, MN	WBE
10	Convergent Technologies Design Group, Inc.	Acoustics/ Audio Visual/ IT/ Low Voltage	Lockport, NY	WBE
11	Copley Wolff Design Group, Inc.	Full Landscape Architectural Services	Boston, MA	WBE
12	Desert Construction Consulting, Ltd	Estimating and Contractor Bidding Services	Henderson, NV	MBE
13	Desman, Inc.	Parking Garage Bridging Documents (LOA)	Boston, MA	MBE
14	Dietz & Company Architects, Inc.	Full Service Architecture and Interior Design	Springfield, MA	WBE
15	Engineers Design Group, Inc.	Structural Engineering Consulting Services	Malden, MA	MBE
16	Erin Chrusciel Photography, LLC	Photography	East Longmeadow, MA	WBE

Notes:

- (1) Includes companies that are certified with the following agencies:
- MBE - Massachusetts Supplier Diversity Office or Greater New England Minority Supplier Development Council.
 - WBE - Massachusetts Supplier Diversity Office or Women's Business Enterprise National Council.
 - VBE - United States Department of Veteran Affairs or Massachusetts Gaming Commission.
- (2) Green highlighted companies have been paid as of August 31, 2016.
- (3) Reference Quarter 3 2016 Status Report Section 2b and Appendix B.
- WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.

DESIGN & CONSULTING COMMITMENTS

THROUGH SEPTEMBER 27, 2016

Ref	Company	Scope	Location	Diversity Status
17	Fernandez & Associates	Fire Protection Design and Code Consulting Services	Byfield, MA	MBE
18	JoAnn Jones	Administrative Services	Henderson, NV	WBE
19	Keville Enterprises, Inc.	Construction Management and Inspection	Marshfield, MA	WBE
20	Marshall Moya Design, LLC	Architectural Services	Washington, DC	MBE
21	MCLA, Inc.	Lighting	Washington, DC	WBE
22	Nitsch Engineering, Inc.	Engineering Services	Boston, MA	WBE
23	Pari Riahi Architects, Inc.	Executive Architect	Amherst, MA	WBE
24	Pristine Engineers, Inc.	MEP Peer Review Services	Raynham, MA	MBE
25	Renderready, LLC	Rendering and Graphic Design	Henderson, NV	MBE
26	Soden Sustainability Consulting, LLC	LEED	Winchester, MA	WBE
27	Spec's Design Group, LLC	Interior Design	Springfield, MA	WBE
28	Stevens & Associates	Façade Stabilization Design	Brattleboro, VT	VBE
29	Timothy Haahs & Associates, Inc.	Architect and Engineer of Record/ Parking Consultant	Blue Bell, PA	MBE
30	US Inspection & Consulting, LLC	Construction Inspections	Lake Havasu City, AZ	MBE
31	VAV International, Inc.	Mechanical Consulting	Woburn, MA	MBE
32	WA Architects, Inc.	Architectural Services	Cleveland, OH	MBE

Notes:

- (1) Includes companies that are certified with the following agencies:
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 - VBE - United States Department of Veteran Affairs or Massachusetts Gaming Commission.
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CONSTRUCTION COMMITMENTS

THROUGH SEPTEMBER 27, 2016

Group	Project Goals	Commitments	Company Count	Value
WBE	10.0%	13.6%	34	\$23.44M
MBE	5.0%	5.1%	14	\$8.80M
VBE ⁽³⁾	2.0%	6.8%	10	\$11.67M

Notes:

- (1) Total Commitments through September 27, 2016 are \$172.0M.
- (2) Includes companies that are certified with the following agencies:
 - MBE - Massachusetts Supplier Diversity Office or Greater New England Minority Supplier Development Council.
 - WBE - Massachusetts Supplier Diversity Office or Women's Business Enterprise National Council.
 - VBE - United States Department of Veteran Affairs or Massachusetts Gaming Commission.
- (3) Connecticut Temperature controls VBE diversity is not currently being counted pending a review by the Massachusetts Gaming Commission.
- (4) Reference Quarter 3 2016 Status Report Section 2b and Appendix B.

WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.

DIVERSE CONSTRUCTION COMPANIES

THROUGH SEPTEMBER 27, 2016

Ref	Company	Scope	Location	Diversity Status
1	Aces Enterprises, LLC	Steel Plate Supplier	Dunlap, IL	VBE
2	All American Signs	Signage	Plymouth, MA	VBE
3	American Environmental, Inc.	Abatement	Holyoke, MA	MBE
4	Architectural Products, Inc.	Glass and Glazing	Burlington, CT	WBE
5	Arrow Security Corporation	Security Guard Services	Springfield, MA	VBE
6	Ayala Excavating and Trucking, LLC	Trucking	Springfield, MA	MBE
7	BECO Electrical Contractors, Inc.	Electrical	Monson, MA	VBE
8	Berkshire Concrete Cutting, LLC	Saw Cutting	Torrington, CT	WBE
9	C&C Contractors, LLC	Trucking Services	Springfield, MA	MBE
10	C&D Electronics, Inc.	Cabling, Wiring, Electronics Supplier	Holyoke, MA	WBE
11	Chabot & Burnett Construction Co., Inc.	Masonry Contractor	Agawam, MA	WBE
12	CK Flooring Solutions, Inc.	Carpet Installer	Chicopee, MA	WBE
13	CMJ, LLC	Property Management/Maintenance	Springfield, MA	MBE
14	Connecticut Drywall Finishing, Inc.	Drywall	West Springfield, MA	WBE
15	Connecticut Temperature Controls, LLC	Controls	Newington, CT	VBE

Notes:

(1) Green highlighted companies have worked on site and been paid as of August 31, 2016.

(2) Reference Quarter 3 2016 Status Report Section 2b and Appendix B.

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DIVERSE CONSTRUCTION COMPANIES

THROUGH SEPTEMBER 27, 2016

Ref	Company	Scope	Location	Diversity Status
16	Coghlin Electrical Contractors, Inc.	Electrical Services	Worcester, MA	WBE
17	C.R. Levesque Trucking Corp.	Hauling & Equipment Transportation	Monson, MA	WBE
18	Davenport Advisors, LLC	Asset Management, Financing, Leasing, Repositioning and Redevelopment of Existing Properties	Boston, MA	MBE
19	Dependable Masonry Construction Company, Inc.	Masonry and Brickpaving	North Reading, MA	MBE
20	Eastern General Contractors, Inc.	General Contractor - Rigging	Springfield, MA	MBE
21	EDM Construction, Inc.	Carpentry & Structural Steel Erection	Merrimac, MA	WBE
22	E L Waterman, Inc.	Pipe Supplier	Foxboro, MA	WBE
23	Evermore Light & Power, Inc.	Electrical	Somerville, MA	WBE
24	Fabiano Oil Corp.	Fuel & Oil Supplier	Wrentham, MA	WBE
25	Fisher Contracting Corporation	General Contracting Services	Worcester, MA	WBE
26	Federal Concrete, Inc.	Concrete Services	Hopedale, MA	WBE
27	Fletcher Sewer & Drain, Inc.	Inspection - FEIR	Ludlow, MA	WBE
28	Folan Waterproofing and Construction Company, Inc.	Masonry Contractors & Waterproofing	South Easton, MA	WBE

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DIVERSE CONSTRUCTION COMPANIES

THROUGH SEPTEMBER 27, 2016

Ref	Company	Scope	Location	Diversity Status
29	Frisoli Electric, Inc.	Electrical	Holbrook, MA	VBE
30	Gomes Construction Co. Inc.	Utility Connections	Ludlow, MA	WBE
31	Granite City Electric Supply Company, Inc.	Electrical Supplier	Quincy, MA	WBE
32	Green Insulation, Inc.	Insulation	Adams, MA	WBE
33	H B Welding, Inc.	Steel, Welding, Iron Work	Johnston, RI	WBE
34	Industrial Flame Cutting, Inc.	Steel Plate Supplier	Beacon Falls, CT	VBE
35	JRL Construction, Inc.	General Contractor - Demolition	Springfield, MA	VBE
36	Kittredge Equipment Company, Inc.	Kitchen Equipment	Agawam, MA	WBE
37	L.K. Sheet Metal, Inc.	Sheet Metal	East Hartford, CT	WBE
38	Larry's Trucking Co.	Trucking	Springfield, MA	MBE
39	Lindon Group	Piping Materials	East Providence, RI	WBE
40	Medeiros Hydroseeding & Landscaping Construction, Inc.	Trucking and Soil Materials	Monson, MA	MBE
41	Moor Metals, Inc.	Sales and Distribution of Metals	Holliston, MA	MBE
42	Ms. Pipe, LLC	Procurement of Valves, Pipes and Fittings	South Windsor, CT	WBE
43	New England Foundation Company, Inc.	Helical Piles	Andover, MA	WBE

Notes:

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DIVERSE CONSTRUCTION COMPANIES

THROUGH SEPTEMBER 27, 2016

Ref	Company	Scope	Location	Diversity Status
44	Northeastern Steel Corporation	Steel Distributor	Revere, MA	MBE
45	Performance Testing & Balancing LLC	Testing & Balancing	South Hampton, MA	VBE
46	Rebars & Mesh, Inc.	Concrete	Haverhill, MA	WBE
47	Regis Steel Corporation	Steel Erection/ Reinforcing	Fall River, MA	MBE
48	S&F Concrete Contractors, Inc.	Concrete	Hudson, MA	MBE
49	Security Construction Services, Inc.	Fencing	Hudson, MA	WBE
50	SOS Corporation	Construction Cleaning, Selective Interior Demolition	Milford, MA	WBE
51	Steere Engineering, Inc.	Engineering Services	Warwick, RI	WBE
52	Strategic Environmental Services, Inc.	Environmental Consultants	Sutton, MA	WBE
53	T & M Equipment Corporation	Excavating Contractor	Springfield, MA	VBE
54	Titan Roofing Company	Roofing	Springfield, MA	MBE
55	Triton Leasing and Rental, Inc.	Demolition & Abatement	Feeding Hills, MA	WBE
56	Ultimate Abatement Company, Inc.	Abatement	Plainfield, MA	WBE
57	Welch Associates Land Surveyors, Inc.	Land Surveying	West Bridgewater, MA	WBE
58	Willow Tree Outdoor, LLC	Landscape	Springfield, MA	WBE

Notes:

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(2) Reference Quarter 3 2016 Status Report Section 2b and Appendix B.

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WORKFORCE DIVERSITY STATISTICS - TOTAL

AS OF SEPTEMBER 27, 2016

Group	Project Goals	Project To Date %
Women	6.90%	9.27%
Minority	15.30%	26.20%
Veteran	8.00%	9.44%

Notes:

- (1) Statistics include all workforce reports that were received by MGM as of September 27, 2016.
- (2) The Diversity plan approved by the MGC allows reporting to include hours allocated to multiple diversity categories. 5.75% of total workforce hours are included in two of the diversity categories and 0.21% of total workforce hours are included in three diversity categories.
- (3) Reference Quarter 3 2016 Status Report Section 2c and Appendix B and C.
- (4) While this is not a reporting requirement of the approved diversity plan, the total hours worked through 3rd Quarter 2016 is as follows:
 - Approximately 37% are from Springfield/ Surrounding Communities
 - Approximately 59% are from Western Massachusetts
 - Approximately 84% are from Massachusetts

CURRENT QUARTER SITE PROGRESS



Podium Steel - October 18, 2016



Garage Progress - November 2, 2016

CURRENT QUARTER SITE PROGRESS



Podium Steel - November 8, 2016



Podium Steel - November 7, 2016



Pedestrian Bridges Demolition - November 19, 2016

Mike Mathis

President & COO - MGM Springfield





MGM SPRINGFIELD

QUARTERLY STATUS REPORT #7

Monitoring of Project Construction and
Licensee Requirements
205 CMR 135

For the Period:
July–September 2016



QUARTERLY STATUS REPORT: JULY-SEPTEMBER 2016

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QUARTERLY STATUS REPORT: JULY-SEPTEMBER 2016

135.02.2 The commission shall, in accordance with M.G.L. c. 23K, §§ 10 and 11 approve for each gaming licensee, a project schedule for the gaming licensee's capital investment in its gaming establishment and related infrastructure which includes:

(a) all major stages of design and construction; including all permitting and approvals, design deliverables, site preparation, foundation, structure, plumbing, electrical, mechanical, exterior finish and fenestration, long lead items, insulation, interior finish and furnishings and landscaping, building commissioning and commissioning of gaming equipment and information technology systems.

(b) For a Category 1 gaming establishment, a timeline for commencement of the final stage of construction pursuant to M.G.L. c. 23K, § 10(a); and

(c) a timeline for the stage of construction at which the gaming licensee shall be approved to open for business or operate a slot machine pursuant to M.G.L. c. 23K, §§10(c) and 11(a).

135.02.4 If unforeseen and/or changed circumstances necessitate a change to a project schedule approved pursuant to 205 CMR 135.02(2) which will impact the completion date or requires a major change in the method or progress of construction, the gaming licensee may submit to the commission for its approval a revised project schedule, with a detailed statement of the unforeseen changed circumstances which justify the revised project schedule. If the commission approves such revised project schedule, it shall substitute and supersede the previously approved project schedule.

1 PROJECT SCHEDULE

1a CURRENT SCHEDULE

On August 6, 2015, the Massachusetts Gaming Commission approved a revised opening date of thirty (30) days following a construction completion date of either August 6, 2018 or the date on which the I-91 Viaduct Project achieves Full and Beneficial Use (as defined in MassDOT project documents), whichever occurs later. MGM submitted a final project schedule for consideration on November 6, 2015. In accordance with our commitment to providing monthly schedule updates, schedule updates were provided to MGC's representative on August 3, August 31 and September 30 of this year. The September 30th update is included in this document as Appendix A.

1b PROJECT SCHEDULE CHANGES

There are no changes to report that would alter MGM's opening date.

QUARTERLY STATUS REPORT: JULY-SEPTEMBER 2016

135.02.3 Within the time frame provided in the award of the gaming license, the licensee shall provide to the commission for commission approval an affirmative action program of equal opportunity whereby the licensee establishes specific goals for the utilization of minorities, women and veterans on construction jobs and for contracting with minority, women or veteran owned businesses during either design or construction; provided, however that such goals shall be equal to or greater than the goals contained in Executive Office of Administration and Finance Administrative Bulletin Number 14.

135.02.5c To ensure adherence to the project schedule approved pursuant to 205 CMR 135.02(2) or (4), the gaming licensee shall submit to the commission in a media, format and level of detail acceptable to the commission, quarterly a status report including:

(e) a detailed statistical report pursuant to M.G.L. c. 23K, §21(a)(23) on the number, gender and race, and veteran status of individuals by job classifications hired to perform labor as part of the construction of the gaming establishment and related infrastructure, and a comparison of this report with the goals established by the gaming licensee and commission pursuant to M.G.L. c. 23K, §21(a)(22).). In the event the licensee’s hiring of the aforementioned entities does not comply with the goals established the licensee shall submit within 20 days of a request by the commission a response as to why the goals have not been achieved, identify any good faith efforts that have been undertaken to achieve those goals and provide a plan to bring the dollar amount contracted and spent into compliance with the goals.

(f) a report describing the number of contracts, total dollar amounts contracted with and actually paid to minority business enterprises, women business enterprises and veteran business enterprises for design and construction of the gaming establishment and related infrastructure, and the total number and value of all subcontracts awarded to a minority, women and veteran owned business, and a comparison of these reports with the goals established by the gaming licensee and commission pursuant to M.G.L. c. 23K, §21(a)(21). In the event the licensee’s hiring of the aforementioned entities does not comply with the goals established the licensee shall submit within 20 days of a request by the commission a response as to why the goals have not been achieved, identify any good faith efforts that have been undertaken to achieve those goals and provide a plan to bring the dollar amount contracted and spent into compliance with the goals.

2 CONSTRUCTION PHASE DIVERSITY PROGRAM FOR EQUAL OPPORTUNITY

2a DIVERSITY SUMMARY

The following is a snapshot of Construction and Design Diversity Commitments through September 27:

GROUP	PROJECT GOALS	COMMITMENTS	VARIANCE	COMPANY COUNT	VALUE
WBE	10.00%	13.4%	3.4%	49	\$27.88M
MBE	5.00%	6.2%	1.2%	29	\$13.02M
VBE	2.00%	6.4%	4.4%	12	\$13.34M

Notes:

1. Total Commitments through September 27, 2016 are \$208.3M
2. Includes companies that are certified with the following agencies:
 - MBE - Massachusetts Supplier Diversity Office or Greater New England Minority Supplier Development Council.
 - WBE - Massachusetts Supplier Diversity Office or Women’s Business Enterprise National Council.
 - VBE - United States Department of Veteran Affairs or Massachusetts Gaming Commission.



QUARTERLY STATUS REPORT: JULY-SEPTEMBER 2016

Updates on outreach activities and additional diversity reporting are presented monthly to the Access and Opportunity Committee of the Massachusetts Gaming Commission. The most recent AOC presentation for October 11, 2016 is included as [Appendix B](#).

2b COMMITMENTS

Design and Consulting Commitments

The following is a snapshot of Design and Consulting Diversity Commitments through September 27:

GROUP	PROJECT GOALS	COMMITMENTS	CONSULTANT COUNT	VALUE
Women	10.00%	12.2%	15	\$4.44M
Minority	5.00%	11.6%	15	\$4.22M
Veteran	2.00%	4.6%	2	\$1.67M

Notes:

- Total Commitments through September 27, 2016 are \$36.4M
- Includes companies that are certified with the following agencies:
 - MBE - Massachusetts Supplier Diversity Office or Greater New England Minority Supplier Development Council.
 - WBE - Massachusetts Supplier Diversity Office or Women’s Business Enterprise National Council.
 - VBE - United States Department of Veteran Affairs or Massachusetts Gaming Commission.
- Value for VBE (Stevens & Associates) is included in the Construction Commitments because they are being billed through Tishman.

A listing of design and consulting companies included in the totals above is included in [Appendix B](#).

Construction Commitments

The following is a snapshot of Construction Diversity Commitments through September 27:

GROUP	PROJECT GOALS	COMMITMENTS	CONSULTANT COUNT	VALUE
Women	10.0%	13.6%	34	\$23.44M
Minority	5.0%	5.1%	14	\$8.80M
Veteran ⁽³⁾	2.0%	6.8%	10	\$11.67M

Notes:

- Total Commitments through September 27, 2016 are \$172.0M
- Includes companies that are certified with the following agencies:
 - MBE - Massachusetts Supplier Diversity Office or Greater New England Minority Supplier Development Council.
 - WBE - Massachusetts Supplier Diversity Office or Women’s Business Enterprise National Council.
 - VBE - United States Department of Veteran Affairs or Massachusetts Gaming Commission.

A listing of construction companies included in the totals above is included in [Appendix B](#).



QUARTERLY STATUS REPORT: JULY-SEPTEMBER 2016

2c WORKFORCE STATISTICS

Subcontractors have been submitting workforce tracking forms after each pay period. The most recent available results have been tallied and are included as [Appendix C](#).

Summary workforce statistics for the total Project as of September 27 are as follows:

GROUP	PROJECT GOALS	PROJECT TO DATE %
Women	6.9%	9.27%
Minority	15.3%	26.20%
Veteran	8.0%	9.44%

Notes:

1. Statistics include all workforce reports that were received by MGM as of September 27, 2016.
2. The Diversity plan approved by the MGC allows reporting to include hours allocated to multiple diversity categories. 5.75% of total workforce hours are included in two of the diversity categories and 0.21% of total workforce hours are included in three categories.
3. While this is not a reporting requirement of the approved diversity plan, the total hours worked to date break down as follows:
 - Approximately 37% are from Springfield/Surrounding Communities
 - Approximately 59% are from Western Massachusetts
 - Approximately 84% are from Massachusetts

Additional workforce statistics and reporting is included in [Appendix B](#).



QUARTERLY STATUS REPORT: JULY-SEPTEMBER 2016

135.02.5a To ensure adherence to the project schedule approved pursuant to 205 CMR 135.02(2) or (4), the gaming licensee shall submit to the commission in a media, format and level of detail acceptable to the commission, quarterly a status report including:

(a) the total estimated cost of construction of the project and related infrastructure improvements, including a sworn certification regarding costs incurred pursuant to 205 CMR 122.03: Costs Included in the Calculation of Capital Investment, and separately identifying detailed costs for design, land acquisition, site preparation and construction and off-site improvements

(b) a sworn certification regarding the capitalization of the gaming licensee, sufficient for the commission to determine, pursuant to M.G.L. c. 23K §10(e) or 11(c), that the gaming licensee has adequate funds to complete the gaming establishment and related infrastructure improvements.

3 COST OF CONSTRUCTION / CAPITALIZATION OF GAMING LICENSEE

Pursuant to 205 CMR 135.02.5(a) and (b), please see [Appendix D](#) for a certification regarding (a) the total estimated cost of construction of the project and related infrastructure improvements, and (b) the capitalization of MGM Springfield.

QUARTERLY STATUS REPORT: JULY-SEPTEMBER 2016

135.02.5c To ensure adherence to the project schedule approved pursuant to 205 CMR 135.02(2) or (4), the gaming licensee shall submit to the commission in a media, format and level of detail acceptable to the commission, quarterly a status report including:

(c) a copy of all design and construction contracts executed within the prior quarter by the gaming licensee to design and construct the gaming establishment and related infrastructure improvements

4 DESIGN & CONSTRUCTION CONTRACTS

The following contracts were executed in the third quarter of 2016:

COMPANY	CONTRACT	MGC STATUS
1. Tishman Construction Company	Tishman Letter of Agreement for General Conditions and General Requirements for Podium	Registrant
2. Collins Electric	Tishman Letter of Agreement for Underground Electrical	Subcontractor to Tishman
3. Harry Grodsky & Co.	Tishman Letter of Agreement for Underground Sanitary and Storm Piping	Subcontractor to Tishman
4. Soden Sustainability	LEED/Sustainability Consulting	Registrant
5. StudioCAT	Interior Design	Registrant
6. Pristine	MEP, Fire Life Safety Peer Review	Registrant
7. YA Construction Services	MEP and Façade Peer Review	Registrant
8. MACWOR, LLC	Project Management and Field Supervision	Registrant
9. Nitsch Engineering	Civil Engineering Peer Review	Registrant
10. Hyde Business Services	Permit and Community Commitment Tracking	Registrant

Copies of executed agreements are available to the Massachusetts Gaming Commission’s Representative for review.



QUARTERLY STATUS REPORT: JULY-SEPTEMBER 2016

135.02.5d To ensure adherence to the project schedule approved pursuant to 205 CMR 135.02(2) or (4), the gaming licensee shall submit to the commission in a media, format and level of detail acceptable to the commission, quarterly a status report including:

(d) a status report reflecting the progress of construction and certifying compliance with the approved project schedule for major stages of construction. In the event that the progress of construction does not comply with the project schedule approved pursuant to 205 CMR 135.02, the licensee shall submit a detailed plan to bring the progress of construction into compliance with the approved project schedule or submit a request for a revised project schedule pursuant to 205 CMR 135.02(4)

5 STATUS OF WORK COMPLETED / PROGRESS PHOTOGRAPHS

5a STATUS OF WORK COMPLETED

The following onsite activities have taken place in the past three months.

- Parking Garage: Footings are complete, precast fabrication is over 50% complete, and precast erecting is proceeding on schedule, with Phases 1 and 2 at the south end of the Garage up to Level 5. Lighting fabrication, temporary power installation, and underslab MEP installation is underway.
- Hotel/Podium: Installation of rock anchors, spread footings, and underslab MEP is underway. Slab placements are proceeding, and mini-pile work was completed. Construction crane erection is underway. The façade stabilization and demolition of the rear portion of Union Chandler was completed. Demolition and load-out of the rear portion of 73 State Street was completed.
- 95 and 101 State Street: Installation of reinforcing steel at the 101 State Street basement is ongoing, and a knee wall was completed. Interior demolition took place and abatement and preparation for other work at 95 State Street is ongoing. Boiler room wall infill at 95 State was completed. The bid package for a General Contractor for 95 State Street renovations was released in September.
- Armory: Temporary lighting was installed and interior gutting is underway.
- French Church: Brick infill work was completed.
- Dave’s Furniture: Abatement and demolition were completed and preparation for paving and set up of craft labor check point is ongoing. The project’s storm water retention system was installed over the course of the summer.
- Entertainment block: Foundation work is underway.
- Surrounding Streets/Offsite Utilities:
 - Union Street: The storm water retention system was installed and installation of a new Verizon duct bank is underway.
 - Main Street: Work was completed on a new 16” water main and water bypass, with paving and striping completed
 - Howard Street: New 8” water main was installed.
 - Bliss Street: Electrical duct bank work took place, 180’ of sewer pipe was replaced, and the West end of Bliss was repaved.
- Support Area: Central Electric Facility foundation work is underway.
- Model Room: Construction began on the hotel room mock-up.



QUARTERLY STATUS REPORT: JULY-SEPTEMBER 2016

Design Progress

- Revisions to the construction document progress set were prepared by the design/build team for the Parking Garage and submitted to the owner for review and coordination.
- Revisions to the podium Core and Shell were issued by the design team
- Drawings for the 95 State Street Bid Package was prepared and issued to bidders.
- The Civil Site Plan was issued for Construction.
- Hotel Model Room construction drawings and specifications were issued for construction.

QUARTERLY STATUS REPORT: JULY-SEPTEMBER 2016

5b PROGRESS PHOTOGRAPHS

A set of construction site progress photographs as of September 30, 2016 is included in this document as Appendix E. The overall aerial and panoramic views below show progress over the course of the 3rd Quarter, including the demolition of Dave's Furniture and the rear of Union Chandler, foundation progress, and commencement of erection of the parking garage.



June 27, 2016



September 20, 2016

QUARTERLY STATUS REPORT: JULY-SEPTEMBER 2016



June 28, 2016



September 26, 2016

QUARTERLY STATUS REPORT: JULY-SEPTEMBER 2016

135.02.6 The licensee shall have a continuing obligation, pursuant to 205 CMR 120.01(2) to timely provide to the commission an updated permits chart and all documents and information listed in 205 CMR 120.01: Permitting Requirements, as well as any updates to the MEPA process such that the commission is continuously apprised of all material developments with respect to all permits and approvals required for the gaming establishment. Pursuant to 205 CMR 120.01(1)(h) the licensee shall provide to the commission copies of any appeal within 20 days of filing, whether to a municipal or state entity or for judicial review, filed with respect to any permit of approval listed in 205 CMR 120.01(1) along with a copy of the docket sheet and each decision on any appeal.

6 PERMITS

The following is the status of required permits and approvals, including local permits issued in the Third Quarter of 2016:

AGENCY OR GOVERNING LEGAL AUTHORITY	PERMIT, REVIEW, OR APPLICATION	DATE APPLICATION SUBMITTED OR ESTIMATED ANTICIPATED APPLICATION DATE
FEDERAL		
1. US Environmental Protection Agency (EPA)	USEPA Construction General Permit	Permit received 2/23/15: USEPA MAR120000
	NPDES General Permit	Permit for Main St. and East Columbus Ave. received 3/9/15: MAR12B410
	NPDES Remediation General Permit (RGP)	Based on foundation design, no permit is expected to be required.
2. Federal Aviation Administration	Determination of No Hazard to Air Navigation	Approval letters received April 13, 2016: 2016-ANE-471-OE for Hotel/Casino 2016-ANE-471-OE for Parking Garage
		Approval letters received July 14, 2016 for Tower Crane and Liebherr 1250 Crawler Crane
	Form 7460-2: Notice of Actual Construction or Alteration	To be e-filed for Hotel/Casino and Parking Garage within 5 days after the construction reaches its greatest height.
STATE		
1. Massachusetts Gaming Commission	Gaming License	Received 11/7/14
	Findings issued pursuant to M.G.L. ch. 30 sec. 61	Section 61 Findings issued by MGC on Dec. 17, 2015.
	Site Plan Approval	Final Design/Site Plan approved by unanimous vote at meeting on May 12, 2016.
2. Executive Office of Energy and Environmental Affairs	Massachusetts Environmental Policy Act (MEPA) Review	Certificate on Final Environmental Impact Report Received 12/31/14 (EEA 15033); Certificate on Notice of Project Change (NPC) finding no Supplement

QUARTERLY STATUS REPORT: JULY-SEPTEMBER 2016

		Environmental Impact Report required issued on 11/25/15.
3. Massachusetts Department of Environmental Protection (MA DEP)	MA DEP Underground Injection Control (UIC) BRP WS-06	To be filed at project completion
	Construction Dewatering Permit	Based on foundation design, no permit is required as groundwater can be managed internal to the site boundary. A permit will be pursued if any deeper excavation is required.
4. Massachusetts Historical Commission (MHC)	Review of project relative to potential effects of State Register historic/ archeological resources	Final Memorandum of Agreement Approved by MGC on December 17, 2015 and Signed by MHC on December 18, 2015.
5. Massachusetts Department of Transportation (MassDOT)	Findings pursuant to M.G.L. c. 30, sec. 61	Section 61 Findings issued by MassDOT on March 28, 2016.
	Category III Application for Permit to Access State Highway	MGM submitted a 25% design package and Design Exception Report for MassDOT review on 2/8/16– assumed to be a Category III Application for Permit to Access State Highway. Comments on the 25% level package received 4/11/16. Comments were addressed in a 75/100% design package submitted for MassDOT’s review on 5/23/16. Upon resolution of 75/100% level comments, MGM will prepare a PS&E design package for MassDOT’s final review. MassDOT will issue the Highway Access Permit prior to construction of multimodal roadway and traffic control improvements.
6. Massachusetts Dept. of Housing & Community Development	Chapter 121A Designation as an Urban Redevelopment Project	Approval letter received 12/31/14
7. Massachusetts Department of Public Safety	Elevator Decommission Permit	Permit to decommission elevator at 83 State Street, 2/9/16: No. ELV16-0359
		Permit to decommission elevator at 1170 Main Street, 2/9/16: No. ELV16-0360
		Permit to decommission elevator at 1140 Main Street, 8/26/16: No. ELV16-2204
		Permit to decommission elevator at 1140 Main Street, 8/26/16: No. ELV16-2205
	Elevator Construction Permits	Application(s) to be filed pending final drawings
Storage Permit	Not required per 527 CMR 9.00. No fuel tanks in excess of 10,000 gallons are expected to be included in the project.	

QUARTERLY STATUS REPORT: JULY-SEPTEMBER 2016

8. Commonwealth of Massachusetts-Dept. of Fire Services-Office of State Fire Marshall	Storage Tank Removal Permit	Storage Tank Removal and Disposal at 101 State Street, 7/11/16
		Storage Tank Removal and Disposal at 28 Howard Street, 7/6/16
		Remove abandoned tank in basement at 1106 Main Street, 7/8/16
		Storage Tank Removal and Disposal at 19 Howard Street, 7/13/16: 160950
		Storage Tank Removal and Disposal at 19 Howard Street, 7/13/16
		Storage Tank Removal and Disposal at 101 State Street, 8/3/16: 160991
		Storage Tank Removal and Disposal at 1141 Main Street, 9/7/16: 161077
		Storage Tank Removal and Disposal at 1141 Main Street, 9/7/16: 161078
9. Massachusetts Division of Fisheries and Wildlife	Natural Heritage and Endangered Species Prog.	Filing exemption for Memorial Bridge improvements received on 6/21/16.
LOCAL PERMITS AND APPROVALS UPDATE FOR JULY – SEPTEMBER, 2016		
1. City of Springfield Department of Public Works – Engineering Division	Letter of Conditional Approval	Conditional approval of Conceptual Parking Plan dated April 27, 2016; conditional approval letter received 7/1/16.
		Site Improvement Plans, prepared by Allen & Major dated 7/15/16; conditional approval letter received 8/26/16
	General Roadway Excavation, Trenching	Excavation, backfill and patching for water discontinuance on Hubbard Avenue between Main Street and Willow Street, 7/18/16: 20162135
		Excavation, backfill, patching for electrical duct bank installation on State Street between W. Columbus Ave and Main Street, 8/16/16: 20162166
		Excavating, backfill and patching for installation of Verizon duct bank on Union between E. Columbus Ave. and Main Street, 9/23/16: 20162818

QUARTERLY STATUS REPORT: JULY-SEPTEMBER 2016

2. City of Springfield – Code Enforcement/Building Division	Building Permit Demolition	Demolition of 1028 Main Street (formerly Dave's Furniture), 7/21/16: 16DEMO-00045
		Demolish Garage building and foundations of previous demolition at 979 Main Street, 8/8/16: 16DEMO-00047
		Demolish 38,000 former Union Chandler at 1132 Main Street, 8/30/16: 16DEMO-00052
	Building Permit	Erect 1,350,000 Parking Garage for MGM Casino, 8/16/16: 16BDOT-00117ER
	Building Permit – Temporary	Temporary trailer for office at 61 Bliss Street, 7/5/16: 16BDOT00031TMP
		Install/erect temporary office trailer at 50 Bliss Street, 9/14/16: 16BDOT-00051TMP
		Temporary power for guard shack and lights at 127 Union Street, 9/21/16: 16BDOT-0207BEL
	Permit To Do Electrical Wiring	Install 500ft of 10-way empty duct bank through the casino podium at 12-24 MGM Way, 7/1/16: 16BDOT-0139EL
		MGM Casino-Underground piping for 1st floor only at 34 MGM Way, 7/25/16: 16BDOT-01552EL
		Wiring of parking structure from MGM Casino at 34 MGM Way, 7/26/16: 16BDOT-01564EL
Underground piping for first floor only for MGM Casino at 34 MGM Way, 7/25/16: 16BDOT-01652EL		
Re-energize existing service feed from 101 State Street at 91 State Street, 7/29/16: 16BDOT-01623EL		
1200Amp temp service / feed tower crane / 6 empty conduits for Eversource permanent service at 52 North Bliss, 8/16/16: 16BDOT-01752EL		
2000 amp temporary service / temporary panel at Armory, 27 Howard Street, 8/16/16: 16BDOT-01751EL		
Temporary lighting/power poles on all levels of building at 29 Howard Street (Former Armory), 8/31/16: 16BDOT-01888EL		
Permit To Do Plumbing	MGM U6 Pedion 33 Floor Drain Area at 95 State Street, 7/6/16: 16BDOT-00421PL	
3. City of Springfield Historical Commission	MHC Review Concurring Party; Demolition Delay	SHC approved changes to design for purposes of historic resources and revised MOU on 10/23/15.

QUARTERLY STATUS REPORT: JULY-SEPTEMBER 2016

4. Springfield City Council	Overlay District Special Permit	Overlay District Special Permit approved by City Council on December 22, 2015.
	Site Plan Review	MGM Site Plan submission deemed completed on November 23, 2015. The City Council voted to approve the plan on 2/22/16.
	Amendments to HCA	Amendment No. 1 approved by Council vote on 6/22/15. Amendment No. 2 approved by Council vote on 2/22/16.
	Public Way Discontinuance Approval	The City Council voted to approve street discontinuances of both Bliss and Howard Streets on 1/26/16.
5. City of Springfield Department of Health and Human Services	Food Service Establishment Permit	TBD as venues are finalized
6. City of Springfield – Forestry Division	Municipal Tree Work Permit	Tree removal at 68 and 75 Union Street, 9/15/16
7. Springfield Water and Sewer Commission	Permanent Services	Permanent Services at 1008 Main Street, 8/5/16
		Permanent Services at 29 Howard Street, 8/5/16
	Discontinuance of Water and Sewer Services – Approval Memo	Discontinuance of Water and Sewer Services at 969-985 Main Street, 7/13/16
		Discontinuance of Water and Sewer Services at 973-975 Main Street, 7/13/16
	Discontinuance of Water and Sewer Services at 14 Hubbard Street, 7/13/16	
8. City of Springfield – Fire Prevention Bureau	Sprinkler Shut Down	Sprinkler shut down at 121 State Street, 7/29/16: 160987
	Installation of Above Ground Storage Tank Permit(s)	To be filed at installation of emergency generators and fire pump.
	Fuel Oil, Gasoline and Diesel Fuel Storage Permit	To be filed prior to occupancy of the Parking Garage.
9. City of Springfield – Conservation Commission	Wetlands Protection Act Filing Exemption	None this reporting period.

QUARTERLY STATUS REPORT: JULY-SEPTEMBER 2016

135.02.7 In furtherance of specific goals for the utilization of minorities, women and veterans on construction jobs, the licensee shall send and provide a copy to the commission, to each labor union or representative of workers with which the licensee has a collective bargaining agreement or other contract of understanding, a notice advising the labor union or workers representative of the licensee's commitments pursuant to M.G.L. c. 23K §(15) and §§21(a)(21) and (22).

7 ORGANIZED LABOR LETTER

The Project Labor Agreement (PLA) was executed on February 26, 2015. Article XVIII on Page 25 of the Agreement states the construction manager and labor unions' commitment to comply with Owner's Diversity and Affirmative Marketing Program as adopted on January 22, 2015.

A copy of the executed PLA is available to the Massachusetts Gaming Commission's Representative for review.

QUARTERLY STATUS REPORT: JULY-SEPTEMBER 2016

135.02.8 Prior to the gaming establishment opening for business, in furtherance of specific goals for the utilization of minority business enterprises, women business enterprises and veteran business enterprises as vendors in the provision of goods and services to the gaming establishment, the licensee shall provide to the commission an affirmative marketing plan in which the licensee identifies specific goals, expressed as an overall program goal applicable to the total dollar value of contracts entered into, for the utilization of minority business enterprises, women business enterprises and veteran business enterprises to participate as vendors in the provision of goods and services procured by the gaming establishment and any businesses operated as part of the gaming establishment; provided, however, that the specific goals for the utilization of such minority business enterprises, women business enterprises and veteran business enterprises shall be based on the availability of such minority business enterprises, women business enterprises and veteran business enterprises engaged in the type of work to be contracted by the gaming licensee.

8 OPERATIONAL PHASE DIVERSITY PROGRAM FOR EQUAL OPPORTUNITY

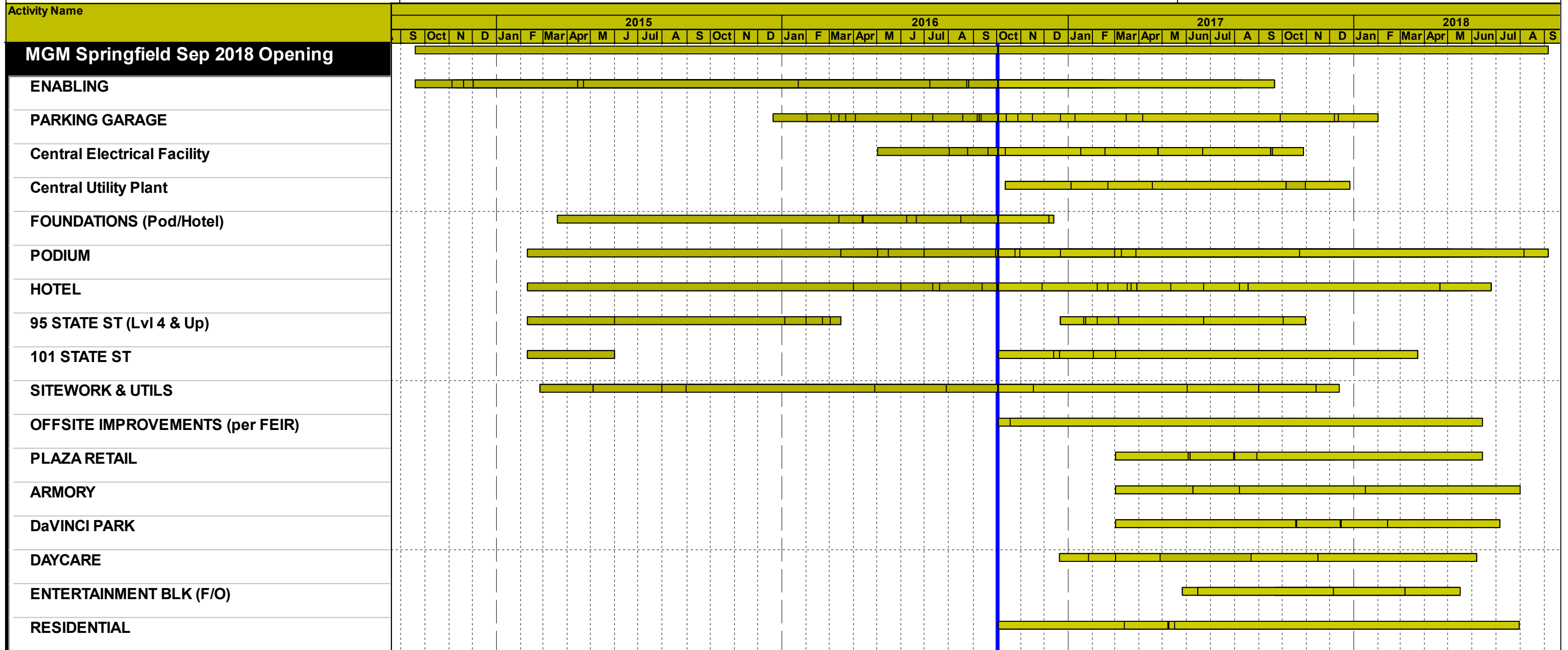
MGM's Diversity and Affirmative Marketing Program was approved on January 22, 2015. MGM will comply with this program to meet goals for Diversity participation in the operational phase of the project.

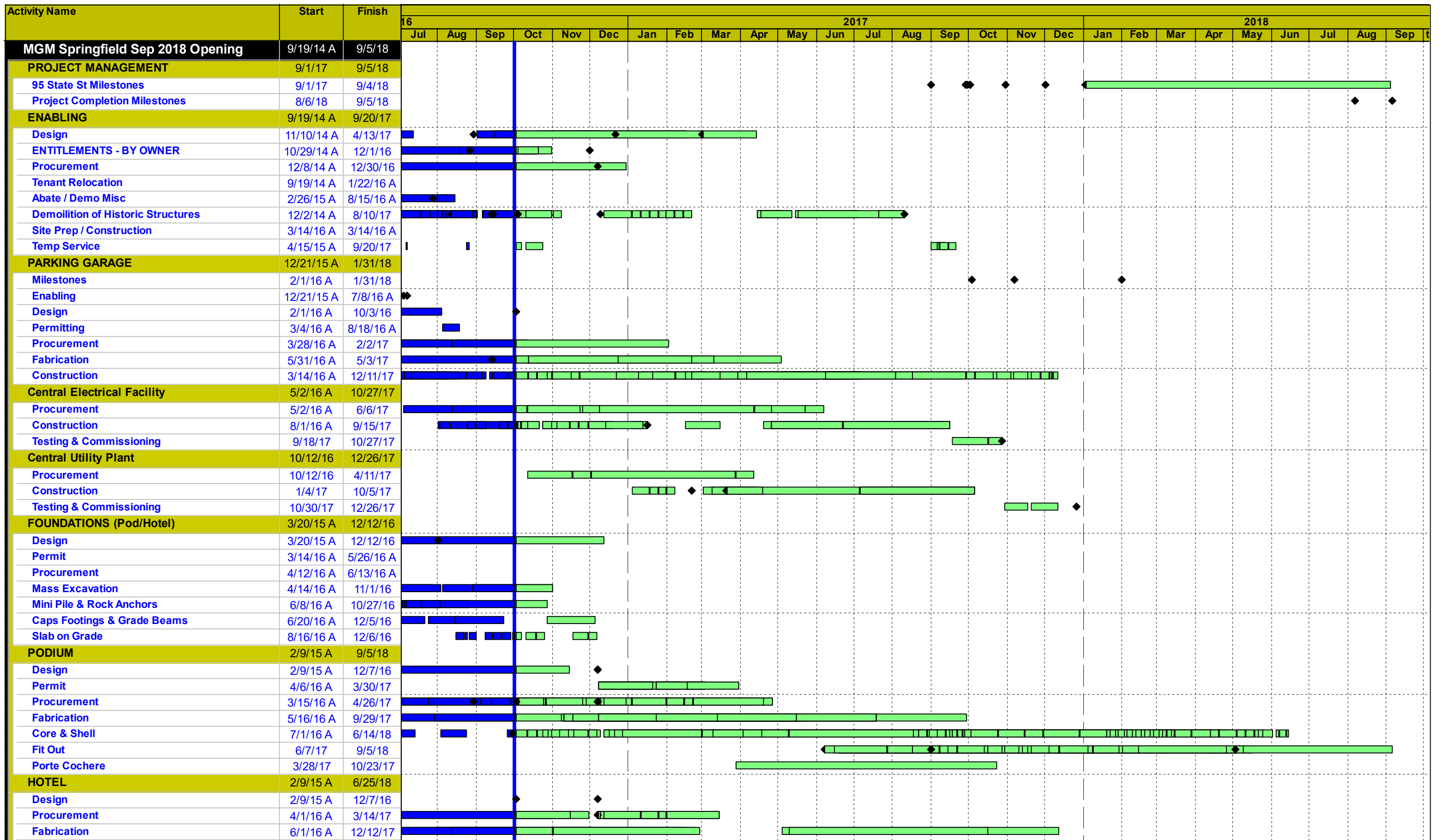
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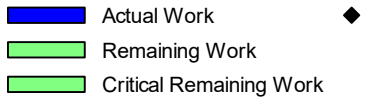
LEVEL 1, LEVEL 2 AND DETAILED PROJECT SCHEDULES

SEPTEMBER 30, 2016 (DATA DATE OCTOBER 2, 2016)

MGM Springfield Project Schedule









Activity Name	Start	Finish	2016																								
			2017												2018												
			Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul
ENTERTAINMENT BLK (F/O)	5/26/17	5/16/18																									
Procurement	5/26/17	1/5/18																									
Interior Fit Outs	6/15/17	5/16/18																									
RESIDENTIAL	10/3/16	7/30/18																									
Design	10/3/16	5/8/17																									
Permitting	5/16/17	7/12/17																									
Procurement	3/13/17	5/8/17																									
Fabrication	5/9/17	9/28/17																									
Construction	5/16/17	7/30/18																									

- Actual Work
- Remaining Work
- Critical Remaining Work



APPENDIX B

PRESENTATION TO THE ACCESS AND OPPORTUNITY COMMITTEE OF OCTOBER 11, 2016

Access and Opportunity Committee

October 11, 2016



Agenda

1. Outreach Update
2. Construction Workforce
3. Design Commitments
4. Construction Commitments



Outreach Update



OUTREACH UPDATE

1. Outreach to MBE, WBE & VBE Companies
2. Community Partners Network
3. Union Partnership & Outreach
4. Other Diversity Outreach Work
5. Upcoming Events

OUTREACH TO MBE, WBE & VBE COMPANIES

Construction:

Ref	Company	Location	Diversity Status
1	American Stair Corporation	Romeoville, IL	VBE
2	Chabot & Burnett Construction Co., Inc.	Agawam, MA	WBE
3	Global Wrap Inc.	St. Augustine, FL	WBE
4	Superior Caulking & Waterproofing Co. Inc.	Palmer, MA	VBE

COMMUNITY PARTNERS NETWORK

Ref	Organization	Location
1	Association of Black Business & Professionals	Springfield, MA
2	A.W.A.K.E. Inc.	Springfield, MA
3	Betterman Construction, Inc.	Springfield, MA
4	Career Point	Holyoke, MA
5	Carpenters Union #108	Springfield, MA
6	Community Works	Springfield, MA
7	East African Cultural Center	Springfield, MA
8	Gandara Springfield Family Resource Center	Springfield, MA
9	Greater Springfield NAACP	Springfield, MA
10	HAP Housing	Springfield, MA
11	Ironworkers Union #7	Springfield, MA
12	Lighthouse/ Human Resources Unlimited	Springfield, MA
13	Ludlow Veterans Services Organization	Ludlow, MA
14	Neighbor to Neighbor	Springfield/Holyoke, MA
15	New North Citizens Council	Springfield, MA
16	Partners for Community	Springfield/Holyoke, MA

COMMUNITY PARTNERS NETWORK

Ref	Organization	Location
17	ROCA	Springfield, MA
18	School Based Services	Springfield, MA
19	Springfield Partners for Community Action	Springfield, MA
20	Springfield Veterans Services Dept.	Springfield, MA
21	Springfield Vets Center	West Springfield, MA
22	STCC Workforce Development Department	Springfield, MA
23	Training Resources of America	Western Massachusetts
24	Uptown Construction Collaborative	Springfield, MA
25	Urban League of Greater Springfield	Springfield, MA
26	Veteran's Inc.	Springfield, MA
27	We The Villagers	Springfield, MA
28	Western Mass. COSH	Western Massachusetts
29	Western Mass. Employment Collaborative	Springfield, MA
30	Westover Job Corps.	Westover, MA
31	Young Urban Engineering Entrepreneurship Academy	Springfield, MA
32	YWCA/Youth Build	Springfield, MA

COMMUNITY PARTNERS NETWORK

September 21, 2016: Meeting with MGM Springfield Construction Team

Meeting Highlights:

- 15 Community Partners attended.
- MGM Springfield team shared current Diversity workforce numbers to date with the Network and upcoming scopes of work and trades expected to be on the job in the upcoming months.
- CPN Steering Committee gave an update on the Infrastructure items worked on.



COMMUNITY PARTNERS NETWORK

- CPN Sub-Committees/Action Teams gave updates on their work.
- MGM gave an update on the Diversity Task Force meeting and next steps.
- Review of upcoming CPN Training Calendar.
- Review of Upcoming Union Apprenticeship Enrollment/Application Dates



SUB-COMMITTEE/ ACTION TEAMS UPDATE

Temporary CPN Membership Team:

- Presented CPN Membership Policy for vote to include membership benefits.
- Directory of Community Partners Network organizations, individuals, and services being finalized and will be shared on the MGM Springfield Construction website. It will be used as a directory for the Union Eligibility & Referral Committee to make referrals to appropriate community partners in order to assist diverse individuals in obtaining the supportive services needed to become union eligible and a successful applicant.

SUB-COMMITTEE/ ACTION TEAMS UPDATE

Advocacy Team:

- Working on identifying CPN Advocacy priorities.
- Developing a list of local General Contractors and local Construction projects in the region to begin meeting with those owners and G.C.'s around Diversity Hiring and Contracting.
- Continuing meetings with Baystate Medical Center on the \$20 million construction expansion to ensure diversity requirements are included and best practices are shared on the project.
- Will be meeting with the local Responsible Employer Ordinance Committee to review new proposed City of Springfield Responsible Employer Ordinance.

SUB-COMMITTEE/ ACTION TEAMS UPDATE

Defining Our Success Team:

- Archiving and collection of Success Stories.
- Working closely with the Union Applicant Committees to track successful placement in unions, apprenticeship programs, and regional job sites.

Basic Eligibility Screening Team:

- Currently screening over 60 new individuals interested in union construction to determine eligibility or referral to Work Readiness Committee.
- Working from a shared document to document all union applicants' progress, issues, and referrals, and issues which may impede success in local unions and job sites.

SUB-COMMITTEE/ ACTION TEAMS UPDATE

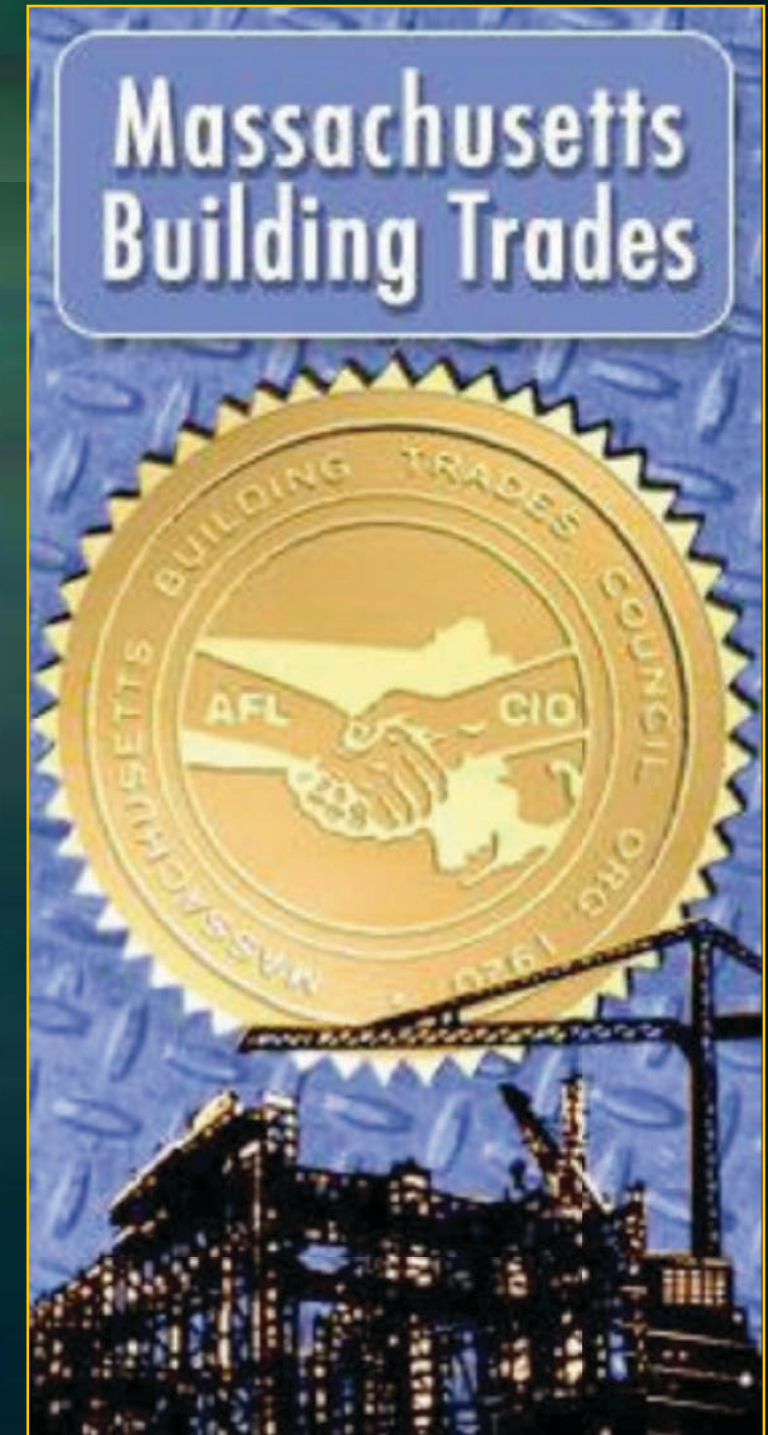
Work Readiness Team:

- Finalized topics for CPN Training Schedule; working on securing trainers.
- Currently working with all union applicants deemed “not union eligible” to offer Work Readiness and supportive ancillary services as needed; referrals to community based organizations.
- CPN Work Readiness 2 day training program to take place at the end of October 2016.

UNION PARTNERSHIP & OUTREACH

Continued meetings and discussions with local trade unions to include:

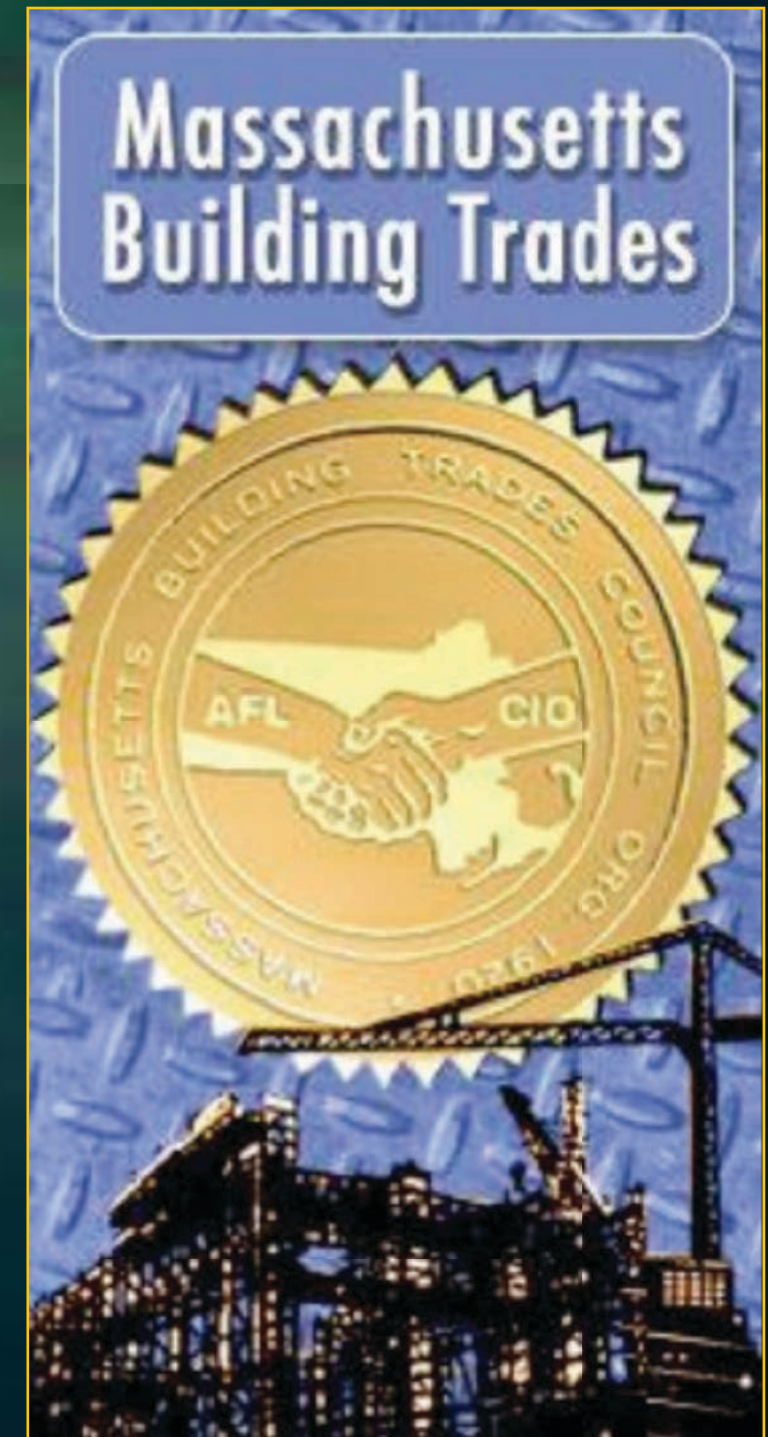
- Assistance with targeted diversity recruitment based on the needs of the individual trade union.
- Assistance with upcoming new Union Apprenticeship Enrollment events.
- Partnerships on upcoming outreach events.
- Addressing challenges of newly accepted union members and working with a community sponsor to assist in retaining new members.



UNION PARTNERSHIP & OUTREACH

Continued meetings and discussions with local trade unions to include:

- Sharing the MGM Labor Pool of eligible diverse union members looking for work as the unions ramp up on the MGM Springfield project and other local construction projects.
- MGM Springfield Diversity & Public Relations Team to work with PVBT & Carpenters Union #108 to coordinate a Public Relations & Outreach campaign. Campaign will let the public know about the diversity that exist in the halls, the great charitable and community engagement work the unions are doing, and the upcoming apprenticeship programs application dates.

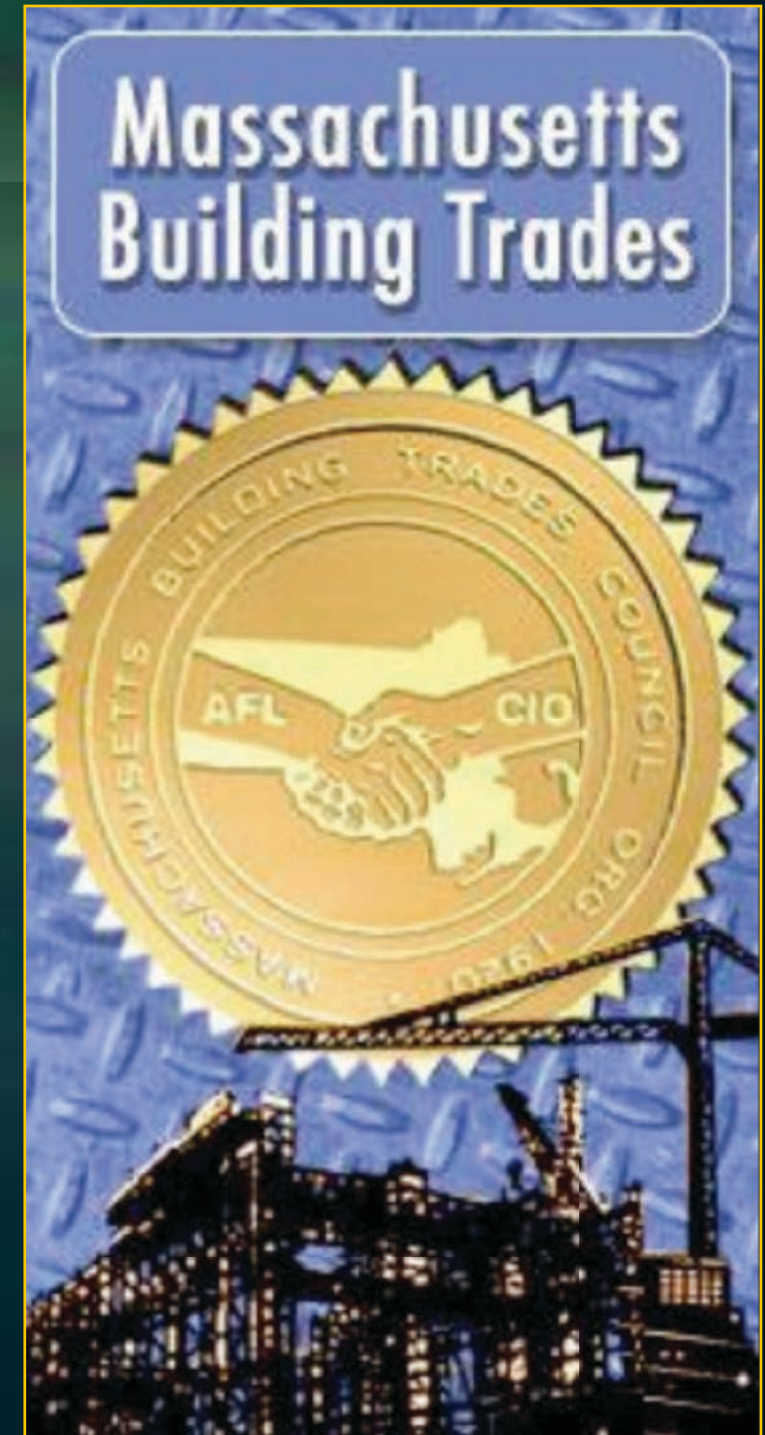


UNION REFERRAL SYSTEM UPDATE

Continued referrals and tracking of new diverse union applicants in their union application process.

Capturing and tracking success stories and highlights:

- **1 new diverse individual** was successfully accepted into local trade unions through the MGM Springfield Union Referral System and is ready for work.
- **7 newly identified union members** looking for work identified through outreach and added to the MGM Springfield Available Labor Pool list and shared with Tishman Construction and MGM Springfield Sub-Contractors looking for union workers.



OTHER DIVERSITY WORK & OUTREACH/ EVENTS

- **September 8 & 21, 2016:** MGM Construction Site Tour with Smith College
 - Two Classes of students from Smith College's Engineering Program toured the MGM Springfield Construction site and met with MGM Springfield & Tishman Construction staff for a short Q/A on the MGM Springfield project.



OTHER DIVERSITY WORK & OUTREACH/ EVENTS

- **September 13, 2016:** Mass. Gaming Commission Access & Opportunities Committee Site Tour of MGM Springfield



OTHER DIVERSITY WORK & OUTREACH/ EVENTS

- **September 14, 2016:** Construction Diversity Task Force
- Attended by 3 Trade Unions, 3 Community Partners, MGM Springfield Construction, and Tishman Construction
- Focused on:
 - Current & Upcoming Scopes on the project.
 - Diversity available in the halls.



OTHER DIVERSITY WORK & OUTREACH/ EVENTS

- Focused on:
 - How to spread the word about the diversity that exist in the halls and how to become a union worker
 - How to retain diverse members through help from the CPN Work Readiness/ Support Sub-Committee



OTHER DIVERSITY WORK & OUTREACH/ EVENTS

- **September 17 & 24, 2016:** OSHA 10 Training Session 2
- Trainer: Roger Bruce, Safety Officer for Tishman Construction; Certified OSHA Instructor
 - 15 participants referred by Community Partners Network
 - 13 Minorities
 - 7 Women (6 counted in Minority count)
 - 1 Veteran



OTHER DIVERSITY WORK & OUTREACH/ EVENTS

- **September 19, 2016:** MGM Springfield Construction Outreach Session: Scaffolding, Shoring, & Spray Fireproofing



BUILDING A STRONG FOUNDATION

ARE YOU A SCAFFOLDING & SHORING OR SPRAY FIREPROOFING CONTRACTOR?

Union fireproofing or scaffolding and shoring, contractor with engineering capabilities who have completed three projects of over 100,000 sq. feet in the past five years are invited to one-on-one information sessions to learn about opportunities related to the MGM Springfield project.

When: Monday, September 19
30-minute slots available from 9 a.m. to 3 p.m.
BY APPOINTMENT ONLY
To schedule an appointment, email construction@mgmpringfield.com

Where: MGM Springfield Community Office
One Monarch Place, Suite 910
Springfield, MA 01144

MGM Springfield and Tishman representatives will meet with qualified contractors to explain the scope of upcoming work, the prequalification process, and MGM Springfield's policy on contractors, vendors and purchasing. There will also be an overview of the project's diversity requirements.



[i](#) [@](#)

Building Excitement.



OTHER DIVERSITY WORK & OUTREACH/ EVENTS

- **September 30, 2016:** Tishman Construction & Putnam Vocational Academy Partnership Launch: MGM Springfield



MGM Springfield site to become classroom for Putnam Vocational construction students

After law school, Hillary went to work for the Children's Defense Fund. [See why](#)

MASSLIVE ON SOCIAL MEDIA

BREAKING NEWS NEWSLETTER

When the big stories break, we'll

9/30/16-Springfield-A Memorandum of Understanding (MOU) between Tishman Construction and Springfield Public Schools was signed During a ceremony at Putnam



UPCOMING OUTREACH/ EVENTS

Upcoming Diversity Outreach Work:

- **October 5 & 19, 2016:** CPN Meetings
- **October 12, 2016:** Construction Diversity Task Force Meeting
- **3rd Week in October, 2016:** MGM Springfield & Community Partners Network 2 Day Work Readiness Program and CPN Public Launch
- **4th Week in October, 2016:** A Day In The Life Of A Union Worker Information Session

Construction Workforce



WORKFORCE DIVERSITY STATISTICS - UNION

AS OF SEPTEMBER 27, 2016

Group	Project Goals	Project To Date %
Women	6.90%	7.47%
Minority	15.30%	33.13%
Veteran	8.00%	8.30%

Notes:

(1) Statistics include all workforce reports that were received by MGM as of September 27, 2016.

WORKFORCE DIVERSITY STATISTICS - TOTAL

AS OF SEPTEMBER 27, 2016

Group	Project Goals	Project To Date %
Women	6.90%	9.27%
Minority	15.30%	26.20%
Veteran	8.00%	9.44%

Notes:

- (1) Statistics include all workforce reports that were received by MGM as of September 27, 2016.
- (2) The Diversity plan approved by the MGC allows reporting to include hours allocated to multiple diversity categories. 5.75% of total workforce hours are included in two of the diversity categories and 0.21% of total workforce hours are included in three diversity categories.
- (3) While this is not a reporting requirement of the approved diversity plan, the total hours worked through 3rd Quarter 2016 is as follows:
 - Approximately 37% are from Springfield/ Surrounding Communities
 - Approximately 59% are from Western Massachusetts
 - Approximately 84% are from Massachusetts

WORKFORCE 3 MONTH LOOK AHEAD

1. **Work in Progress** - Water/Sewer Infrastructure
2. **Work in Progress** - Garage Foundations
3. **Work in Progress** - Underground MEP for Garage
4. **Work in Progress** - Systems Separation 95/101 State
5. **Work in Progress** - Hotel-Podium Foundations
6. **Work in Progress** - Generator Switch Gear Area
7. **Work in Progress** - Underground MEP Hotel Podium
8. **Work in Progress** - Armory - Interior Demo
9. **Work in Progress** - Concrete Slab on Grade for Podium
10. **Work in Progress** - Pre-cast Garage Elements
11. **Work in Progress** - Garage Erection
12. **Work in Progress** - Steel Erection for Hotel Podium
13. Nov 2016 - Demo of 95/101 Pedestrian Bridges
14. Nov 2016 - Temp Heating
15. Dec 2016 - Interior Fitout of 95 State
16. Dec 2016 - Spray Fireproofing

Design & Construction Commitments



DESIGN & CONSTRUCTION COMMITMENTS

THROUGH SEPTEMBER 27, 2016

Group	Project Goals	Commitments	Variance	Company Count	Value
WBE	10.0%	13.4%	3.4%	49	\$27.88M
MBE	5.0%	6.2%	1.2%	29	\$13.02M
VBE	2.0%	6.4%	4.4%	12	\$13.34M

Notes:

(1) Total Commitments through September 27, 2016 are \$208.3M.

(2) Includes companies that are certified with the following agencies:

- MBE - Massachusetts Supplier Diversity Office or Greater New England Minority Supplier Development Council.
- WBE - Massachusetts Supplier Diversity Office or Women's Business Enterprise National Council.
- VBE - United States Department of Veteran Affairs or Massachusetts Gaming Commission.

WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.

Design & Consulting Commitments



DESIGN & CONSULTING COMMITMENTS

THROUGH SEPTEMBER 27, 2016

Group	Project Goals	Commitments	Company Count	Value
WBE	10.0%	12.2%	15	\$4.44M
MBE	5.0%	11.6%	15	\$4.22M
VBE ⁽³⁾	2.0%	4.6%	2	\$1.67M

Notes:

(1) Total Commitments through September 27, 2016 are \$36.4M.

(2) Includes companies that are certified with the following agencies:

- MBE - Massachusetts Supplier Diversity Office or Greater New England Minority Supplier Development Council.
- WBE - Massachusetts Supplier Diversity Office or Women's Business Enterprise National Council.
- VBE - United States Department of Veteran Affairs or Massachusetts Gaming Commission.

(3) Value for VBE (Stevens & Associates) is included in the Construction Commitments because they are being billed through Tishman.

WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.

DESIGN & CONSULTING COMMITMENTS

THROUGH SEPTEMBER 27, 2016

Ref	Company	Scope	Location	Diversity Status
1	A I Engineers, Inc.	Construction Engineering and Inspection	Middletown, CT	MBE
2	AAC Investments, LLC	Interior Design	Los Angeles, CA	WBE
3	AFO Project Consulting, LLC	Construction Consulting	Las Vegas, NV	VBE
4	Akal Engineering, Inc.	MEP Consulting Engineering Services	Berlin, MA	MBE
5	Andelman & Lelek Engineering, Inc.	Energy Modeling	Norwood, MA	WBE
6	Black Hawk Group	Consulting Engineer Services	Philadelphia, PA	MBE
7	C&C Consulting Engineers, LLC	Structural Peer Review	Allston, MA	MBE
8	Calvin Consulting Services, LLC	Construction Consulting	Las Vegas, NV	WBE
9	Communications for Design LLC	Design and Project Management Support Services	Northfield, MN	WBE
10	Convergent Technologies	Acoustics/ Audio Visual/ IT/ Low Voltage	Lockport, NY	WBE
11	Copley Wolff Design Group, Inc.	Full Landscape Architectural Services	Boston, MA	WBE
12	Desert Construction Consulting, Ltd	Estimating and Contractor Bidding Services	Henderson, NV	MBE
13	Desman, Inc.	Parking Garage Bridging Documents (LOA)	Boston, MA	MBE
14	Dietz & Company Architects, Inc.	Full Service Architecture and Interior Design	Springfield, MA	WBE
15	Engineers Design Group, Inc.	Structural Engineering Consulting Services	Malden, MA	MBE
16	Erin Chrusciel Photography, LLC	Photography	East Longmeadow, MA	WBE

Notes:

(1) Includes companies that are certified with the following agencies:

- MBE - Massachusetts Supplier Diversity Office or Greater New England Minority Supplier Development Council.
- WBE - Massachusetts Supplier Diversity Office or Women's Business Enterprise National Council.
- VBE - United States Department of Veteran Affairs or Massachusetts Gaming Commission.

(2) Green highlighted companies have been paid as of August 31, 2016.

WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.

DESIGN & CONSULTING COMMITMENTS

THROUGH SEPTEMBER 27, 2016

Ref	Company	Scope	Location	Diversity Status
17	Fernandez & Associates	Fire Protection Design and Code Consulting Services	Byfield, MA	MBE
18	JoAnn Jones	Administrative Services	Henderson, NV	WBE
19	Keville Enterprises, Inc.	Construction Management and Inspection	Marshfield, MA	WBE
20	Marshall Moya Design, LLC	Architectural Services	Washington, DC	MBE
21	MCLA, Inc.	Lighting	Washington, DC	WBE
22	Nitsch Engineering, Inc.	Engineering Services	Boston, MA	WBE
23	Pari Riahi Architects, Inc.	Executive Architect	Amherst, MA	WBE
24	Pristine Engineers, Inc.	MEP Peer Review Services	Raynham, MA	MBE
25	Renderready, LLC	Rendering and Graphic Design	Henderson, NV	MBE
26	Soden Sustainability Consulting, LLC	LEED	Winchester, MA	WBE
27	Spec's Design Group, LLC	Interior Design	Springfield, MA	WBE
28	Stevens & Associates	Façade Stabilization Design	Brattleboro, VT	VBE
29	Timothy Haahs & Associates, Inc.	Architect and Engineer of Record/ Parking Consultant	Blue Bell, PA	MBE
30	US Inspection & Consulting, LLC	Construction Inspections	Lake Havasu City, AZ	MBE
31	VAV International, Inc.	Mechanical Consulting	Woburn, MA	MBE
32	WA Architects, Inc.	Architectural Services	Cleveland, OH	MBE

Notes:

(1) Includes companies that are certified with the following agencies:

- MBE - Massachusetts Supplier Diversity Office or Greater New England Minority Supplier Development Council.
- WBE - Massachusetts Supplier Diversity Office or Women's Business Enterprise National Council.
- VBE - United States Department of Veteran Affairs or Massachusetts Gaming Commission.

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WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.

Construction Commitments



CONSTRUCTION COMMITMENTS

THROUGH SEPTEMBER 27, 2016

Group	Project Goals	Commitments	Company Count	Value
WBE	10.0%	13.6%	34	\$23.44M
MBE	5.0%	5.1%	14	\$8.80M
VBE	2.0%	6.8%	10	\$11.67M

Notes:

(1) Total Commitments through September 27, 2016 are \$172.0M.

(2) Includes companies that are certified with the following agencies:

- MBE - Massachusetts Supplier Diversity Office or Greater New England Minority Supplier Development Council.
- WBE - Massachusetts Supplier Diversity Office or Women's Business Enterprise National Council.
- VBE - United States Department of Veteran Affairs or Massachusetts Gaming Commission.

WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.

DIVERSE CONSTRUCTION COMPANIES

THROUGH SEPTEMBER 27, 2016

Ref	Company	Scope	Location	Diversity Status
1	Aces Enterprises, LLC	Steel Plate Supplier	Dunlap, IL	VBE
2	All American Signs	Signage	Plymouth, MA	VBE
3	American Environmental, Inc.	Abatement	Holyoke, MA	MBE
4	Architectural Products, Inc.	Glass and Glazing	Burlington, CT	WBE
5	Arrow Security Corporation	Security Guard Services	Springfield, MA	VBE
6	Ayala Excavating and Trucking, LLC	Trucking	Springfield, MA	MBE
7	BECO Electrical Contractors, Inc.	Electrical	Monson, MA	VBE
8	Berkshire Concrete Cutting, LLC	Saw Cutting	Torrington, CT	WBE
9	C&C Contractors, LLC	Trucking Services	Springfield, MA	MBE
10	C&D Electronics, Inc.	Cabling, Wiring, Electronics Supplier	Holyoke, MA	WBE
11	Chabot & Burnett Construction Co., Inc.	Masonry Contractor	Agawam, MA	WBE
12	CK Flooring Solutions, Inc.	Carpet Installer	Chicopee, MA	WBE
13	CMJ, LLC	Property Management/Maintenance	Springfield, MA	MBE
14	Connecticut Drywall Finishing, Inc.	Drywall	West Springfield, MA	WBE
15	Connecticut Temperature Controls, LLC	Controls	Newington, CT	VBE

Notes:

(1) Green highlighted companies have worked on site and been paid as of August 31, 2016.

WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.

DIVERSE CONSTRUCTION COMPANIES

THROUGH SEPTEMBER 27, 2016

Ref	Company	Scope	Location	Diversity Status
16	Coghlin Electrical Contractors, Inc.	Electrical Services	Worcester, MA	WBE
17	C.R. Levesque Trucking Corp.	Hauling & Equipment Transportation	Monson, MA	WBE
18	Davenport Advisors, LLC	Asset Management, Financing, Leasing, Repositioning and Redevelopment of Existing Properties	Boston, MA	MBE
19	Dependable Masonry Construction Company, Inc.	Masonry and Brickpaving	North Reading, MA	MBE
20	Eastern General Contractors, Inc.	General Contractor - Rigging	Springfield, MA	MBE
21	EDM Construction, Inc.	Carpentry & Structural Steel Erection	Merrimac, MA	WBE
22	E L Waterman, Inc.	Pipe Supplier	Foxboro, MA	WBE
23	Evermore Light & Power, Inc.	Electrical	Somerville, MA	WBE
24	Fabiano Oil Corp.	Fuel & Oil Supplier	Wrentham, MA	WBE
25	Fisher Contracting Corporation	General Contracting Services	Worcester, MA	WBE
26	Federal Concrete, Inc.	Concrete Services	Hopedale, MA	WBE
27	Fletcher Sewer & Drain, Inc.	Inspection - FEIR	Ludlow, MA	WBE
28	Folan Waterproofing and Construction Company, Inc.	Masonry Contractors & Waterproofing	South Easton, MA	WBE

Notes:

(1) Green highlighted companies have worked on site and been paid as of August 31, 2016.

WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.

DIVERSE CONSTRUCTION COMPANIES

THROUGH SEPTEMBER 27, 2016

Ref	Company	Scope	Location	Diversity Status
29	Frisoli Electric, Inc.	Electrical	Holbrook, MA	VBE
30	Gomes Construction Co. Inc.	Utility Connections	Ludlow, MA	WBE
31	Granite City Electric Supply Company, Inc.	Electrical Supplier	Quincy, MA	WBE
32	Green Insulation, Inc.	Insulation	Adams, MA	WBE
33	H B Welding, Inc.	Steel, Welding, Iron Work	Johnston, RI	WBE
34	Industrial Flame Cutting, Inc.	Steel Plate Supplier	Beacon Falls, CT	VBE
35	JRL Construction, Inc.	General Contractor - Demolition	Springfield, MA	VBE
36	Kittredge Equipment Company, Inc.	Kitchen Equipment	Agawam, MA	WBE
37	L.K. Sheet Metal, Inc.	Sheet Metal	East Hartford, CT	WBE
38	Larry's Trucking Co.	Trucking	Springfield, MA	MBE
39	Lindon Group	Piping Materials	East Providence, RI	WBE
40	Medeiros Hydroseeding & Landscaping Construction, Inc.	Trucking and Soil Materials	Monson, MA	MBE
41	Moor Metals, Inc.	Sales and Distribution of Metals	Holliston, MA	MBE
42	Ms. Pipe, LLC	Procurement of Valves, Pipes and Fittings	South Windsor, CT	WBE
43	New England Foundation Company, Inc.	Helical Piles	Andover, MA	WBE

Notes:

(1) Green highlighted companies have worked on site and been paid as of August 31, 2016.

WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.

DIVERSE CONSTRUCTION COMPANIES

THROUGH SEPTEMBER 27, 2016

Ref	Company	Scope	Location	Diversity Status
44	Northeastern Steel Corporation	Steel Distributor	Revere, MA	MBE
45	Performance Testing & Balancing LLC	Testing & Balancing	South Hampton, MA	VBE
46	Rebars & Mesh, Inc.	Concrete	Haverhill, MA	WBE
47	Regis Steel Corporation	Steel Erection/ Reinforcing	Fall River, MA	MBE
48	S&F Concrete Contractors, Inc.	Concrete	Hudson, MA	MBE
49	Security Construction Services, Inc.	Fencing	Hudson, MA	WBE
50	SOS Corporation	Construction Cleaning, Selective Interior Demolition	Milford, MA	WBE
51	Steere Engineering, Inc.	Engineering Services	Warwick, RI	WBE
52	Strategic Environmental Services, Inc.	Environmental Consultants	Sutton, MA	WBE
53	T & M Equipment Corporation	Excavating Contractor	Springfield, MA	VBE
54	Titan Roofing Company	Roofing	Springfield, MA	MBE
55	Triton Leasing and Rental, Inc.	Demolition & Abatement	Feeding Hills, MA	WBE
56	Ultimate Abatement Company, Inc.	Abatement	Plainfield, MA	WBE
57	Welch Associates Land Surveyors, Inc.	Land Surveying	West Bridgewater, MA	WBE
58	Willow Tree Outdoor, LLC	Landscape	Springfield, MA	WBE

Notes:

(1) Green highlighted companies have worked on site and been paid as of August 31, 2016.

WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.

APPENDIX C

CONSTRUCTION WORKFORCE STATISTICS AS OF SEPTEMBER 27, 2016

MGM Springfield

Workforce Diversity Report (By Company)

As of: September 27, 2016

Reference	Company	This Month's Workforce Diversity Statistics								Project To Date Workforce Diversity Statistics							
		Employee Count	This Month's Total Hours	Women		Minority		Veteran		Employee Count	Project To Date Total Hours	Women		Minority		Veteran	
				Hours	%	Hours	%	Hours	%			Hours	%	Hours	%	Hours	%
1	Acraom Masonry Enterprises, Inc.	2	32.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	13	1,580.50	0.00	0.00%	824.50	52.17%	0.00	0.00%
2	AeroClean	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	13	1,740.00	0.00	0.00%	847.50	48.71%	0.00	0.00%
3	Allied Fire Protection, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	9	1,354.00	0.00	0.00%	256.00	18.91%	0.00	0.00%
4	American Environmental, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	169	26,301.75	1,530.00	5.82%	23,121.25	87.91%	288.50	1.10%
5	Ayotte & King For Tile, Inc	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	24	450.50	0.00	0.00%	4.00	0.89%	0.00	0.00%
6	Bay Crane Northeast	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	10.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
7	Bay State Elevator Co.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	8	315.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
8	BECO Electrical Contractors, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	11	3,433.50	0.00	0.00%	1,116.50	32.52%	2,088.00	60.81%
9	Berkshire Concrete Cutting	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	3	24.50	0.00	0.00%	0.00	0.00%	7.50	30.61%
10	Berlin Steel Construction Company	3	78.00	8.00	10.26%	0.00	0.00%	0.00	0.00%	4	491.00	8.00	1.63%	0.00	0.00%	135.50	27.60%
11	Blakeslee Prestress, Inc.	13	473.00	41.50	8.77%	16.00	3.38%	40.50	8.56%	13	473.00	41.50	8.77%	16.00	3.38%	40.50	8.56%
12	Chabot & Burnett Construction Co., Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	9	158.00	0.00	0.00%	30.00	18.99%	15.00	9.49%
13	Champlain Masonry, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	36	5,090.75	100.00	1.96%	1,965.00	38.60%	679.50	13.35%
14	Chandler Architectural Products	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	13	455.50	0.00	0.00%	53.00	11.64%	64.00	14.05%
15	CK Flooring Solutions, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	8	231.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
16	Coghlin Electrical Contractors, Inc.	5	548.00	0.00	0.00%	0.00	0.00%	136.00	24.82%	5	1,366.00	0.00	0.00%	0.00	0.00%	232.00	16.98%
17	Collins Electrical	14	1,025.00	151.00	14.73%	64.00	6.24%	142.00	13.85%	32	6,471.50	1,197.50	18.50%	637.50	9.85%	1,370.50	21.18%
18	Commonwealth Guardrail, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	17	690.00	4.00	0.58%	69.00	10.00%	0.00	0.00%
19	Connecticut Drywall Finishing, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	20	1,335.50	0.00	0.00%	158.50	11.87%	0.00	0.00%
20	Conte Company, LLC	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	3	24.00	0.00	0.00%	0.00	0.00%	8.00	33.33%
21	EDM Construction, Inc.	5	163.50	30.50	18.65%	90.50	55.35%	0.00	0.00%	6	266.50	30.50	11.44%	90.50	33.96%	0.00	0.00%
22	EF Corcoran Plumbing & Heating, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	16.00	16.00	100.00%	0.00	0.00%	0.00	0.00%
23	Evermore Light and Power, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	4	613.50	0.00	0.00%	0.00	0.00%	0.00	0.00%
24	Federal Concrete, Inc.	18	991.50	40.00	4.03%	80.00	8.07%	89.50	9.03%	53	15,582.50	1,262.50	8.10%	3,228.00	20.72%	1,227.50	7.88%
25	Folan Waterproofing & Construction	6	168.00	0.00	0.00%	71.00	42.26%	0.00	0.00%	6	428.00	0.00	0.00%	175.00	40.89%	0.00	0.00%
26	Fontaine Bros, Inc.	1	14.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	41	5,522.00	568.00	10.29%	2,016.00	36.51%	0.00	0.00%
27	Food Equipment Installation, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	4	116.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
28	Frisoli Electric Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	299.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
29	Gagliarducci Construction, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	47	4,262.50	635.00	14.90%	709.50	16.65%	796.50	18.69%
30	Harry Grodsky & Co.	6	200.00	40.00	20.00%	38.00	19.00%	0.00	0.00%	34	6,618.50	362.50	5.48%	388.00	5.86%	0.00	0.00%
31	Hayward Baker Inc.	5	110.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	31	3,579.50	306.50	8.56%	1,170.50	32.70%	0.00	0.00%
32	Cyn Environmental Services	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	24.00	0.00	0.00%	24.00	100.00%	0.00	0.00%
33	JDC Demolition	6	318.00	102.00	32.08%	142.00	44.65%	56.00	17.61%	20	3,120.00	304.00	9.74%	558.00	17.88%	96.00	3.08%
34	JRL Construction, Inc.	16	1,682.75	144.00	8.56%	419.00	24.90%	472.25	28.06%	41	14,484.50	1,667.00	11.51%	5,552.50	38.33%	2,432.00	16.79%
35	L.K. Sheet Metal, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	9	2,925.50	294.00	10.05%	0.00	0.00%	0.00	0.00%
36	Langan Insulation LLC	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	2	568.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
37	Marr Scaffold	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	15	527.00	0.00	0.00%	147.00	27.89%	0.00	0.00%
38	Marguerite Concrete	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	5	130.50	0.00	0.00%	0.00	0.00%	0.00	0.00%
39	Medeiros Hydroseeding & Landscape Construction, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	2	17.00	0.00	0.00%	11.00	64.71%	0.00	0.00%
40	Moran Sheet Metal, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	5	120.50	0.00	0.00%	24.00	19.92%	0.00	0.00%
41	NER Construction	1	8.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	5	160.00	0.00	0.00%	72.00	45.00%	0.00	0.00%
42	New England Foundation Co., Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	20	2,727.00	0.00	0.00%	587.50	21.54%	0.00	0.00%
43	Northeast Steel Erectors	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	7	1,335.00	34.00	2.55%	183.00	13.71%	393.00	29.44%
44	Northeastern Steel Corporation	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	6	64.00	9.00	14.06%	50.00	78.13%	0.00	0.00%
45	Northern General	21	2,358.00	119.00	5.05%	318.00	13.49%	202.50	8.59%	68	18,509.50	1,026.00	5.54%	2,773.00	14.98%	372.00	2.01%
46	P. Gioioso & Sons Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	9	834.50	114.50	13.72%	0.00	0.00%	0.00	0.00%
47	Palmer Paving Corporation	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	42	469.50	15.50	3.30%	8.00	1.70%	0.00	0.00%
48	Performance Testing & Balancing, LLC	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	3	64.00	0.00	0.00%	0.00	0.00%	38.00	59.38%
49	Professional Drywall Construction Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	64	3,793.50	196.50	5.18%	776.50	20.47%	347.00	9.15%
50	Regis Steel Corp	18	944.50	142.00	15.03%	305.50	32.35%	0.00	0.00%	35	2,856.50	288.00	10.08%	873.50	30.58%	133.00	4.66%
51	RoadSafe Traffic Systems	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	3	25.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
52	S & F Concrete Contractors, Inc.	70	5,014.00	243.00	4.85%	1,305.00	26.03%	463.50	9.24%	122	14,581.50	597.50	4.10%	3,845.50	26.37%	1,275.50	8.75%
53	Safespan	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	6	356.00	0.00	0.00%	56.00	15.73%	0.00	0.00%
54	Save-On-Wall Co., Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	9	290.50	45.00	15.49%	45.00	15.49%	8.00	2.75%
55	Security Construction Services, Inc. d/b/a: Security Fence Co.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	14	3,866.00	300.00	7.76%	1,233.25	31.90%	40.00	1.03%
56	Soep Painting Corp	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	10	1,475.50	0.00	0.00%	6.00	0.41%	0.00	0.00%
57	Stamford Wrecking	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	7	1,189.00	76.00	6.39%	122.00	10.26%	74.00	6.22%
58	Superior Caulking & Waterproofing Co., Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	7	193.00	0.00	0.00%	155.50	80.57%	0.00	0.00%
59	T & M Equipment Corporation	27	2,154.00	137.00	6.36%	344.00	15.97%	166.50	7.73%	54	17,045.05	1,337.50	7.85%	3,419.55	20.06%	723.50	4.24%
60	Tech Valley Contracting, LLC	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	8	2,018.00	206.00	10.21%	0.00	0.00%	0.00	0.00%
61	Tishman	4	640.00	0.00	0.00%	160.00	25.00%	160.00	25.00%	10	11,800.00	1,840.00	15.59%	2,560.00	21.69%	4,480.00	37.97%

MGM Springfield
Workforce Diversity Report (By Company)
As of: September 27, 2016

Reference	Company	This Month's Workforce Diversity Statistics								Project To Date Workforce Diversity Statistics							
		Employee Count	This Month's Total Hours	Women		Minority		Veteran		Employee Count	Project To Date Total Hours	Women		Minority		Veteran	
				Hours	%	Hours	%	Hours	%			Hours	%	Hours	%	Hours	%
62	Titan Roofing Company	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	38	1,720.50	0.00	0.00%	201.00	11.68%	138.00	8.02%
63	T.J. Conway Company	8	608.00	0.00	0.00%	112.00	18.42%	0.00	0.00%	26	2,899.50	0.00	0.00%	687.00	23.69%	0.00	0.00%
64	Triton Leasing and Rental, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	34	3,187.50	0.00	0.00%	1,547.50	48.55%	0.00	0.00%
65	Ultimate Abatement Company, Inc.	7	235.50	235.50	100.00%	195.50	83.01%	0.00	0.00%	42	8,149.50	1,351.50	16.58%	8,109.50	99.51%	0.00	0.00%
66	Universal Electric Co.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	18	5,635.00	556.50	9.88%	1,284.50	22.80%	394.00	6.99%
67	William Roberts Electric Co., Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	3	292.50	0.00	0.00%	93.00	31.79%	0.00	0.00%
68	Willow Tree Outdoor, LLC	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	5	261.50	0.00	0.00%	105.50	40.34%	0.00	0.00%
69	Wolfe House Movers, LLC	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	10	1,194.50	0.00	0.00%	306.00	25.62%	228.00	19.09%
70	Wolverine Fire Protection Co	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	6	318.00	0.00	0.00%	113.00	35.53%	0.00	0.00%
71	Worcester Elevator Co., Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	2	12.00	0.00	0.00%	0.00	0.00%	6.00	50.00%
Total - Unions		256	17,765.75	1,433.50	8.07%	3,660.50	20.60%	1,928.75	10.86%	1,432	218,540.55	16,320.50	7.47%	72,406.05	33.13%	18,131.00	8.30%
72	On-Site Design / Management	82	5,918.00	799.00	13.50%	1,021.70	17.26%	720.00	12.17%	189	86,343.10	11,935.50	13.82%	7,471.75	8.65%	10,664.20	12.35%
Total		338	23,683.75	2,232.50	9.43%	4,682.20	19.77%	2,648.75	11.18%	1,621	304,883.65	28,256.00	9.27%	79,877.80	26.20%	28,795.20	9.44%

Totals - Overall			
Group	Project Goals	Project To Date	Delta
Women	6.90%	9.27%	2.37%
Minority	15.30%	26.20%	10.90%
Veteran	8.00%	9.44%	1.44%

Notes:

- (1) Statistics include all workforce reports that were received by MGM as of September 27, 2016.
- (2) The total number of unique union workers that have worked on site is approximately 1,363. The 1,432 union workers identified above includes workers that have worked for multiple companies.

MGM Springfield
Workforce Diversity Report (By Union)
As of: September 27, 2016

Reference	Union	This Month's Workforce Diversity Statistics								Project To Date Workforce Diversity Statistics							
		Employee Count	This Month's Total Hours	Women		Minority		Veteran		Employee Count	Project To Date Total Hours	Women		Minority		Veteran	
				Hours	%	Hours	%	Hours	%			Hours	%	Hours	%	Hours	%
1	AFSCME Local #230	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	48.00	0.00	0.00%	48.00	100.00%	0.00	0.00%
2	Asbestos Workers #6	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	26	2,864.50	0.00	0.00%	1,483.50	51.79%	0.00	0.00%
3	Boston Plasters' & Cement Masons' - Asphalt Layers' Union #534	9	95.50	0.00	0.00%	10.50	10.99%	0.00	0.00%	12	121.00	0.00	0.00%	10.50	8.68%	0.00	0.00%
4	Bricklayers Local #1	2	32.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	7	572.00	0.00	0.00%	11.00	1.92%	0.00	0.00%
5	Bricklayers Local #3	7	230.00	0.00	0.00%	71.00	30.87%	0.00	0.00%	69	6,707.50	206.00	3.07%	1,733.00	25.84%	679.50	10.13%
6	Carpenters - Local #108	45	3,955.00	323.00	8.17%	1,047.00	26.47%	472.50	11.95%	187	31,558.50	2,148.00	6.81%	8,287.00	26.26%	5,280.50	16.73%
7	Carpenters Local #107	1	160.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	3	1,320.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
8	Carpenters Local #210	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	2	16.00	0.00	0.00%	0.00	0.00%	8.00	50.00%
9	Carpenters Local #33	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	5	160.00	45.00	28.13%	0.00	0.00%	0.00	0.00%
10	Carpenters Local #475	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	39.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
11	CT Bricklayers #1	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	24.00	0.00	0.00%	24.00	100.00%	0.00	0.00%
12	Floorcoverers Local #2168	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	15	304.50	0.00	0.00%	4.00	1.31%	0.00	0.00%
13	International Association of Iron Workers Local #7	3	78.00	8.00	10.26%	0.00	0.00%	0.00	0.00%	23	2,242.00	51.00	2.27%	315.00	14.05%	732.50	32.67%
14	International Brotherhood of Electrical Workers - IBEW Local #455	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	3	112.25	50.75	45.21%	112.25	100.00%	0.00	0.00%
15	International Brotherhood of Electrical Workers - IBEW Local #7	19	1,573.00	151.00	9.60%	64.00	4.07%	278.00	17.67%	76	18,175.00	1,754.00	9.65%	3,163.50	17.41%	4,084.50	22.47%
16	International Union of Elevator Constructors Local #41	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	10	327.00	0.00	0.00%	0.00	0.00%	6.00	1.83%
17	International Union of Operating Engineers - IUOE Local #4	7	450.00	0.00	0.00%	0.00	0.00%	56.00	12.44%	39	4,534.50	0.00	0.00%	82.00	1.81%	96.00	2.12%
18	International Union of Operating Engineers - IUOE Local #5	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	9.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
19	International Union of Operating Engineers - IUOE Local #98	25	1,823.50	72.00	3.95%	174.00	9.54%	7.00	0.38%	116	19,551.05	410.00	2.10%	1,971.05	10.08%	977.50	5.00%
20	International Union of Painters and Allied Trades - IUPAT District #11	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	6	125.50	0.00	0.00%	0.00	0.00%	0.00	0.00%
21	International Union of Painters and Allied Trades - IUPAT Local #1333	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	9	306.50	0.00	0.00%	29.00	9.46%	64.00	20.88%
22	Iron Workers District Council of New England	32	1,448.50	214.00	14.77%	412.00	28.44%	40.50	2.80%	61	5,623.00	464.00	8.25%	2,088.00	37.13%	173.50	3.09%
23	Laborers' District Council	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	16	1,819.00	0.00	0.00%	758.00	41.67%	15.00	0.82%
24	Laborer's International Union of North America - LIUNA Building Wreckers Local #1421	9	301.50	227.50	75.46%	227.50	75.46%	0.00	0.00%	164	24,453.25	1,588.25	6.50%	23,224.75	94.98%	0.00	0.00%
25	Laborers Local #22	8	471.00	0.00	0.00%	16.00	3.40%	49.50	10.51%	17	4,879.50	0.00	0.00%	454.00	9.30%	598.50	12.27%
26	Laborers Local #223	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	2	108.00	0.00	0.00%	54.00	50.00%	0.00	0.00%
27	Laborers Local #230	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	6	295.25	0.00	0.00%	270.75	91.70%	7.50	2.54%
28	Laborers Local #243	1	165.50	0.00	0.00%	0.00	0.00%	0.00	0.00%	2	2,514.50	0.00	0.00%	0.00	0.00%	0.00	0.00%
29	Laborers Local #39	1	122.50	0.00	0.00%	0.00	0.00%	122.50	100.00%	3	381.00	0.00	0.00%	0.00	0.00%	211.50	55.51%
30	Laborers Local #455	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	15	4,020.00	1,043.50	25.96%	4,020.00	100.00%	0.00	0.00%
31	Laborers Local #473	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	9	1,094.00	0.00	0.00%	2.00	0.18%	0.00	0.00%
32	Laborers Local #547	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	3	502.50	0.00	0.00%	0.00	0.00%	0.00	0.00%
33	Laborers Local #596	12	1,342.50	103.00	7.67%	268.00	19.96%	0.00	0.00%	82	15,349.75	1,384.50	9.02%	4,694.00	30.58%	45.00	0.29%
34	Laborers Local #609	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	4	77.00	0.00	0.00%	8.00	10.39%	0.00	0.00%
35	Laborers Local #610	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	4.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
36	Laborers Local #611	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	270.50	0.00	0.00%	270.50	100.00%	0.00	0.00%
37	Laborers Local #665	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	8	1,643.50	32.00	1.95%	1,643.50	100.00%	0.00	0.00%
38	Laborers Local #675	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	133.50	0.00	0.00%	133.50	100.00%	0.00	0.00%
39	Laborers Local #88 [Tunnel Workers]	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	4	338.50	0.00	0.00%	8.00	2.36%	0.00	0.00%
40	Laborers Local #999	55	4,517.75	295.00	6.53%	1,199.50	26.55%	902.75	19.98%	237	43,260.00	6,356.50	14.69%	14,988.25	34.65%	5,087.50	11.76%
41	Massachusetts Laborers' District Council	1	8.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	2	48.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
42	NY Bricklayers #2	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	4.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
43	Operating Engineers Local #4	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	8	310.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
44	Operating Engineers Local #478	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	4	329.50	0.00	0.00%	139.50	42.34%	0.00	0.00%
45	Painters and Allied Trades District Council #35	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	24	2,717.50	0.00	0.00%	164.50	6.05%	0.00	0.00%
46	Pile Drivers Local #56	3	75.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	18	1,939.00	0.00	0.00%	468.50	24.16%	0.00	0.00%
47	Plasterers and Cement Masons Local #534	10	108.50	0.00	0.00%	21.00	19.35%	0.00	0.00%	13	317.00	0.00	0.00%	52.50	16.56%	0.00	0.00%
48	Plumbers & Pipefitters #104	14	808.00	40.00	4.95%	150.00	18.56%	0.00	0.00%	61	9,534.00	378.50	3.97%	1,075.00	11.28%	0.00	0.00%
49	Roofers #248	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	30	1,516.00	0.00	0.00%	206.00	13.59%	26.00	1.72%
50	Sheet Metal Workers #17	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	4	116.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
51	Sheet Metal Workers #40	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	2	436.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
52	Sheet Metal Workers #63	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	23	2,771.50	294.00	10.61%	24.00	0.87%	38.00	1.37%
53	Sprinkler Fitters #669	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	15	1,672.00	0.00	0.00%	369.00	22.07%	0.00	0.00%
54	Teamsters' #404	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	7	945.50	114.50	12.11%	16.00	1.69%	0.00	0.00%
Subtotal - Other Unions		264	17,765.75	1,433.50	8.07%	3,660.50	20.60%	1,928.75	10.86%	1,460	218,540.55	16,320.50	7.47%	72,406.05	33.13%	18,131.00	8.30%
55	On-Site Design / Management	82	5,918.00	799.00	13.50%	1,021.70	17.26%	720.00	12.17%	189	86,343.10	11,935.50	13.82%	7,471.75	8.65%	10,664.20	12.35%
Total		346	23,683.75	2,232.50	9.43%	4,682.20	19.77%	2,648.75	11.18%	1,649	304,883.65	28,256.00	9.27%	79,877.80	26.20%	28,795.20	9.44%

Totals - Overall			
Group	Project Goals	Project To Date	Delta
Women	6.90%	9.27%	2.37%
Minority	15.30%	26.20%	10.90%
Veteran	8.00%	9.44%	1.44%

- Notes:**
(1) Statistics include all workforce reports that were received by MGM as of September 27, 2016.
(2) The total number of unique union workers that have worked on site is approximately 1,363. The 1,460 union workers identified above includes workers that have worked for multiple companies and/or multiple unions.

APPENDIX D

LETTER REGARDING COST OF CONSTRUCTION AND CAPITALIZATION OF GAMING LICENSE



November 25, 2016

Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

Re: Quarterly Report – Third Quarter 2016

Dear Commissioners:

In accordance with 205 CMR 135.02(5)(a) of the Massachusetts Gaming Commission Monitoring of Project Construction and Licensee Requirements (the “Monitoring Regulations”), please see on the attached Exhibit A the costs of construction, infrastructure improvements and related costs incurred by Blue Tarp reDevelopment, LLC (“MGM”) through September 30, 2016 in connection with the development of MGM Springfield project in Springfield, Massachusetts (the “Project”) compared to MGM’s cost estimates as of that date, which costs have been calculated in accordance with 205 CMR 122.03: Costs Included in the Calculation of Capital Investment.

In addition, in accordance with 205 CMR 135.02(b) of the Monitoring Regulations, I direct you to the publicly-filed financial statements of MGM Resorts International, the parent company of Blue Tarp reDevelopment, LLC (the “Licensee”), including MGM’s Quarterly Report on Form 10-Q for the quarterly period ended September 30, 2016, filed with Securities and Exchange Commission (the “SEC”) on November 9, 2016, which is available at www.sec.gov. As reflected in these financial statements, the Licensee has sufficient resources in order to meet all expected financial obligations relating to the completion of the gaming establishment and related infrastructure improvements associated with the Project.

I hereby certify that the foregoing and attached information is truthful and accurate to the best of my knowledge and belief.

Sincerely,

Seth N. Stratton
Vice President & General Counsel

cc: Michael Mathis, President & COO
Edward Pikula, Esq., Springfield City Solicitor

EXHIBIT A

Q3 2016 COST ESTIMATE (\$mm)

Ref	Description	Incurred To Date	Remaining	Total Estimate
1	Construction / Design	\$102	\$394.7	\$496.7
2	FF&E	\$0	\$75.0	\$75.0
3	OSE	\$0	\$43.7	\$43.7
	Subtotal of Eligible Cap. Costs	\$102	\$513.4	\$615.4
4	Land	\$49.5	\$1.8	\$51.3
5	Off-site Parcel Improvements	\$11.4	\$0	\$11.4
6	License/ Application Fees	\$85.0	\$0	\$85.0
7	Pre-opening Exp. / Host Comm. Costs	\$39.4	\$83.1	\$122.5
8	Fin. Costs / Capitalized Int.	\$10.7	\$57.8	\$68.5
9	Project Contingency	\$0	\$35.0 - \$41.8	\$35.0 - \$41.8
	Subtotal of Ineligible Costs	\$196	\$177.7 – \$184.5	\$373.7 - \$380.5
	Total	\$298	\$691.1 - \$697.9	\$989.1 - \$995.9

Notes:

1. Total estimate before Contingency is \$954.1mm. If spent, Contingency is more likely to be spent on and reclassified as Eligible Capital Costs.
2. The figures above are approximations to the nearest hundred thousand, which in some instances results in minor discrepancies (\$100k or less) in sums.

APPENDIX E

CONSTRUCTION SITE PROGRESS IMAGES AS OF SEPTEMBER 30, 2016

OVERALL SITE PROGRESS



Overall Site Activity - June 28, 2016

OVERALL SITE PROGRESS



Overall Site Activity - September 26, 2016

AERIAL PROGRESS



Aerial View - June 27, 2016



Aerial View - September 20, 2016

GARAGE CONSTRUCTION



Garage Construction - July 13, 2016



Oil Tank Removal - July 13, 2016



Garage Construction - July 18, 2016

GARAGE CONSTRUCTION



Site View - August 24, 2016



Garage Construction - August 29, 2016

GARAGE CONSTRUCTION



Garage Construction - September 15, 2016



Garage Construction - September 22, 2016



Garage Construction - September 22, 2016

DEMOLITION



73 State Street Demo - July 4, 2016



73 State Street Completed Facade Demo - July 19, 2016

DEMOLITION



Dave's Furniture Demo - July 26, 2016



Dave's Furniture Demo - July 26, 2016



Union Chandler - September 13, 2016

DEMOLITION



Armory Abatement - September 12, 2016



Union Chandler - September 12, 2016



Union Chandler - September 14, 2016

PODIUM CONSTRUCTION PROGRESS



Foundation Construction - August 13, 2016



Podium Construction - July 28, 2016



Foundation Construction - August 13, 2016

PODIUM CONSTRUCTION PROGRESS



Podium Construction & 73 State Facade - August 16, 2016



Foundation Construction - August 17, 2016



Hotel Foundation - August 17, 2016

PODIUM CONSTRUCTION PROGRESS



Podium Construction - August 22, 2016



Union Chandler Facade Stabilization - August 22, 2016



Podium Construction - August 24, 2016

PODIUM CONSTRUCTION PROGRESS



Excavation and Sub-Grading - August 29, 2016



Union Chandler Facade Stabilization - August 29, 2016



Podium Construction - September 1, 2016

CONSTRUCTION CRANE ERECTION



Crane Erection - September 26, 2016



Crane Erection - September 29, 2016



Crane Erection - September 28, 2016



Crane Erection - September 29, 2016



Frank P. Fitzgerald
John E. Drost, Jr.
Stephanie A. Fitzgerald †
Brian S. Fitzgerald *
Jane L. Mantolesky
Daniel T. Wright *

† Also admitted in New York
* Also admitted in Connecticut

Direct e-mail: jlm@fitzgeraldlaw.com

October 17, 2016

VIA FIRST CLASS MAIL and
VIA E-MAIL

Edward Pikula, Esq.
City Solicitor
City of Springfield Law Department
36 Court Street, Room 307
Springfield, MA 01103

Re: Signage and Specialty Lighting Concept

Dear Attorney Pikula:

As you are aware, Blue Tarp reDevelopment, LLC dba MGM Springfield (“MGM”) recently submitted to the Springfield City Council, MGM’s application for approval of Signage and Specialty Lighting Concept (“Application”) in connection with its resort casino project located in downtown Springfield (the “Project”).¹ The Application, pursuant to Section 8.5 of the Springfield Zoning Ordinance, governing the Casino Overlay District, seeks approval of on premise signs to be located on the Project garage and Project plaza. We have reviewed the following relevant Massachusetts General Laws and the Code of Massachusetts Regulations and have determined that the Massachusetts Department of Transportation (“MassDOT”) does not have jurisdiction over the plaza signage nor over the garage on premise signs.

Pursuant to 700 CMR 3.02, MassDOT maintains jurisdiction over “outdoor advertising” in the Commonwealth (“[n]o person shall engage in the business of outdoor advertising in the Commonwealth of Massachusetts by means of any sign or signs without first obtaining a license therefore from the Director.”). “Outdoor Advertising” is defined as, “any outdoor sign, display, light, device, figure, painting, drawing, message, plaque, poster, billboard, or other thing which is designed, intended or used to advertise or inform; any part of the advertising or information contents of which is visible from any public way, public park or reservation.” 700 CMR 3.01.

However, “no permit shall be required for any sign which is:

¹ MGM will be submitting additional Signage and Specialty Lighting Concepts as the Project progresses.

1. An on-premise sign that is erected or maintained in conformity with the law and which advertises or indicates the entity which primarily occupies the premises in question or a principal activity taking place on the property where the sign is located.
2. A sign that advertises the property itself or any part thereof as for sale or to let, and which contains no other advertising matter.
3. An artistic sign which does not constitute advertising, or tend to promote goods, services or commercial activity, or result in income being derived by any party.
4. Signs which are erected solely for and relating to public elections.
5. Signs or other devices on or in the rolling stock of any common carrier or signs or other devices on or in stations, subways or structures of or used by any common carrier unless such signs or devices are displayed within view of a public way.
6. Directional and other Official Signs.”

700 CMR 3.02.

An “on-premise sign” is defined as,

- “(a) A sign which consists solely of the name of the establishment or which identifies the establishment's primary or principal products or services offered on the property is an on-property sign.
- (b) When a sign consists of a logo, brand name or trade name advertising and the product or service advertised is only incidental to the primary or principal activity, or if it brings rental income to the property owner, it shall be considered the business of outdoor advertising and not an on-property sign.
- (c) A sale or lease sign which also advertises any product or service not conducted upon and unrelated to the business or selling or leasing the land on which the sign is located is not an on-property sign.”

700 CMR 3.01.

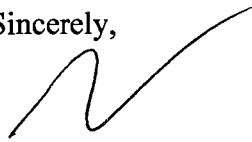
As referenced in the Application, the signage for the garage, which is oriented towards Interstate 91, is on-premise. The garage signage consists of the MGM name and will identify MGM’s primary or principal products or services. Furthermore, to the extent that MGM elects to advertise the Springfield Thunderbirds, City Stage, Symphony Hall or the MassMutual Center, the same is not incidental to MGM’s primary or principal activity as MGM is required pursuant to the Host Community Agreement (the “HCA”) to advertise for said items. *See HCA* at Exhibit B. In addition, none of the expected content included in any of the garage signage will result in income being derived from any party for said advertising.

To the extent that there are concerns regarding the safety of the garage signage in relation to traffic concerns on Interstate 91, the Casino Overlay District explicitly provides that the City

Council shall take traffic safety into account when reviewing MGM's Signage and Specialty Lighting Concept. *See Zoning Ordinance City of Springfield, Massachusetts at 8.5.74.*

Should you have any questions regarding the foregoing or the enclosed please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to be 'Frank P. Fitzgerald', written in a cursive style.

Frank P. Fitzgerald

cc: Seth N. Stratton, Vice President and General Counsel, MGM Springfield, via email
John Ziemba, Ombudsman, via email
Melinda Phelps, Esq., via email
Jed Nosal, Esq., via email
Patrick J. Paul, District Highway Director, MassDOT, District 2

DRAFT

MASSACHUSETTS GAMING COMMISSION

2017 COMMUNITY MITIGATION FUND GUIDELINES

What is the Community Mitigation Fund?

The Expanded Gaming Act, MGL c. 23K, created the Community Mitigation Fund to help entities offset costs related to the construction and operation of a gaming establishment.

When Is the Application Deadline?

February 1, 2017. MGL c. 23K, § 61 states that “parties requesting appropriations from the fund shall submit a written request for funding to the Commission by February 1.”

Who Can Apply?

MGL c. 23K, § 61 states the Commission shall expend monies in the fund to assist the host and surrounding communities ... “including, but not limited to, communities and water and sewer districts in the vicinity of a gaming establishment, local and regional education, transportation, infrastructure, housing, environmental issues and public safety, including the office of the county district attorney, police, fire, and emergency services.” The Commission may also distribute funds to a governmental entity or district other than a single municipality in order to implement a mitigation measure that affects more than one community.

Private non-governmental parties may not apply for Community Mitigation Funds. However, governmental entities may apply to the Commission for funds to mitigate impacts to private parties provided that such funding is for a “public purpose” and not the direct benefit or maintenance of the private party; the governmental entity provides a program that ensures that funding will be made only to remedy impacts; and provided that the governmental entity will be responsible for overseeing such funding and complying with all applicable state and municipal laws including but not limited to Art. 46, §2, as amended by Article 103 of the Amendments to the Massachusetts Constitution.



Massachusetts Gaming Commission

The Community Mitigation Fund may be used to offset costs related to both Category 1 full casino facilities (MGM Springfield and Wynn Everett), the state’s Category 2 slots-only facility (Plainridge Park), and may be utilized, pursuant to these Guidelines, for a program of technical assistance for communities that may be impacted by the potential Tribal gaming facility in Taunton.

Does a Community Need to Be a Designated Host or Surrounding Community to Apply?

No. The Commission’s regulations and MGL c. 23K, § 61 do not limit use of Community Mitigation Funds to only host or surrounding communities. The Commission’s regulation, 205 CMR 125.01(4), states that “[a]ny finding by the commission that a community is not a surrounding community for purposes of the RFA-2 application shall not preclude the community from applying to and receiving funds from the Community Mitigation Fund established by MGL c. 23K, § 61....”

Status of One-Time 2015/2016 Reserves

In 2015 and 2016, a Reserve Fund was established for communities that may not have been able to demonstrate significant impacts by the submittal deadline date. The Commission reserved \$100,000 for the following communities which were either a host community, designated surrounding community, a community which entered into a nearby community agreement with a licensee, a community that petitioned to be a surrounding community to a gaming licensee, or a community that is geographically adjacent to a host community:

CATEGORY 1 – CASINO/RESORT

Region A

Boston
Cambridge
Chelsea
Everett
Lynn
Malden
Medford
Melrose
Revere
Saugus
Somerville

Region B

Agawam
Chicopee
East Longmeadow
Hampden
Holyoke
Longmeadow
Ludlow
Northampton
Springfield
West Springfield
Wilbraham

CATEGORY 2 – SLOTS

Attleboro

Mansfield

Plainville

Foxborough

North Attleborough

Wrentham

In many cases, communities may not be in a position to access their 2015 or 2016 reserves by the February 1, 2017 deadline. Therefore, the Commission has extended such reserves for the 2017 Community Mitigation Fund Program. Communities may continue to access whatever portion of the original \$100,000 that remains unexpended. The above communities **do not** need to submit any new application to keep their reserves. These reserves have automatically been extended by action of the Commission.

The criteria for the use of the reserve remain the same. This reserve can be used to cover impacts that may arise in 2017 or thereafter. It may also be used for planning, either to determine how to achieve further benefits from a facility or to avoid or minimize any adverse impacts.

Funds will be distributed as the needs are identified. Communities that utilize the reserve are not prohibited from applying for funding for any specific mitigation request.

What are the Reserve Amounts?

Can a community apply for mitigation of a specific impact even though it has not fully utilized its 2015 or 2016 Reserve?

Yes. However, if a specific impact application is successful, a portion of the reserve will be used as an offset against the amount requested for the specific impact. The reserve amount will be reduced by fifty thousand dollars (\$50,000.00) assuming the specific impact request is at least that amount

What Specific Impacts Can Be Funded?

The 2017 Community Mitigation Fund for mitigation of specific impacts may be used only to mitigate impacts that either have occurred or are occurring as of the February 1, 2017 application date. Although the definition in the Commission's regulations (for the purpose of determining which communities are surrounding communities) references predicted projected impacts, the 2017 program is limited to only those impacts that are being experienced or were experiencing by the time of the February 1, 2017 application date.

The Commission has determined that the funding of unanticipated impacts will be a priority under the annual Community Mitigation Fund. Thus the Commission will review funding requests in the context of any host or surrounding community agreement to help determine funding eligibility.¹ The Community Mitigation Fund is not intended to fund the mitigation of specific impacts already being funded in a host or surrounding Community Agreement. Please note that impacts determined through any look back review likely are unanticipated impacts.

No application for the mitigation of a specific impact shall exceed \$400,000.

Allowable impacts for funding are as follows:

Category 1 Gaming Facility: In recognition that no Category 1 gaming facility will be operational by February 1, 2017, the Commission has determined that the 2017 Community Mitigation Fund is available only to mitigate impacts related to the construction of Category 1 gaming facilities. This limitation does not apply to planning activities funded under the 2015/2016 one-time reserve fund, or 2017 Transportation Planning Grants, or 2017 Pre-employment Grants.

The Commission's regulation 205 CMR 125.07 defines construction period impacts as:

"The community will be significantly and adversely affected by the development of the gaming establishment prior to its opening taking into account such factors as noise and environmental impacts generated during its construction; increased construction vehicle trips on roadways within the community and intersecting the community; and projected increased traffic during the period of construction."

¹ The Commission is aware of the difference in bargaining power between host and surrounding communities in negotiating agreements and will take this into account when evaluating funding applications.

Category 2 Gaming Facility: In recognition that the Category 2 gaming facility in Plainville opened during calendar year 2015, the Commission will make available funding to mitigate operational related impacts that are being experienced or were experienced from that facility by the February 1, 2017 date. The Commission will make available up to \$500,000 in total for applications for the mitigation of operational impacts relating to the Plainridge facility.

The Commission's regulation 205 CMR 125.01 2(b)4 defines operational impacts as:

“The community will be significantly and adversely affected by the operation of the gaming establishment after its opening taking into account such factors as potential public safety impacts on the community; increased demand on community and regional water and sewer systems; impacts on the community from storm water run-off, associated pollutants, and changes in drainage patterns; stresses on the community's housing stock including any projected negative impacts on the appraised value of housing stock due to a gaming establishment; any negative impact on local, retail, entertainment, and service establishments in the community; increased social service needs including, but not limited to, those related to problem gambling; and demonstrated impact on public education in the community.”

Although these definitions include the types of operational impacts that may be funded, it is not limited to those. The determination will be made by the Commission after its review.

What Cannot Be Funded?

2017 Community Mitigation Fund may not be used for the mitigation of:

Category 1 Gaming Facilities:

- any operational related impacts;
- impacts that are projected or predicted but that are not occurring or have not occurred by February 1, 2017;
- impacts that are the responsibility (e.g. contractual, statutory, regulatory) of parties involved in the construction of gaming facilities (such as damage caused to adjoining buildings by construction equipment, spills of construction-related

materials outside of work zones, personal injury claims caused by construction equipment or vehicles);

- the cost of the preparation of a grant application;
- requests related to utility outages, such as the mitigation of business interruptions; and
- other impacts determined by the Commission.

Category 2 Gaming Facilities:

- impacts that are projected or predicted but that are not occurring or have not occurred by February 1, 2017;
- impacts that are the responsibility (e.g. contractual, statutory, regulatory) of parties involved in the construction of gaming facilities (such as damage caused to adjoining buildings by construction equipment, spills of construction-related materials outside of work zones, personal injury claims caused by construction equipment or vehicles);
- the cost of the preparation of a grant application; and
- requests related to utility outages, such as the mitigation of business interruptions.

Please note that the Commission may determine to expand the eligible uses of funds for the 2017 program or other future programs when impacts are more clearly identifiable. The Commission will also consult with mitigation advisory committees established in MGL c. 23K in determining such uses.

Guidance on Funding for Non-Governmental Entities

As noted, communities and other parties may apply for funds to mitigate the impact to non-governmental entities. However, the Commission strongly encourages applicants to ensure the impacts are directly related to the gaming facility. For example, an applicant could limit a request for assistance for impacts to all businesses within 1000 feet of a gaming facility. Further, applicants should demonstrate that the governmental entity, the licensee, or both will also financially contribute to any program of assistance. The Commission will not fund any applications for assistance to non-governmental entities unless the applicant governmental entity or the licensee or both provide

significant funding to match or partially match the assistance required from the 2017 Community Mitigation Fund. Any such application for assistance to non-governmental entities by a host community must demonstrate that the host community, the licensee, or both will match the assistance required from the 2017 Community Mitigation Fund. Communities may ask the Commission to waive this match or partial match requirement. Any community seeking a waiver should include a statement in its application specifying the reason for its waiver request. Please note that as stated by the Commonwealth's Comptroller's Office: "The Anti-Aid Amendment of the Massachusetts Constitution prohibits 'public money or property' from aiding non-public institutions.... Article 46 has been interpreted to allow the expenditure of public funds to non-public recipients solely for the provision of a 'public purposes' [sic] and not for the direct benefit or maintenance of the non-public entity."

Any community seeking funding for mitigation involving non-public entities should provide detail how its planned use is in conformity with this provision of the Massachusetts Constitution and with Municipal Finance Law.

How Much Funding Is and Will Be Available?

In sum, a total of \$17.5 million from the current licensees was deposited in the Community Mitigation Fund for use until Category 1 gross gaming revenues are generated, or thereafter (if all such funds are not used prior to that date). After the deduction of purposes approved in 2015 and 2016, the fund has approximately \$12 million available after accounting for potential future awards of previously authorized grants.

No further contributions will be made to the Community Mitigation Fund until either MGM Springfield or Wynn Everett become operational and generate revenues.² MGM Springfield is currently projected to be operational in early September 2018 and Wynn Everett is currently projected to be operational in early June 2019. Once operational, MGL c. 23K, § 59 specifies that 6.5% of the revenues from the tax on gross gaming revenues from Category 1 (full casino) licensees shall be deposited in the Community Mitigation Fund.

Once the MGM Springfield and Wynn Everett facilities are operational, approximately \$18 million generated by these two facilities will be annually deposited into the

² These guidelines do not describe revenue estimates from the potential Tribal facility in Taunton or the participation of a Region C facility, as no Region C license or Tribal facility has yet been fully authorized. Further, after the initial deposit, no further contributions from the Slots licensee will be made to the fund.

Community Mitigation Fund using a conservative estimate provided by the Commission's financial consultants.

Limitations

Because the fund needs to be available until the facilities are operational, the Commission anticipates authorizing no more than \$4 million in awards out of the 2017 Community Mitigation Fund, including potential future awards of previously authorized grants. No application for a specific impact grant shall exceed \$400,000.

Of that amount, for 2017, no more than \$500,000 may be expended for operational impacts related to the Category 2 gaming facility, unless otherwise determined by the Commission.

Transportation Planning Grants

For calendar year 2017, the Commission will make available funding for certain transportation planning activities for all communities eligible to receive funding from the Community Mitigation Fund in Regions A & B and for the Category 2 facility, including each Category 1 and Category 2 host community and each designated surrounding community, each community which entered into a nearby community agreement with a licensee, and any community that petitioned to be a surrounding community to a gaming licensee, each community that is geographically adjacent to a host community.

The total funding available for planning grants will likely not exceed \$800,000, approximately 20% of the estimated annual allotment for the fund. No application for a transportation planning grant shall exceed \$150,000.

Eligible planning projects must have a defined area or issue that will be investigated as well as a clear plan for implementation of the results.

Eligible expenses to be covered by the Transportation Planning Grant include, but not necessarily limited to:

- Planning consultants/staff
- Data gathering/surveys
- Data analysis
- Design
- Engineering review/surveys

- Public meetings/hearings
- Final report preparation

The planning projects must be clearly related to addressing transportation issues or impacts directly related to the gaming facility.

Applicants will be required to submit a detailed scope, budget, and timetable for the planning effort prior to funding being awarded.

The Commission will fund no application for more than two years for any municipal employee. The CMF will not pay the full cost of any municipal employee. The municipality would need to provide the remaining amount of any employee cost and certify that all such expenses are casino related. For non-personnel costs, each community applying for planning funds will also need to provide detail on what it will contribute to the planning project such as in-kind services or planning funds.

Pursuant to the Guidelines, the Commission will evaluate requests for planning funds (including both the use of Reserve Planning Funds and Transportation Planning Grant Funds) after taking into consideration input the applicant has received from the local Regional Planning Agency ("RPA") or any such interested parties. Although there is no prerequisite for using RPA's for planning projects, consultation with RPA's is required to enable the Commission to better understand how planning funds are being used efficiently across the region of the facility. Please provide details about the applicant's consultation with the RPA or any such interested parties.

Communities that requested and received reserves in 2015 or 2016 must first expend those funds before accessing any Transportation Planning Grant funds. Transportation Planning Grant funds may be sought to expand a planning project begun with reserve funds or to fund an additional project once the reserves have been exhausted.

In addition to the specific impact grant factors further defined in section "[How Will the Commission Decide on Applications?](#)", the Commission will also consider whether the applicant demonstrates the potential for such transportation project that is the subject of a CMF application to compete for state or federal transportation funds.

Applicants may, but are not required, to include a description how the project meets the evaluation standards for the Fiscal Year 2017 TIP criteria for the Boston MPO Region or the Pioneer Valley Planning Commission's transportation evaluation criteria, or other regional transportation project evaluation standard, whichever may be most applicable.

Compact Technical Assistance

The Commission shall make available no more than \$200,000 in technical assistance funding to assist in the determination of potential impacts that may be experienced by communities in geographic proximity to the potential Tribal Gaming facility in Taunton. Said technical assistance funding may be made through Southeastern Regional Planning and Economic Development District (“SRPEDD”), the regional planning agency that services such communities or a comparable regional entity. Such funding will only be made available, after approval of any application by SRPEDD or a comparable regional entity, if it is determined by the Commission that construction of such gaming facility will likely commence prior to or during Fiscal Year 2018. Any such application by SRPEDD or a comparable regional entity must demonstrate that any studies of impacts will address the technical assistance needs of the region which may include but not be limited to the communities that are geographically adjacent to Taunton. Such funding shall not be used to study impacts on or provide technical assistance to Taunton, as funding has been provided in the Intergovernmental Agreement By and Between the Mashpee Wampanoag Tribe and the City of Taunton. Any such program of technical assistance may be provided by SRPEDD itself or through a contract with SRPEDD.

Pre-Employment Grant

For the fiscal year 2018, the Commission will make available funding for certain career pathways workforce development pilot programs in Regions A and B for service to residents of communities of such Regions, including each Category 1 host community and each designated surrounding community, each community which entered into a nearby community agreement with a licensee, any community that petitioned to be a surrounding community to a gaming licensee, and each community that is geographically adjacent to a host community.

The total funding available for grants will likely not exceed \$200,000. No application for a grant in each Region shall exceed \$100,000. One grant will be considered for each Region.

Eligible career pathways workforce development proposals must include a regional consortium approach to improve the skills, knowledge, and credential attainment of each Region A and Region B residents interested in a casino career, focusing on increasing industry-recognized and academic credentials needed to work in the most in-demand occupations related to the expanded gaming industry or a focus on occupations that could be in high demand from the casino, potentially negatively

impacting the regional business community. This could include a focus on hospitality, culinary, cash handling, or customer service, etc.

Goals include:

- To help low-skilled adults earn occupational credentials, obtain well-paying jobs, and sustain rewarding careers in sectors related to hospitality and casino careers.
- To get students with low basic skills into for-credit career and technical education courses to improve their educational and employment outcomes.
- To deliver education and career training programs that can be completed in two years or less and prepare program participants for employment in high-wage, high-skill occupations related to the casino.
- To align and accelerate ABE, GED, and developmental programs and provide nontraditional students the supports they need to complete postsecondary credentials of value in the regional labor market.
- To mitigate a strain in existing resources and a potential impact to the regional labor market

Eligible activities include: a program in Region A or Region B that structures intentional connections among adult basic education, occupational training, and post-secondary education programs designed to meet the needs of both adult learners and employers, post-secondary vocational programs, registered apprenticeships, courses leading to college credits or industry-recognized certificates, Adult Basic Education (“ABE”) and vocationally based English for Speakers of Other Languages (“ESOL”) training programs, Contextualized Learning, Integrated Education & Training, and Industry-recognized Credentials.

A consortium application is required. However, governmental entities eligible to receive funds would include but not be limited to: host communities, communities which were each either a designated surrounding community, a community which entered into a nearby community agreement with a licensee, a community that is geographically adjacent to the host community of a gaming licensee, a community that petitioned to be a surrounding community to a gaming licensee state agencies, state agencies, and Regional Employment Boards.

Applicants should consider leveraging other funding resources.

[What Should Be Included in the Applications?](#)

- Applicants are required to complete the 2017 Specific Impact Grant Application, the 2017 Transportation Planning Grant or the 2017 Pre-Employment Grant Application and may also submit additional supporting materials of a reasonable length.
- Applicants will need to describe how the specific mitigation, planning, or pre-employment project request will address any claimed impacts and provide justification of any funds requested. Unlike existing surrounding community agreements which were based on anticipated impacts, any Specific Impact Grant will be based on impacts that have occurred or are occurring, as noted previously.
- Applicants will need to describe if and how such impacts were addressed or not addressed in any host or surrounding community agreements.
- Applicants may include a letter of support from the applicable gaming licensee. However, this is not necessary, as the Commission will request the licensee's opinion regarding each application.

How Will the Commission Decide on Applications?

- Similar to the Commission's surrounding community review process, the Commission will ask each licensee to review and comment on any requests for funding.
- The Commission will evaluate the submittal by the community, any input received from the community and interested parties (such as Regional Planning Agencies), the responses of the licensee, Commission consultant reviews, and any other sources determined by the Commission.
- The Commission will evaluate any funding requests in the context of any host or surrounding community agreements.
- Factors used by the commission to evaluate transportation planning grant applications may include but not be limited to:
 - o A demonstration that the impact is being caused by the proposed gaming facility;
 - o The significance of the impact to be remedied;
 - o The potential for the proposed mitigation measure to address the impact;
 - o The feasibility and reasonableness of the proposed mitigation measure;

- o The demonstration that any program to assist non-governmental entities is for a demonstrated public purpose and not for the benefit or maintenance of a private party;
 - o The significance of any matching funds for planning efforts;
 - o Any demonstration of regional benefits from a mitigation award;
 - o A demonstration that other funds from host or surrounding community agreements are not available to fund the proposed mitigation measure; or
 - o A demonstration that such mitigation measure is not already required to be completed by the licensee pursuant to any regulatory requirements or pursuant to any agreements between such licensee and applicant.
- The Commission may ask applicants for supplementary materials, may request a meeting with applicants, and reserves the ability to host a hearing or hearings on any application.
 - The Commission's deliberations on Community Mitigation Fund policies will also be aided through input from the Gaming Policy Advisory Committee, the Community Mitigation Subcommittee, and any Local Community Mitigation Advisory Committees, as established pursuant to M.G.L. c. 23K.
 - The Commission reserves the ability to determine a funding limit beyond what is detailed in these Guidelines, as additional contributions to the Community Mitigation Fund will not be made until Category 1 gaming facilities are operational. The Commission also reserves the ability to determine a funding limit above what is detailed in these Guidelines.
 - **The Commission reserves the ability to fund only portions of requested projects and to fund only a percentage of amounts requested. The Commission also reserves the ability to place conditions on any award.**
 - **There is limited funding available. The Commission therefore reserves the right to determine which requests to fund based on its assessment of a broad range of factors including the extent of public benefit each grant is likely to produce.**

When Will the Commission Make Decisions?

The Commission anticipates making funding decisions on any requests for grant assistance before July 2017, after a comprehensive review and any additional information requests.

Is There a Deadline for the Use of the 2015/2016 Reserve?

There is no deadline. Funds may be used on a rolling basis when specific impacts are determined or the specific planning activity is determined. Once known, communities should contact the Ombudsman's Office, which will assist the community in providing the needed information. Communities with specific impacts will, at the time the impacts are known, complete the grayed sections of the 2017 Use of Reserve Grant Application (the grayed boxes 1-4 beginning on page 3). Communities with requests for planning funds will provide similar information to the Commission: a description of the planning activity, how the planning activity relates to the development or operation of the gaming facility, how the planning funds are proposed to be used, consultation with the Regional Planning Agency, other funds being used, and how planning will help the community determine how to achieve further benefits from a facility or to avoid or minimize any adverse impacts. The Commission will fund no application for more than two years for any municipal employee. The CMF will not pay the full cost of any municipal employee. The municipality would need to provide the remaining amount of any employee cost and certify that all such expenses are casino related. Each Community applying for planning funds will also need to provide detail on what it will contribute to the planning project such as in-kind services or planning funds. Please note that such details do not need to be determined by the February 1, 2017 application date. Commission approvals of the use of the 2015/2016 reserve funds will also be on a rolling basis corresponding to the rolling determinations of use by communities.

Who Should Be Contacted for Any Questions?

As the 2017 Community Mitigation Fund program is just in the third year of the program for the Commission, communities and other parties may have a number of questions. They are encouraged to contact the Commission's Ombudsman with any questions or concerns. The Commission's Ombudsman will regularly brief the Commission regarding the development of Community Mitigation Fund policies.

The Commission's Ombudsman, John Ziemba, can be reached at 617-979-8423 or via e-mail at john.s.ziemba@state.ma.us. The Commission's address is 101 Federal Street, 12th Floor, Boston, MA 02110.

Where Should the Applications Be Sent?

Applications **must be sent to** www.commbuys.com. An application received by COMMBUYS by February 1, 2017 will meet the application deadline. Applicants that are not part of the COMMBUYS system should contact Mary Thurlow of the Commission's Ombudsman's Office well in advance of the February 1, 2017 deadline to make arrangements for submission of the application by the deadline. Mary Thurlow can be contacted at 617-979-8420 or at mary.thurlow@state.ma.us.

If you have any questions or concerns contact the COMMBUYS Help Desk at COMMBUYS@state.ma.us or during normal business hours (8am - 5pm ET Monday - Friday) at 1-888-627-8283 or 617-720-3197.

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MASSACHUSETTS GAMING COMMISSION

2017 COMMUNITY MITIGATION FUND GUIDELINES

What is the Community Mitigation Fund?

The Expanded Gaming Act, MGL c. 23K, created the Community Mitigation Fund to help entities offset costs related to the construction and operation of a gaming establishment.

When Is the Application Deadline?

February 1, 2017. MGL c. 23K, § 61 states that “parties requesting appropriations from the fund shall submit a written request for funding to the Commission by February 1.”

Who Can Apply?

MGL c. 23K, § 61 states the Commission shall expend monies in the fund to assist the host and surrounding communities ... “including, but not limited to, communities and water and sewer districts in the vicinity of a gaming establishment, local and regional education, transportation, infrastructure, housing, environmental issues and public safety, including the office of the county district attorney, police, fire, and emergency services.” The Commission may also distribute funds to a governmental entity or district other than a single municipality in order to implement a mitigation measure that affects more than one community.

Private non-governmental parties may not apply for Community Mitigation Funds. However, governmental entities may apply to the Commission for funds to mitigate impacts to private parties provided that such funding is for a “public purpose” and not the direct benefit or maintenance of the private party; the governmental entity provides a program that ensures that funding will be made only to remedy impacts; and provided that the governmental entity will be responsible for overseeing such funding and complying with all applicable state and municipal laws including but not limited to Art. 46, §2, as amended by Article 103 of the Amendments to the Massachusetts Constitution.



Massachusetts Gaming Commission

The Community Mitigation Fund may be used to offset costs related to both Category 1 full casino facilities (MGM Springfield and Wynn Everett), the state’s Category 2 slots-only facility (Plainridge Park), and may be utilized, pursuant to these Guidelines, for a program of technical assistance for communities that may be impacted by the potential Tribal gaming facility in Taunton.

Does a Community Need to Be a Designated Host or Surrounding Community to Apply?

No. The Commission’s regulations and MGL c. 23K, § 61 do not limit use of Community Mitigation Funds to only host or surrounding communities. The Commission’s regulation, 205 CMR 125.01(4), states that “[a]ny finding by the commission that a community is not a surrounding community for purposes of the RFA-2 application shall not preclude the community from applying to and receiving funds from the Community Mitigation Fund established by MGL c. 23K, § 61....”

Status of One-Time 2015/2016 Reserves

In 2015 and 2016, a Reserve Fund was established for communities that may not have been able to demonstrate significant impacts by the submittal deadline date. The Commission reserved \$100,000 for the following communities which were either a host community, designated surrounding community, a community which entered into a nearby community agreement with a licensee, a community that petitioned to be a surrounding community to a gaming licensee, or a community that is geographically adjacent to a host community:

CATEGORY 1 – CASINO/RESORT

Region A

Boston
Cambridge
Chelsea
Everett
Lynn
Malden
Medford
Melrose
Revere
Saugus
Somerville

Region B

Agawam
Chicopee
East Longmeadow
Hampden
Holyoke
Longmeadow
Ludlow
Northampton
Springfield
West Springfield
Wilbraham

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CATEGORY 2 – SLOTS

Attleboro
Foxborough

Mansfield
North Attleborough

Plainville
Wrentham

In many cases, communities may not be in a position to access their 2015 or 2016 reserves by the February 1, 2017 deadline. Therefore, the Commission has extended such reserves for the 2017 Community Mitigation Fund Program. Communities may continue to access whatever portion of the original \$100,000 that remains unexpended. The above communities **do not** need to submit any new application to keep their reserves. These reserves have automatically been extended by action of the Commission.

The criteria for the use of the reserve remain the same. This reserve can be used to cover impacts that may arise in 2017 or thereafter. It may also be used for planning, either to determine how to achieve further benefits from a facility or to avoid or minimize any adverse impacts.

Funds will be distributed as the needs are identified. Communities that utilize the reserve are not prohibited from applying for funding for any specific mitigation request.

What are the Reserve Amounts?

~~Can communities apply both for the reserve and for a specific impact?~~

~~**Yes.** However, if a specific impact application is successful, a portion of the reserve will be used as an offset against the amount requested for the specific impact. The reserve amount will be reduced by fifty thousand dollars (\$50,000.00) assuming the specific impact request is at least that amount.~~

Can a community apply for mitigation of a specific impact even though it has not fully utilized its 2015 or 2016 Reserve?

Yes. However, if a specific impact application is successful, a portion of the reserve will be used as an offset against the amount requested for the specific impact. The reserve amount will be reduced by fifty thousand dollars (\$50,000.00) assuming the specific impact request is at least that amount

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What Specific Impacts Can Be Funded?

The 2017 Community Mitigation Fund for mitigation of specific impacts may be used only to mitigate impacts that either have occurred or are occurring as of the February 1, 2017 application date. Although the definition in the Commission's regulations (for the purpose of determining which communities are surrounding communities) references predicted projected impacts, the 2017 program is limited to only those impacts that are being experienced or were experiencing by the time of the February 1, 2017 application date.

The Commission has determined that the funding of unanticipated impacts will be a priority under the annual Community Mitigation Fund. Thus the Commission will review funding requests in the context of any host or surrounding community agreement to help determine funding eligibility.¹ The Community Mitigation Fund is not intended to fund the mitigation of specific impacts already being funded in a host or surrounding Community Agreement. Please note that impacts determined through any look back review likely are unanticipated impacts.

No application for the mitigation of a specific impact shall exceed \$400,000.

Allowable impacts for funding are as follows:

Category 1 Gaming Facility: In recognition that no Category 1 gaming facility will be operational by February 1, 2017, the Commission has determined that the 2017 Community Mitigation Fund is available only to mitigate impacts related to the construction of Category 1 gaming facilities. This limitation does not apply to planning activities funded under the 2015/2016 one-time reserve fund, or 2017 Transportation Planning Grants, or 2017 Pre-employment Grants.

The Commission's regulation 205 CMR 125.07 defines construction period impacts as:

"The community will be significantly and adversely affected by the development of the gaming establishment prior to its opening taking into account such factors as noise and environmental impacts generated during its construction; increased construction vehicle trips on roadways within

¹ The Commission is aware of the difference in bargaining power between host and surrounding communities in negotiating agreements and will take this into account when evaluating funding applications.

the community and intersecting the community; and projected increased traffic during the period of construction.”

Category 2 Gaming Facility: In recognition that the Category 2 gaming facility in Plainville opened during calendar year 2015, the Commission will make available funding to mitigate operational related impacts that are being experienced or were experienced from that facility by the February 1, 2017 date. The Commission will make available up to \$500,000 in total for applications for the mitigation of operational impacts relating to the Plainridge facility.

The Commission’s regulation 205 CMR 125.01 2(b)4 defines operational impacts as:

“The community will be significantly and adversely affected by the operation of the gaming establishment after its opening taking into account such factors as potential public safety impacts on the community; increased demand on community and regional water and sewer systems; impacts on the community from storm water run-off, associated pollutants, and changes in drainage patterns; stresses on the community's housing stock including any projected negative impacts on the appraised value of housing stock due to a gaming establishment; any negative impact on local, retail, entertainment, and service establishments in the community; increased social service needs including, but not limited to, those related to problem gambling; and demonstrated impact on public education in the community.”

Although these definitions include the types of operational impacts that may be funded, it is not limited to those. The determination will be made by the Commission after its review.

What Cannot Be Funded?

2017 Community Mitigation Fund may not be used for the mitigation of:

Category 1 Gaming Facilities:

- any operational related impacts;
- impacts that are projected or predicted but that are not occurring or have not occurred by February 1, 2017;

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- impacts that are the responsibility (e.g. contractual, statutory, regulatory) of parties involved in the construction of gaming facilities (such as damage caused to adjoining buildings by construction equipment, spills of construction-related materials outside of work zones, personal injury claims caused by construction equipment or vehicles);
- ~~The~~the cost of the preparation of a grant application;
- ~~The CMF will not fund~~ requests related to utility outages, such as the mitigation of business interruptions; and
- ~~Other~~other impacts determined by the Commission.

Category 2 Gaming Facilities:

- impacts that are projected or predicted but that are not occurring or have not occurred by February 1, 2017;
- impacts that are the responsibility (e.g. contractual, statutory, regulatory) of parties involved in the construction of gaming facilities (such as damage caused to adjoining buildings by construction equipment, spills of construction-related materials outside of work zones, personal injury claims caused by construction equipment or vehicles);

- the cost of the preparation of a grant application; and
- requests related to utility outages, such as the mitigation of business interruptions.

Please note that the Commission may determine to expand the eligible uses of funds for the 2017 program or other future programs when impacts are more clearly identifiable. The Commission will also consult with mitigation advisory committees established in MGL c. 23K in determining such uses;

- ~~The cost of the preparation of a grant application; and~~
- ~~The CMF will not fund requests related to utility outages, such as the mitigation of business interruptions.~~

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Guidance on Funding for Non-Governmental Entities

As noted, communities and other parties may apply for funds to mitigate the impact to non-governmental entities. However, the Commission strongly encourages applicants to ensure the impacts are directly related to the gaming facility. For example, an applicant could limit a request for assistance for impacts to all businesses within 1000 feet of a gaming facility. Further, applicants should demonstrate that the governmental entity, the licensee, or both will also financially contribute to any program of assistance. The Commission will not fund any applications for assistance to non-governmental entities unless the applicant governmental entity or the licensee or both provide significant funding to match or partially match the assistance required from the 2017 Community Mitigation Fund. Any such application for assistance to non-governmental entities by a host community must demonstrate that the host community, the licensee, or both will match the assistance required from the 2017 Community Mitigation Fund. Communities may ask the Commission to waive this match or partial match requirement. Any community seeking a waiver should include a statement in its application specifying the reason for its waiver request. Please note that as stated by the Commonwealth's Comptroller's Office: "The Anti-Aid Amendment of the Massachusetts Constitution prohibits 'public money or property' from aiding non-public institutions.... Article 46 has been interpreted to allow the expenditure of public funds to non-public recipients solely for the provision of a 'public purposes' [sic] and not for the direct benefit or maintenance of the non-public entity."

Any community seeking funding for mitigation involving non-public entities should provide detail how its planned use is in conformity with this provision of the Massachusetts Constitution and with Municipal Finance Law.

How Much Funding Is and Will Be Available?

In sum, a total of \$17.5 million from the current licensees was deposited in the Community Mitigation Fund for use until Category 1 gross gaming revenues are generated, or thereafter (if all such funds are not used prior to that date). After the deduction of purposes approved in 2015 and 2016, the fund has approximately \$12 million available after accounting for potential future awards of previously authorized grants.

No further contributions will be made to the Community Mitigation Fund until either

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MGM Springfield or Wynn Everett become operational and generate revenues.² MGM Springfield is currently projected to be operational ~~on~~ in early September ~~5,~~ 2018 and Wynn Everett is currently projected to be operational ~~on~~ in early June ~~3,~~ 2019. Once operational, MGL c. 23K, § 59 specifies that 6.5% of the revenues from the tax on gross gaming revenues from Category 1 (full casino) licensees shall be deposited in the Community Mitigation Fund.

Once the MGM Springfield and Wynn Everett facilities are operational, approximately \$18 million generated by these two facilities will be annually deposited into the Community Mitigation Fund using a conservative estimate provided by the Commission's financial consultants.

Limitations

Because the fund needs to be available until the facilities are operational, the Commission anticipates authorizing no more than **\$4 million** in awards out of the 2017 Community Mitigation Fund, including potential future awards of previously authorized grants. No application for a specific impact grant shall exceed \$400,000.

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Of that amount, for 2017, no more than \$500,000 may be expended for operational impacts related to the Category 2 gaming facility, unless otherwise determined by the Commission.

Transportation Planning Grants

For calendar year 2017, the Commission will make available funding for certain transportation planning activities for all communities eligible to receive funding from the Community Mitigation Fund in Regions A & B and for the Category 2 facility, including each Category 1 and Category 2 host community and each designated surrounding community, each community which entered into a nearby community agreement with a licensee, and any community that petitioned to be a surrounding community to a gaming licensee, each community that is geographically adjacent to a host community.

² These guidelines do not describe revenue estimates from the potential Tribal facility in Taunton or the participation of a Region C facility, as no Region C license or Tribal facility has yet been fully authorized. Further, after the initial deposit, no further contributions from the Slots licensee will be made to the fund.

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The total funding available for planning grants will likely not exceed \$800,000, approximately 20% of the estimated annual allotment for the fund. No application for a transportation planning grant shall exceed \$150,000.

Eligible planning projects must have a defined area or issue that will be investigated as well as a clear plan for implementation of the results.

Eligible expenses to be covered by the Transportation Planning Grant include, but not necessarily limited to:

- Planning consultants/staff
- Data gathering/surveys
- Data analysis
- Design
- Engineering review/surveys
- Public meetings/hearings
- Final report preparation

The planning projects must be clearly related to addressing transportation issues or impacts directly related to the gaming facility.

Applicants will be required to submit a detailed scope, budget, and timetable for the planning effort prior to funding being awarded.

The Commission will fund no application for more than two years for any municipal employee. The CMF will not pay the full cost of any municipal employee. The municipality would need to provide the remaining amount of any employee cost and certify that all such expenses are casino related. For non-personnel costs, each community applying for planning funds will also need to provide detail on what it will contribute to the planning project such as in-kind services or planning funds.

Pursuant to the Guidelines, the Commission will evaluate requests for planning funds (including both the use of Reserve Planning Funds and Transportation Planning Grant Funds) after taking into consideration input the applicant has received from the local Regional Planning Agency ("RPA") or any such interested parties. Although there is no prerequisite for using RPA's for planning projects, consultation with RPA's is required to enable the Commission to better understand how planning funds are being used efficiently across the region of the facility. Please provide details about the applicant's consultation with the RPA or any such interested parties.

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Communities that requested and received reserves in 2015 or 2016 must first expend those funds before accessing any Transportation Planning Grant funds. Transportation Planning Grant funds may be sought to expand a planning project begun with reserve funds or to fund an additional project once the reserves have been exhausted.

In addition to the specific impact grant factors further defined in section "[How Will the Commission Decide on Applications?](#)", the Commission will also consider whether the applicant demonstrates the potential for such transportation project that is the subject of a CMF application to compete for state or federal transportation funds.

Applicants may, but are not required, to include a description how the project meets the evaluation standards for the Fiscal Year 2017 TIP criteria for the Boston MPO Region or the Pioneer Valley Planning Commission's transportation evaluation criteria, or other regional transportation project evaluation standard, whichever may be most applicable.

Compact Technical Assistance

The Commission shall make available no more than \$200,000 in technical assistance funding to assist in the determination of potential impacts that may be experienced by communities in geographic proximity to the potential Tribal Gaming facility in Taunton. Said technical assistance funding may be made through Southeastern Regional Planning and Economic Development District ("SRPEDD"), the regional planning agency that services such communities or a comparable regional entity. Such funding will only be made available, after approval of any application by SRPEDD or a comparable regional entity, if it is determined by the Commission that construction of such gaming facility will likely commence prior to or during Fiscal Year ~~2017~~2018. Any such application by SRPEDD or a comparable regional entity must demonstrate that any studies of impacts will address the technical assistance needs of the region which may include but not be limited to the communities that are geographically adjacent to Taunton. Such funding shall not be used to study impacts on or provide technical assistance to Taunton, as funding has been provided in the Intergovernmental Agreement By and Between the Mashpee Wampanoag Tribe and the City of Taunton. Any such program of technical assistance may be provided by SRPEDD itself or through a contract with SRPEDD.

Pre-Employment Grant

For the fiscal year 2018, the Commission will make available funding for certain career pathways workforce development pilot programs in Regions A and B for service to residents of communities of such Regions, including each Category 1 host community and each designated surrounding community, each community which entered into a

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nearby community agreement with a licensee, any community that petitioned to be a surrounding community to a gaming licensee, and each community that is geographically adjacent to a host community.

The total funding available for grants will likely not exceed \$200,000. No application for a grant in each Region shall exceed \$100,000. One grant will be considered for each Region.

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Eligible career pathways workforce development proposals must include a regional consortium approach to improve the skills, knowledge, and credential attainment of each Region A and Region B residents interested in a casino career, focusing on increasing industry-recognized and academic credentials needed to work in the most in-demand occupations related to the expanded gaming industry or a focus on occupations that could be in high demand from the casino, potentially negatively impacting the regional business community. This could include a focus on hospitality, culinary, cash handling, or customer service, etc.

Goals include:

- To help low-skilled adults earn occupational credentials, obtain well-paying jobs, and sustain rewarding careers in sectors related to hospitality and casino careers.
- To get students with low basic skills into for-credit career and technical education courses to improve their educational and employment outcomes.
- To deliver education and career training programs that can be completed in two years or less and prepare program participants for employment in high-wage, high-skill occupations related to the casino.
- To align and accelerate ABE, GED, and developmental programs and provide nontraditional students the supports they need to ~~enable more low income adults to~~ complete postsecondary credentials of value in the regional labor market.
- To mitigate a strain in existing resources and a potential impact to the regional labor market

Eligible activities include: a program in Region A or Region B that structures intentional connections among adult basic education, occupational training, and post-secondary education programs designed to meet the needs of both adult learners and employers, post-secondary vocational programs, registered apprenticeships, courses leading to

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college credits or industry-recognized certificates, Adult Basic Education (“ABE”) and vocationally based English for Speakers of Other Languages (“ESOL”) training programs, Contextualized Learning, Integrated Education & Training, and Industry-recognized Credentials.

A consortium application is required. However, governmental entities eligible to receive funds would include but not be limited to: host communities, communities which were each either a designated surrounding community, a community which entered into a nearby community agreement with a licensee, a community that is geographically adjacent to the host community of a gaming licensee, a community that petitioned to be a surrounding community to a gaming licensee state agencies, state agencies, and Regional Employment Boards.

Applicants should consider leveraging other funding resources.

What Should Be Included in the Applications?

- Applicants are required to complete the 2017 Specific Impact Grant Application, the 2017 Transportation Planning Grant or the 2017 Pre-Employment Grant Application and may also submit additional supporting materials of a reasonable length.
- Applicants will need to describe how the specific mitigation, planning, or pre-employment project request will address any claimed impacts and provide justification of any funds requested. Unlike existing surrounding community agreements which were based on anticipated impacts, any Specific Impact Grant will be based on impacts that have occurred or are occurring, as noted previously.
- Applicants will need to describe if and how such impacts were addressed or not addressed in any host or surrounding community agreements.
- Applicants may include a letter of support from the applicable gaming licensee. However, this is not necessary, as the Commission will request the licensee’s opinion regarding each application.

How Will the Commission Decide on Applications?

- Similar to the Commission’s surrounding community review process, the Commission will ask each licensee to review and comment on any requests for funding.
- The Commission will evaluate the submittal by the community, any input received from the community and interested parties (such as Regional Planning Agencies), the

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responses of the licensee, Commission consultant reviews, and any other sources determined by the Commission.

- The Commission will evaluate any funding requests in the context of any host or surrounding community agreements.
- Factors used by the commission to evaluate transportation planning grant applications may include but not be limited to:
 - o A demonstration that the impact is being caused by the proposed gaming facility;
 - o The significance of the impact to be remedied;
 - o The potential for the proposed mitigation measure to address the impact;
 - o The feasibility and reasonableness of the proposed mitigation measure;
 - o The demonstration that any program to assist non-governmental entities is for a demonstrated public purpose and not for the benefit or maintenance of a private party;
 - o The significance of any matching funds for planning efforts;
 - o Any demonstration of regional benefits from a mitigation award;
 - o A demonstration that other funds from host or surrounding community agreements are not available to fund the proposed mitigation measure; or
 - o A demonstration that such mitigation measure is not already required to be completed by the licensee pursuant to any regulatory requirements or pursuant to any agreements between such licensee and applicant.
- The Commission may ask applicants for supplementary materials, may request a meeting with applicants, and reserves the ability to host a hearing or hearings on any application.
- The Commission's deliberations on Community Mitigation Fund policies will also be aided through input from the Gaming Policy Advisory Committee, the Community Mitigation Subcommittee, and any Local Community Mitigation Advisory Committees, as established pursuant to M.G.L. c. 23K.
- The Commission reserves the ability to determine a funding limit beyond what is detailed in these Guidelines, as additional contributions to the Community Mitigation Fund will not be made until Category 1 gaming facilities are operational. The

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Commission also reserves the ability to determine a funding limit above what is detailed in these Guidelines.

- The Commission reserves the ability to fund only portions of requested projects and to fund only a percentage of amounts requested. The Commission also reserves the ability to place conditions on any award.
- There is limited funding available. The Commission therefore reserves the right to determine which requests to fund based on its assessment of a broad range of factors including the extent of public benefit each grant is likely to produce.

When Will the Commission Make Decisions?

The Commission anticipates making funding decisions on any requests for grant assistance before July 2017, after a comprehensive review and any additional information requests.

Is There a Deadline for the Use of the 2015/2016 Reserve?

There is no deadline. Funds may be used on a rolling basis when specific impacts are determined or the specific planning activity is determined. Once known, communities should contact the Ombudsman's Office, which will assist the community in providing the needed information. Communities with specific impacts will, at the time the impacts are known, complete the grayed sections of the 2017 Use of Reserve Grant Application (the grayed boxes 1-4 beginning on page 3). Communities with requests for planning funds will provide similar information to the Commission: a description of the planning activity, how the planning activity relates to the development or operation of the gaming facility, how the planning funds are proposed to be used, consultation with the Regional Planning Agency, other funds being used, and how planning will help the community determine how to achieve further benefits from a facility or to avoid or minimize any adverse impacts. The Commission will fund no application for more than two years for any municipal employee. The CMF will not pay the full cost of any municipal employee. The municipality would need to provide the remaining amount of any employee cost and certify that all such expenses are casino related. Each Community applying for planning funds will also need to provide detail on what it will contribute to the planning project such as in-kind services or planning funds. Please note that such details do not need to be determined by the February 1, 2017 application date. Commission approvals of the use of the 2015/2016 reserve funds will also be on a rolling basis corresponding to the rolling determinations of use by communities.

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Who Should Be Contacted for Any Questions?

As the 2017 Community Mitigation Fund program is just in the third year of the program for the Commission, communities and other parties may have a number of questions. They are encouraged to contact the Commission's Ombudsman with any questions or concerns. The Commission's Ombudsman will regularly brief the Commission regarding the development of Community Mitigation Fund policies.

The Commission's Ombudsman, John Ziembra, can be reached at 617-979-8423 or via e-mail at john.s.ziembra@state.ma.us. The Commission's address is 101 Federal Street, 12th Floor, Boston, MA 02110.

Where Should the Applications Be Sent?

Applications **must be sent to** www.commbuys.com. An application received by COMMBUYS by February 1, 2017 will meet the application deadline. Applicants that are not part of the COMMBUYS system should contact Mary Thurlow of the Commission's Ombudsman's Office well in advance of the February 1, 2017 deadline to make arrangements for submission of the application by the deadline. Mary Thurlow can be contacted at 617-979-8420 or at mary.thurlow@state.ma.us.

If you have any questions or concerns contact the COMMBUYS Help Desk at COMMBUYS@state.ma.us or during normal business hours (8am - 5pm ET Monday - Friday) at 1-888-627-8283 or 617-720-3197.

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CITY OF EVERETT
Office of the Mayor

Carlo DeMaria, Jr.
Mayor



Everett City Hall
484 Broadway
Everett, MA 02149-3694
Phone: (617) 394-2270
Fax: (617)381-1150

November 28, 2016

Commissioner Stephen Crosby, Chair
Massachusetts Gaming Commission
101 Federal Street 02110
Boston, MA

Re: 2017 Community Mitigation Fund Draft Guidelines

Dear Chairman Crosby and Honorable Commissioners

I am writing in response to the commission's request for comment on the draft 2017 Community Mitigation Fund Guidelines. The Expanded Gaming Act states that the commission shall expend monies in the mitigation fund to assist host and surrounding communities, and that the monies may be used to offset costs related to casino facilities. I appreciate the opportunity to offer input on the commission's draft mitigation fund framework. These guidelines will govern how host and surrounding communities to a gaming establishment may access funds to help offset costs related to the construction and operation of the gaming establishment, and I thank you for your thoughtful consideration.

There are a number of good uses for these funds, and I firmly believe that these funds should be used to prepare the workforce for the significant number of new jobs that the casino industry will bring to the state, so that residents most in need of new career opportunities may access jobs that will allow them to achieve a better quality of life for themselves and their families. The use of these funds to maximize the economic impacts of this new industry will represent a sound investment in the future of our communities.

Limitations

The draft guidelines state that in 2017, applications for mitigation of a specific impact may not exceed \$400,000. While I agree that it is rational to establish a framework for maximum requests given the finite resources available (approximately \$12 million until the casinos open), I would urge the commission to use this ceiling as a guideline and not an absolute. As the commission understands better than anyone, this is a brand new

industry to Massachusetts, and it is certainly possible that unanticipated impacts could necessitate mitigation in excess of \$400,000. I would urge the commission to evaluate each proposed funding request on its merits, and not impose a \$400,000 cap if circumstances warrant a larger award.

Guidance on Funding to Non-Governmental Entities

With regard to non-governmental entities, the draft guidelines require that an application for assistance to a non-governmental entity by a host community demonstrate a match by the host community, licensee, or both. The draft guidelines allow for a community to seek a waiver of this match, and I think that this opportunity to petition the commission for a waiver is important. I could envision a scenario in which a non-governmental entity is able to provide a needed service to the public not provided by the government, for which a community does not have budgeted funds to supply as a match. The opportunity to seek a waiver could allow strong requests to secure funding, unimpeded by the lack of available matching funds. I respectfully request that the waiver provision be included in the final guidelines.

Transportation Planning Grants

Last fiscal year, the City of Everett was pleased to receive a transportation planning grant in the amount of \$150,000, using the designated \$100,000 community mitigation reserve and \$50,000 in additional transportation funding. This funding is enabling a study and 25% design of a bike path interconnection that could take a large number of cars off the road in the area of the Wynn casino, improving active transportation in the region and reducing environmental impact.

I am pleased to see that the commission will once again fund transportation planning grants in 2017; this type of mitigation funding may assist in improving regional transportation networks and traffic flow prior to the opening of the casino.

I would also urge the commission to consider opening up the transportation grant program to small capital proposals. In Everett, we are seeking ways to expand active transportation networks, such as the bike path, and build pedestrian footbridges to transit hubs. These projects should be completed prior to the opening of the casino in order to mitigate the increased traffic associated with the casino- having access to an additional source of funding could expedite the completion of some strategically important yet small-scale transportation infrastructure projects.

Pre-Employment Grant

Under the draft guidelines, the commission will make available funding for certain career pathways workforce development pilot programs. The goals of the program include:

- To help low-skilled adults earn occupational credentials, obtain well-paying jobs, and sustain rewarding careers in sectors related to hospitality and casino careers.
- To get students with low basic skills into for-credit career and technical education courses to improve their educational and employment outcomes.
- To deliver education and career training programs that can be completed in two years or less and prepare program participants for employment in high-wage, high-skill occupations related to the casino.

- To align and accelerate ABE, GED, and developmental programs and provide nontraditional students they need to enable more low-income adults to complete postsecondary credentials of value in the regional labor market.
- To mitigate a strain in existing resources and a potential impact to the regional labor market.

I want to strongly commend the commission for the inclusion of this language in the draft guidelines, and urge you to include it in the final guidelines.

The Wynn project is having a dramatic impact on our local economy. It is providing real jobs for the working men and women of Massachusetts - 4,000 construction jobs and 4,000 hospitality jobs when the casino opens.

As mayor of Everett, I understand the urgency of ensuring that my residents are well-equipped and trained to compete for these hospitality jobs. Workforce development funding for new programs is often scarce. With this funding program, the commission is creating an opportunity to make a real difference in the lives of many of our residents- by offering them a pathway to a good-paying hospitality job with a career ladder. I am so pleased to see the commission include this language, and I urge you to retain it in the final guidelines.

I would respectfully request that the commission consider using the \$100,000 per region funding ceiling as a guideline, rather than a rule. Given the scale of need for this type of training, I could envision a larger proposal of true merit exceeding this funding cap. I would urge the commission to consider each proposal on its merits and projected impact, even if the cost exceeds \$100,000.

Once again, thank you very much for the opportunity to offer comment, and for the work that you do every day to maximize the benefits of these extremely important economic development projects to host communities, surrounding communities, and the commonwealth. I look forward to continuing to work closely with the commission. If you have any questions, please do not hesitate to contact me or Catherine Rollins, policy director, at (617) 394-2270.

Sincerely,

A handwritten signature in black ink that reads "Carlo DeMaria". The signature is written in a cursive, slightly slanted style.

Carlo DeMaria
Mayor

Thurlow, Mary (MGC)

From: Kohout, George <ggkohout@stcc.edu>
Sent: Monday, November 28, 2016 3:02 PM
To: MGCcomments (MGC)
Subject: Fwd: Community Mitigation Funds / Comment on draft Guidelines

I was very excited to review the 2017 Community Mitigation Fund Guidelines and

I am encouraged that the Gaming Commission has put a concerted effort into planning for this application process. I'm sure the program will help alleviate many casino-related impacts on communities.

I believe one of the greatest impacts to Hampden County will be the need of existing employers to back-fill employees as the MGM Casino comes on line in 2018. As the MGM casino attracts new employees many local businesses will see a spike in demand for new and qualified employees to take their places. I would suggest that the final Mitigation Fund Guidelines include an allotment of \$500,000 for pre-employment services to each of the two regions impacted by the casinos in the Commonwealth. The current proposed allotment of \$200, 000 per region will fall short in preparing these communities to meet the anticipated hiring quotas of qualified employees.

One out of five adults in Hampden county over the age of 25 do not have a high school diploma. Even more individuals do not have the academic or essential work habits to be considered for the large number of vacancies

anticipated in Hampden County across most industry sectors. Existing funding for these pre-employment services through the MA. budget and Department of Elementary and Secondary Education does not and will not meet this talent drought anticipated by our local employers. Developing and providing an improved and effective system of both HiSET (GED) prep and workforce readiness classes to meet this demand over the next 2 - 5 years requires a significant financial investment. A larger allocation of \$500,000 to each region, embedded in the Mitigation Guidelines, will begin to move the needle on this workforce problem.

I appreciate your consideration of this suggested revision to the proposed Community Mitigation Funds Guidelines

Sincerely,
George Kohout
Springfield Technical Community College

SPRINGFIELD TECHNICAL COMMUNITY COLLEGE

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Thurlow, Mary (MGC)

From: Brennan, Tim <TBrennan@PVPC.ORG>
Sent: Monday, November 28, 2016 12:38 PM
To: MGCcomments (MGC)
Subject: 2017 CMFG Comments

Thank you for the opportunity to review and comment on the MGC's 2017 Community Mitigation Fund Draft Guidelines. Acting on behalf of my agency, the Pioneer Valley Planning Commission (PVPC), I offer the following comments and suggestions for your consideration:

- Although I understand the rationale behind establishing an overall limit of \$4 million on grants for the 2017 CMF, I'd urge this limit be increased to \$4.3 million in order that additional funds can be directed toward pre-employment pilot initiative in Regions A and B which we believe should be priority activity in the coming year.
- Applications seeking CMF financial support for part time, municipal employees for up to two years is a difficult proposition that will require close and careful scrutiny on the MGC's part. In these instances, a municipal cash match requirement of say 15 to 20% would seem prudent and advisable.
- As cited above, we'd urge that the MGC increase the pre-employment training funding up to \$500,000, meaning \$250,000 each for work readiness Pilot initiatives in Regions a and B, in order to help assure they can produce a meaningful impact. Ideally the successful Pilots that get launched in 2017 can be scaled-up in order to achieve sustained workforce development/readiness progress in 2018 and subsequent years.
- We support the proposed \$200,000 of CMF funding to provide technical assistance in determining the potential impacts that may be experienced by communities in proximity to the potential Tribal Gaming facility in Taunton and likewise the option of using the Southern Regional Planning and Economic Development District (SRPEDD) to coordinate this work in concert with the potentially affected communities.

I hope these comments and suggestions will prove useful to the MGC members and staff.

Sincerely, Tim Brennan, PVPC

Tim Brennan, Executive Director
Pioneer Valley Planning Commission (PVPC)
60 Congress Street FL 1
Springfield, Massachusetts 01104
Tel. 413-781-6045
www.pvpc.org

Thurlow, Mary (MGC)

From: Jeffrey Hayden <jhayden@hcc.edu>
Sent: Monday, November 28, 2016 2:57 PM
To: MGCcomments (MGC)
Subject: 2017 CMFG

Thank you for the opportunity to comment on the Community Mitigation Fund Guidelines. I will focus my comments on the Pre-Employment Grant opportunity.

It is clear that in Western Massachusetts there is a demonstrated need for qualified workers. For example, at this moment the Regional Employment Board of Hampden County has identified 1,700 vacancies in Food Preparation and Related Serving occupations. As the region continues to recover and grow this need for workers who meet basic education requirements and who have the appropriate workplace skills will continue to grow.

Secondly, the population growth of the region has been limited and at the same time the population has been aging. The primary source of potential workers will come from the region's unemployed, underemployed, and those with low educational attainment. It is imperative that the region increase its workforce participation rate and improve the skill levels of its labor pool.

Currently there are over 900 people on the ABE/ESOL waiting lists only in Springfield and Holyoke. The future workforce will come from this group. Additional resources will be needed to meet the region's education and training needs for this population. A significant amount of training time will be necessary for this sizable regional training population. I believe that a \$400,000 per region would be a more appropriate estimate of the cost of getting this labor pool ready for work.

Thank you for your consideration of this matter.

Thanks,
Jeff,

—
Jeffrey P. Hayden, VP
Business and Community Services

303 Homestead Avenue
Holyoke, Massachusetts 01040
413-552-2587

Follow us on Facebook: [The Kittredge Center for Business & Workforce Development](#)

Thurlow, Mary (MGC)

From: Maguire, Toby (DOE) <toby.maguire@doe.mass.edu>
Sent: Monday, November 28, 2016 2:58 PM
To: MGCcomments (MGC)
Cc: Leitz, Jessica; Bettencourt, Helene H (DOE); Chuang, Cliff; Conway, Jolanta; LePage, Robert (EOE); Fenton, Russell (ESE)
Subject: 2017 CMFG

The Office of Adult and Community Learning Services (ACLS), part of the Center for Educational Options within the Department of Elementary and Secondary Education, would like to make the following comments regarding the proposed Pre-Employment Grant section of the 2017 Community Mitigation Fund Guidelines:

1. We applaud the Commission for making funding available for “certain career pathways workforce development pilot programs” that would align with the Commonwealth’s charge under the Federal Workforce Innovation and Opportunity Act (WIOA) to better align its workforce development system to meet the needs of both employers and those who face barriers to becoming fully employable.
2. Our experience has shown us that the demand for resources especially in those regions which will be most affected by the casino industry remains far higher than the supply. Currently we have more students on our waitlists than available seats for services, a predicament that this funding could help mitigate.
3. Currently, the field of adult basic education is piloting Integrated Education and Training models. These innovative programs combine traditional elements from job training programs with elements from adult education in a contextualized and concurrent class that leads to an industry-recognized certificate or credential. Pre-Employment grants would help further expand those models in the regions that need them most, and in a way that leverages the potential for employment and career growth that the casino industry brings with it.

Sincerely,
Toby Maguire

*Toby Maguire, Assistant Director
Adult and Community Learning Services
Department of Elementary and Secondary Education
75 Pleasant Street
Malden, MA 02148*

781/338-3814

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From: [William Fogarty](#)
To: [MGCComments \(MGC\)](#)
Subject: 2017 CMFG
Date: Monday, November 28, 2016 12:50:21 PM

I appreciate having the opportunity to comment on the Massachusetts Gaming Commission 2017 Community Mitigation Fund Guidelines.

I would like to comment specifically on the regional allocation for Pre-employment Training Services. We are showing 1,700 job vacancies in Hampden County for Food Preparation and Related Services Occupations, and of course that number will grow with the opening of the MGM Casino complex in Springfield in the Fall of 2018. Given the extent of the current and projected need, I urge that consideration be given to increasing the regional allocation of \$200,000 to \$500,000.

Thank you for your consideration.

William J. Fogarty
Interim President
Holyoke Community College
303 Homestead Ave.
Holyoke, MA 01040
(413) 552-2700
bfogarty@hcc.edu
www.hcc.edu

MICHAEL J. SCHALLER
DIRECT: (312) 836-4005
FACSIMILE: (312) 275-7599
E-MAIL: mschaller@taftlaw.com

111 East Wacker Drive, Suite 2800 / Chicago, Illinois 60601
Tel: 312.527.4000 / Fax: 312.527.4011
www.taftlaw.com

November 23, 2016

VIA E-MAIL: mgccomments@state.ma.us

Mr. Stephen Crosby, Chairman
Massachusetts Gaming Commission
101 Federal Street, 23rd Floor
Boston, MA 02110

Re: 2017 Community Mitigation Fund Guidelines

Chairman Crosby:

I am outside gaming counsel to the City of Taunton (the "City" or "Taunton"), the host community to the Project First Light Destination Casino (the "Project"). In that capacity I have been asked to comment on certain provisions of the above referenced proposed guidelines dated November 10, 2016 (the "Proposed Guidelines") as posted on the Massachusetts Gaming Commission's (the "Commission") website. I appreciate the opportunity afforded by the Commission to comment on these very important Proposed Guidelines. In preparing my remarks I note that I have reviewed the transcript of the Commission's November 10, 2016 meeting (the "Transcript") during which Mr. Ziemba led a discussion of the Proposed Guidelines.

As Mr. Ziemba correctly points out (see Transcript, page 125), the Tribal-State Compact between the Mashpee Wampanoag Tribe (the "Tribe") and the Commonwealth of Massachusetts made and entered into on March 19, 2013 (the "Compact") provides, among other things, for funding mitigation impacts with respect to surrounding communities in accordance with section 61 of M.G.L. ch. 23K (see Compact, Subpart 12.2), which in effect treats impacts to communities surrounding the Project in the same manner as communities surrounding the Category 1 facilities in Regions A and B and the Category 2 facility in Plainridge. The City, of course, is well aware that in contrast to the State's other casino facilities authorized under Chapter 23K which are either operating or under active construction, construction of the Project has currently been halted voluntarily by the Tribe as a result of the decision in the so-called Littlefield federal litigation.

The City is appreciative that the Proposed Guidelines provide that the Commission should make available no more than \$200,000 in technical assistance funding to assist a regional planning entity in the determination of potential impacts that may be experienced by communities in proximity to the Project. The City however believes that such funds will not

fully address potential impacts on Taunton as a host community. Instead, the City requests that the Commission make available funds to Taunton by making Taunton eligible to submit a request for a \$100,000 reserve fund in a manner similar to, and on the same basis as, the 2016 one-time reserve allowed for Region A, Region B and the Category 2 communities. In addition, although the City would not presume to speak on behalf of those communities in proximity to the Project that are defined as "Surrounding Communities" under the Compact (see Compact, Subpart 3.46), it would seem equitable that such communities also should be eligible to apply for a reserve fund.

The City acknowledges that some have speculated that due to the upcoming change in Administration in Washington, D.C. the prospects of continuing construction on the Project may be significantly diminished (see Transcript, page 131). However, as Commissioner Crosby has acknowledged, although that may be a factor to consider, at the moment there are a number of factors in play and it is premature to conclude the outcome of the Project (see Transcript, pages 131-132). Since its formation the Commission has received many opinions, including authoritative ones, concluding that the Tribe would not be federally recognized, successfully conclude the Compact or have its reservation land taken into trust. Nonetheless, the Commission has consistently, and in the City's view correctly, taken a wait and see attitude towards the Project. Accordingly, the City believes that it should be eligible to have the same access to the Community Mitigation Funds as other host communities.

Very truly yours,

TAFT STETTINIUS & HOLLISTER LLP



Michael J. Schaller

MJS/dja/17766212.1

cc: Jason Buffington



*Investigations and
Enforcement Bureau*

November 28, 2016

Stephen P. Crosby, Chairman
Gayle Cameron, Commissioner
Lloyd Macdonald, Commissioner
Bruce Stebbins, Commissioner
Enrique Zuniga, Commissioner

Massachusetts Gaming Commission
101 Federal Street
Boston, MA 02110

RE: SUITABILITY INVESTIGATION OF SPORTECH RACING, LLC,
APPLICANT FOR LICENSURE AS A GAMING VENDOR - PRIMARY

Dear Chairman Crosby and Commissioners:

Sportech Racing, LLC (“Sportech” or “Applicant”) has applied to the Massachusetts Gaming Commission for licensure as a Gaming Vendor – Primary. The Investigations and Enforcement Bureau (“IEB”) has conducted a suitability background investigation of Sportech in accordance with G.L. c. 23K, §§ 12, 16, 31, and 205 CMR 134.10. As an initial step in this process, the IEB, after a scoping process, designated three entities and 10 individuals as qualifiers for Sportech Racing, LLC’s application. See 205 CMR 134.04(4). The qualifiers are as follows:

Entity Qualifiers

1. Sportech PLC (ultimate parent company of the Applicant)
2. Sportech Holdco 2 Limited (immediate parent company of Sportech, Inc.)
3. Sportech, Inc. (immediate parent company of the Applicant)

Individual Qualifiers

1. Ian Richard Penrose (Chief Executive Officer – Sportech PLC)
2. Richard Owen Boardley (Director of Corporate Affairs – Sportech PLC)
3. James Doyle Birney (Vice President of Finance – Sportech Racing, LLC)
4. Louis Felipe Skelton (Chief Technology Officer – Sportech Racing, LLC)
5. George William Brannen (Director, North American Operations – Sportech Racing, LLC)
6. Andrew Ian Gaughan (President - Sportech Racing, LLC)
7. Francis Joseph Chesky III (General Counsel – Sportech Inc./Secretary – Sportech Racing, LLC)



Massachusetts Gaming Commission

8. Michelle Ann Fischer (Director of Sales – Sportech Racing, LLC)
9. Ted Steven Shaine (General Manager, Data Center – Sportech Racing, LLC)
10. David Louis Viera (General Manager, Data Center – Sportech Racing, LLC)

We evaluated Sportech Racing, LLC based upon the standards set forth in the G.L. c. 23K, §§ 12, 16, and 31, and 205 CMR 134.10, which encompass an evaluation of the Applicant's overall reputation, including without limitation the following criteria:

- Integrity, honesty, good character and reputation;
- Financial stability, integrity and background;
- History of compliance with gaming licensing requirements in other jurisdictions;
- Whether the Applicant is a defendant in litigation at the time of application;
- Applicant's criminal history, if any;
- Whether the applicant submitted an application that intentionally contains false or misleading information;
- Whether the applicant committed prior acts that have not been prosecuted but form a pattern of misconduct;
- Whether and to what extent the Applicant has associations with members of organized crime or other persons of disreputable character;
- The Applicant's cooperation with the IEB in connection with the background investigation; and
- Integrity, honesty, and good character of any subcontractor.¹

Under Massachusetts law, an applicant for a Gaming Vendor – Primary license is required to establish its qualifications for licensure by clear and convincing evidence, including the statutory criteria of integrity, honesty, good character and reputation, and financial stability, integrity and background. Taking into consideration the entirety of the IEB's investigation, we recommend that the Commission approve Sportech Racing, LLC for licensure. This letter summarizes the key aspects of the IEB's investigation.

Sportech Racing, LLC is a New Haven, Connecticut-based sports gaming and entertainment company that provides totalizer or "tote" systems. The company is currently providing services for the harness racing operation at the Plainridge Park Casino and Racecourse under a temporary license that initially issued on December 31, 2014. These systems accept wagers, calculate odds and payouts, and process wagering pools. The company also provides associated equipment and services to pari-mutuel betting venues; these include internet-based wagering systems, player tracking software, combination racing and video lottery terminals, and data management tools.

Sportech Racing, LLC was originally formed under the name Scientific Games Racing, LLC. In 2010, Sportech PLC purchased Scientific Games Racing and changed the company name to Sportech Racing, LLC.

¹ Sportech Racing, LLC has not utilized subcontractor services in Massachusetts.



Sportech Racing, LLC is a 100 percent subsidiary of Sportech, Inc., which in turn is owned by Sportech Holdco 2 Ltd. The ultimate parent company is Sportech PLC, a U.K.-based company that is publicly traded on the London stock exchange.

As part of our investigation, the IEB, among other things, reviewed the materials submitted as part of Sportech's application; requested and reviewed supplemental information as deemed necessary; gathered information from a variety of governmental and non-governmental sources and databases; conducted criminal records checks; verified the accuracy of information provided as part of Sportech's application; reviewed investigative information of gaming regulators from other jurisdictions relative to their licensure of Sportech; and communicated throughout the course of the investigation with Ms. Mary Rosenbauer (Compliance Manager), Mr. Joseph Chesky III (General Counsel – Sportech, Inc./Secretary – Sportech Racing, LLC), and Mr. Richard Owen Boardley (Director of Corporate Affairs – Sportech PLC). The Applicant was fully cooperative and forthcoming in all respects.

Sportech Racing, LLC has no criminal record. The investigation discovered no civil litigation that threatens the economic viability of the business or would negatively impact licensure. Research of available online and print media surfaced substantial media coverage of Sportech, but no material that would negatively impact suitability.

The IEB also evaluated Sportech Racing, LLC. for financial suitability, integrity and background by performing financial analysis and verification of its financial information. The Applicant's three qualifying entities were also evaluated. The Applicant and its three qualifying entities share a financial reporting structure in which all subsidiary entities consolidate up to Sportech PLC, the ultimate parent company. Accordingly, the IEB's financial analysis was performed utilizing the consolidated financial statements of Sportech PLC and its subsidiaries. To further assess financial stability, we performed several ratio analyses of operating results of Sportech PLC for a number of years. These ratio analyses consisted of an evaluation of liquidity, solvency, and profitability for the years under review. Our financial evaluation did not uncover any derogatory information that indicates that Sportech does not possess the requisite financial stability, integrity and background to be licensed as a Gaming Vendor – Primary.

The IEB also performed the requisite background suitability investigation of the 10 individuals who are qualifiers for the Applicant by virtue of their ability to exercise control or provide direction to the Applicant, and/or their responsibility for the Applicant's business in Massachusetts. See 205 CMR 134.04(4)(a), 134.04(5)(b). After performing all of the requisite inquiries and database checks on the individual qualifiers, no facts were discovered that would disqualify any of them. Nor did the investigation reveal any information that would preclude a finding that each of the individual qualifiers possesses the requisite integrity, honesty and good character to be deemed suitable under Massachusetts law.

In conclusion, taking into consideration the entirety of the investigation, the IEB recommends that the Commission approve the application of Sportech Racing, LLC for licensure as a Gaming Vendor – Primary.



Massachusetts Gaming Commission

Respectfully submitted,

Karen Wells (Lmt)

Karen Wells
Director – IEB

Loretta M. Lillios

Loretta M. Lillios
Chief Enforcement Counsel/Deputy Director, IEB

cc:

Ms. Mary Rosenbauer
Mr. Joseph Chesky
Mass. State Police Det. Lt. Brian Connors - MGC
Mass. State Police Sergeant Timothy Babbin - MGC
Marlon Polite, Supervisor of Financial Investigations - MGC
Monica Chang, Financial Investigator - MGC
Edward Jay, Financial Investigator - MGC



Massachusetts Gaming Commission

No Documents